

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORTS

/Volume 08/

PROCEEDINGS AND DEBATES OF THE FIRST SESSION (1981) OF THE NATIONAL ASSEMBLY OF THE FOURTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA.

18th Sitting 2 p.m. Monday, 22nd June 1981

MEMBERS OF THE NATIONAL ASSEMBLY (82)

Speaker (1)

*Cde. Sase Narain, O.R., J.P., M.P.,
Speaker of the National Assembly

Members of the Government – People's National Congress (69)

Prime Minister (1)

Cde. Dr. P.A. Reid, O.E., M.P.,
Prime Minister

Other Vice-Presidents (4)

Cde. S.S. Naraine, A.A., M.P.,
Vice-President, Works and Transport

Cde. H.D. Hoyte, S.C., M.P., (Absent)
Vice-President, Economic Planning and Finance

Cde. H. Green, M.P. (Absent)
Vice-President, Public Welfare

Cde. B. Ramsaroop, M.P.,
Vice-President, Parliamentary Affairs and Party/State Relations

Senior Ministers (10)

Cde. R. Chandisingh, M.P.,
Minister of Higher Education

Cde. O.E. Clarke, M.P.,
Minister of Regional Development

Cde. R.H.O. Corbin, M.P.,
Minister of National Development

*Cde. F.E. Hope, M.P., (Absent)
Minister of Trade and Consumer Protection

*Cde. H.O. Jack, M.P., (Absent)
Minister of Energy and Mines

*Cde. Dr. M. Shahabuddeen, O.R., S.C., M.P.,
Attorney General and Minister of Justice

*Cde. R.E. Jackson, M.P., (Absent on-leave)
Minister of Foreign Affairs

*Cde. J.A. Tyndall, A.A., M.P.,
Minister of Agriculture

*Cde. S.A. Moore, M.P.,
Minister of Home Affairs

*Cde. J.R. Thomas, M.P.,
Minister of Education

*Non-elected members

Ministers (13)

- Cde. J.P. Chowritmootoo, J.P., M.P.,
Minister, Environment and Water Supply, in the
Ministry of Public Welfare
- Cde. U. E. Johnson, M.P.,
Minister of Co-operatives
- Cde. J.N. Maitland-Singh, M.P.,
Minister, Consumer Protection, in the
Ministry of Trade and Consumer Protection
- Cde. S. Prashad, M.P.,
Minister, Crops and Livestock, in the
Ministry of Agriculture
- Cde. Sallahuddin, M.P.,
Minister, Finance, in the Ministry of
Economic Planning and Finance
- Cde. R.E. Williams, M.P.,
Minister, Fisheries, in the Ministry of Agriculture
- *Cde. C.A. Nascimento, M.P., (Absent)
Minister, Mechanical Equipment, in the
Ministry of Works and Transport
- *Cde. F.U.A. Campbell, M.P., (Absent on-leave)
Minister of Information
- *Cde. F.U.A. Carmichael, M.P.,
Minister, Forestry, in the Minister of Agriculture.
- *Cde. Y. V. Harewood-Benn, M.P.,
Minister of Public Service
- *Cde. H. Rashid, M.P.,
Minister, in the Office of the President
- *Cde. Van Sluytman, M.P.,
Minister, Drainage and Irrigation in the
Ministry of Agriculture
- *Cde. R.A. Van West-Charles, M.P., (Absent)
Minister, Health, in the Ministry
of Public Welfare

Ministers of State (3)

- Cde. M. Corrica, M.P.,
Minister of State for Culture, in the Ministry of
Education, Social Development and Culture
- Cde. R.C. Fredericks, A.A., M.P.,
Minister of State for Youth Sports,
in the Ministry of National Development
- *Cde. C.E. Wright, M.P., (Absent)
Minister of State for Construction, in the
Ministry of Works and Transport

Parliamentary Secretaries (3)

- Cde. A.W. Bend-Kirton-Holder, M.P.,
Parliamentary Secretary, Women's Affairs
and Housing
- Cde. P.A. Rayman, M.P.,
Parliamentary Secretary, Office of the Prime Minister
- Cde. E.M. Bynoe, M.P.,
Parliamentary Secretary, Office of the Prime Minister

*Non-elected Member

Other Members (23)

Cde. D.A.N. Ainsworth, M.P.

Cde. M. Ally, M.P.

Cde. M. Armogan, M.P.

Cde. B. Beniprashad, M.P.

Cde. B. Bhaggan, M.P.

Cde. J.B. Caldeira, M.P.

(Absent on-leave)

Cde. A.A. Chin, M.P.

(Absent on-leave)

Cde. E. B. Davidson, M.P.

Cde. H. Doobay, M.P.

Cde. A.B. Felix, M.P.

Cde. E.H.A. Fowler, M.P.

Cde. P. Frederick, M.P.

Cde. E.F. Gilbert, M.P.

Cde. J. Gill-Mingo, M.P.

Cde. A. McRae, M.P.

Cde. J.M. Munroe, J.P., M.P.

Cde. R.N. Primo, M.P.

Cde. C.G. Sharma, J.P., M.P.

Cde. H.L.B. Singh, M.P.

Cde. S.H. Sukhu, M.S., M.P.

Cde. B. Tiwari, M.P.

Cde. C. Vandenburg, M.P.

Cde. H.B. Walcott, J.P., M.P.

Government Chief Whip

Members from the National Congress of Local Democratic Organs (2)

Cde. R. Bishop, M.S., M.P.

(Absent on-leave)

Cde. B. Latchminarayan, M.P.

Members from the Regional Democratic Councils (10)

Cde. K.N. Jones, M.P. (Region No. 1 – Barima/Waini)

Cde. K.V. Jairam, M.P. (Region No. 2 – Pomeroon/Supenaam)

(Absent)

Cde. C.A. Singh, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Cde. W. Bipat, M.P. (Region No. 4 – Demerara/Mahaica)

Cde. H.I. London, M.S., M.P. (Region No. 5 – Mahaica/Berbice)

Cde. I. Chowritmootoo, M.P. (Region No. 6 – East Berbice/Corentyne)

Cde. N.R. Charles, M.P. (Region No.7 – Cuyuni/Mazaruni)

Cde. D. Abraham, M.P. (Region No.8 – Potaro/Siparuni)

(Absent)

Cde. A. Dorricks, M.P. (Region No.9 – Upper Takutu/Upper Essequibo)

(Absent)

Cde. D. Hinds, M.P. (Region No.10 – Upper Demerara/Berbice)

Members of the Minority (12)

(i) People's Progressive Party (10)

Minority Leader (1)

Cde. Dr. C. Jagan, M.P.

(Absent)

Minority Leader

Deputy Speaker (1)

Cde. Ram Karran, M.P.,

Deputy Speaker of the National Assembly

Other Members (8)

Cde. J. Jagan M.P.

Cde. Reepu Daman Persaud, J.P., M.P.

(Absent on-leave)

Minority Chief Whip

Cde. N. Persaud, M.P.

(Absent)

Cde. C.C. Collymore, M.P.

(Absent)

Cde. S.F. Mohamed, M.P.

(Absent)

Cde. I. Basir, M.P.

Cde. C.C. Belgrave, M.P.

Cde. Dalchand, J.P., M.P.

(ii) United Force (2)

Mr. M.F. Singh, J.P., M.P.

(Absent)

Mr. M.A. Abraham, M.P.

Officers

Clerk of the National Assembly – Cde. F.A. Narain, A.A

Deputy Clerk of the National Assembly – Cde. M.B. Henry

PRAYERS

National Assembly
ANNOUNCEMENTS BY THE SPEAKER

Leave To Members

The Speaker: Leave has been granted to the Cde. Jackson for today and to Cde. Chin for one month from the 13th June.

Death of Cde. Rupert Tello, Former Parliamentarian

The Speaker: I wish to announce with regret the death of Cde. Rupert Tello who was Deputy Speaker of this Parliament and who performed the functions of Speaker for a number of months. I am informed by the Vice-President, Parliamentary Affairs and Party/State Relations, that on the next occasion a Motion of Condolence will be placed on the Order Paper.

PRESENTATION OF PAPERS AND REPORTS, ETC.

