

**NATIONAL ASSEMBLY OF THE FIRST SESSION OF THE
NINTH PARLIAMENT OF GUYANA (2006 – 2009)**

**REPORT OF
THE SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE
PARLIAMENT OF GUYANA
MANUAL OF RULES OF PROCEDURES AND
OPERATIONS OF COMMITTEES**

PRESENTED TO THE NATIONAL ASSEMBLY

BY

THE CHAIRPERSON OF THE COMMITTEE

ON

29TH OCTOBER, 2009

**REPORT OF THE
SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA
MANUAL OF RULES OF PROCEDURES AND
OPERATIONS OF COMMITTEES**

Appointment of a Special Select Committee

1. On 7th June 2007 the National Assembly passed Resolution No.29 which read as follows:

WHEREAS on the 10th May, 2007 the Parliament of Guyana Manual of Rules, Procedures and Operations of Committees was laid in the National Assembly;

AND WHEREAS the said Manual contains the rules, procedures, and operations of Committees functioning in the National Assembly.

RESOLVED:

That the National Assembly accepts in general the rules, procedures and operations of the said Manual;

FURTHER RESOLVED:

That a Select Committee be appointed to make recommendations to the National Assembly on the adoption of the said rules, procedures and operations.

Members of the Special Select Committee

2. At a meeting held on 20th June, 2007 the Committee of Selection appointed the following Members to comprise the Special Select Committee to consider the Manual.

Members of the People's Progressive Party/Civic (PPP/ C) (6)

The Hon. Carolyn Rodrigues-Birkett, M.P
Minister of Amerindian Affairs

The Hon. Manzoor Nadir, M.P.
Minister of Labour

Ms. Gail Teixeira, M.P.

Ms. Bibi S. Shadick, M. P.

Mr. Odinga N. Lumumba, M.P.

Mrs. Philomena Sahoye-Shury, C.C.H, J.P., M.P

Members of the People's National Congress/Reform – 1 Guyana (PNCR – 1G)(3)

Mrs. Clarissa Riehl, M.P.

Mr. E. Lance Carberry, M.P., Chief Whip

Mr. Mervyn Williams, M.P.

Members of the Alliance for Change (AFC)(1)

Mr. Khemraj Ramjattan, M.P

Meetings of the Committee

3. The Committee met on twenty-six (26) occasions. (See Appendix 1)

Election of Chairperson

4. At its first Meeting held on 12th July, 2007, the Committee elected the Hon. Carolyn Rodrigues- Birkett, M.P, Minister of Amerindian Affairs as the Chairperson.

The Chairperson was subsequently appointed as the Minister of Foreign Affairs.

Mandate

5. The Committee's mandate was guided by Resolution No. 29 (See Appendix II).

Organisation of Work

6. At its second meeting held on 10th December, 2007, the Committee agreed that it would examine the chapters in the Manual, paragraph by paragraph. In order to do so effectively, members agreed that:

- they would share amendments with each other via e-mail and that a list of the email addresses of the Members of the Committee would be circulated;
- they would have the relevant documentation for meetings sent to them by email; and
- at the conclusion of each meeting, Members would identify the chapters to be considered at the next Meeting.

Execution of Mandate

7. During the period of its work, the Committee significantly restructured and rewrote the Manual. In order to achieve its mandate it considered the work of the Special Select Committee

on the Draft Standing Orders 2006 to ensure that changes made in that Select Committee were reflected in the Manual.

The Committee removed Part III titled "Committee Division Staff Operation Manual" from the Manual since it addressed administrative matters which fall within the purview of the Parliament Office.

Recommendations

8. The Committee examined the draft Parliament of Guyana Manual of Rules, Procedures and Operations of Committees and made substantial changes. The Committee concluded its mandate and wishes to inform the National Assembly that the Parliament of Guyana Manual on Rules, Procedures and Operations of Committees returned to the House has been substantially amended and can be considered a completely new Manual.

The Select Committee recommends that:

- (i) Part III be published separately as an Operations Manual for the staff of the Committees Division.
- (ii) This Parliament of Guyana Manual of Rules, Procedures and Operations of Committees should be considered the first edition and be updated periodically to reflect developments and changes that may occur in the Standing Orders, practices of Committees and other related matters.
- (iii) This restructured Manual on Rules, Procedures and Operations of Committees be submitted for the adoption of the National Assembly.

8.1 The Committee was also mandated by way of Resolution 58 (Appendix III) to consider a second Manual titled "Manual on Rules of Procedure, Practices and Conventions used by Parliamentarians in the Conduct of the Business of the National Assembly." Due to the extensive

work the Committee expended on the first Manual, the Committee recommends that this second Manual be returned to the Consultant for restructuring and review.

Minutes and Verbatim Records

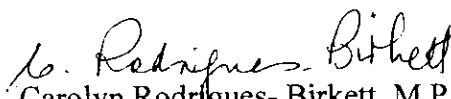
9. The Minutes and Verbatim records of proceedings of the Committee are available at Parliament Office.

Attendance Record

10. The attendance Record of the Special Select Committee is at Appendix IV.

Report of the Special Select Committee

11. At its meeting held on 26th October, 2009, the Special Select Committee approved this Report (attached as Appendix V) and agreed that it be submitted to the National Assembly for adoption.


Carolyn Rodrigues- Birkett, M.P

Minister of Foreign Affairs

Chairperson

Committees Division

Parliament Office

Brickdam, Georgetown

26th October, 2009

APPENDIX I
SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA
MANUAL OF RULES, PROCEDURES AND
OPERATIONS OF COMMITTEES

Meetings of the Committee

NUMBER OF MEETINGS	DATES OF COMMITTEE MEETINGS
1 st	12 th July, 2007
2 nd	10 th December, 2007
3 rd	17 th December, 2007
4 th	7 th January, 2008
5 th	14 th January, 2008
6 th	21 st January, 2008
7 th	4 th February, 2008
8 th	25 th February, 2008
9 th	31 st March, 2008
10 th	14 th April, 2008
11 th	21 st April, 2008
12 th	12 th May, 2008
13 th	19 th May, 2008
14 th	9 th June, 2008
15 th	16 th June, 2008
16 th	23 rd June, 2008
17 th	14 th July, 2008
18 th	21 st July, 2008
19 th	4 th Aug, 2008
20 th	8 th Aug, 2008
21 st	17 th November, 2008
22 nd	2 nd February, 2009
23 rd	9 th February, 2009
24 th	27 th April, 2009
25 th	4 th May, 2009
26 th	26 th October, 2009

APPENDIX II

NINTH PARLIAMENT OF GUYANA
FIRST SESSION (2006-2007)
NATIONAL ASSEMBLY

RESOLUTION NO. 29

WHEREAS on the 10th May, 2007 the Parliament of Guyana Manual of Rules of Procedure and Operations of Committees was laid in the National Assembly,

AND WHEREAS the said Manual contains the rules, procedure and operations of Committees functioning in the National Assembly

RESOLVED,

That the National Assembly accepts in general the rules, procedure and operations of the said Manual.

FURTHER RESOLVED,

That a Select Committee be appointed to make recommendations to the National Assembly on the adoption of the said rules, procedure and operations

Passed by the National Assembly on 7th June, 2007.



S.E. ISAACS

Clerk of the National Assembly

S. E. ISAACS
CLERK OF THE
NATIONAL ASSEMBLY

APPENDIX III

NINTH PARLIAMENT OF GUYANA
FIRST SESSION (2006-2008)
NATIONAL ASSEMBLY

RESOLUTION NO. 58

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,

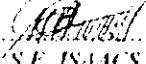
RESOLVED,

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

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

Passed by the National Assembly on Thursday, 8th May, 2008.


..... S. E. ISAACS
S. E. ISAACS CLERK OF THE
NATIONAL ASSEMBLY
Clerk of the National Assembly

APPENDIX IV

**SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA MANUAL OF RULES, PROCEDURES AND
OPERATIONS OF COMMITTEES**

ATTENDANCE RECORD (2007-2008)

NAME	July			Dec.			Jan.			Feb.		March	April		May			June			July		Aug.		Nov	
	12 th	10 th	17 th	7 th	14 th	21 st	4 th	25 th	31 st	14 th	21 st	12 th	19 th	9 th	16 th	23 rd	14 th	21 st	4 th	8 th	17 th					
The Hon. Carolyn Rodrigues, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
The Hon. Manzoor Nadir, M.P.	Pr.	Abs.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Gail Teixeira, M.P.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Ex.	Pr.	Abs.	Pr.	Ex.	Pr.	Ex.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Bibi S. Shadick, M. P.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Abs.	Ex.	Pr.	Abs.	Ex.	Pr.	Pr.	Pr.
Mr. Odinga N. Lumumba, M.P.	Pr.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Ex.
Mrs. Philomena Sahoye-Shury, C.C.H, J.P., M.P.	Pr.	Abs.	Ex.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Abs.	Ex.	Pr.	Pr.	Pr.
Mrs. Clarissa Riehl, M.P.	Pr.	Ex.	Pr.	Pr.	Pr.	Ex.	Ex.	Pr.	Abs.	Abs.	Abs.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Pr.	Pr.
Mr. E. Lance Carberry, M.P., Chief Whip	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Abs.	Abs.	Ex.	Ex.	Pr.	Pr.	Pr.	Ex.	Ex.	Abs.	Ex.	Pr.	Ex.	Abs.	Ex.	Pr.	Ex.	Pr.
Mr. Mervyn Williams, M.P.	Pr.	Pr.	Pr.	Ex.	Pr.	Abs.	Pr.	Ex.	Ex.	Ex.	Ex.	Abs.	Abs.	Ex.	Ex.	Ex.	Abs.	Ex.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.
Mr. Khemraj Ramjattan, M.P	Pr.	Abs.	Ex.	Pr.	Pr.	Abs.	Pr.	Ex.	Pr.	Pr.	Abs.	Abs.	Pr.	Abs.	Ex.	Ex.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.	Abs.

Pr. - Present
Abs. - Absent
Ex. - Excused

Committees Division
Parliament Office
Public Buildings
Georgetown
11th August, 2009

APPENDIX IV

SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA MANUAL OF RULES, PROCEDURES AND
OPERATIONS OF COMMITTEES

ATTENDANCE RECORD (2009)

NAME	February		April	May	October
	2 nd	9 th	27 th	4 th	26 th
The Hon. Carolyn Rodrigues, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.
The Hon. Manzoor Nadir, M.P.	Pr.	Pr.	Pr.	Pr.	Ex.
Ms. Gail Teixeira, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Bibi S. Shadick, M. P.	Pr.	Pr.	Pr.	Pr.	Pr.
Mr. Odinga N. Lumumba, M.P.	Pr.	Pr.	Pr.	Abs.	Ex.
Mrs. Philomena Sahoye- Shury, C.C.H, J.P., M.P	Pr.	Pr.	Pr.	Pr.	Pr.
Mrs. Clarissa Riehl, M.P.	Pr.	Ex.	Pr.	Pr.	Ex.
Mr. E. Lance Carberry, M.P., Chief Whip	Ex.	Ex.	Pr.	Ex.	Pr.
Mr. Mervyn Williams, M.P.	Ex.	Ex.	Abs.	Abs.	Ex.
Mr. Khemraj Ramjattan, M.P	Abs.	Ex.	Abs.	Abs.	Abs.

Pr. - Present
 Abs. - Absent
 Ex. - Excused

Committees Division
 Parliament Office
 Public Buildings
 Georgetown

**MINUTES OF PROCEEDINGS
OF THE 15TH MEETING OF THE COMMITTEE OF SELECTION OF THE
NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2009)
OF THE NINTH PARLIAMENT OF GUYANA
HELD ON THURSDAY, 22nd OCTOBER, 2009
AT 4.10 P.M.
IN THE SPEAKER'S CHAMBERS,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.**

ATTENDANCE

MEMBERS OF THE COMMITTEE (11)

Chairman

The Speaker of the National Assembly,
The Hon. Hari N. Ramkarran, S.C., M.P.

Other Members

Members from the People's Progressive Party/Civic (PP/C) (6)

The Hon. Samuel A.A.Hinds, M.P., - (Excused)
Prime Minister and Minister of Public Works and Communication

The Hon. Dr Leslie S. Ramsammy, M.P.,
Minister of Health

Mr. Donald Ramotar, M.P. - (Absent)

Ms. Gail Teixeira, M.P.

Mrs. Indranie Chandarpal, M.P., Chief Whip - (Excused)

(Nominated by the Committee of Selection on 9th April, 2009)

Mr. Neendkumar, J.P., M.P.

From the People's National Congress Reform - 1Guyana (PNCR -1G) (3)

Mrs. Clarissa S. Riehl, M.P.,
Deputy Speaker of the National Assembly - (Absent)

Mr. E. Lance Carberry, M.P., Chief Whip - (Absent)

Ms. Africo Selman, M.P. - (Absent)

From the Alliance for Change (AFC) (1)

Mr. Khemraj Ramjattan, M.P.

Officers

Mr. Sherlock E. Isaacs	-	Clerk of the National Assembly
Ms. Debra H. Cadogan	-	Head of Committees Division (Ag)
Mr. Nickalai Pryce	-	Assistant Clerk of Committees

COMMENCEMENT OF MEETING

The meeting commenced at 4.10 p.m.

PURPOSE OF MEETING

The meeting was convened to effect changes to the Membership of the following Committees of the National Assembly:

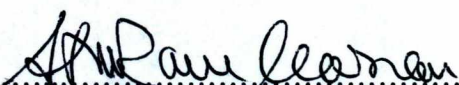
- Special Select Committee on the Custody, Contact, Guardianship and Maintenance Bill 2009- Bill No. 29 of 2009;
- Special Select Committee on the Childcare and Development Services Bill 2009- Bill No. 31 of 2009; and
- Special Select Committee on the Sexual Offences Bill 2009- Bill No. 30 of 2009.