The following Papers and Reports were laid:

- (1) (a) Motor Vehicles and Road Traffic (Amendment of Fees) Regulations 1981 (No. 4), made, under section 98 of the Motor Vehicles and Road Traffic Act, Chapter 51:01, on 4th June, 1981, and in the Gazette on 8th June, 1981.
- (b) Roads (Amendment) Regulations 1981 (No. 5), made under section 25 of the Roads Act, Chapter 51:01, on 4th June, 1981, and published in the Gazette on 8th June, 1981.
- (c) Demerara Harbour Bridge (Amendment) Regulations 1981 (No. 6), made under section 25 of the Roads Act, Chapter 51:01, on 4th June, 1981, and published in the Gazette on 8th June, 1981.
- (d) Roads (Corentyne) (Amendment) Regulations 1981 (No. 7), made under section 25 of the Roads Act, Chapter 51:01, on 4th June, 1981, and published in the Gazette on 8th June, 1981, /The Vice-President, Works and Transport/
- (2) Amendment Number One to Loan Agreement dated June 16, 1977, between the Government of Guyana and the Government of Canada for Veterinary Diagnostic Laboratory. /The Vice-President, Parliamentary Affairs and Party/State Relations, on behalf of the Vice-President, Economic Planning and Finance./
- (3) Reports (2) of the Hydropower Division of the Ministry of Energy and Natural Resources for the years 1977, and 1979. /The Vice-president, Parliamentary Affairs and Party/State Relations, on behalf of the Minister of Energy and Mines./

- (4) Report and Accounts of the Guyana Sugar Corporation Ltd., for 1980. /The Vice-President, Parliamentary Affairs and Part/State Relations, on behalf of the Minister of Agriculture./

PUBLIC BUSINESS

MOTIONS

REVISION OF THE STANDING ORDERS

“Whereas the Standing Orders used by the National Assembly were made several years ago;

And Whereas constitutional and other changes have from time to time taken place since these Standing Orders were made;

And Whereas a new Constitution providing for the restructuring of the society and the economy of Guyana on socialist principles was prepared by the People of Guyana and was adopted in 1980 for the Co-operative Republic of Guyana;

And Whereas it is expedient that the Standing Orders of the National Assembly be modified and revised to bring them into conformity with the new Constitution and with other changes and requirements;

Be it resolved that the National Assembly refer the Standing Orders to the Standing Orders Committee for review and for report thereafter to the Assembly.” /The Vice-President, Parliamentary Affairs and Party/State Relations./

The Speaker: Cde. Vice-President, Parliamentary Affairs and Party/State Relations.

The Vice-President, Parliamentary Affairs and Party/State Relations (Cde. Ramsaroop): Cde. Speaker, this Motion in my name is a relatively straightforward one. No one in this Assembly will deny that consequent upon the passage of the New Constitution last October, a number of changes will have to be wrought to the Standing Orders of this Assembly. In pursuance, therefore, of that objective it has become necessary that the Standing Orders Committee of this Assembly be charged with this task.

That is sought this afternoon is to obtain an agreement in principle for the Standing Orders to be looked at with a view to their revision. When the Committee will have finished its work the report of the Committee will then be submitted to this Assembly for debate. I therefore commend this Motion to this Assembly for acclamation.

Motion proposed, put, and agreed to

Motion carried.

CREATION OF GUYANA NATIONAL GROUP OF THE INTER-PARLIAMENTARY UNION

“Be it Resolved that the National Assembly of the Parliament of the Co-operative Republic of Guyana approves of the creation in Guyana of a national Group of the Inter-Parliamentary Union;

And Be It Further Resolved that the National Assembly of the Parliament of the Co-operative Republic of Guyana constitutes itself with all the members of the National Assembly as the Guyana National Group of the Inter-Parliamentary Union.” /The Vice-President, Parliamentary Affairs and Party/State Relations./

Cde. Ramsaroop: Cde. Speaker, the other Motion is relatively straightforward but will need some explanation. This Assembly is in receipt of an invitation inviting it to become a member of a universal body, the Inter-Parliamentary Union. What is sought this afternoon is the agreement of this Assembly for us to apply for membership to that Union.

As Members of this Assembly know, we are Members of the Commonwealth Parliamentary Association which is a somewhat restricted membership. The Inter-Parliamentary Union however, is a larger body and one can say is an organization of Parliaments at the world level somewhat similar to nation States existing within the parameters of the United Nations. This body dates back to 1889 when a first Inter-Parliamentary Conference for international arbitration attended by delegates from nine countries met in Paris. The movement developed rapidly and in 1894 a permanent organization with its own Statutes and Secretariat was set up under the name of Inter-Parliamentary Union. I may add that the membership of this Union, as I have already indicated, is somewhat large. It is constituted of over ninety four Member Parliament as opposed to the Commonwealth Parliamentary Association which I think probably has about forty Member Parliaments.

The aims of the Inter-Parliamentary Union are to promote personal contacts between Members of all Parliaments and to unite them in common action to secure and maintain the full participation of their respective States in the firm establishment and development of representative institutions and in the advancement of the working of international peace and co-operation particularly by supporting the objectives of the United Nations. With this end in view the Inter-Parliamentary Union expresses its views on all questions of an international character suitable for settlement by parliamentary action and makes suggestions for the development of Parliamentary Institutions with a view to improving the working of those Institutions and increasing their prestige.

The Union brings together a number of Parliamentarians representing different ideologies and economic and social systems for the study of political, economic, social, cultural and juridical problems all of international significance as well as Parliamentary questions.

The organs that are within the province of this of this Inter-Parliamentary union are as follows: The Inter-Parliamentary Conference, which I think is held yearly; the Inter-Parliamentary Council and the Executive Committee as well as the Secretariat of the Inter-parliamentary Council.

The Headquarters of this body are situated in Geneva, Switzerland and this Motion in my name seeks the permission of this Assembly for this National Assembly to become a member of the Inter-Parliamentary Union and to agree to the formation of a national group of that Union. I therefore, with respect, invite the agreement for Members of this Assembly to be constituted into a Guyana Unit of the Inter-Parliamentary Union.

Motion proposed

Cde. J. Jagan: Mr. Speaker, we have no objection per se to the Guyana Parliament becoming a Member of the Inter-Parliamentary Union but one must also learn by experience. And our experience in this Assembly in which we have been a Member of the Commonwealth Parliamentary Association is not a very pleasant one in the sense that it does not function. We have no objection to our joining the Inter-Parliamentary Union but we do not want it to be another window-dressing operation as the C.P.A. has been.

We notice that the ruling Party has seen fit to block all attendance at fundamental meetings of the Commonwealth Parliamentary Association. We, on this side of the Assembly, are fully aware why the ruling Party has prevented attendance at the last few Parliamentary Association meetings, for the simple fact that it does not want the Opposition to tell the truth of what is going on in Guyana. So if this is going to be the case with the Inter-Parliamentary union, we are just wasting some more time. So I ask, is this going to be the situation? Are we going to pretend that we are Members but when meetings take place we will be kept from attending because of the fears of the ruling Party about what will be said? This is very important.

1981-06-22

2:20- 2:30 p.m.

2:20 p.m.

I heard the speaker who moved the Motion talking about how this Union supports the objectives of the United Nations. Well, he know as well as all of us know, that the United Nations in its Declaration of Human Rights set out very clearly the importance of the rights of every country to elect a Government of its choice at free and fair elections, and there would be scarcely a soul left in Guyana who would say that I am not speaking the truth when I say there is no such thing as free and fair elections in Guyana, and that the party which calls itself the Government is in fact the minority party in this Assembly.

So, we would say, yes, join the Inter-Parliamentary Union if there is going to be meaningful participation. We are in support of meaningful participation, but we are dead against the cover-up that goes on, the fears that the Ruling Party shows whenever it comes to a point at which the “monkey business” in the Assembly is going to be exposed. So I say, if we join, let it be meaningful participation, and let us not sit back and waste any more money or any more time as we are doing with the C.P.A. The only time we hear about the C.P.A. doing anything is when someone gets it into his mind to send a letter that some delegation is coming. The last time the Association met, they got some letter that a delegation from the Peoples Republic of China was coming. We did not know anything about it. It just operates in a very strange and peculiar way. I must confess that I have a strong suspicion that this will also operate in a very strange and peculiar way and will function to cover up all the misdeeds of the Ruling Party.

The Speaker: Cde. Ramsaroop, do you wish to reply?

Cde. Ramsaroop: Cde. Speaker, I will not be drawn behind the red herring so adroitly introduced by the speaker on the other side. I want to say with respect to attendance at the level of the C.P.A. meetings, this is a matter determined by the branch of the C.P.A. which meets and exercise a democratic right to choose members to attend. It will therefore be presumptuous for me to make a remark on this matter. It would be totally beyond my competence at this level to make a remark on that issue.

Question put, and agreed to.

Motion carried.