NOMINATIONS OF MEMBERS TO THE SPECIAL SELECT COMMITTEE ON THE CUSTODY, CONTACT, GUARDIANSHIP AND MAINTENANCE BILL 2009- BILL No. 29 OF 2009, CHILDCARE AND DEVELOPMENT SERVICES BILL 2009 - BILL No.31 OF 2009 AND THE SPECIAL SELECT COMMITTEE ON THE SEXUAL OFFENCES BILL 2009- BILL No.30 OF 2009

The Chairman referred to the letter dated 20th October, 2009 submitted by the People's National Congress Reform - 1 Guyana (PNCR-1G) requesting changes to the above Select Committees. However, due to the absence of the Members of the PNCR-1G from the meeting of the Committee of Selection, the nominations of Members to effect the changes were deferred to a subsequent meeting.

TERMINATION OF MEETING

The meeting terminated at 4.15 p.m.


.....
HON. HARI N. RAMKARRAN, S.C., M.P
Speaker of the National Assembly
Chairperson of the Committee of Selection

**NATIONAL ASSEMBLY OF THE FIRST SESSION OF THE
NINTH PARLIAMENT OF GUYANA (2006 – 2009)**

**REPORT OF
THE SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE
PARLIAMENT OF GUYANA
MANUAL OF RULES OF PROCEDURES AND
OPERATIONS OF COMMITTEES**

PRESENTED TO THE NATIONAL ASSEMBLY

BY

THE CHAIRPERSON OF THE COMMITTEE

ON

29TH OCTOBER, 2009

**REPORT OF THE
SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA
MANUAL OF RULES OF PROCEDURES AND
OPERATIONS OF COMMITTEES**

Appointment of a Special Select Committee

1. On 7th June 2007 the National Assembly passed Resolution No.29 which read as follows:

WHEREAS on the 10th May, 2007 the Parliament of Guyana Manual of Rules, Procedures and Operations of Committees was laid in the National Assembly;

AND WHEREAS the said Manual contains the rules, procedures, and operations of Committees functioning in the National Assembly.

RESOLVED:

That the National Assembly accepts in general the rules, procedures and operations of the said Manual;

FURTHER RESOLVED:

That a Select Committee be appointed to make recommendations to the National Assembly on the adoption of the said rules, procedures and operations.

Members of the Special Select Committee

2. At a meeting held on 20th June, 2007 the Committee of Selection appointed the following Members to comprise the Special Select Committee to consider the Manual.

Members of the People's Progressive Party/Civic (PPP/ C) (6)

The Hon. Carolyn Rodrigues-Birkett, M.P
Minister of Amerindian Affairs

The Hon. Manzoor Nadir, M.P.
Minister of Labour

Ms. Gail Teixeira, M.P.

Ms. Bibi S. Shadick, M. P.

Mr. Odinga N. Lumumba, M.P.

Mrs. Philomena Sahoye-Shury, C.C.H, J.P., M.P

Members of the People's National Congress/Reform – 1 Guyana (PNCR – 1G)_(3)

Mrs. Clarissa Riehl, M.P.

Mr. E. Lance Carberry, M.P., Chief Whip

Mr. Mervyn Williams, M.P.

Members of the Alliance for Change (AFC)(1)

Mr. Khemraj Ramjattan, M.P

Meetings of the Committee

3. The Committee met on twenty-six (26) occasions. (See Appendix 1)

Election of Chairperson

4. At its first Meeting held on 12th July, 2007, the Committee elected the Hon. Carolyn Rodrigues- Birkett, M.P, Minister of Amerindian Affairs as the Chairperson.

The Chairperson was subsequently appointed as the Minister of Foreign Affairs.

Mandate

5. The Committee's mandate was guided by Resolution No. 29 (See Appendix II).

Organisation of Work

6. At its second meeting held on 10th December, 2007, the Committee agreed that it would examine the chapters in the Manual, paragraph by paragraph. In order to do so effectively, members agreed that:

- they would share amendments with each other via e-mail and that a list of the email addresses of the Members of the Committee would be circulated;
- they would have the relevant documentation for meetings sent to them by email; and
- at the conclusion of each meeting, Members would identify the chapters to be considered at the next Meeting.

Execution of Mandate

7. During the period of its work, the Committee significantly restructured and rewrote the Manual. In order to achieve its mandate it considered the work of the Special Select Committee

on the Draft Standing Orders 2006 to ensure that changes made in that Select Committee were reflected in the Manual.

The Committee removed Part III titled "Committee Division Staff Operation Manual" from the Manual since it addressed administrative matters which fall within the purview of the Parliament Office.

Recommendations

8. The Committee examined the draft Parliament of Guyana Manual of Rules, Procedures and Operations of Committees and made substantial changes. The Committee concluded its mandate and wishes to inform the National Assembly that the Parliament of Guyana Manual on Rules, Procedures and Operations of Committees returned to the House has been substantially amended and can be considered a completely new Manual.

The Select Committee recommends that:

- (i) Part III be published separately as an Operations Manual for the staff of the Committees Division.
- (ii) This Parliament of Guyana Manual of Rules, Procedures and Operations of Committees should be considered the first edition and be updated periodically to reflect developments and changes that may occur in the Standing Orders, practices of Committees and other related matters.
- (iii) This restructured Manual on Rules, Procedures and Operations of Committees be submitted for the adoption of the National Assembly.

8.1 The Committee was also mandated by way of Resolution 58 (Appendix III) to consider a second Manual titled "Manual on Rules of Procedure, Practices and Conventions used by Parliamentarians in the Conduct of the Business of the National Assembly." Due to the extensive

work the Committee expended on the first Manual, the Committee recommends that this second Manual be returned to the Consultant for restructuring and review.

Minutes and Verbatim Records

9. The Minutes and Verbatim records of proceedings of the Committee are available at Parliament Office.

Attendance Record

10. The attendance Record of the Special Select Committee is at Appendix IV.

Report of the Special Select Committee

11. At its meeting held on 26th October, 2009, the Special Select Committee approved this Report (attached as Appendix V) and agreed that it be submitted to the National Assembly for adoption.


Carolyn Rodrigues- Birkett, M.P

Minister of Foreign Affairs

Chairperson

Committees Division

Parliament Office

Brickdam, Georgetown

26th October, 2009

APPENDIX I
SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA
MANUAL OF RULES, PROCEDURES AND
OPERATIONS OF COMMITTEES

Meetings of the Committee

NUMBER OF MEETINGS	DATES OF COMMITTEE MEETINGS
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12 th	12 th May, 2008
13 th	19 th May, 2008
14 th	9 th June, 2008
15 th	16 th June, 2008
16 th	23 rd June, 2008
17 th	14 th July, 2008
18 th	21 st July, 2008
19 th	4 th Aug, 2008
20 th	8 th Aug, 2008
21 st	17 th November, 2008
22 nd	2 nd February, 2009
23 rd	9 th February, 2009
24 th	27 th April, 2009
25 th	4 th May, 2009
26 th	26 th October, 2009

APPENDIX II

NINTH PARLIAMENT OF GUYANA
FIRST SESSION (2006-2007)
NATIONAL ASSEMBLY

RESOLUTION NO. 29

WHEREAS on the 10th May, 2007 the Parliament of Guyana Manual of Rules of Procedure and Operations of Committees was laid in the National Assembly;

AND WHEREAS the said Manual contains the rules, procedure and operations of Committees functioning in the National Assembly;

RESOLVED,

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

FURTHER RESOLVED,

That a Select Committee be appointed to make recommendations to the National Assembly on the adoption of the said rules, procedure and operations

Passed by the National Assembly on 7th June, 2007.


.....
S.E. ISAACS
Clerk of the National Assembly

S. E. ISAACS
CLERK OF THE
NATIONAL ASSEMBLY

APPENDIX III

**NINTH PARLIAMENT OF GUYANA
FIRST SESSION (2006-2008)
NATIONAL ASSEMBLY**

RESOLUTION NO. 58

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,

RESOLVED,

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

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

Passed by the National Assembly on Thursday, 8th May, 2008.


.....
S. E. ISAACS
S. E. ISAACS **CLERK OF THE**
NATIONAL ASSEMBLY
Clerk of the National Assembly

APPENDIX IV

SPECIAL SELECT COMMITTEE
TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA MANUAL OF RULES, PROCEDURES AND
OPERATIONS OF COMMITTEES

ATTENDANCE RECORD (2007-2008)

NAME	July	Dec.		Jan.			Feb.		March	April		May		June			July		Aug.		Nov
	12 th	10 th	17 th	7 th	14 th	21 st	4 th	25 th	31 st	14 th	21 st	12 th	19 th	9 th	16 th	23 rd	14 th	21 st	4 th	8 th	17 th
The Hon. Carolyn Rodrigues, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Ex.	Pr.	Ex.
The Hon. Manzoor Nadir, M.P.	Pr.	Abs.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Gail Teixeira, M.P.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Ex.	Pr.	Abs.	Pr.	Ex.	Pr.	Ex.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Bibi S. Shadick, M. P.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Pr.	Ex.	Pr.	Abs.	Ex.	Pr.
Mr. Odinga N. Lumumba, M.P.	Pr.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Ex.	Abs.	Abs.	Abs.	Abs.	Ex.
Mrs. Philomena Sahoye-Shury, C.C.H, J.P., M.P.	Pr.	Abs.	Ex.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Abs.	Ex.	Pr.
Mrs. Clarissa Riehl, M.P.	Pr.	Ex.	Pr.	Pr.	Pr.	Ex.	Ex.	Pr.	Abs.	Abs.	Abs.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Ex.	Ex.	Pr.
Mr. E. Lance Carberry, M.P., Chief Whip	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Ex.	Abs.	Abs.	Ex.	Ex.	Pr.	Pr.	Ex.	Ex.	Abs.	Ex.	Pr.	Ex.	Pr.
Mr. Mervyn Williams, M.P.	Pr.	Pr.	Pr.	Ex.	Pr.	Abs.	Pr.	Ex.	Ex.	Ex.	Ex.	Abs.	Abs.	Ex.	Ex.	Ex.	Abs.	Ex.	Abs.	Abs.	Abs.
Mr. Khemraj Ramjattan, M.P	Pr.	Abs.	Ex.	Pr.	Pr.	Abs.	Pr.	Ex.	Pr.	Pr.	Abs.	Abs.	Pr.	Abs.	Ex.	Ex.	Abs.	Abs.	Abs.	Abs.	Abs.

Pr. - Present
Abs. - Absent
Ex. - Excused

Committees Division
Parliament Office
Public Buildings
Georgetown
11th August, 2009

APPENDIX IV

SPECIAL SELECT COMMITTEE TO MAKE RECOMMENDATIONS ON THE PARLIAMENT OF GUYANA MANUAL OF RULES, PROCEDURES AND OPERATIONS OF COMMITTEES

ATTENDANCE RECORD (2009)

NAME	February		April	May	October
	2 nd	9 th	27 th	4 th	26 th
The Hon. Carolyn Rodrigues, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.
The Hon. Manzoor Nadir, M.P.	Pr.	Pr.	Pr.	Pr.	Ex.
Ms. Gail Teixeira, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.
Ms. Bibi S. Shadick, M. P.	Pr.	Pr.	Pr.	Pr.	Pr.
Mr. Odinga N. Lumumba, M.P.	Pr.	Pr.	Pr.	Abs.	Ex.
Mrs. Philomena Sahoye- Shury, C.C.H, J.P., M.P	Pr.	Pr.	Pr.	Pr.	Pr.
Mrs. Clarissa Riehl, M.P.	Pr.	Ex.	Pr.	Pr.	Ex.
Mr. E. Lance Carberry, M.P., Chief Whip	Ex.	Ex.	Pr.	Ex.	Pr.
Mr. Mervyn Williams, M.P.	Ex.	Ex.	Abs.	Abs.	Ex.
Mr. Khemraj Ramjattan, M.P	Abs.	Ex.	Abs.	Abs.	Abs.

Pr. - Present
Abs. - Absent
Ex. - Excused

Committees Division
Parliament Office
Public Buildings
Georgetown

NATIONAL ASSEMBLY

OF THE

PARLIAMENT OF GUYANA

MANUAL OF THE RULES, PROCEDURES

AND OPERATIONS

OF COMMITTEES

26th October 2009

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Preface

A series of constitutional changes resulted in an expanded Committee system in the National Assembly. Members of Parliament are therefore expected to be more actively engaged in the business of the National Assembly at the Committee level. This Committee system is to a large extent, uncharted territory for Members of Parliament participating in these Committees.

Therefore, apart from the need to have a functional understanding of the Rules and Procedures of the National Assembly, it is imperative that all Members of Parliament become fully au fait with the procedures and operations of the Committee System.

This manual, titled “**Manual Of Rules, Procedures And Operations Of Committees,**” is intended to help Members of Parliament in the execution of their Parliamentary duties. It encapsulates the manner in which the Committees are established, their membership, functions, decision making and reporting mechanisms, and how their Meetings are conducted. Procedures for summoning and questioning witnesses, which are critical for the work of the Committees, form part of this manual.