MEETING OF GUYANA GROUP OF INTER-PARLIAMENTARY UNION

“Be it resolved that the National Assembly of the Parliament of Guyana empowers the Guyana National Group of the Inter-Parliamentary Union created and constituted by the National Assembly to hold its first meeting at such time and place as the Speaker of the National Assembly shall determine;

And be it further resolved that, pending the coming into operation of such Rules as the Guyana National Group of the Inter-Parliamentary Union may make for the effective participation of the Group in the work of the Inter-Parliamentary Union, the functions of President of the Group be performed by the Speaker of the National Assembly, and the functions of Secretary of the Group be performed by the Clerk of the National Assembly.” /The Vice-President, Parliamentary Affairs and Party/State Relations./

Cde. Ramsaroop: Cde. Speaker, this other Motion is somewhat operationally related to the other Motion which was just endorsed by this Assembly. In order to give flesh to this body now that this Assembly has approved our membership of the Inter-Parliamentary union and approved of a unit being set up here, it becomes necessary that persons be charged with certain responsibilities. It is proposed by way of this Motion that you, Cde. Speaker, be the President of this local unit and the Clerk of the National Assembly be the Secretary. This is done to facilitate meetings to be held, and particularly to ensure the compilation of rules which are to govern the operation of this newly-created inter-Parliamentary Branch of the Inter-Parliamentary Union. I therefore commend this Motion for the approval of this Assembly.

Motion proposed, put, and agreed to.

Motion carried.

BILLS – SECOND AND THIRD READINGS

MISCELLANEOUS ENACTMENTS (AMENDMENT) BILL 1981

“A Bill intituled:

“An Act to amend certain enactments.” [The Prime Minister.]

The Prime Minister : (Cde. Dr. Reid): Cde. Speaker, I now move that the Miscellaneous Enactments (Amendment) Bill, 1981, to be taken for consideration. I wish to deal with this Bill in that said consideration that you have allowed at this stage in three parts, first, the general underlying thought in this Bill, secondly, specific sections of the Bill, and thirdly, some concluding remarks.

It obvious, Cde. Speaker, that this Bill has been described as miscellaneous because it covers so many areas, and involves so many Ministries, but, we on our side would not wish to burden the Assembly with all those who are involved in some way or the other. Great or small should be speaking on this bill. Hence, for our side the speakers will be very restricted indeed.

In moving the Second Reading, there are some underlying thoughts that helped to fashion this Bill. One is the present concrete situation in our country where we have an involvement of the greatest number of people in the history of this country, in a position where they all are now involved in the decision making for the organisation of our country’s betterment and its greater progress. The next is that because of this larger number, we need to draw from our total population more than ever before, and thus, there are several disqualifications of some of our people in the country which must be eliminated.

2:30 p.m.

There was a time, of course, when it was useful to those who organised the society, our erstwhile masters, to use all sorts of disqualifications to prevent the involvement of people. Well do we remember that there was a time when, if one had no property, then one was denied adult suffrage.

Moreover, there is a heightening consciousness of individual and community role in development and we as leaders of the community and members of this Government have to respond to that new awareness and awakening. Also, this is a workers' government, a people's government, hence the workers must experience in a very concrete way not the privileges of having a government they can call their own, but also the responsibility of decision-making and become aware of the fact that that responsibility can only be carried out fully if there is a sense of the need for knowledge and wise use of that knowledge so that people can benefit and there will develop between the people and the Government more and more a sense of empathy.

We need also to mention that in these new happenings there is a collective responsibility not only for achievement – usually it is not uncommon in the world when something good is achieved for everybody to claim involvement and to claim participation but that collective responsibility also has to refer to any wrongdoing in our society so that more people will be involved, not only in achieving betterment, but also in accepting responsibility for our failures.

It is good too at this time for us to realize and at times to put it to the test by having more people involved so that we will cease to identify justice with revenge. Some people hope to get in positions of authority and privilege so that they can get even with other people. Today in Guyana the very democracy that we enjoy is dynamic and there is no real debate on that, for if we look at the world itself, from the time the word was created by the Greeks, I believe, it was associated with constitutions. We have a new Constitution to meet this concrete situation. We see more and more political parties, some come and some go. We have citizens' suffrage and we have our debating occasions and events.

Also, since we believe in democracy, real, genuine democracy, there is evident in this country of the spread of education. Hence, if we are to have expert service in government, as we have in fields of agriculture, engineering and some professions, we need to do the same for the political area and thus remove some of the limitations. It can only be done by involving people so that they can benefit from practical experience and so that we can be better able to enjoy what we have and be determined to develop what we have.

Those, Cde. Speaker, are some – I would not say all but some – of the underlying thoughts that fashioned this Bill and in bringing this Bill to the Assembly. There are some sections that are very important even though every section of the Bill is important. Over the years experience has been gained in the administration of miscellaneous laws of this country and I hope that the Attorney General who is our very able leader in the field of law in the Government will be able to deal with all these areas to the satisfaction of this Assembly.

Some of the amendments are relatively small but because of tidiness they have been included in the Bill. Some are self-explanatory. I need not go through them. The Explanation is enough, I am 1981-

certain, to satisfy all the Members of this Assembly, but I will select a few very important ones. On page 2 of the Bill, under Section 2 (a) of the National Assembly (Disqualification) Act, a person who holds or acts in a civil post in the service of the Government cannot be a Member of the National Assembly. This disqualification applies to teachers now that educational institutions have been taken over by the Government. The move towards progressive development has caused some things to lag. Once upon a time the law did not interfere with teachers. They could have stood for election as candidates but because of the changes in our taking over our proper responsibilities, that is, that the State should be concerned with the education of all the people in this country, the teachers have been caught up with and so there is really no justification to keep away teachers from this Assembly. If you were to take a quick count you would realize how many of us in this Assembly today have come out of the teaching profession. This in itself is evident that the teachers can play a very effective role in this Assembly. It is, therefore, proposed to remove this disqualification in so far as teachers are concerned.

As to other cases, it is thought that the disqualification should operate not to prevent an officer from contesting elections but only from taking up his seat if elected and so there is proviso to cover this point and that is sought to be inserted in section 2(a) of the Act because Government is of the view that a Member of the National Assembly should be paid as from the date on which he is declared elected. There is no justification to deny him salary and allowances until the date on which he participated generally in the proceedings of the Assembly as at present provided in section 6 (1), Ministers, Members of the National Assembly and Special Offices (Emoluments) Act. This provision is therefore sought to be amended for that purpose. So that there will be greater security, material security, for people when they become involved.

2:40p.m.

But, of course, Cde. Speaker, we all are aware that on some rare occasion a member may refuse to take the oath of office without any valid reason at the first Sitting of the National Assembly after his election, and we have had some experience of that kind in the past. Hence we must make provision to ensure that his change is not exploited to the detriment of the people of this country, and thus, in such cases he should not get salary and allowances during the period commencing on the first Sitting of the National Assembly and ending on the day preceding the date on which he takes the oath of office. The new subsection 3 seeks to deal with this particular aspect.

There are however cases as the Assembly will know where a member has put in twelve years of service or more in the aggregate, a period of service in becoming eligible for the maximum pension under section 10(1)(e) of the Pensions (President, Parliamentary and Special Offices) Act, but is drawing a smaller amount of his salary than the pension he would have been entitled to had he ceased to be a Member of the Assembly, so at certain periods it becomes financially more attractive to leave the Assembly and enjoy the pension. Fortunately for us, members have retained their places even though they knew that they would enjoy more financially by leaving the Assembly. Probably one or two people have taken the opportunity of that and have enjoyed a higher pay by staying on pension as a pensioner than working in this Assembly for the benefit of the people of this country.

Hence, after serious consideration, it seems to us on this side that it is only fair that the member be paid also in addition to his parliamentary salary, which is less than what he would have drawn as a pensioner, that difference between that salary and the pension he would have been entitled to had he cease to be a Member of this Assembly on completing twelve years of service. We have, I think, some people who have completed twelve years of service. The Schedule to the Ministers, Members of the National Assembly and Special Offices (Emoluments) Act is sought to be amended for this purpose. A similar provision already exists in sections 3(2) and 11(1) of the Pensions (President, Parliamentary and Special Offices) Act.

On page 4, section 12 of the Pensions Act provides for the maximum pension payable to an officer under that Act. This is generally two-thirds of the highest pensionable emoluments drawn by an officer, and I can see that two officers and a few members here would qualify under this. Under inherited practice, a Government servant is normally expected to retire on attaining the age of fifty-five years, but due to the exigencies of the Public Service Government may direct an officer to continue in service after he has attained the age of fifty-five. Under the existing law, in the normal case he will get no pension benefit for the extended period of service. Section 12 of the Pensions Act is sought to amend to enable in such cases, the taking into account of the entire period of service of the officer for the purpose of computing pension subject to the condition that the pension so computed cannot exceed the highest annual rate of salary drawn by him. However he will be paid an amount not exceeding the gratuity payable to him, if he so desires, an amount not exceeding the gratuity payable to him. This will be adjusted against the gratuity due when he actually retires, or on his death.