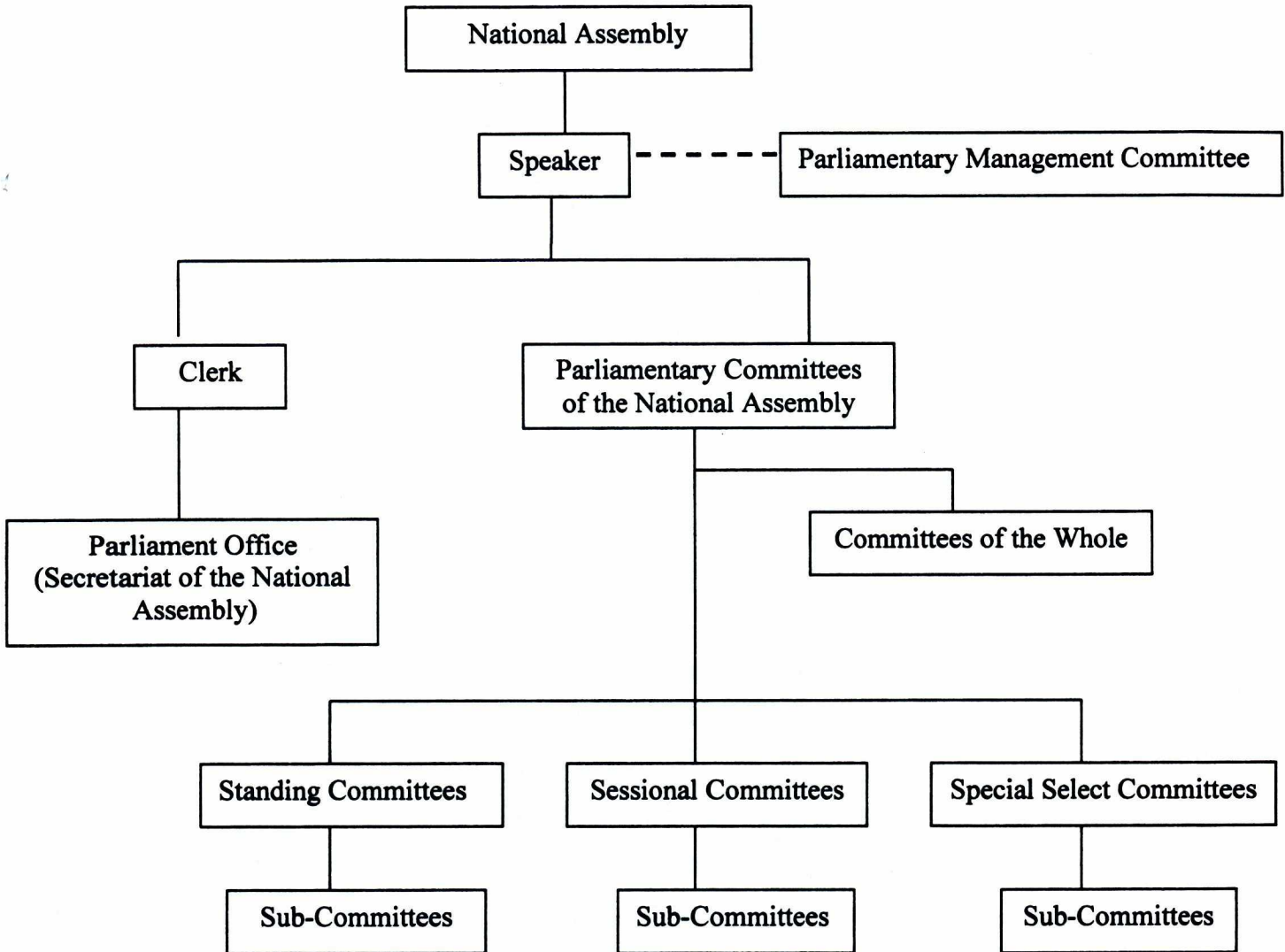
Additionally, the Manual outlines the step-by-step procedure for dealing with Bills which are the major part of the work of the National Assembly.

An important element of the Guyana Constitution is the establishment of several Constitutional Commissions. The Committee of Appointments, which is a Standing Committee of the National Assembly, is responsible for facilitating the appointment of these Commissions. The Manual details the procedure to be followed in appointing these Commissions.

The Members, of the Special Select Committee to make recommendations on the Parliament of Guyana Manual of Rules of Procedure and Operations of Committees were Members of Parliament Carolyn Rodrigues-Birkett (Chairperson), Manzoor Nadir, Gail Teixeira, Bibi Shadick, Odinga Lumumba, Philomena Sahoye-Shury, E. Lance Carberry, Clarissa Riehl, Mervyn Williams and Khemraj Ramjattan.

ORGANISATIONAL STRUCTURE

NATIONAL ASSEMBLY OF THE PARLIAMENT OF GUYANA



PART I - STRUCTURE AND GENERAL PROCEDURE OF COMMITTEES

CHAPTER 1

PARLIAMENTARY COMMITTEES

1.1 Background

The Parliamentary system of Guyana has its origin in the British Parliamentary System of the colonial era. Following Independence in 1966, constitutional changes established Guyana as a Republic in 1970. Furthermore, the 1980 Constitution restructured Guyana's Parliament to reflect a hybrid Westminster-Republican system. The Parliament of Guyana comprises the President and the National Assembly.

Up to the 1990s, the Standing Orders and the Committee system went through few changes, reflecting typically what existed in most Parliaments in the CARICOM and Commonwealth countries. The Standing Orders were amended in 1997.

A new constitutional reform process commenced in 1995 in the 6th Parliament but was not concluded. By 1999, with the agreement of the parliamentary political parties, a new and more comprehensive constitutional reform process began. This period (1999-2003) saw major constitutional changes being enacted. The Constitution embodied major parliamentary reform in order to reflect a more democratic, participatory and inclusive approach to governance. Amongst these constitutional amendments were the provisions for:

- (1) The establishment and appointment of five Human Rights Commissions namely
 - (a) the Ethnic Relations Commission,
 - b) the Women and Gender Equality Commission
 - c) the Rights of the Child Commission
 - d) the Indigenous Peoples Commission
 - e) the Human Rights Commission

- (2) The establishment and appointment of three Services Commissions namely—the Judicial Service Commission, the Public Service Commission and the Police Service Commission.
- (3) The creation of a Parliamentary Standing Committee to Appoint Members of Commissions named at (1) and (2)
- (4) The creation of a Parliamentary Standing Committee on Constitutional Reform;
- (5) The creation of four Parliamentary Sectoral Committees - Economic Services, Social Services , Natural Resources and Foreign Relations;
- (6) The creation a Parliamentary Management Committee;
- (7) Increased powers to the Public Accounts Committee with “general supervision over the Audit Office”
- (8) The removal of the Audit Office of Guyana from under the Ministry of Finance to the Parliament.

This expanded Committee system was given effect through resolutions of the National Assembly.

The first Committee of Appointments and the four sectoral Committees were established in 2003. The incorporation of the Audit Office of Guyana under the Parliament and the PAC’s “general supervision of the Audit Office” began on the 1st April 2006.

A Parliamentary Needs Assessment in 2005 highlighted additional areas to be amended, both systemically and administratively. A Special Select Committee in 2005 was tasked with examining the recommendations of the Sir Michael Davis and Mr. Pinder’s reports on the Needs Assessment of the National Assembly 2005 and the Bradford Report on Fiduciary Oversight 2005. This Committee reported to the National Assembly of the 8th Parliament in April 2006 and recommended that 79 of those recommendations be accepted. The National Assembly adopted the report on April 2006.

To reflect and facilitate these changes, the Special Select Committee also revised the 1997 Standing Orders. Some of these reforms included opening up the meetings of the Public Accounts Committee and the four sectoral committees to the public and the media.

Thus by the end of the 8th Parliament, the committee system had been expanded to include the creation of 8 new committees.

As a result of this robust period of parliamentary reform (1999- 2006) the expanded committee system includes thirteen Standing and Sessional Committees as follows:

9 Standing Committees¹:

The Committee of Selection

The Public Accounts Committee

The Constitution Reform Committee

The Committee of Appointments

The Parliamentary Management Committee

The (4) Sectoral Committees- Economic Services, Social Services, Foreign Relations and Natural Resources

4 Sessional Select Committees:

The Standing Orders Committee

The Assembly Committee

The Committee of Privileges

The Statutory Instruments Committee

In addition, there are Special Select Committees which are established from time to time by Resolutions of the House.

¹ On January 29th, 2009 the Constitution was amended to provide for the creation of the Parliamentary Oversight Committee on the Security Sector, thus increasing the Standing Committees to ten.

The Importance of Parliamentary Committees

Whilst much public and media attention is given to the debates on the floor of the National Assembly, the bulk of the work is carried out in the Committees away from the public eye.

Committees can be described as the back-bone of parliamentary work in which all sides of the House bring dedicated and detailed focus on the tasks at hand. Committees provide the opportunity and a mechanism for greater attention and scrutiny of matters. Moreover, it is a mechanism for cross-party discussion and analysis which can lead to consensus on matters. It is in these meetings that greater understanding and appreciation of the parliamentary political parties' views can be explored, making Parliament a much more deliberative forum allowing for greater inclusiveness and participation of the Members of Parliament on all sides of the House.

Committees, supported by the staff of the Parliament, actually carry a huge responsibility and work load which ultimately is reflected in the level of contribution of the reports and findings to the House. Members of Committees are expected to take their presence in these Committees seriously and to participate actively in their mandate and responsibilities.

Committees carry out a variety of tasks depending on their mandate and include a diversity of relations both with the government and the public at large. For example, the Public Accounts Committee calls on public officials to answer and be accountable for the public purse; the new sectoral committees can summon the presence of Ministers and officials of budgetary and statutory agencies to appear and answer matters relating to policy and administration: the Committee of Appointments relates to large numbers of civil society in the nomination process for the four Human Rights Commissions; and special select committees can invite both oral and written submissions from the public on a variety of matters.

It would be no exaggeration to assert that the expanded committee system which exists in the Parliament of Guyana reflects one of the more progressive and innovative parliamentary systems in the Commonwealth.

This manual provides the rules of procedures to the committees of the Guyana Parliament based on the revised 2006 Standing Orders coupled with the experiences of other Parliaments and the practices which have emerged from the new committees established in 2003.

1.2 Authority for the Appointment of Committees

1.2.1 The power of the Assembly to appoint Committees is inherent in article 165 (1) of the Constitution which prescribes as follows–

“subject to the provisions of this Constitution, the National Assembly may regulate its own procedure and may make rules for that purpose.”

1.2.2 In addition to this, the Constitution has directed the Assembly to appoint the following Committees –

- (1) Parliamentary Standing Committee for Constitutional Reform²;
- (2) Parliamentary Sectoral Committees for the scrutiny of all areas of Government policy,³ and
- (3) Standing Committee of the National Assembly with responsibility for the appointment of members of Constitutional Commissions⁴.

1.2.3 A second source is by virtue of the common law: the establishment of a legislative chamber carried with it, by implication, powers which are necessary to the proper exercise of the functions given to it.

1.3 Membership

The membership of Committees varies from six to ten Members⁵ excluding the Speaker if he is the Chairperson and is restricted to Members of the Assembly in accordance with the Standing

² Const. art. 119A

³ Const. art. 119B

⁴ Const. art. 119C

⁵ This section does not relate to the Committee of the Whole – see 9.1.

Orders. The number of Members appointed to a Committee is determined by the Committee of Selection and only Members of the Assembly can be so appointed. The Constitution Reform Committee is an exception which has power to co-opt experts or enlist the aid of other persons of appropriate expertise, whether or not such experts or other persons are Members of the Assembly. As far as possible membership of a Committee are so composed as to reflect the balance of parties in the Assembly⁶.

1.4 Filling of Vacancies

If a vacancy occurs in the membership of a Committee, including the suspension of a member from the National Assembly, the Assembly shall appoint another Member in his or her place maintaining the balance of parties⁷.

1.5 Absence

A Member is required to attend all meetings of a Committee. If he or she is unable to attend any meeting he or she must receive the permission of the Chairperson to be absent. If a Member is absent from three or more consecutive meetings of a Committee without the permission of the Chairperson of the Committee, the Chair shall so advise the Committee of Selection.

1.6 Election of the Chairperson and Vice Chairperson

1.6.1 A Chairperson and Vice Chairperson of a Committee are elected at the first meeting of the Committee with the Speaker, or in his absence, the Deputy Speaker presiding. When a vacancy arises in either office of a Chairperson or Vice Chairperson, the Clerk of Committees presides at the meeting for such an election.

1.6.2 In the case of Sectoral Committees a Chairperson and Vice Chairperson are elected from the Government and Opposition respectively. They alternate annually and at any one time two Committees each are chaired by Government and Opposition respectively.

⁶ S.O. 93 (1)

⁷ S.O. 93 (3)

1.7 Role of the Chairperson

In the exercise of his or her function as presiding officer, the Chairperson or Vice Chairperson:

- (1) Maintains order at Committee meetings;
- (2) Orders the withdrawal of disorderly strangers;
- (3) Reports disorderly Members to the Assembly for censuring;
- (4) Recognises Members to address the Committee;
- (5) Initiates examination of witnesses;
- (6) Supplies the Clerk of Committees with the name of every witness required by the Committee;
- (7) Presents a Committee's report and special report to the Assembly;
- (8) Ensures that all procedural rules applicable to a Committee are observed and maintained⁸.

1.8 Absence of Chairperson

1.8.1 Where the Standing Orders provide for a Vice Chairperson, as in the case of a Sectoral Committee⁹, the Vice-Chairperson performs the duty as Chairperson in his absence. However in a Committee other than a Sectoral Committee, if the Chairperson is unable to be present at any meeting, the Committee elects another Chairperson for the day¹⁰.

1.8.2. In the absence of the Speaker, who is Chairperson of the Sessional Select Committees, the Committee of the Whole Assembly and the Parliamentary Management Committee, the Deputy Speaker shall preside.

1.9 Types of Committees

The Committees of the Assembly are:

⁸ S.O. 94 (18)

⁹ S.O. 86 (5) (9)

¹⁰ S.O. 94 (4)

- (1) Standing Committees
- (2) Sessional Select Committees
- (3) Special Select Committees
- (4) Committees of the Whole Assembly

1.9.1 Standing Committees

Standing Committees are appointed at the commencement of a new Parliament and include –

- (1) The Parliamentary Management Committee
- (2) The Committee of Selection;
- (3) The Public Accounts Committee;
- (4) The Constitution Reform Committee;
- (5) The Committee on Appointments;
- (6) The Parliamentary Oversight Committee on the Security Sector¹¹
- (6) The Sectoral Committees specified in Standing Order No. 86:
 1. Committee on Natural Resources
 2. Committee on Economic Services
 3. Committee on Foreign Relations
 4. Committee on Social Services¹²

1.9.1.2 The business and proceedings before a Standing Committee do not lapse as a consequence of the prorogation of Parliament but continue in the next ensuing session of the same Parliament. These Standing Committees are referred to in Chapters 15 to 24.

1.9.2 Sessional Select Committees

Sessional Select Committees which are appointed at the commencement at each session include:

¹¹ This Committee was established by an Act of Parliament on the 29th January 2009. The Terms of Reference is pending.

¹² S.O. 80

- (1) The Standing Orders Committee;
- (2) The Assembly Committee;
- (3) The Committee of Privileges; and
- (4) The Statutory Instruments Committee.

1.9.2.1 The Sessional Select Committees cease to exist on the prorogation of Parliament. The business and proceedings before them lapse, but these may be revived in a subsequent session. These Sessional Select Committees are referred to in Chapters 25 to 28.

1.9.3 Special Select Committees

1.9.3.1 Special Select Committee are Committees composed of an agreed limited number of members of the Assembly. Special Select Committee are usually appointed to consider or enquire into and, if so empowered, to take evidence upon some matters and to report the opinions or observations, or recommendations thereon for information of the Assembly, or to consider a Bill tabled in the National Assembly, after its first or second reading. However, they may also be appointed for any other purpose which the Assembly considers necessary.

1.9.3.2 Special Select Committees cease to exist with the presentation of their final report to the Assembly. Where they have not completed their work by the end of a session, it ceases on prorogation, but it may be revived in a subsequent session on the reappointment of the Committees. The Assembly may, however, by resolution permit a Special Select Committee to remain in being and continue its work notwithstanding the end of a session.¹³ These Special Select Committees are referred to in Chapters 29.

1.9.4 Committees of the Whole Assembly

A Committee of the Whole Assembly is appointed to consider a Bill, estimates of expenditure for a financial year, and from time to time Supplementary Estimates and Statements of Excess. A Committee of the Whole Assembly comprises the entire membership of the Assembly.

¹³ S.O. 103 (1)

CHAPTER 2

SUB-COMMITTEES

2.1 Appointment

Sub-committees are to Committees what Committees are to the Assembly; the parent body is relieved of a portion of its workload by delegating some part of its mandate or a particular task to a smaller group. All Committees except, the Committee of the Whole, are empowered to appoint Sub-committees.¹⁴

2.2 Rules

A Committee may prescribe rules which are consistent with the Standing Orders for the conduct of a Sub-committee's proceedings. Subject to any rules prescribed by a Committee, its Sub-committee must comply with the same rules for the conduct of proceedings in the Committee.

2.3 Proceedings

Proceedings in a Sub-committee are of an informal, collegiate nature. Membership is restricted to the members of the Committee.

2.4 Mandate

Sub-committees receive their mandate from the Committee. They cease to exist once they have made their report to the Committee or if the work is interrupted by prorogation.

2.5 Powers

Sub-committees possess only those powers which are conferred on them by the Committee. Sub-committees to which part of a Committee's mandate is delegated are usually given the full

¹⁴ S.O. 94 (19)

powers of the Committee. Sub-committees do not report directly to the Assembly. However, their reports may be brought to the Assembly as an appendix to the report of the Committee.

CHAPTER 3

MEETINGS

3.1 Meetings of Committees

3.1.1 Committees conduct their deliberations and make decisions within the framework of meetings. Although Committees exercise some latitude in the format that meetings may take, they do so within the ambit of the Standing Orders.

3.1.2 Meetings of a Committee are normally held in private unless otherwise determined by the Committee.

3.2 Types of Meetings

The following are the various forms meetings of Committees may take:

- (1) formal presentations by invited Ministers and officials;
- (2) public fora where members of the public have the opportunity to express their views with or without making a formal presentation to a Committee;
- (3) *in camera* meetings;
- (4) round-table discussions

3.4 Place of Meetings

Committees usually meet within the Public Buildings, but, if it becomes necessary, they can meet at any other place within Guyana with the consent of the Speaker¹⁵.

3.5 Convening of Meetings

¹⁵ S.O. 94 (8)

Meetings of all Committees are convened by the Chairperson except for the first Meeting of every Special Select Committee which is convened by the Speaker for the purpose of electing the Chairperson of the Committee.

3.6 Notice of Meetings

3.6.1 A Committee meeting is convened by a notice sent to its Members by the Clerk of the Committee no later than three days before the meeting, unless the Committee, by agreement, adjourns to a date earlier than three days.

3.6.2 A Committee cannot meet while the Assembly is sitting, unless leave is granted by the Assembly to do so. However, a Committee may meet at any time when the Assembly is adjourned.¹⁶

3.7 Quorum

3.7.1 Unless the Assembly otherwise directs, the quorum of a Committee, except the Parliamentary Management Committee and the Public Accounts Committee, is fixed at three. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.¹⁷

3.7.2 The quorum of the Public Accounts Committee is three except that the Chairperson must be a member of the main opposition in the Assembly.

3.7.3 A quorum for the Parliamentary Management Committee shall be five Members, two representing the Government and two representing the Opposition one of whom shall be representative of the main Opposition Party and the Speaker or, in his or her absence, the Deputy Speaker. If a meeting which is convened cannot be held for the lack of a quorum, Members of the Committee shall be given forty-eight hours notice of the holding of another meeting at which

¹⁶ S.O. 94 (11)

¹⁷ S.O. 94 (6)

other meeting the Members present shall comprise a quorum provided at least one Member of the Opposition is present.¹⁸

3.8 Conduct of Meetings

In Committees the rules of debate follow those of the Assembly¹⁹ with the exception of the following –

- (1) a Member may speak more than once on any question;
- (2) there is no limitation on the length of speech; and
- (3) the seconding of motions is unnecessary.

3.9 Limiting time

Committees may impose their own limitation in order to complete an inquiry within the time-line of their mandate.

3.10 Decision Making Process

Decisions in Committees are regularly made in an informal manner and by consensus. However, whenever there is disagreement, a division may be called and the Clerk of the Committee records the votes by asking each Member separately how he or she desires to vote. The Chairperson shall not have an original vote but in the event of an equality of votes he or she shall give a casting vote.²⁰

3.11 Minutes of Proceedings

3.11.1 Minutes of Proceedings are prepared by the Clerk of the Committee. The Minutes must record the names of Members and alternates, if any, attending each meeting, every motion or amendment moved in the Committee and the name of the mover and the names of Members

¹⁸ S.O. 85 (3)

¹⁹ See Chapter VII of the Standing Orders for Rules of Debate

²⁰ S.O. 101 (5)

voting in a division, indicating on which side they have each voted. The minutes also record the proceedings on the consideration of any report or Bill and on every amendment proposed.

3.11.2 In addition, Minutes of Proceedings indicate the number, time, date and place of the meeting, whether it is a public or private meeting; the name of the presiding officer, names of advisers and experts and any witnesses examined, the documents formally received, and any action taken in relation to them, and the time, date and place of the next meeting. Rulings on procedural issues must also form part of the Minutes.

3.11.3 As a practice and as far as possible, the style of a Committee's Minutes must conform to the style of the Minutes of the National Assembly. They must not summarise deliberations but record matters of fact and any resolutions resulting from the Committee's deliberations.

3.12 Confirmation of Minutes

3.12.1 Minutes of proceedings of a Committee meeting are confirmed at its next meeting after the Committee has adopted them and agreed to any necessary amendments. The Chairperson of a Committee may certify as correct the unconfirmed Minutes of the final meeting of the Committee.

3.12.2 Minutes are tabled in the Assembly as an appendix to the relevant report of a Committee, except that the Minutes of the Committee of Selection are submitted directly to the Assembly.

3.13 Confidentiality of proceedings and records

3.13.1 Standing Order No. 100 provides for deliberations of a Committee and proceedings of a Committee or a sub-committee (other than proceedings during the hearing of public evidence, where permissible by Standing Orders or the Assembly), not to be open to the public and to remain strictly confidential to the Committee until its report is submitted to the Assembly.

3.13.2 The fore-going does not prevent –

- (a) the disclosure, by the Committee or by a Member of the Committee, of proceedings to a Member of Parliament or to the Clerk or another officer of the Assembly in the course of his or her duties;
- (b) the disclosure, by the Committee of proceedings to any person for the purpose of assisting in the Committee's consideration of a matter; and
- (c) the disclosure of proceedings in accordance with Standing Orders.

3.13.3 A Committee making an interim report or a special report to the Assembly may resolve that some or all proceedings relating to the report remain confidential to the Committee until its final report is submitted to the Assembly.

3.13.4 Confidentiality is also supported by the provision of Standing Order No. 102 that states that the proceedings of the evidence taken before any Select Committee and any documents presented to and decisions of such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the Assembly.

3.13.5 This provision covers meetings of a Committee held in private, the Minutes and the records of the Committee. Any unauthorized breach of this confidentiality shall be dealt with by the Assembly.

3.13.6 For those Committees that meet in public, Standing 102 holds in relation to the premature release of their findings.

CHAPTER 4

REPORTS FROM COMMITTEES

4.1 Reports from Committees

A Committee must before the end of the session in which it was appointed make a report to the Assembly. If it is unable to conclude its work before the end of the session, it may report this to the Assembly. The Assembly may, on consideration of the report, resolve that the Committee remains in being and continues its work notwithstanding the end of the session.²¹

4.2 Special Report

4.2.1 A Committee has leave to make a special report relating to the powers, functions and proceedings of the Committee on any matter which it thinks fit to bring to the notice of the Assembly.

4.2.2 A Special Report may also be made to the Assembly seeking authority from it to do something, or seeking guidance from it on some procedural question which has occurred in the Committee, or informing it of some other matter connected with its proceedings which the Committee considers should be reported to the Assembly.

4.3 Reports from Standing Committees

Standing Committees are required to report to the National Assembly from time to time, but shall report on the progress of their work for the previous year and their work programme for the ensuing period.

²¹ SO 103

4.4 Interim Reports

A Committee may from time to time make an interim report informing the Assembly of the progress of its work.

4.5 Presentation of Reports

Any report of a Committee together with its minutes shall be presented to the Assembly by the Chairperson or other Member deputed by the Committee.

4.6 Procedure on Consideration of Reports

Any member of a Committee may submit a report for the consideration of the Committee. Such reports must be included in the Minutes. In considering the Report before the Committee, the Chair proposes the reports in the chronological order of receipt, until one is accepted as the basis for discussion. The question to be proposed by the Chairperson on any report shall be "That the Chairperson's or (Mr. or Ms. 's) report be considered paragraph by paragraph".... When the question has been agreed to, it shall not be proposed on any further reports, but any portions of those may be offered as amendments to the report under consideration.

4.7 Minority View

A Committee may, in its report, indicate the differing views of its Members.

4.8 Adoption of Report

The report of a Committee may be taken into consideration by the Assembly on a motion moved by any Member after one day's notice "That the report of the Committee on be adopted".

CHAPTER 5

STAFF

5.1 Committee Staff

Each Committee is provided with a Clerk, described as “Clerk of the Committee.” The Clerk is assisted by an Assistant Clerk of Committee, and where necessary a researcher, and support services from the Committees Division.

5.2 Clerks of Committees

The Clerk of the Committee provides procedural advice to the Chairperson of a Committee and its Members and also acts as its administrative officer. The role of a Clerk of Committees is analogous to that which the Clerk of the National Assembly has with respect to the Speaker and Members of the Assembly. As a non-partisan and professional officer, the Clerk of the Committee serves equally all Members of the Committee. The Clerk of the Committee performs his or her duties in consultation with the Chairperson. The Clerk of the Committee acts as the liaison of the Committee with other branches and services of the Assembly.

5.3 Assistant Clerk of Committees

The Assistant Clerk of the Committee works directly with the Clerk of the Committee and is responsible for assisting in all administrative work associated with the meeting of a Committee, including the agenda, minutes and the preparation of the report of the Committee.

5.4 Research Support for Committees

5.4.1 The Parliamentary Library provides research staff to all Committees on request. The researchers provide briefing material and other background material to Committee Members.

5.4.2. Committees are authorized to seek the assistance of persons as Advisers and/or Experts during their consideration of a matter.²²

5.5 Acquisition of Services

Sectoral Committees are specifically authorized to utilize the services of experts, specialists and other sources of advice in the discharge of their mandate.²³

²² S.O. 94 (11)

²³ S.O. 86 (5) (e)

CHAPTER 6

WITNESS AND EVIDENCE

6.1 Invitation of Submission

6.1.1. Committees may seek information and comments from a variety of sources for examination and scrutiny as per their mandate.

Sources may include –

- (1) annual reports from budgetary and statutory agencies;
- (2) policy documents from the above-mentioned bodies;
- (3) testimony and/or written brief from witnesses;
- (4) submission of written memoranda from the public at large;
- (5) the Parliamentary research staff.

6.1.2 Once a Sectoral Committee or the Public Accounts Committee has decided to examine a particular matter in the normal execution of their mandate the Committee may determine whether to hold their sessions in camera or whether to proceed to hold their meetings in public. Any Committee may also decide to solicit the public's views on a matter and will determine the most appropriate means by which this is done.

6.2 Invitation to Witness

A Committee may send for any witness through the Clerk of the Committee.²⁴

6.3 Discretion to limit Witnesses

²⁴ SO 94(12)

6.3.1 It is within a Committee's discretion to decide whether or not a person who has made a submission should be invited to appear as a witness. When persons give oral evidence their examination is usually substantially based on their written submissions.

6.3.2 The Committee may grant a person who did not make a submission, an opportunity to give evidence at a hearing.

6.4 Raising Matters of Concern

A person who is to appear before a Committee may raise any matter of concern relating to the evidence to be given with the Clerk of Committee before appearing before the Committee. The Clerk is required to bring such matters to the attention to the Committee.²⁵

6.5 Examination of Witness

Prior to the examination of witnesses a Committee shall decide the mode of procedure and the nature of questions that may be asked of them at the examination. The Committee will decide on the issues to be the focused on and the questions to be sent in writing to the witness prior to the hearing.

6.6 Relevance of Questions

6.6.1 The Chairperson will commence the proceedings as agreed and the Witness will be invited to answer the questions. The Committee Members subsequently will be allowed to ask additional questions during the course of the examination.