Page 6 of the Bill, Regulation 7 of the Pension Regulations 1957 is also sought to be amended by inserting a new paragraph (2A) to confer the same benefit in the case of officers of the special category such as a Judge of the Supreme Court mentioned in paragraph 2 of that regulation. It is good to note too that action has been taken separately to amend the Defence Pensions and Gratuities, Regulations to confer similar benefits on the officers and soldiers of our defence forces.

Under regulation 6(2) of the Pensions Regulations, if an officer resigns from the Public Service to become qualified for election to the National Assembly and subsequently on his failure to get elected is re-employed during the intervening period, he will be treated as being on leave without pay, so as not to see that his service is broken and he has to start again from day one. I do not think that can be fair. For instance, during the last elections to the Local Democratic Organs, officers in the Public Service may have resigned to contest elections. New paragraph (2A) is being inserted in regulation 6 to extend a similar benefit to such officers. The provision is needed only in respect of the last elections to the Regional Democratic Councils. It is also proposed to amend the Local Democratic Organs Act to enable officers in the Public Service to be members of such Councils. Amendment similar to those sought to be made in the Pensions Act are sought to be made in the Teachers Pensions Act.

If a person dies while he is President or Prime Minister, his widow and children, his sons or unmarried daughters under 21 years of age will be entitled to certain benefits under sections 5 and 6 respectively of the Pensions (President, Parliamentary and Special Offices) Act. There are similar provisions in regard to legislators in sections 14 and 15. New sections 6A and 15A are sought to be inserted in that Act to enable payment of gratuity to the legal personal representative of a deceased president, Prime Minister, Legislator, if any of them dies without leaving a widow or child, or dies soon after he has started receiving pension. If the total pension or pension and gratuity paid or payable to the date of his death is less than his highest rate of salary, the legal personal representative will be paid a gratuity equal to the deficit.

These amendments, of course, follow principles along applicable in the case of Civil Servants. Noting really is new. As was pointed out earlier, an amendment is sought to be made in the Pensions Act to the effect that where an officer in the Civil Service is asked to continue in the Civil Service after attaining the age of 55 years he will be allowed to draw an amount not exceeding his gratuity even while continuing his service because he has already earned that gratuity, which of course will be adjusted against his pension benefit or gratuity payable on death.

Hence, a similar benefit is sought to be conferred on legislators by the amendment of section 9 of the Pensions (President, Parliamentary and Special Offices) Act. The new subsection (8) sought to be inserted in that section would enable a legislator who has completed twelve years of service to draw at his option an amount not exceeding the gratuity payable to him had he retired on completing twelve years of service as a legislator. The amount so drawn would be adjusted against the pension benefits of the legislator or the gratuity payable on his death.

We come now to the Dependents' Pension Act. Here it is sought to be amended to extend the benefits under that Act the officers and soldiers of the Guyana Defence Force. In section 11(2) of the Dependents' Pension Act there is provision for contributors to elect two members of the Board of Directors but if only less than twenty-five per cent of the contributors attend the meeting to choose their representatives on the Board of Directors, the election cannot be held. In such a case the Minister has the burden of appointing the two Directors not being public officers to represent the contributors.

It has been found over the years that contributors have not been turning up in enough numbers and so this task has been left to the Minister. We want to make an alternative arrangement. It is proposed to provide that the Board of Directors shall have four representatives of the employees' organisations namely the Guyana Public Service Union, Guyana Teachers' Association, Guyana Trades Union Congress and the Police Association. Now, to accommodate all these representatives the membership of the Board is sought to be increased somewhat from five to seven and the rate of the contribution which is annual, it is proposed to be reduced from \$480.00 to \$300.00.

Also, an additional benefit is sought to be conferred on insured persons by amending section 19(1)(a)(iv) of the National Insurance and Social Security Act. It is propose that sickness benefit should also include free medical care in addition to periodical payments. It is also considered that employers should not be allowed to take advantage of delaying tactics with respect to the liability to make contributions. The three-year period of limitation for initiating Summary proceedings under section 44(2) and 45(3) is therefore sought to be removed. The amendment sought to be made in section 3(3) of the Rent Restriction Act, the provisions of that Act are bought to be extended to all premises irrespective of rent payable. You know at one time those in the higher rental group were exempted.

We now come to Local government. Local Government, as article 12 of the Constitution provides, is an integral part of the democratic organisation of this State. Under our new system certain services in respect of which monies may be appropriated by Parliament may be carried out by Local Democratic Organs. These organs may correspondingly be authorized to receive monies on behalf of the

Government. The amendment sought to be made in the Financial Administration and Audit Act is intended to enable officers of Local Democratic Organs to be appointed as Accounting Officers and Principal Receivers of Revenue and to apply the provisions of that Act in regard to auditing, etc., to amounts spent by Government through Local Democratic Organs or amounts received by the Local Democratic Organs on behalf of the Government.

The amendment to section 2 of the Housing of Labour Workers on Sugar Estates Act seeks to extend the benefits of the Act to certain new categories of the labour force.

Under section (9)(1)(b) of the Local Democratic Organs Act, Chairman and Vice-Chairman of all the Regional Democratic Councils are full-time officers. But in some cases having regard to the time the Chairman or Vice-Chairman is required to devote to the discharge of the functions of his office, the Chairman or Vice-Chairman need not be full time. The amendment of section (9)(1)(b) is intended to enable the Minister to issue directions in this regard.

The Government is of the view that there is no need to debar Civil Servants from participating in activities of Local Government bodies. Section 17 of the Local Democratic Organs Act is being amended to remove that disqualification of Civil Servants from being members of Regional Democratic Councils. But a Civil Servant will not be eligible to become a full-time Chairman or Vice-Chairman of a Regional Democratic Council.

Finally, section 50 of that Act is sought to be amended to enable the Minister to prescribe the remuneration payable to the Chairman and Vice-Chairman of the National Congress of Local Democratic Organs.

Those are the important specific parts of the Bill I wish to take note of and to draw to the attention of Members of this Assembly. Going through details like that is often times boring I know, but I am certain, Cde. Speaker, over the years we have acquired a lot of patience and this I hope you will bear with me a little longer.

I just want to make some concluding remarks. Colonies were colonies because the metropolitan overlords created social changes, and colonies were not reckoned with sometimes until many generations later, sometimes through serious upheavals and bloodshed. How be it too often by the time the changes were documented in what we read as books, many of them were obsolete. Today it is said sometimes before you leave the lecture hall of the learning institution, what is presented by the lecturer is already antiquated, even by some of the most learned men and women of this age.

Things are moving pretty fast. In those old days in that era, we were in this Assembly and our people outside of this Assembly had no opportunity to really do from our own concept and our own environment. Hence, there was nothing worthy for us to receive and nothing therefore for us to enlarge and reproduce, and consequently nothing in turn to transmit. Today, we want to face up to our own deficiencies and this Bill is seeking to assist us. Some matters in the Bill as I said a while ago may not be very very important. They may even appear to be mere trifles but they are still important because in this complex business of government every cell, every thought has a role to effect proper functioning of the organs and system for the better health of the body.

It is of interest to recognise that many of these matters are already legal for some groupings of our workers and social progress has become necessary for the larger community. Our Development process demands now and moreso in the near future an immense number of trained workers committed to the sharing of knowledge. They are needed in every area of endeavour including the political field. The Bill is seeking to remove some of the restraints to undo some of the historical shackles so that unlike the property-less of our history who were disqualified from enjoying adult suffrage, this Government is seeking to ensure that our citizens are not denied the opportunity, because of material insecurity, of being people's representatives.

Cde. Speaker, having put forward the general underlying thoughts of this Bill, having dealt with the main features in certain specific sections of the bill, I would now with these concluding remarks commend the bill for consideration of the Assembly as I move the Second Reading.

Question proposed.

Cde. J. Jagan: Mr. Speaker, this Bill before the Assembly today is quite complicated, twenty-two page document, which we might call an omnibus Bill. It includes so many various items, we can call it a pot-pourri or, even further, a cook-up. Maybe cook-up describes it a little bit better.

When we consider the time taken by legal officers to prepare this document, we tend to be astounded that so much time is put into something that on the whole, produces so little. We are told by the mover of this Bill, the Prime Minister, that this is a workers' budget, and I presume this comes out of the workers' budget, and that this is a peoples' budget. Well, with those words, one would imagine that we would be getting legislation which would affect the people, which would help the people.

The speaker further went into a dissertation on democracy. He said the very democracy we enjoy is dynamic. There is no debate on that. He said we believe in genuine democracy and he also spoke

about involving the people, and near the end he spoke about adult suffrage somehow relating this document to the right of the people to vote and to elect a government of their choice. I happen to have the honour of being one of the only three members of this Assembly to have been here in the historic 1953 Parliament which was elected on the popular vote of the people who voted in the first elections under universal adult suffrage for which we had fought and won.

I have seen the whole circle, the complete circle, from universal adult suffrage and the right of the people to elect a government of their choice to the present situation in which we are now, where the people do not have the right to elect a government of their choice and where adult suffrage is a joke in this country. There is no such thing as adult suffrage. It no longer exists, and even the dead can vote. I hope that I shall be able to see the circle move again in the direction of the attainment of free election of free and fair elections and the winning again of universal adult suffrage. I think to talk about democracy here, at this stage is really a mockery. We cannot be in this Assembly and laugh at such a sublime concept as democracy which is being rigged and torn and thrown in the rubbish heap as happened so many times. It is a pity to have to listen to such rubbish but coming to this Bill, there are many things in it some good, some not so good, some just a waste of time. Let me pick some of the items.

Let us take matters that relate to those of us in the National Assembly. The two items that grant benefits to Members of this Assembly. I ask at this point, why in the name of God do we have to stand here and give members of this Assembly more perks and more benefits. It is a crying shame when the people outside are crying for better conditions, they want decent pay.

All that this Government has been able to do is to raise prices, raise taxes, increase the amount of the devaluation of the dollar, but it has been unable to increase the income of the working people of this country. Why must we be called to this Assembly over and over again to talk each time about putting a greater squeeze on the workers as the next Bill will do for us and other Regulations before this Assembly will achieve, and we come with this Bill, which those who prepared it could have far better spent their time in trying to think of something to cease the squeeze on the working people of this country.

3:10 p.m.

Better conditions: if you have 12 years you are going to get a little more money, if your pension is due you are going to get a little more of this and that and it is in keeping with the tone of this Assembly which I brought to the attention of this Assembly – of course, I do not know if they paid attention because they do not care about anything. The first act of this new Parliament was to give the Speaker and the Vice-Presidents more money so that every time an effort is made all that the effort is made for is to give those in good positions a little more. Is that what we are here for? It is a crying shame and everyone here should be ashamed of himself. The straining at a gnat to swallow a camel.

We have before us all these little bits and pieces in here. In fact, for those who prepared them – I don't know how qualified they are but at least I would suggest amongst other things that they learn how to handle the English Language. On page 21, paragraph 4. One sentence has 117 words. It is one of the longest sentences I ever bumped into. One page 20, another sentence has 110 words and another has 69 words so that when you try to read the Explanation anyone who is not a lawyer, to wade through 117 words in one sentence, you get lost, you don't know where it is stopping; semi-colons are lacking. It is weird. It is an example of the type of things that come out of this Assembly.

I want to know why this Government is so intoxicated with putting forward nitty-bitty amendments to legislation to create even more problems. The members of the Government will get down to anything serious. The serious thing before the country, as I see it, is the question of helping Guyanese to survive after the onslaught. What is it the last speaker said? He was talking about a workers' budget, a people's budget. I dare him to go along without security to Stabroek Market or Bourda Market to tell the people that the Budget is the people's budget and it is helping them. I would like to see him go there, without first moving in that harassing all the people, and tell people to their faces, "These are a people's budget; these taxes are to help the people." Good grievance, where are we? We are nowhere.

Section 12 of the Pensions Act is another thing that we have here which makes provision for persons to be employed beyond their pensionable age. Let me say this: I hope it applies to everyone right down the line and is not reserved for those privileged few at the top, that it goes right down to the smallest man. Let us hope that this is so. One never knows.

We see that under the Dependents' pension Act we now including the Guyana Defence Force. I ask a question. Unfortunately the gentlemen who moved the Second Reading does not have the courtesy to be here to hear what is said. I would like to ask him: "Have they consulted the Guyana Defence Force? Has the Guyana Defence Force agreed to come under the Dependents' Pension Act? I remember in 1978 when the International Monetary Fund Agreement was signed and when, under that Agreement, the I.M.F. dictated that the Widows and Orphans Fund must be extended – and on the dictate of the I.M.F. it was extended – to teachers, to police, to nurses, without consulting them. This, of course, is the practice of this Government. It never consults people; it does what it pleases. So I would like an answer to those questions. Were they consulted? Did they agree? And I would like to ask another question: is this another dictate of the International Monetary Fund? Has the International Monetary Fund said that the Government must extend the Dependant Pension Fund in order to get a larger amount of money and resources. As we know, they are using it for other purposes.

I see in this little document of miscellaneous pot-pourri that there is an item on poor relief. What is the item on poor relief? To change the membership of the Local Board and to remove the necessity for the Chairman to be a public servant. Nothing about the amount, nothing about the pittance of \$6.50 which is paid to people under poor relief. Not a word because they do not care about that. They just care about the form but the reality, not much about the daily punishment of the people. Nowhere in this document do you see concern about that.

There is another item which calls for a Supernumerary Deputy Governor of the Bank of Guyana. Why all the trouble to have a Supernumerary Deputy Governor of the Bank of Guyana? More jobs for the boys? Or is it that they want to by-pass someone? Who knows? Or is it to discriminate against someone who should be getting a particular job? Why all the trouble? Who needs another person there? You know as well as I do that it is totally unnecessary. Nothing is complex for the Government when it wants to push the boys into the jobs and create more fancy jobs with more money and more perks because when you come down to it perks and more advantages are what his Government is providing, trying to keep the service and the armed forces quiet because it does not have any popular support. That is clear and it would be more clear if the members of the government went out and heard how people feel about these great democratic taxes and heavy loads that are put on the backs of the workers.

We have an item in here on panel reform, that is, that licences can be given to release prisoners who are serving a term of life imprisonment. I just wanted to mention that rehabilitated of prisoners is real function of our prisons and certainly if prisoners are rehabilitated and appear, even though they have been sentenced to life imprisonment, to be able to lead useful lives outside, certainly they should be released. But are our prisons at this stage and period in Guyana's history really carrying forward their function of rehabilitation? This does not seem to be the case. The prisons are over-crowded, not enough attention is being given and not enough aid is being given trying to improve the lot of our prisoners and prepare them for useful citizenship. So I would like to throw in that remark hoping that when this section of the Act is used concerning the release of prisoners it will be done on a basis of persons being ready to come out of prison and lead useful lives and not be done for other purposes, perhaps political purposes. So we hope there will be some restraint on the use of this in the correct direction rather than abuse of it.

I would like to suggest that this Bill relates in no way to the question of democracy, to the question of involving the people, to the question of adult suffrage. It has nothing to do with any of these things that the mover of the Bill spoke about.

I would only like to remind members of this Assembly that the working people of this country will never agree that the budget, the exorbitant taxes, and the horrible burdens put on them are in any way acceptable to them.

The Government tries to pretend that people have accepted such onerous taxation and burdens. This, of course, is far from the truth. I would like to say that this Bill, in its totality, has little to offer and the Government would have done better to spend its time in something productive and in solving the grave problem of low wages and the horrible problems of unemployment.

Cde. Ram Karran: (The Deputy Speaker): Your Honour, in presenting this cook-up, the Prime Minister seemed to have made an attempt, unsuccessfully, of course, to separate the peas from the rice and from the seasoning. But in doing so he seemed to have put his foot in his mouth or in the pot by dealing with some very sensitive matters which the P.N.C. ought never to raise. My friend has dealt with some of them, and the question of democracy. He talks about identifying justice with revenge. Is there any Government in these parts who can speak of such a quality? How many of the people have not been slaughtered and butchered without one case of an inquest being held? Why? I don't want to call the names, Your Honour, I think the whole of Guyana knows of the people I am talking about. They talk about justice without revenge. They're the ones who have been murdering the people.

Talk about democracy. Let me talk of the instance, I think it is well know, at Novar where the woman went to vote and when she went to vote the Returning Officer asked "Whey you husband?" And she looked and said "Me husband, he nah death? He dead eight year ago". The man said "No, your husband come here to vote this morning and you ought to have come with him; you are not going to be allowed to vote." And she said, "Da man nah gat shame; he dead eight years ago, he gat he children, he come to vote an he nah come see them."

This is what makes this Government. They talk about democracy. My own wife who is alive could not vote because her name was struck off and the names of many wives in this country. These people, sir, I want to use a stronger word, are the people who talk about democracy and extension of democracy. Democracy has been extended, yes, to include the dead. We do not want to hark back to the days of colonialism; we have lived under that system. We know the oppression, and we know the denial of justice in that archaic system. But don't tell me today that we are having democracy. My friend ought to be alert to the things that go on in this country, the things that people say, or perhaps he is so safely guarded by his bodyguards that he can't hear what is being said about the P.N.C and the rackets and the things that go on all over this country. The extension of the franchise. This is the extension of the franchise? This is paying the boys. Those who are loyal.