6.6.2 It is incumbent on the Chairperson to ensure that the questions put to the witness are relevant to the Committee's Mandate. A witness may object to answer a question he/she considers irrelevant, but it is the Chairperson's duty to determine whether questions are relevant and his/her decision is final.²⁶

²⁵ SO 95

²⁶ SO 96

6.7 Answer to questions by Witnesses

6.7.1 There is no provision in the Standing Orders authorizing a Committee to demand that witnesses answer questions, but *May* states that witnesses are bound to answer all questions put to them and cannot be excused on grounds such as that:

- (1) they may become subject to a civil action
- (2) they have taken an oath not to disclose a matter
- (3) a matter was privileged communication (for example by a client to a solicitor)
- (4) they have been advised that they cannot answer without the risk of incriminating themselves or being exposed to a civil suit; or
- (5) they would be prejudiced as defendants in pending legislation

6.7.2 (Some of the above would be accepted in a court of law under the provisions of the Evidence Act which does not affect the law relating to the privileges of Parliament of Guyana). It is also noted in *May* that a witness cannot refuse to produce documents in his or her possession on the ground that they are under the control of a client who has given instructions that they cannot be disclosed without the client's authority.²⁷

6.7.3 It is stated at paragraph 6.3.2 that if a witness objects to a question on the ground that it is not relevant, the Chairperson is required to determine whether the question is relevant to the Committee's proceedings and his decision is not open to dispute.²⁸

6.8 Procedure on objection to questions

Notwithstanding the power of the Chairperson to determine the relevancy of a question and to rule on it, it would be prudent for the Committee to adopt the following procedure if a witness objects to any question put to him or her on any ground:

²⁷ *May*, 22nd edition, p. 651

²⁸ S.O. 98 (5)

Where an objection to any question is made by a witness on the ground that it is not relevant, or that it may tend to incriminate him or her, he or she should be invited to state the ground upon which he or she objects to answering the questions. The Committee may then consider *in camera*, whether it will insist upon an answer being given, having regard to the relevance of the question to the Committee's inquiry and the importance to the inquiry of the information sought by the question. If the Committee determines that it requires an answer to the question, the witness would be informed of the determination, and of the reason for it, and would be required to answer the question *in camera*, unless the Committee resolves that it is essential that it be answered in public. Where a witness declines to answer a question to which a Committee has required an answer, the Committee may report the facts to the Assembly.²⁹

6.9 Request for Additional Information

A Committee may request a witness to place before it any other relevant information that has not been covered and which a witness thinks are essential to be placed before the Committee.³⁰

6.10 Recalcitrant Witness

A Committee may at its discretion refuse to hear any irrelevant evidence or recalcitrant witness.³¹

6.11 Discretion to Exclude Irrelevant Evidence

The Committee may expunge from any transcript from proceedings, any evidence or statement that it considers to be irrelevant to its proceedings, offence or possibly defamatory.³²

²⁹ See House of Representative Practice (Australia) 4th Edition, P. 636

³⁰ SO 96 (5)

³¹ SO 94(14)

³² SO 94 (13) (a)

6.12 Verbatim Evidence

The evidence of every witness shall be taken down verbatim and sent in proof to the witness by the Clerk of the Committee. The witness shall be at liberty, within twelve days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such corrections as may be approved by the Chairperson.³³

6.13 Counsel

A witness may be accompanied by a counsel (of witness's choice) and may consult the counsel in the course of a meeting at which the witness appears.³⁴

³³ SO 96(7)

³⁴ SO 97(2)

CHAPTER 7

SUMMONS TO WITNESSES

7.1 Summoning of Witnesses

Witnesses are invited to attend a Committee's meeting to give evidence. Witnesses usually appear on their own volition. However, in extreme cases/circumstances, should a Committee empowered to send for persons, papers and records be intent upon obtaining evidence from particular individuals or organizations reluctant to provide it, the Committee has the power to summon such persons to appear before it with the required papers and records under the Legislative Bodies (Evidence) Act, Cap. 1:08. The process with respect to the summoning of reluctant witnesses (individual or organization) is set out below in 7.2, 7.3, 7.4 and 7.5.

7.2 Power of Committee to summons a person to give evidence

Where it appears to a Committee that anyone within Guyana is able to give any information with respect to the subject matter of any question arising for its determination or has any books, plans, or documents in his possession or under his control in any way relating to the subject matter of that question, the Committee may use a summons³⁵ to be issued to the person or, in any other form the circumstances render expedient, requiring the person to be and appear before the Committee at the time and place specified, for the purpose of being examined (and, if so required, then and there to produce the books, plans, or documents mentioned in the summons), and thereafter to remain in attendance until permitted to withdraw.

7.3 Service of Summons

Upon making the request for a summons to be served on an individual or organization, the Committee will approach the Speaker advising of their decisions and the Registrar of the High Court will also be approached. If the request for the summons is in order , it shall be served by

³⁵ See Appendix I

the Registrar of the High Court or by a Marshal, in accordance with the law and served in the same way as a summons is served on a person who is summoned to attend as a witness before the High Court in its civil jurisdiction.

7.4 Administration of oath or affirmation to Witness

7.4.1 A Committee may administer an oath to any witness examined before it and the oath shall be administered by the Chairperson of the Committee or a person appointed by the Chairperson.

7.4.2 If any person summoned to attend as a witness before a Committee, refuses or neglects, without sufficient cause, to attend at the time and place mentioned in the summons, the Committee may issue a warrant as prescribed for that purpose³⁶, or in any other form the circumstances require, signed by the person carrying out the functions of secretary to the Committee, authorizing and directing the Registrar or any Marshal to arrest that person and detain him in custody until he can be brought before the Committee. However, no person must be detained under the warrant for a longer period than 72 hours.

7.5 Committal of Witness in certain cases

Every person who –

- (1) being summoned to attend as a witness before a Committee:
 - (i) refuses to be sworn; or
 - (ii) where he conscientiously objects to take an oath, refuses to make a solemn affirmation and declaration; or
 - (iii) refuses to answer, or to answer fully and satisfactorily, to the best of his knowledge and belief, all questions put to him; or
 - (iv) if required to produce any books, plans, or documents in his possession or under his control, refuses or omits, without sufficient cause, to do so; or

³⁶ See Appendix II

(2) being present before a Committee willfully insults any member thereof, shall be reported in writing by that Committee to the National Assembly.

7.6 Privilege of Witness

Upon consideration by a Committee of any question arising for its determination –

- (1) every witness examined shall be entitled to the same protection, privileges, and immunities as a witness in the High Court in its civil jurisdiction;
- (2) no officer of the public service who is charged with the commission of any breach of his duty shall be required to give any evidence or make any statement upon oath with respect to or in connection with any charge against himself; and
- (3) the quorum of a Committee shall have all the powers of that Committee.

7.7 Perjury

Every person examined under the Act who willfully gives false evidence shall be guilty of perjury.

7.8 Witness in Prison

There is no Standing Order relating to a witness in custody, but according to *May* when a witness is in prison, the person responsible for the prisoner's custody may be directed by warrant issued by the Speaker to bring the witness to be examined³⁷.

7.9 Rights of Witnesses

In summary, witnesses are entitled to the following rights –

- (1) making a written submission before appearing to give oral evidence³⁸

³⁷ *May 2nd Ed. P 647*

³⁸ *Ibid*

- (2) raising matters of concern with the Clerk of Committee before appearing before the Committee³⁹
- (3) raising objection to a question considered to be irrelevant⁴⁰
- (4) correct inaccurate verbatim reporting⁴¹
- (5) to be accompanied by a counsel of their choice who can intervene on their behalf⁴²
- (6) being informed of any evidence that contains an allegation damaging to their reputation.

7.10 Expense of Witnesses

Witnesses' expenses can only be paid with the permission of the Speaker.

³⁹ S.O. 95

⁴⁰ S.O. 96(5)

⁴¹ Ibid

⁴² S.O. 97

CHAPTER 8

PUBLIC OFFICERS AS WITNESSES

8.1 Evidence from Public Officers

Where the mandates of Parliamentary Committees permit them to seek evidence, and they so determine, they can invite any person in Guyana including public officers, to come before them in connection with matters under their consideration.

8.2 Approach of Public Accounts Committee

The Public Accounts Committee in executing its function in the examination of the public accounts and the Reports of the Auditor General, thereon, invites the Accounting Officers, now Heads of Budget Agencies, to appear before it to give evidence. The PAC of Guyana, like similar Committees in other parliamentary democracies, does not concern itself with the appropriateness of the government policy, rather it focuses on the economy and efficiency of its administration.⁴³

⁴³ In 1969 the Australian Joint Committee of Public Accounts set down its practice on the questions to public servants about government policy. This practice while to some extent reflecting the particular concerns of a Public Accounts Committee, nevertheless represents a sensible balance between meeting the needs of most inquiries and recognizing the role and responsibility of public servants. The Joint Committee said:

This Committee does not examine public servants on matters of Government policy. The understanding of Government policy, however, is itself essential to the effective operation of the Committee during specific inquiries as the Committee is concerned with the administrative out-workings of such policy. In these circumstances, the Committee has normally proceeded on the basis of asking public servants to outline for it the particular policy of the Government which is being administered by them. It does not ask public servants, however, to comment on the adequacy of such policies. It is not unusual to find that in the implementation of Government policy, departments and authorities develop administrative policies. In the past, the Committee has regarded this type of policy as within its purview and has examined public servants in the administrative policy field.

This practice is acknowledged in the 1989 Government guidelines.

8.3 Guidelines to Official Witnesses before Committees- the Australian Experience

8.3.1 The Guyana Parliament draws on the experience of the more advanced Commonwealth Parliaments in relation to witnesses who are Public officials and public officers. Both the UK and Australian Cabinet guidelines to official witnesses before Parliamentary Committees will be useful to the Guyanese parliamentary committees.

In this regard, the Australian Government's 1989 paper entitled "*Government Guidelines for Official Witness before Parliamentary Committees.*" provides a useful reference point. These guidelines are intended to provide general guidance and are not inflexible rules to cover every contingency. They provide for the following:

- (1) the privilege involved is not that of the witness but that of the Crown;
- (2) if a witness attends to give evidence on any matter in which it appears that issues of public interest immunity may be concerned, the witness should endeavour to obtain instructions from a Minister beforehand as to the questions, if any, which the witness should not answer;
- (3) if questions arise unexpectedly in the course of an inquiry, the witness should request postponement of the taking of evidence to enable the Minister to be consulted;
- (4) if the Minister decides to claim immunity, normally the Minister should write to the committee chair to that effect;
- (5) should the committee regard information about which a claim for public interest immunity may be made as necessary, consideration should be given to agreeing on a means of making it available in some other form, such as *in camera* evidence; and
- (6) before deciding whether to grant a certificate, the Minister should carefully consider the matter in the light of the relevant principles.

8.3.2 The fourth point regarding a letter from a Minister to a Committee, recognizes that it is the Minister, not an officer, who may claim public interest immunity.

8.4 Recommendation of the Australian Committee on Procedure

The Australian Standing Committee on Procedure has recommended the adoption of the following provision to be observed by committees of the House:

A departmental officer shall not be asked to give opinions on matters of policy, and shall be given reasonable opportunity to refer to questions asked of him or her to superior officers or to the appropriate Minister.

8.5 Prescription of Legislative Bodies (Evidence Act Cap. 1:08)

8.5.1 Section 7 (b) of the Legislative Bodies (Evidence) Act, Cap. 1:08 at Appendix 1 prescribes as follows –

“No officer of the public service who is charged with the commission of any breach of his duty shall be required to give any evidence or make any statement upon oath with respect to or in connection with any charge against him”

8.5.2 Therefore, whilst it is generally accepted that in keeping with a Committee’s mandate it may summon any officer of the public service to give evidence, on the examination of such witness, the Committee can be guided by the practice of the Australian Public Accounts Committee and apply the provision as recommended by the Australian Standing Committee on Procedure.

PART III OPERATION OF COMMITTEES

CHAPTER 9

COMMITTEES OF THE NATIONAL ASSEMBLY

As per paragraph 1.11, Committees appointed by the Assembly are –

- (1) Committees of the Whole Assembly
- (2) Standing Committees
- (3) Sessional Select Committees
- (4) Special Select Committees

COMMITTEES OF THE WHOLE ASSEMBLY

The Committees of the Whole Assembly are:

- (1) The Committee to consider a Bill.
- (2) The Committee of Supply to consider the estimates of expenditure for a financial year, and from time to time Supplementary Estimates and Statements of Excess, and

9.1.1 Establishment

A Committee of the Whole Assembly is appointed in pursuance of a resolution that the Assembly will immediately or at a specified future time, resolves itself into a Committee for a stated purpose.

Each time the Assembly resolves itself into a Committee of the Whole Assembly on a specific matter, a new Committee is created. Once that Committee has completed its business it ceases to exist.

9.1.2 Membership/Chairperson

A Committee of the Whole Assembly is the entire membership of the National Assembly.

Whenever the Assembly resolves itself into a Committee of the Whole, the Speaker becomes the Chairperson.

9.1.3 Procedure of Speaker assuming the Chair

Whenever the Speaker announces that the Assembly is resolved into the Committee of the Whole, the Sergeant-at-Arms places the Mace below the Table.⁴⁴

9.1.4 Rules of Procedure in Committee of the Whole Assembly

The rules of procedure in Committee of the Whole Assembly are the same as when the Speaker presides over the National Assembly except that –

- (1) a member may speak more than once on the same question;
- (2) motions do not require a seconder.

9.1.5 Procedure on Resumption after Interruption

When the Assembly resumes after the interruption, the Speaker again announces that the Assembly is resolved into Committee of the Whole, the Sergeant-at-Arms places the mace below the table and the business will continue from the point before the interruption.

9.1.6 Report from Committee on completion of business

⁴⁴ The Mace, originally represented the authority of the Crown in the United Kingdom (UK) House of Commons, but is now recognised as the authority of Parliament and the Speaker, with the Speaker's authority being inseparable from the Assembly itself. For example, the election of the Speaker cannot proceed unless the Mace is present during those proceedings – presided over by the Clerk of the House – the Mace lies in the lower stand in front of the table, indicating that the House is without a voice until it has elected a Speaker thence the Mace is placed on the table indicating that the House is now properly constituted and may now conduct business.