And talking about loyalty, many of these provisions in this Bill, as you know, Your Honour, extend, already to Members of this Assembly. Let me ask the hon. Minister of Finance or the appropriate one, why is Ashton Chase being denied his pension under this? Why is Maccie Hamid denied? Why is Bholia Persaud? And many people. Why? Because even though it is written as law it is manipulated by those who talk about justice with revenge. Are they the people who dispense justice? Let them answer. Why are these members who served honourably in this Assembly denied their pension? Your Honour knows. Representations have been made far afield. But somebody has to tell the officer who has a statutory duty to perform. He cannot perform his statutory duties, he has to go and hide under the table when people go to him to make representation. This is the kind of Government that talks about democracy and talks about revenge? They ought to be ashamed of themselves from the Prime Minister right down.

Sir, he has said, and I support the views expressed by my colleague, that instead of this Bill being directed to substantive matters, several of them seemed to have been merely touching the question. Let me talk about the Housing of Labour Workers on Sugar Estates Act. This Act, as you recall, was made in the 1940's for the housing of sugar workers. And with the Independence of the territory and the assumption of an alleged Socialist programme, the T.U.C. raised the question as to whether this Fund which affects only sugar workers ought not to have been dealt with by the Trade Union, including the T.U.C. which does not represent sugar workers. The T.U.C. took a resolution and said that the number of members representing the Government should be reduced to one so that the Fund would become operable under workers' representatives. But this so-called Socialist Government said no. We must go ahead with the Permanent Secretary of the Office of the Prime Minister, who heads the Committee, with several officials of the Government sitting on the Committee to vote against the interest of the workers.

We have no objection to the extension of this facility, to the employees of the Demerara Sugar Terminals, as indeed we have no objection to its extension to the Guyana Distilleries Ltd. Whatever interpretation the government wants to put, perhaps they will say that the smugglers who transport sugar to Surinam should also be included because they deal with sugar, what I am saying is that this organisation does not at the moment function in the interest of the workers who need houses.

Take the record as was put in during the time when my colleague was Minister for Labour, Health and Housing. Housing were being built. But where are the houses now? I have to make representation to that organisation very frequently when workers come and say they are not getting houses. And you write the Sugar Industry Welfare fund and they say, "Comrade, we aint got no land." All the lands which formerly were under the control of the sugar industry, allegedly to stop squatting because of people's difficulty in getting land, these lands were, with the stroke of the pen, deeded to the Government. And now these officers have no end of trouble. Instead of the people being able to get lots, they have to write. They write to this office and they write to that office – and all the offices are dead letter offices as far as I am concerned. You get no reply and when I keep on ringing the Secretary-Manager, I hear, "Comrade, wha a gon do, I aint getting no reply."

Even though they have a revolving Fund which can help them – it is a pittance, \$3,300 for loans to the people; they have to make up the money to extend their buildings and so on. But nothing is being done. For the whole of the last three years 100 lots have been earmarked and plots have been extending all over the West Coast.

That brings me to the situation at Diamond. There was a logie there that housed 200 workers who came from the Essequibo. And even though they were exploited – I say they were exploited because when they came all the way from Essequibo and the Field Manager or whoever it is tell them "Look, you have to cut this cane at \$2.00 a ton, he can't think about going back to the Essequibo for the week. He has to cut it. They were exploited. But then the good brains of the industry or the Government broke down the logie. The logie that he hon. Minister Carrington spoke about. It was in such a dilapidated condition.

Instead of rehabilitating it, they pulled it down. Then my friend wrote a big thing that the P.P.P and GAWU want to disturb the industry and they put the scabs against at Diamond to cut cane. They are repeating what happened in 1977. It is one of the things that ought to have been included in the Bill to solve the question. They should have rehabilitated the logie so that Diamond would not have a shortage of cane cutters because there is a shortage of houses. People are not going to live under trees to cut cane and instead of these people paying attention to the problems that really affect production and productivity and the things they talk about, they must have only heard about the word, they are doing the exact opposite, adding more people to the situation.

I wonder if I can deal with another bit of peas or rice, I don't know which it is, in connection with another matter which comes near to my heart, the N.I.S. An amendment is being made to this. To do what? Perhaps to give some provision with respect to the recovery of benefits. What has been happening in this incompetence place? First of all, the head of the tribunal, which should and which should settle disputes affecting workers who are injured or who have claims against the National Insurance Scheme, is non-existent like the Ombudsman.

Imagine what would happen if the Speaker were not here. In those cases there are no deputies. Imagine the situation if the Prime Minister were absent, there are Vice-Presidents. But there is no Vice-President or no deputy in the case of the tribunal, so the thing does not function and people have cases lasting six years, they cannot get anywhere. I do not see the hon. Minister who deals with labour matters, but one would have thought that that would have been amended.

There is another situation. A man is entitled to benefits under the scheme, \$1000 over a period; the money is sent to him but the money is lost and the National Insurance Scheme tells him he has to wait until they find it. An employee of ours working in New Amsterdam took maternity leave. A Union employee. On the delivery of her child, she resumed work, but up to now she cannot get her money. She is told that the money is lost. All these things put a great burden on the worker to sue the N.I.S. in order to recover this money. It takes a long, long time. One would have thought that he hon. Prime Minister or his advisers would have inserted legislation to satisfy these things rather than bring in this one aspect.

Take the case of the other man. I cannot understand. We have so many lawyers over there including the hon. Minister of Parliamentary Affairs. The N.I.S. regulations say that a man must work for thirteen weeks and that he will have to work on the day before his injury before he qualifies for certain benefits – sickness benefit. This man having satisfied all these conditions went home on Thursday night, and the thieves from whom we have no protection – as this is a pot-pourri, they ought to have put in something about police to provide protection for people who live in the rural areas – beat up this man. That was Thursday night, he went to the hospital Friday morning, and on his application for sickness benefit, to which all the lawyers agree he is entitled, the N.I.S. said that work was not available to him the day following and, therefore he is not eligible. Work was not available. Repeated representation has been made to the Minister and the T.U.C. for people who are working in a casual occupation, that if he had worked on the last day on which work was available, that is preceding his illness, he should qualify. But here, they are taking the whole thing out of context and saying if work was available to him subsequent to his injury, that he is entitled.

These are details that I would have thought that the hon. Attorney General – is he still Attorney General of Minister of Justice? Both? My God! – ought to have spent some time dealing with, these relevant matters, rather than to have brought this pot-pourri here before us.

But let me deal with one more matter. I want to identify that by reading the explanatory memo, and it says that section 19(1)(a)(iv) of the National Insurance and Social Security Act, Cap. 36:01 is sought to be amended so as to empower the Minister to make regulations providing – No, not that, it is page 21, “Section 5(0) of the Local Democratic Organs Act 1980, is sought to be amended so as to empower the Minister by order to prescribe the procedure to be followed in matters relating to finance and auditing of accounts.. Section 9(1) of the Act, is sought to be amended so as to empower the Minister to direct by written notice that an officer of a local democratic shall not be a full time officer.”

I have read the first part of it and I am saying, sir, with all my experience I have had within this Assembly, that no Minister has the right to direct anything on financial matters without reference to the Auditor-General and in fact, the whole thing hinges on this attitude of the P.N.C. as it does under the Ministry of National Development and the General Secretary of the P.N.C. where a sum of \$9 million has been mis-spent year after year by this Government. This is an extension of that attitude of the P.N.C., that the Government can spend the people’s money as it likes. What gives the right to the Minister, who is incompetent in terms of financial regulations to give directions as to how the financial regulations should be operated? It cannot be done. It should be the Auditor-General or the Minister of Finance after consultation with the relevant body. I have often referred to the block vote that they dispense, that everyone agrees it cannot be done, yet the Government continues to use this block vote to spend it in the way it wants to spend it. It is wrong and this measure here is also wrong.

The Attorney General and Minister of Justice (Cde. Shahabuddeen): Cde. Speaker, I had really hoped at the invitation of Cde. Prime Minister to be taking my stand at this time to assist the Assembly in a serious way over issues which I had anticipated would have been seriously raised by those who have spoken and purported criticism of the measure which is now engaging the attention of the Assembly.

I regret that yet once again my expectations have been defeated. True it is that a Bill of this kind spanning, as the Prime Minister pointed out, so many branches of the law would appear to afford and to present a field day for cheap politicking and detraction of the Government and we have seen, however we may lament the fact, the sad way in which the opportunity was in fact utilised in this unseemly way.

But even so, it is remarkable to reflect on the strange divergencies in the approach taken by the two speakers from the main Minority Party. We have had it from Cde. Janet Jagan that not the least of her criticism against the Bill concerns the number of pieces of legislation which it seeks to deal with and so she could hardly resist the temptation to denigrate it as an “omnibus” Bill, as a “pot-pourri” and as a “cook-up”. But what does the Bill seek to do? It seeks to deal with no less, I think, than nineteen different pieces of legislation and it attempts to make, for the most part, comparatively small amendments to them. Now, if there is substance in Cde. Jagan’s complaint then I expect that what she would have preferred would be to see nineteen different pieces of amending legislation before the Assembly instead of one piece as we have brought here today.