When a Committee of the Whole Assembly has completed the consideration of the matters referred to it, and has passed resolutions thereon, the Chairperson puts the question that the resolution be reported to the Assembly, and on the order for so reporting being made, the Assembly resumes without the question being put. The Member in charge of the business, addressing the Speaker, informs the Assembly that the Committee has come to certain resolutions. The report is received forthwith or a time is then appointed for receiving the report.

9.1.7 Procedure on consideration of report of resolutions from Committee

On the order being read for receiving the report from a Committee on the Whole Assembly, the Clerk reads each resolution and the Speaker afterwards proposes the question that the Assembly agrees with the Committee in the said resolution. The time for moving an amendment to a resolution is when it has been so read, and before the question that the Assembly agrees has been proposed: after this question has been amended, the question proposed is that the Assembly agrees with the Committee said resolution, as amended.

9.2 COMMITTEE OF THE WHOLE ASSEMBLY ON A BILL

9.2.1 Establishment

A Committee of the Whole Assembly is an ad hoc Committee established to consider a Bill that has passed the second reading and has not been sent to a Special Select Committee.

9.2.2 Membership/Chairperson

See 9.1.2.

9.2.3 Functions

The sole function of this Committee is to consider Bills and amendments thereto, after the first and second reading, from the National Assembly.

9.2.4 Exercise of Functions and Procedure in the Committee

9.2.4.1 The Committee goes through the contents of the Bill clause by clause. The Chairperson puts the question that a clause or a series of clauses stand part of the Bill.

9.2.4.2 On each clause Members can seek clarifications, ask questions and introduce amendments that have been tabled or otherwise agreed to by the Chairperson.

9.2.4.3 When all Members who wish to speak thereon have spoken, or if no amendment is proposed or when all amendments have been disposed, the Chairperson again puts the question "That the clause (or the clause as amended) or the clauses stand part of the Bill".

9.2.5 Amendments

9.2.5.1 Any proposed amendments of which notice has not been given must be handed to the Chairperson in writing. ⁴⁵

⁴⁵ See Appendix I for Speakers ruling on Amendments dated 14th December 2006.

9.2.5.2 Simple amendments which require little or no time for consideration by members, or for which there is no objection, must be delivered to the Clerk before 10:00 am on the day which the debate is to take place.

9.2.5.3 Amendments which will require some study by members or which is likely to generate discussion, disagreement or debate must be delivered to the Clerk before 10:00 am on the day which the debate is to take place.

9.2.5.4 Substantial or complex amendments must be delivered to the Clerk before 10:00 am on the day before the debate is to take place in the National Assembly.

9.2.5.5 The following provisions apply to amendments relating to Bills –

- (1) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates.
- (2) An amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee.
- (3) An amendment must not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (4) If an amendment refers to, or is not intelligent without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole.
- (5) In order to save time and repetition of arguments, the Chairperson may allow a single discussion to cover a series of inter-dependent amendments.
- (6) The Chairperson may refuse to allow an amendment, which is, in his or her opinion, is frivolous or meaningless, to be moved
- (7) Except on the recommendation or with the consent of the Cabinet signified by a Minister, the Assembly shall not proceed upon any Bill (including any amendment to a Bill) which, in the opinion of the person presiding, makes provision for any of the following purposes –
 - (a) for imposing or increasing any tax;

- (b) for imposing any charge upon the Consolidated Fund or any other public fund of Guyana or for altering any such charge otherwise than by reducing it;
 - (c) for the payment, issue or withdrawal from the Consolidated Fund or any other public fund of Guyana of any moneys not charged thereon or any increase in the amount of such a payment, issue or withdrawal, or for compounding or remitting any debt due to Guyana.
 - (d) For compounding or remitting any debt due to Guyana.
- (8) The Chairperson may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his or her opinion, the discussion shall have shown that the amendment violates the provisions of this Standing Order.

9.2.6 Application of Standing No. 17

The provisions of paragraph (5) and (6) of Standing Order No. 37(Amendments to Motions) apply to the discussion of amendments to Order Bills: with the substitution where appropriate of the word "clause" for the word "motion" or the word "question", and of the word "Chairperson" for the word "Speaker" and the word "Committee" for the word "Assembly"

9.2.7 Postponed Clauses

A clause may be postponed, unless a decision has already been taken upon the amendment to it. Postponed clauses are considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

9.2.8 New Clauses

Any proposed new clause is considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill: Provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

9.2.9 Amendments to New Clauses

When the number of a new clause is called, amendments may be proposed to the clause. If no amendment is proposed, or when all the proposed amendments have been disposed of, the Chairperson shall propose the question “That the clause (or the clause as amended) be added to the Bill” and when all Members who wish to speak thereon have spoken, the question is put to the Committee for its decision.

9.2.10 Consideration of schedules

Schedules are disposed of in the same way as clauses and any proposed new schedule is considered after the schedules to the Bill have been disposed of, and is treated in the same manner as a new clause.

9.2.11 Consideration of Preamble

When every clause or schedule or proposed new clause or schedule has been dealt with, the preamble, if there is one, is considered and the question put “That this be the preamble to the Bill”. No amendment to the preamble is considered which is not made necessary by a previous amendment to the Bill.

9.2.12 Amendment Title of Bills

If an amendment to the title of the Bill is made necessary by an amendment to the Bill, it must be made at the conclusion of the proceedings detailed above, but no question must be put that the title (as amended) stand part of the Bill, nor must any question be put upon the enacting formula.

9.2.13 Question at Conclusion of Proceedings

At the conclusion of the proceedings in Committee on a Bill, the Chairperson shall put the question “that the Bill(or the Bill as amended)be reported to the Assembly” which question shall be decided without amendment or debate.

9.2.14 Motion to Report Progress

A Member can, before the conclusion of proceedings on a Bill, move to report progress and, if such a motion is carried, the Assembly shall resume and the Member in charge of the Bill shall report progress to the Assembly and ask leave to sit again, and name a day for the resumption of the proceedings.

9.2.15 Withdrawal of Bills

A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairperson, move a motion "That the Committee do not proceed further with the Bill". If the motion is carried the Member in charge of the Bill shall then report the Bill to the Assembly as so far amended or without amendments, as the case may be, explaining the proceedings of the Committee on the Bill.

9.2.16 Reporting of Bills from the Whole Assembly

As soon as a Committee of the Whole Assembly has agreed that a Bill be reported, the Assembly shall resume, and the Member in charge of the Bill shall report it to the Assembly and either name a future day for the third reading of the Bill or move that it be read the third time forthwith.

9.2.17 Recommittal of Bill reported from a Committee of the Whole

If any Member desires to delete or amend any provision contained in a Bill as reported from a Committee of the Whole Assembly or to introduce any new provision therein he or she may any time before Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule, no notice of such motion being required, and if the motion is agreed to the Bill shall stand so recommitted. The Assembly may, then, upon motion made,

resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.

9.2.18 Procedure on recommitted Bill

When the whole Bill has been recommitted, the Committee shall go through the Bill as set out in paragraphs 12.4 to 12.6 herein.

9.2.19 Procedure on specific Recommended parts

When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee must consider only the matter so recommitted and any amendment which may be moved thereto.

9.2.20 Conclusion of consideration of Bills Recommended

At the conclusion of the proceeding in the Committee on a Bill or parts recommitted, the Chairperson puts the question "That the Bill (or the Bills as amended on recommitment) be reported to the Assembly" which question is decided without amendment or debate.

9.2.21 Reporting on Considerations of Bills Recommended

The results of the decisions at 9.2.20 are then reported to the Assembly.

9.3 COMMITTEE OF SUPPLY

9.3.1 Establishment

9.3.1.1 The Committee of Supply is an adhoc committee of the Whole Assembly, which is convened to examine all Bills that relate to Annual Estimates or Supplementary Estimates of Expenditure, and Statements of Excess that are presented to the National Assembly.

9.3.1.2 At the end of the budget debate the Assembly resolves itself into the Committee of Supply, without the question put, to consider the Estimates⁴⁶ and similarly for Supplementary Estimates.

9.3.2 Membership/Chairperson

See 9.1.2

9.3.3 Functions

The functions of the Committee of Supply are to:

- (a) Consider the Annual Estimates or Supplementary Estimates of Expenditure and Statements of Excess referred to it by the Assembly.
- (b) Consider the Report of the Business Sub-Committee. See 9.3.12.

9.3.4 Procedure in Committee and Exercise of Functions

9.3.4.1 The Committee of Supply has a limited period of time to consider the financial matters referred to it.

⁴⁶ S.O.71 (3)

9.3.4.2 In the case of the Annual Estimates of Expenditure (Budget) this is fixed by the Business Sub-Committee of Supply. The allocation being a maximum of seven days allotted for consideration of the Estimates.

9.3.4.3 If the Budget Debate concludes on a day earlier than the last day allotted for it in the Assembly, the day or days saved may be added to the seven days allotted in the Committee of Supply.

9.3.5 Consideration of the Estimates

On consideration of the Estimates of expenditure in Committee of Supply, including the sub-heads and items under the sub-heads, each head of expenditure is considered. The Chairperson calls the title of each head of expenditure in turn, and proposes the question "That the sum of \$ For Head stands part of the Estimates" and unless an amendment is proposed a debate may take place on that question. Any such debate must be confined to the policy of the service for which the money is to be provided and must not deal with the details of any item or sub-head but may refer to the details of revenues or funds for which that service is responsible.

9.3.6 Amendments to Heads of Estimates⁴⁷

An amendment can only be moved in the Committee of Supply one day after that on which it was published in the Notice Paper. Only a Minister after signifying to the Committee Cabinet's recommendation or consent, may move an amendment to increase the sum allotted to a head, including any subhead and items under the subheads.

9.3.7 Notice of Amendments to Heads of Estimates

A notice of amendment to leave out a head is out of order and must not be placed on the Notice Paper.

⁴⁷ SO 76

9.3.8 Motions to Omit or Reduce Sub-heads

9.3.8.1 When a motion is made in Committee of Supply to omit or reduce any subhead or item of a vote, a question is proposed from the Chair for omitting or reducing that subhead or item accordingly, and Members must speak to that question only, until it has been disposed of.

9.3.8.2 When several motions are offered, they must be taken in the order in which the items to which they relate appear in the printed estimates.

9.3.8.3 After a question has been proposed from the Chair for omitting or reducing any subhead or item, no motion may be made, or debate allowed, upon any preceding item.

9.3.8.4 When it has been proposed to omit or reduce a subhead or item in a vote, the question is afterwards put upon the original vote, or upon the reduced vote, as the case may be.

9.3.8.5 After a question has been proposed from the chair for a reduction of the whole vote, no motion may be made for omitting or reducing any item.

9.3.9 Conclusion of Consideration of the Estimates

When the question upon every head of the Estimates has been decided, the Chairperson puts the question to the Committee that the Estimates (or the Estimates as amended) be reported to the Assembly. This question is decided without amendment or debate.

9.3.10 Reporting to the Assembly

Upon such question (above at 9.3.9) being agreed the Assembly will resume, and the Minister in charge of the Estimates will report to the Assembly.

9.3.11 Dilatory Motion

On any day allotted for, consideration in the Committee of Supply, no dilatory motion can be moved except by a Minister upon proceedings upon the Estimates of Expenditure and such proceedings must not be interrupted or postponed under any Standing Order.

9.3.12 Establishment of the Business Sub-Committee

As soon as may be after the beginning of each session, there is established a Sub-Committee of the Committee of Supply known as the Business Sub-Committee.⁴⁸ S.O.74

9.3.13 Membership/Chairperson

The Business Sub Committee comprises the Speaker, as Chairperson, and not less than six or more than ten Members to be nominated by the Committee of Selection,

9.3.14 Functions

The function of the Business Sub-Committee is to consider the allocation of time for consideration of the Estimates of Expenditure in the Committee of Supply and to report to that Committee upon –

- (1) the number of sittings to be allocated to the consideration of the Estimates;
- (2) the allocation of the proceedings to be taken at each sitting; and
- (3) the time at which proceedings, if not previously brought to a conclusion, must be concluded.

9.3.15 Report of Business Sub-Committee

9.3.15.1 All resolutions of the Business Sub-Committee are reported to the Committee of Supply at the commencement of the proceedings at the next sitting of that Committee and must be printed and circulated with the Minutes of the Proceedings of the Committee.

⁴⁸ S.O. 74.

9.3.15.2 Whenever the Business Sub-Committee reports to the Committee of Supply, the Minister in charge of the Estimates may forthwith move "That this Committee doth agree with the Business Sub-Committee in the said resolution (or resolutions)". Such a motion does not require notice and the question thereon is decided without amendment or debate. If the question is resolved in the affirmative, the resolution (or resolutions) operates as a resolution of the Assembly, but if negatived the resolution (or resolutions) shall stand recommitted to the Business Sub-Committee.

9.3.16 Guillotine

If the hour so named is reached before the business concerned is disposed of, the Chairperson must put forthwith any question necessary to dispose of that business. In the case of any head where the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.

CHAPTER 10

STANDING COMMITTEES

The following Standing Committees are appointed at the commencement of each National Assembly:

- (1) The Committee of Selection
- (2) The Public Accounts Committee
- (3) The Constitutional Reform Committee
- (4) The Committee of Appointments
- (5) The Parliamentary Management Committee
- (6) The Parliamentary Oversight Committee on the Security Sector⁴⁹
- (7) The Sectoral Committees – Natural Resources, Economic Services, Foreign Relations and Social Services

10.1 COMMITTEE OF SELECTION

10.1.1 Establishment

The Committee of Selection is appointed as soon as possible after the beginning of Parliament.

10.1.2 Membership/Chairperson

The Committee of Selection consists of not less than six or more than ten Members, in addition to the Speaker who serves as Chairperson nominated by the Assembly.

10.1.3 Functions

The functions of the Committee of Selection⁵⁰ are :

- (a) To nominate Members to sit on all Committees of the National Assembly, except the Committees of the Whole;

⁴⁹ This Committee was established by an Act of Parliament on the 29th January 2009. The Terms of Reference is pending.

⁵⁰ SO 81 (1)

- (b) To convene the first Meeting of each Committee for the purpose of electing its Chairperson and;
- (c) To consider such other matters may be referred to it by the Assembly.

10.1.4 Report

Decisions of the Committee of Selection are reported to the Assembly at the next subsequent sitting.

10.2 PUBLIC ACCOUNTS COMMITTEE (PAC)

10.2.1 Establishment

The Public Accounts Committee is a Standing Committee⁵¹ established at the commencement of each Parliament and continues for the duration of Parliament, unless the National Assembly provides otherwise. The business and proceedings before it do not lapse by reason of a prorogation of Parliament and these continue in the next ensuing session of the same Parliament.

10.2.2 Membership/Chairperson

The Public Accounts Committee consists of not less than six or more than ten Members who are nominated by the Committee of Selection at the commencement of each Session.⁵² By convention a Minister is not eligible to be nominated as one of its Members. Its Chairperson must be a Member of the main opposition in the Assembly.⁵³

10.2.2 Functions

The functions of the Public Accounts Committee are to –

- (1) examine the audited accounts, as presented in the Auditor General's Report, showing the appropriation of sums granted by the National Assembly to meet public

⁵¹ S.O. 80 (1)

⁵² S.O. 82 (1) & (2)

⁵³ S.O. 82 (3)

expenditure and such other accounts laid before the Assembly as the Assembly may refer to it.

- (2) exercise general supervision over the functioning of the Auditor General in accordance with the Rules, Policies and Procedures Manual and any other law;⁵⁴
- (3) nominate the members of the Public Procurement Commission for approval by the National Assembly and, thereafter, for appointment by the President⁵⁵; and to determine the emoluments and allowances of the Public Procurement Commission in consultation with the Commission.⁵⁶

10.2.3 Exercise of Functions

In the exercise of its functions the PAC:

- (1) does not concern itself with the appropriateness of the government policy, rather it focuses on adherence to financial regulations and efficiency in public administration.
- (2) in respect of 10.2.2 (i)
 - ensure that public money is spent for the purpose authorized by Parliament, that extravagance and waste are minimized and that sound financial practices are observed and maintained in estimating and contracting and in administration in general.
- (3) In respect of 10.2.2 (ii)
 - Ensure that any commitments, obligations or investments of the Auditor General do not present a real or perceived conflict of interest with his responsibilities;

⁵⁴ Const. art. 223 (5)

⁵⁵ Const. art 212X (2)

⁵⁶ Const. art. 212Z (8)

- Examine and approve of regulations, e.g. a Rules, Policies and Procedures Manual, for the administration of the Audit Act, 2004, and within 15 days of the regulations being gazette, lodge them with the clerk of the National Assembly together with a motion for their confirmation by the National Assembly;
- Examine, review and approve the budget submissions of the Office of the Auditor General, and after any revisions, forward the submissions with any notes thereon, to the Minister responsible for Finance for consideration and inclusion in the national budget;
- Receive and examine the quarterly report and Programme and Performance Statement as well as the Annual Performance and Financial Audit Report inclusive of a Programme Performance Statement, with respect to the Audit Office;

Appoint an independent auditor, which may be an international firm, to audit and report on the financial statements, accounts and other information relating to the performance of the Audit Office.

(4) With respect to 10.2.2 (iii)

- Ensure that the members nominated have expertise and experience in procurement, legal, financial and administrative matters;
- Report to the Assembly the names of the candidates it nominated for approval of the Assembly. The report shall have appended to it the curriculum vitae of each nominee.

10.2.4 Report

The PAC reports its findings to the National Assembly. It relates its findings, states conclusions and recommendations on matters pertaining to the improvement of managerial and financial practices and operations of government departments and other state agencies.

10.3 CONSTITUTION REFORM COMMITTEE

10.3.1 Establishment

Article 119A of the Constitution provides for the establishment of the Constitution Reform Committee as soon as may be after the beginning of each National Assembly.⁵⁷

10.3.2 Membership/Chairperson

10.3.2.1 The Committee shall consist of not less than six or more than ten Members to be nominated by the Committee of Selection.⁵⁸

10.3.2.2 The Chairperson is elected at the first Meeting of the Committee with the Speaker, or in his absence, the Deputy Speaker presiding.

10.3.3 Function

The function of the Committee is to continually review the effectiveness of the working of the Constitution, consider any matter referred to it by the Assembly and make periodic reports thereon to the National Assembly with proposals for reform as necessary.

10.3.4 Exercise of Function

10.3.4.1 In the exercise of their function, the Committee is empowered to co-opt experts or enlist the aid of other persons of appropriate expertise, whether or not such experts or other persons are Members of the National Assembly.⁵⁹

10.3.4.2 The Committee shall have the same powers, duties and responsibilities in relation to its functions as conferred on Select Committees.⁶⁰

⁵⁷ S.O 83 (1)

⁵⁸ S.O 83 (1)

⁵⁹ S.O 83 (2)

10.3.5 Report

The Committee reports as per Chapter 4.

10.4 COMMITTEE OF APPOINTMENTS

10.4.1 Establishment

Article 119C of the Constitution provides for the establishment of a Standing Committee on Appointments “which shall have the responsibility for initiating or otherwise taking such action or addressing such matters as may be entrusted to the Committee by the National Assembly in respect of functions required to be discharged by the Assembly under the Constitution in relation to the appointment of a member of a Commission established under the Constitution”.

10.4.2 Membership/Chairperson

10.4.2.1 The Committee on Appointments consists of not less than six nor more than ten Members.

10.4.2.2 The Chairperson of the Committee is elected from among Members of the Committee.

10.4.3 Functions

The Appointive Committee is given the sole responsibility to undertake the entire nomination process for the following constitutional commissions:

- (1) Judicial Service Commission (art. 198 (2) (b))
- (2) Public Service Commission (art. 200 (1) (b))

⁶⁰ S.O 94 - 104

- (3) Police Service Commission (art. 210 (1) (c))
- (4) Ethnic Relations Commission (art. 212B)
- (5) Women and Gender Equality Commission (art. 212Q (2))
- (6) Indigenous Peoples Commission (art. 212S (2) (a) & (b))
- (7) Rights of the Child Commission (art. 212 U (2) (a))

10.4.4 Exercise of Functions

In the exercise of its functions, the Committee as outlined in Resolution No.19 of the 2003, shall:

- (1) identify the appropriate bodies for consultation in the appointment of the relevant members of Commissions established under the Constitution, conduct the necessary consultation with them and, where necessary, receive nominations from appropriate bodies;
- (2) make recommendations to the National Assembly:-
 - (i) for a consensual mechanism for the Ethnic Relations Commission, the Women and Gender Equality Commission, the Indigenous Peoples' Commission, and the Rights of the Child Commission;
 - (ii) for the appointment of members of the Commissions with the exception of the Public Procurement Commission;
 - (iii) in connection with any other matter referred to it by the Assembly from time to time."

10.4.5 Process of Nomination

As guided by the Constitution in relation to the composition of each of the three Service Commissions and each of the four Rights Commissions, the Committee first seeks to reach consensus on the entities to be consulted.

Service Commissions

10.4.5.1 In the case of each of the Service Commissions, the Committee invites each of the selected entities to submit a number of nominees. The Committee advises the entity that it should take in to account the integrity of their nominee(s) and be sensitive to gender, ethnic/cultural, religious and geographic considerations in their selection.

10.4.5.2 The Committee then examines the nominations to the particular Service Commission and then decides on its selection. The Committee should try to ensure that there is some balance in its final nominations in relation to a number of variables of gender, ethnicity, religion and geography that are taken to the National Assembly for its approval with a majority vote.

10.4.5.3. The Committee, on the approval of the House then advises the President through the Clerk of the National Assembly of the appointees to the relevant Service Commission.

10.4.5.4 If the Motion fails to win the support of the National Assembly, the matter is returned to the Committee for its continued attention.

Rights Commissions

10.4.5.5. In the case of each of the Rights Commissions, the Committee must strive to reach consensus and unanimity on the list of entities to be considered, as prescribed in the relevant constitutional articles, prior to going to the National Assembly. The Committee's recommended list of entities must receive two-thirds support of the elected members of the National Assembly.

10.4.5.6. If the List of entities is accepted as required by the National Assembly, the Committee then formally writes each entity inviting it to make its nomination of one or more members as required by the particular constitutional provision for that Commission. The Committee will advise each entity that their nominee (and substitute) chosen by the group must be persons who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestioned and unblemished honesty and integrity. The process/procedure used by the entity

must be demonstrated to be unbiased and transparent. The Committee will also advise the entity that it must submit a report on the selection process and the bio-data of the nominee(s) within a specified time.

10.4.5.7 On receipt of the nominees, the Committee will make its final determination and submit the list of nominations to the National Assembly which must then receive a majority vote. The Clerk of the National Assembly will then advise the President of the appointed members to the Commission.

10.4.5.8 In the case of those Rights Commissions which require cluster nominees or several entities to consult and come to an agreed nominee and where this is not achieved, the Committee has to send the entities back to reach consensus and return with the required agreed on nominee.

10.4.5.9 If the list of entities does not receive the required support of the National Assembly, it is returned to the Committee to continue its efforts of reaching consensus

10.4.6 Reporting

10.4.6.1 The Committee is required to submit a report to the National Assembly in relation to each Commission as soon as possible upon the discharge of its functions in relation thereto.

10.4.6.2 In addition, the Committee may submit special or interim reports on its deliberations and seek the guidance of the National Assembly.

10.4.7 Filling of Vacancies

The Committee when advised of a vacancy on a Commission will commence the process of nomination to fill that vacancy and will determine the mechanism to do so in accordance with the above-mentioned procedures and then report to the National Assembly.

10.5 PARLIAMENTARY MANAGEMENT COMMITTEE

10.5.1 Establishment

On 2nd May, 2003, the National Assembly by Resolution No. 16 of the Eighth Parliament established the Parliamentary Management Committee (PMC) comprising representatives from the parties represented in the National Assembly.

10.5.2 Membership/Chairperson

10.5.2.1 The Committee comprises ten Members, five representing the Government and five representing the Opposition, nominated by the Committee of Selection⁶¹.

10.5.2.2 The Speaker presides at meetings of this Committee as its Chairperson and in his or her absence the Deputy Speaker presides. If the Speaker and the Deputy Speaker are not Members of the Committee, they do not have an original vote nor a casting vote⁶².

10.5.3 Functions

The functions of the PMC are to consider and decide on the matters relating to:

- (1) the business of the National Assembly
- (2) such other matters which the Committee may wish to consider
- (3) such other matters referred to it by the National Assembly⁶³

10.5.4 Quorum

10.5.4.1 The quorum of the Parliamentary Management Committee is five Members, two representing the Government and two representing the Opposition of whom one must be a

⁶¹ S.O. 85 (2)

⁶² S.O. 85 (2)

⁶³ S.O. 85 (1)

Member of the main opposition party. The fifth Member to compose the quorum is the Speaker or in his/her absence the Deputy Speaker⁶⁴.

10.5.4.2 If a meeting is aborted for lack of a quorum as stipulated, Members of the Committee are given forty-eight hours notice of the holding of another meeting. The Members present at that meeting comprise a quorum provided at least one member of the Opposition is present.⁶⁵

10.5.5 Report

The Committee shall report to the National Assembly from time to time on such matters which it considers necessary to bring to the attention of the National Assembly or as the National Assembly may require.

10.6 PARLIAMENTARY OVERSIGHT COMMITTEE ON THE SECURITY SECTOR

10.6.1 Establishment

On the 29th January 2009, the National Assembly enacted the Constitution (Amendment) Act 2009 establishing the Parliamentary Oversight Committee on the Security Sector.⁶⁶

10.6.2 Membership

The membership of the Committee is being determined.

10.6.3 Function

The function of the Committee is to examine the policies and administration of the entities in the security sector, namely the Disciplined Forces of Guyana.⁶⁷

⁶⁴ Ibid

⁶⁵ S.O. 85 (3)

⁶⁶ The Terms of Reference of the Committee is pending.

⁶⁷ Article 119D (1) of the Constitution of Guyana

10.6.4 Exercise of Function

In the exercise of its function, the Committee shall have the power to co-opt experts or enlist the aid of other persons of appropriate expertise, whether or not such experts or persons are members of the National Assembly.⁶⁸

10.7 SECTORAL COMMITTEES

10.7.1 Establishment

In accordance with Article 119B of the Constitution, the following Sectoral Committees are established after the beginning of each National Assembly.

- (1) Committee on Natural Resources;
- (2) Committee on Economic Services;
- (3) Committee on Foreign Relations;
- (4) Committee on Social Services;

10.7.2 Membership

Each Committee shall consist of seven Members, four representing the Government and three representing the Opposition⁶⁹, to be nominated by the Committee of Selection. These are the only Committees where the Government and Opposition are entitled to elect one alternate Member for each Committee.

10.7.3 Chairperson and Vice Chairperson

Each Sectoral Committee has a Chairperson and Vice Chairperson elected from among Members of the Government and Opposition respectively. Although these Committees continue for the

⁶⁸ Article 119D(2) of the Constitution of Guyana

⁶⁹ S.O 86 (3)

duration of an Assembly, the Chair alternates annually so that two Sectoral Committees each are chaired by the Government and Opposition, respectively⁷⁰.

10.7.4 Functions

The functions of the Sectoral Committees are as follows:

- (1) Examine policies and administration for each sector to determine whether they are in consonance with the principles of good governance.⁷¹
- (2) At the request of the National Assembly inquire and report on any aspect of Government policy or administration within the Committee's terms of reference.⁷²

10.7.5 Exercise of Functions

In the exercise of their functions, the Sectoral Committees may⁷³:

- (1) Determine areas of Government activity for scrutiny or specific examination;
- (2) request the Minister assigned responsibility for the sector to submit written or oral information on the specific area of Government policy or administration;
- (3) Review existing legislation or Government policy for any of the sectors within their purview;
- (4) Summon persons to give evidence in accordance with the Legislative Bodies (Evidence) Act, Cap. 1:08 of the laws of Guyana;
- (5) Scrutinize Government documents;
- (6) Visit any government activity or project in Guyana as predetermined by the Committee.
- (7) Utilize the services of experts, specialists and other sources of advice as the Committee may determine;

⁷⁰ S.O. 86 (3)

⁷¹ S.O 86 (4)

⁷² S.O 86 (6)

⁷³ S.O 85 (5)

- (8) Make recommendations to the Assembly on legislation or any other action to be taken on matters falling within their purview;
- (9) Establish a timetable for the conduct of their work.