Now we must be reasonable. The concept of a Miscellaneous Bill is not a strange one to this Assembly. It has been used on many an occasions before the present one and it is used because sober minds appreciate that there is need to be economical and efficient in the use of Parliamentary time.

Now, take one of the things which this Bill seeks to do. It seeks in the case of the Prisons Act to merely amend a marginal note to one section of that Act. It seeks to remove the word “life” from the marginal note to section 33 of the Prisons Act. Surely no one would contend that it would have been proper to bring an entirely separate Bill to achieve so small objective. That perhaps is an extreme case, but if one applies the principle which emerges out of any sensible consideration of the situation which it presents, I think it would be obvious that this was a respectful way of dealing with parliamentary time to bring these various amendments in one tidy whole as a Miscellaneous Enactments (Amendment) Bill.

I said that there was a certain divergence in points of view between Cde. Jagan and Cde. Ram Karran because whereas she, I gather, complained that too many things were put in one bill, I believe we had it from him that really not enough has been put in because he wanted some additional amendments to some other pieces of legislation which we have not considered, we have not put them in, but if we had we would, I believe have ended up with a much larger Bill than the one we have and then I don’t know what Cde. Janet Jagan would have said about that larger Bill. She describes this one as ‘omnibus’ a ‘pot-pourri’ and a ‘cook-up’. God knows what other epithet her ingenious mind would have found to apply to that other Bill.

I don’t think that the denigration of the Bill, of the Government which proposes the Bill, or of innocent hard-working law officers who prepared the Bill is any substitute for sound argument. When we came to this question of sound argument I submit we find a certain deficiency in her observations. The most substantial one has to do with the difficulty which she encountered in reading one or two limbs of the Bill. I am not surprised because they were written in English. I have never heard in my whole life of anyone professing to pass expert judgment on the grammatical correctness of a piece of English on a head count of the number of words used, but then one learns from day to day and if one has the necessary

humility, as I hope I do, I also hope to learn from that.

I have read the passage about which complaint has been made and I must say that I did not find the slightest difficulty for the reason that although it appears, at first blush to be a lengthy passage, actually it is a number of simple sentences tied up with conjunctive or disjunctive expressions like “and” and “or”. So it is a number of simple sentences which are strung together for sound reasons which have escaped the speaker in question to produce this lengthy sentence which, regrettably, has given her so much trouble. One day, perhaps, I hope that somebody will come forward to say exactly what length of sentence is good grammar and what length of sentence is bad, whether we should place the cut-off point at 117, or 116 or 118.

That is the kind of argument we have had here today and that is why I do regret that I have had to make the observation at the beginning that was disappointed in my hopes that I would be standing on my feet here this afternoon to reply seriously to serious criticisms. /Interruption by Cde. J. Jagan./ You had your say, madam. I did not interrupt you, and you are a lady. /Laughter/

Cde. Jagan has referred to the amendment proposed to the Dependants Pension Fund and she has asked whether the Defence Force was consulted. I am happy to be in a position to advise this Assembly that the answer to that question is in the affirmative in that the governing branch of the Defence Force not only was consulted but, in fact, was the agency which put forward this very excellent idea of bringing our personnel in the Defence Force into one common national fund.

3:50 p.m.

Now reference was also made by Cde. Jagan to the legislation seeking to create and additional position of Deputy Governor of the Bank of Guyana. I think she asked the question whether this was an attempt to create more jobs for the boys. I hardly need to rebut that spurious suggestion and to say that of course it is not so. One does not like to refer to particular individuals in a debate of this kind but those who are aware of the way in which the administration functions would know that the existing Deputy Governor is saddled with some other very important duties in his capacity of Chairman of the State Planning Commission. I think that the mere statement of that simple fact would be enough for those with an open mind to be convinced of the need and priority for this particular piece of legislation.

Now, Cde. Jagan also referred to certain aspects of the administration of our prison system and I am glad to be able to tell her after consultation with my colleague, Cde. Minister of Home Affairs, whom, in an unfriendly term, Cde. Ram Karran described as a neophyte, that really that neophyte is very much at work on this subject and that in fact some very advanced ideas have not only been put together but are in the course of being implemented at this time. If he would only exert himself to visit the prisons, if he would like to visit it as a free individual, that could be arranged and he would have a superb opportunity of seeing for himself what the Minister of Home Affairs is now doing. I think we are moving very much in the direction of establishing the concept of open prisons for the less serious offenders in our prison population.

I think I need trouble the Assembly too much with Cde. Jagan's complaint that the Prime Minister had made references to our burgeoning democracy and the need to ensure that as many of our people as possible participate actively in our democratic process. Anyone who reads the Bill would see that there are substantial elements of the Bill which are directed towards the accomplishment and enhancement of those purposes. I really am at a loss to figure out how it was that Cde. Ram Karran came to refer to the idea of justice being identified with revenge in the way in which he did and to say the way in which he put that same concept in the mouth of the Prime Minister. I do not myself recall the Prime Minister saying that. I do not have it in my heart ever to reply about those things, you are such a nice man.

I have already tried to deal with Cde. Ram Karran's regret that the Bill does not include some other amendments which he feels are necessary, but I would like, out of respectful deference to so senior and fine a Member of the Assembly, to say that the Government would be glad to give thought to any reasonable proposal for amending the legislation in order to move on the road towards greater social and economic justice for all but we have to study these things carefully and as Cde. Jagan remarked, it does take law officers, so she claims, a long time to produce a short Bill.

Now, Cde. Ram Karran referred to one aspect of the Bill which seeks to empower the responsible Minister to direct when the Chairman or Vice-Chairman, of one of our Local Democratic Organs should operate full time and when he should not and because the point raised was so interesting, perhaps I ought to pause and deal with it, a little. As I understand it, what he is saying is that there are some financial regulations which now give certain powers to the Auditor-General and he is saying it is legally incompetent for this Assembly by way of an Act to authorise the Minister to do something which he says trenches on a power confided to the Auditor-General by the financial regulations.

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There are two points I would make there. I do not myself know that there are any financial regulations which confide this particular kind of power to the Auditor General. The power is not a power to spend money. Really, it is a power to designate which of several Chairman or Vice-Chairman should operate full time and which of them should operate part-time. The second point which I would offer to the Assembly by way of reply to Cde. Ram Karran's statement is that even if there was such power confided by the financial regulations to the Auditor-General, which I deny, that would not preclude this Assembly by the enactment of superior legislation in the form of an Act of Parliament from confiding the same power, reducing that power to the Minister concerned.

Now those are the comments I thought I might ask the attention and patience of this Assembly to listen to as I endorse and repeat the Motion of the Prime Minister that the bill be read a Second time.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Clause 1 and 2 agreed to and ordered to stand part of the Bill.

Schedule

The Chairman: Cde. Attorney-General, I think there is an amendment to the Schedule

Cde. Shahabuddeen: There is one amendment, Cde. Chairman, which I would beg leave to propose on behalf of the Prime Minister. A Notice has been circulated.

I beg to move the Amendment accordingly.

Amendment –

That the following be substituted for “fifty years, at his option exercisable in accordance with section 12” appearing in the new section (8) of section 9 of the Pensions (President, Parliamentary and Special Offices) Act, Chapter 27:03:

“forty years, at his option exerciseable in accordance with section 12 at any time after he attains that age”

Put, and agreed to.

Schedule, as amended, agreed to and ordered to stand part of the Bill.

Assembly resumed.

Bill reported with an Amendment to the Schedule, as amended, considered, read the Third time and passed.

The Speaker: Comrades, perhaps this a convenient time to take the suspension.

The Sitting will resumed at 4.30 p.m.

Sitting suspended at 4.p.m.

National Assembly

4:30 p.m.

On resumption –

MISCELLANEOUS ENACTMENTS (AMENDMENT) (NO. 2) BILL 1981

A Bill intituled:

“Act to amend certain enactments.” [The Minister, Finance, in the Ministry of Economic Planning and Finance]

The Speaker: Cde. Sallahuddin.

The Minister, Finance, in the Ministry of Economic Planning and Finance (Cde. Sallahuddin): Cde. Speaker, I beg to move that the Miscellaneous Enactments (Amendment) (No. 2) Bill, No. 7 of 1981 be now read a Second time. Cde. Speaker, we are all aware that there has been considerable discourse and debate on the details, in addition to the underlying principles, of these fiscal measures which come before us today as a result of the Budget review exercise presented by Vice-President Hoyte on the 1st June. Suffice it to say that in the light of all the discourse and the debate that have already taken place, we simply wish to state that the proposals are aimed at raising additional revenue for the developmental and security requirements of the country and that these measures simply aim at effectuating decisions already arrived at and passed in this honourable Assembly.