10.7.6 Reporting

Notwithstanding the provision of Standing Order No. 103 (3) which permits Committees to submit special reports to the National Assembly, Sectoral Committees are authorized to submit periodic reports to the National Assembly on their work⁷⁴. The Committee may request Government to provide a response to the Report within sixty days of the presentation of the Report to the National Assembly.⁷⁵

⁷⁴ S.O. 86 (5) (j)

⁷⁵ S.O. 86 (7)

CHAPTER 11

SESSIONAL SELECT COMMITTEES

The following Sessional Select Committees shall be appointed at the commencement of each session of the National Assembly⁷⁶:

- (1) The Standing Orders Committee
- (2) The Assembly Committee
- (3) The Committee of Privileges
- (4) The Statutory Instruments Committee

11.1 STANDING ORDERS COMMITTEE

11.1.1 Establishment

The Standing Orders Committee is established, as soon as possible, at the beginning of each session.

11.1.2 Membership/Chairperson

The Standing Orders Committee consists of the Speaker as Chairperson and not less than six or more than ten Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session.⁷⁷

11.1.3 Function

The function of the Committee is to consider from time to time and report on all matters relating to the Standing Orders which are referred to it by the Assembly.⁷⁸

⁷⁶ S.O. 87

⁷⁷ S.O. 88 (1)

⁷⁸ Ibid

11.1.4 Exercise of Function

In the exercise of its function the Committee does not have the power to send for persons, papers and records unless the Assembly so resolves.⁷⁹

11.1.5 Report

After the Committee has considered the motion sent by the Assembly, a report of its recommendations is sent back to the Assembly for its approval.

11.2 ASSEMBLY COMMITTEE

11.2.1 Establishment

The Assembly Committee is established, as soon as possible, at the beginning of each session.

11.2.2 Membership/Chairperson

The Assembly Committee consists of the Speaker as Chairperson and not less than six or more than ten Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session.

11.2.3 Function

The function of the Committee is to consider and advise the Speaker upon all matters connected with the comfort and convenience of Members of the Assembly.

11.2.4 Exercise of Function

In the exercise of its function it does not have power to send for persons, papers and records unless the Assembly so resolves.

⁷⁹ S.O.88 (2)

11.2.5 Report

The Committee is required to report to the Assembly from time to time.

11.3 COMMITTEE OF PRIVILEGES

11.3.1 Establishment

The Committee of Privileges is established as soon as possible, at the beginning of each session.

11.3.2 Membership/Chairperson

The Committee of Privileges consists of the Speaker as Chairperson and not less than six or more than ten Members to be nominated by the Committee of Selection as soon as may be after the beginning of each session.

11.3.3 Function

11.3.3.1 Any matter which appears to affect the powers and privileges of the Assembly is referred to this Committee whose function is to consider any such matter and to report thereon to the Assembly.

11.3.3.2 The adoption of a motion on a matter of privilege by the Assembly constitutes an order of reference to the Committee of Privileges.

11.3.4 Exercise of Functions

In the exercise of its functions the Committee is empowered to send for persons, papers and records and while it is free like other Committees to determine the agenda, it does not have power to punish. This rests with the Assembly. The conduct of the Committee in investigating a privilege matter is the same as for other business considered by any Committee of the Assembly.

11.3.5 Report

The form of the report of the Committee of Privilege is no different from a report of any other Committee of the Assembly on a substantive matter. It may or may not contain recommendations for action or punishment and it may also have appended to it a minority report. The report itself may be sufficient to put an end to the matter and no further action is required by the Assembly. A report may, on the other hand, recommend that the Assembly or the Speaker take some action. A member may move for the adoption of the Committee's report.

11.4 STATUTORY INSTRUMENTS COMMITTEE

11.4.1 Establishment

The National Assembly appoints a Sessional Select Committee as soon as may be after the beginning of each session which is known as the Statutory Instruments Committee.⁸⁰

11.4.2 Membership/Chairperson

The Committee consists of the Speaker as Chairperson and not less than six or more than ten members nominated by the Committee of selection.⁸¹

11.4.3 Functions

11.4.3.1 The Statutory Instruments Committee shall have the duty of considering all such statutory instruments (as defined by the Interpretation and General Clauses Act, Cap. 2:01, for the time being in force) as under the authority of any law are to be laid before the Assembly, and are to be subject to negative resolution within the meaning of the Interpretation and General Clauses Act, and to bring to the special attention of the Assembly any instrument⁸² –

⁸⁰ S.O 91 (1)

⁸¹ Ibid

⁸² S.O 91 (2)

- (1) which involves the expenditure of public moneys or imposes or fixes fees for licences or for services;
- (2) which cannot be challenged in the courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (3) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (4) which purports to have retroactive effect although the law under which it was made does not, in terms give the Minister such a power;
- (5) the publication or the laying before the Assembly of which appears to have been unduly delayed;
- (6) In respect of which there has been unjustifiable delay in notifying the Speaker that the instrument had come into operation before it was laid before the Assembly;
- (7) the purport of form of which appears to require elucidation;
- (8) which may be in conflict with any provision of the Constitution of the Cooperative Republic of Guyana; or
- (9) which it considers is not in accordance with the letter, spirit or intention of its enabling Act.

11.4.3.2 The Statutory Instrument Committee has a duty to consider all such statutory instruments, as set out in 28.2, that are subject to Affirmative Resolution as may be referred to it by the Assembly.

11.4.4 Procedure in the Committee and Exercise of Functions

11.4.4.1 The Statutory Instruments Committee shall consider the Instrument clause by clause as set out in all Committees

11.4.4.2 In the exercise of its functions, the Statutory Instruments Committee shall not consider or report on the merits or policy of any regulations.⁸³

⁸³ S.O 91 (4)

11.4.4.3 If in the course of consideration of a Statutory Instrument it is found necessary to seek any clarification, it may be referred to the relevant Minister and/or any other competent authority.

11.4.5 Report

At the end of its deliberations the Committee reports its findings to the National Assembly.⁸⁴

⁸⁴ While the Guyana Parliament sets no time frame, in the United Kingdom Parliament the Committee meets every Tuesday when the House is sitting and aims to publish its report the following Thursday. It normally comments on statutory instruments within 12-15 days of them being laid before the Parliament. This maximizes the scope for a Member of the House to then pursue the matter by asking a question or tabling a motion for debate within the 40 day "prayer" period for rejecting negative instruments.

CHAPTER 12

SPECIAL SELECT COMMITTEES

12.1 Establishment

A Special Select Committee is a Select Committee appointed by the National Assembly.

12.2 Membership/Chairperson

12.2.1 A Special Select Committee comprises a certain number of members as agreed by and named by the Committee of Selection. These Committees must, as far as possible reflect the proportionality of the parties in the National Assembly.

12.2.2 The Members at their first Meeting, which is chaired by the Speaker, elect the Chairperson of the Committee.

12.3 Vacancies

24.4 In the event that a seat becomes vacant, the Committee of Selection shall fill the vacancy in accordance with paragraph 24.2.

12.4 Function

Special Select Committees are convened to:

- (1) To consider Bills or any other business that are referred to it by the National Assembly;
- (2) To consider or inquire into any matter referred to it by the National Assembly.

12.5 Exercise of Function

12.5.1 In the exercise of its functions, the scope of any inquiry by a Special Select Committee is defined by the terms of the order under which it is appointed, but may be enlarged or restricted

by an instruction from the Assembly. When a Bill is committed to a Select Committee, the Bill itself is the order of reference and the deliberations or inquiries of the Committee must be confined to the Bill and amendments relevant to the subject matter thereof.

12.5.2 The Chief Parliamentary Counsel and his officers, as well as officers of the Ministry/Agency promoting the specific Bill, are normally at the disposal of Special Select Committees on Bills. .

12.6 Report

A Special Select Committee ceases to exist with the presentation of its final report to the National Assembly.

APPENDIX I

RULING BY THE SPEAKER ON AMENDMENTS

This is an appropriate time to set out the principles which should apply in making amendments to bills and motions in the National Assembly.

1. Amendments must be made in writing.
2. Amendments must be presented in the usual format in accordance with the Standing Orders so as to give clear indication of (a) the words to be deleted; (b) the words to be added; (c) the words to be substituted for words to be deleted.
3. Notice of amendment must be given in sufficient time to enable members to consider them.
4. Simple amendments which require little or no time for consideration by members, or for which there is no objection, will be accepted if delivered to the Clerk one hour before the convening of the National Assembly.
5. Amendments which will require some study by members or which is likely to generate discussion, disagreement or debate must be delivered to the Clerk before 10.00 am on the day on which the debate is to take place.
6. Substantial or complex amendments as in the case of the motion on the National Development Strategy must be delivered to the Clerk before 10.00 am on the day before the debate is to take place in the National Assembly.
7. Amendments which alter, add to or substitute resolve clauses will be permitted in accordance with our practice as occurs in many Parliaments, including the House of Commons. However, an amendment which alters the nature of the motion or bill will not be allowed.

Dated this 14th day of December, 2006

APPENDIX II

SUMMONS TO WITNESS

To A.B.

You are hereby required to appear before the Special Select Committee appointed by the National Assembly on or by direction of the Committee appointed by the National Assembly on the day of 200....at.....o'clock at (place) and thereafter to remain in attendance until permitted to withdraw. [*If the production of any books, plans, or documents is required, add, and you are hereby further required then and there to produce (here describe in general terms the books, plans, or documents required)*].

Therefore fail not at your peril.

Dated this of, 200 ...

APPENDIX III

***WARRANT OF APPREHENSION WHERE
WITNESS NEGLECTS TO ATTEND***

To the Registrar and
All Marshals

Whereas *A.B.* was duly summoned to appear as a witness before
(*as in last form*) at o'clock, on the
Day of, 200 ...; and Whereas the said summons
has, by the return of the marshal, been duly served; And Whereas
the said *A.B.* has neglected to obey the said summons – Now
Therefore this is to empower you to apprehend the said *A.B.* and
bring him before [*as in last form*] and for so doing, this shall be
your sufficient warrant.

Issued by direction of the Special Select Committee appointed by
the National Assembly on Or by direction of the
Committee appointed by the National Assembly on
.....

Dated this Day of, 200.....

(Signed)

APPENDIX IV

SECTORAL COMMITTEES' AREAS OF SCRUTINY

Name of Sectoral Committee	Areas of Scrutiny	Responsible Ministries
Parliamentary Sectoral Committee on Natural Resources	<p>Bauxite Industry Geological Surveys Geology & Mines</p> <p>Acquisition & Beneficial occupation of non- beneficially occupied Lands in the City of Georgetown, the Town of New Amsterdam, and other Towns Water Resources</p> <p>Acquisition, Transferral and Occupation of non- beneficially occupied lands (other than non-beneficially occupied lands in the city of Georgetown, the Town of New Amsterdam & other Towns) Hydrometeorology</p> <p>Natural Resources and Environmental Policy and Administration Forestry, Forest Policy and Administration Environmental Protection and Protected Areas National Parks including Kaieteur National Park Wild Life Management and Scientific Authorities Land Administration Use Precious Metals (Nonferrous) Thermal & Hydro Power Renewal and Non Renewable Energy</p>	<p>Parliamentary Affairs, Public Works & Communication</p> <p>Housing & Water</p> <p>Agriculture</p> <p>The President</p>
Parliamentary Sectoral Committee on Economic Services	<p>Public Works Communications Provisions of Public Utility Services by the Corporation Assigned</p>	<p>Parliamentary Affairs, Public Works & Communication</p>

Name of Sectoral Committee	Areas of Scrutiny	Responsible Ministries
Parliamentary Sectoral Committee on Economic Services (cont'd)	<p>Local Government Administrative Regions Municipalities Neighbourhoods Other Local Authorities District Administration Regional Economics</p> <p>Housing, Town & Country Planning Water Supply</p> <p>Crops Drainage & Irrigation Rice Industry, Sugar Sector (Guysuco) Fisheries Livestock Agriculture Marketing and Enterprise</p> <p>Licensing of Motor Buses, Cars, Goods Vehicles</p> <p>Roads: Planning, Design, Maintenance and Construction Works & Construction Dept. Government Buildings Mechanical Equipment Electrical Inspection Civil Aviation Transport Planning Services Material testing Shipping & Harbour Services River & Sea Defence Maritime Transport</p> <p>Internal Trade/Commerce Manufacturing & Industrial Development Craft Production Provision of Public Utilities Services Consumer Protection Public Corporations Economic Planning Development Planning</p>	<p>Local Government Administration</p> <p>Housing & Water</p> <p>Agriculture</p> <p>Home Affairs</p> <p>Transport & Hydraulics</p> <p>Tourism, Industry & Commerce</p>

Name of Sectoral Committee	Areas of Scrutiny	Responsible Ministries
Parliamentary Sectoral Committee on Social Services (cont'd)	<p>problems Supervision of the Social Impact Amelioration Programme Senior Citizens Welfare Service Unit Social Security National Relief National Insurance Co-op Society Friendly Society</p> <p>Industrial Relations Occupational Health & Safety Statistical Services Recruitment & Placement</p> <p>Administrative Organisation Public Service Personnel Public Sector Training Administrative Matters other than those for which the Public Service Commission is responsible</p> <p>Amerindian Affairs</p> <p>General legal assistance to President All legal matters save where by law exclusively assigned to another authority</p> <p>Consumer Affairs</p> <p>National Art Collection</p> <p>Health Services</p>	<p>Labour</p> <p>Public Service</p> <p>Amerindian Affairs</p> <p>Attorney General & Legal Affairs</p> <p>Tourism, Industry & Commerce</p> <p>The President</p> <p>Health</p>

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