The amendments are with respect to the Firearms Act, the Tax Act, the Banking Act, Hucksters Licensing and Control Act, and Auctioneers Act. We shall be happy to state that our presentation is rather brief because considerable discourse and debate have already taken place.

Question proposed

Cde. J. Jagan: Mr. Speaker, it is true that the contents of this Miscellaneous Enactments (Amendment) (No. 2) Bill have been the subject of discussion in this Assembly, but still we cannot avoid the necessity of persistently and constantly reminding the other side of the Assembly of the excessive burdens that these increased taxes and fees, etc, will place on the backs of the working people. In fact, in essence that was the point I made when I discussed the previous Miscellaneous Enactments Bill and the plea that instead of having a medley of amendments that we concentrate on legislation in trying to improve the living standards of the people mainly by raising wages. But I am afraid “milord” the Attorney-General misconstrued the essence but perhaps although he uses the word “comrade” I don’t think he really understands the meaning of it, or understand the plight of the working class in this country.

We think that this Miscellaneous Enactments (Amendment) (No. 2) Bill really is scrouding the bottom of the barrel the last drop that conceivable can be squeezed.

One might even get the impression that they use termites to bore through and seek out old laws that have been buried for many years to find more avenues for taxing the people. Certainly the termites that bore into the ancient legislation about fees for horse-drawn vehicles, dray carts, donkey carts – well, the medals of anti-working-class heroism will have to be placed on the chest of that great legislator, if it be one, who discovered this form of taxation.

We find it absolutely astounding in this day and age that a Government would seek to put taxes on horse-drawn carts, donkey carts etc. It is unbelievable particularly when all we hear from that side of the Assembly is the energy crisis. Here you have vehicles drawn without having to produce the energy of gasoline. The only energy you require is a little grass which the donkey and horses use. Instead, you are taxing people who use this type of vehicle and who own this type of vehicle. It is preposterous. It belittles all the arguments made about the energy crisis. All you know to do is to put on more and more and more taxes so that our transport, our electricity and all that depend on the use of fuel go higher and higher. As yet here are the simple men who carry timber, who carry goods of all sorts being heavily taxed. They should be encouraged. In fact I would suggest that all taxes be withdrawn in view of the energy crisis.

We have in this bill increases on butchers, licences increases, and druggists licences. Every conceivable avenue of putting on more taxes. Also the little pleasures of life – there aren't many in this country – restaurants, liquor premises, etc., they are being taxed and that means the taxes on restaurants are not going to be borne by the owners of the restaurants, we all know that. It's the little man who goes in there and buys a chicken in the rough or a chowmein. He's the one who is going to pay it. Even in the field of leisure and entertainment, even that the poor man cannot enjoy with any relief.

The Speaker who moved this Bill said that the money will be used for the development and security of the nation, which is a lot of rubbish. It is pure rubbish. It is not going to be used for any development. It will be used for more squandermania.

Cde. Sallahuddin (replying): Cde. Speaker, I would wish to observe that even a single sheet of paper costs money and we ought to be careful how we treat taxpayers' money because on the one hand, we are instituting measures to raise revenue, and on the other hand, my comrade across the Table is displaying what we ought not to do with taxpayers' money. Suffice it to say that I would have thought that the same love the speaker has for detail would have carried itself over to the remarks just concluded in that the butcher's licence was all the time free and that we are not in fact increasing the cost of a butcher's licence.

I want to make a point that while it is true that horse-drawn and donkey-drawn vehicles do not use fossil fuel, those vehicles traverse the roads which cost a lot of money to build. Apart from that, it is a rather lucrative enterprise, but perhaps, because some hon. Members of the Assembly are so far removed from what goes on on the ground, they do not or cannot understand that those persons who operate animal-drawn vehicles still make a handsome living.

Cde. Speaker, the general point I want to make is this, that it was after the most careful assessment and evaluation of all the circumstances that this package of fiscal measures was conceived and implemented and we understand that this package of fiscal measures satisfies the purposes we have stated. We also understand that in spite of the fact that these measures may be regarded as stringent, the Guyanese people have always displayed a degree of resilience and flexibility and adaptability that would help us all to rise above the present difficulties – in spite of this fiscal measure.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

MOTION

AFFIRMATION OF MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT OF FEES)

REGULATIONS 1981 (NO. 4)

“Be it resolved that this National Assembly, in terms of section 98(3) of the Motor Vehicles and Road Traffic Act, Chapter 51:02, affirm the Motor Vehicles and Road Traffic (Amendment of Fees) Regulations 1981 (No. 4), which were made on 4th June, 1981, and published in the Gazette on 8th June, 1981.” /The Vice-President, Works and Transport./

The Vice-President, Works and Transport (Cde. Naraine): Cde. Speaker, I beg to move the Motion standing in my name. This motion, if passed, would give affirmation to the Motor Vehicle and Road Traffic (Amendment of Fees) Regulations 1981.

The increase with respect to licence fees for motor vehicles, registration fees, transfer, fitness, dealer's licence, learner's licence, and other similar items, come when some of these fees and licences had not been increased for many years. This was explained by Cde. Vice-President and Minister of Economic Planning and Finance when we met in this Assembly last.

The increases will not, in fact, be as much as the increased cost for the administration and the supervision of these licences and registration and so forth. Cde. Speaker, I would just like to state an example, for motor vehicles not exceeding 2,240, the increase is just \$10 from \$120 to \$130 and so we do not think that in the light of the increasing cost for maintenance and construction of roads on which these vehicles have to travel, and the cost of stationery and administration of these licences, and supervising to see that people in fact do take out their licences, the increases suggested in this regulation for the new fees and licences are high. We feel that they are reasonable, they are practicable and we know that those who have to pay these small increases will do so with understanding and that they will be willing to pay, bearing in mind what are the costs particularly in relation to the construction and maintenance of roads which facilitate the many vehicles that use them. And so, I recommend this Motion, Cde, Speaker, for the support of this Assembly.

Question Proposed.

Cde. Collymore: Cde. Speaker, I rise to take exception to the last remark made by the Vice-President. We on this side would like to point out that these increases are going to redound to the detriment of the people, particularly commuters. Workers, vendors, consumers and students will be seriously affected. The increases refer to various categories of motor vehicles. Let us take one case, motor cycles. These may be described as the people's means of transportation, the poor man's means of getting from one place to another place, because not everybody in Guyana today can afford the huge sums being asked for a motor car. If you cannot find \$24,000 or more you cannot buy a car. I cannot afford one.

The motor cycle is therefore the poor man's means of transportation and we take very serious and very strong exception to the increase which are being imposed on these vehicles. For instance, we note that motor cycles with two wheels and not exceeding 200 pounds, - these are the light ones – the proposed fees has moved from \$20 to \$50 and those having two wheels and exceeding 200 pounds, the fee has moved from \$30 to \$75, that is, \$45 more. We are saying that this is very exorbitant and we would like to see the original fees remain.

In the case of hire cars, we note that hire cars have been seriously hit. They have been hit in registration, drivers' licences, fitness, examination, test of competence and also provisional licences. We would like to point out that these extra expenditures which take effect as of now, and will be more intensified next year, will rebound in the final analysis to the consumers, the commuters, because the hire car drivers will consistently apply pressure on the Government to raise fares. I am informed, and I know, that fares have gone up in the City and elsewhere by no less than 10 cents a trip.

We note that not only the hire cars and the commuters who travel in them will eventually be affected but those who travel in buses because it is just a matter of time before the Government itself gets around to increasing the fares on buses. Once more the people will be seriously compromised.

We also note that some of the increases seriously affect vehicles which deal with agriculture. We note that they have hit tractors and trailers and they have hit other vehicles which carry produce to and from the agricultural areas. These increases are very, very severe. The range of the increases is from \$50 to \$400. It means, therefore, that all this money will be taken from the consumers. Most of these vehicles come from country areas and the bring produce, livestock, they bring vegetables and so forth.

The people who go to the municipal markets will have to pay increases. I am concerned. You heard that the Vice-President and the Minister of Finance have said that they are concerned about the people. I don't think the evidence supports their contention. The evidence says that they are not concerned at all.

We note here that the Government has a weakness for seeking to increase revenue by taxation. We have been saying all along that this is the wrong way to do it. If you want to increase revenue you have to increase production and increase revenue from production without any recourse to raising taxes. Our friends on the other side seem to be unable to increase production because production has been going down year after year. In countries which are properly administered, where you have efficiency in management, production increases and productivity increases and this does away with the need to raise taxes and all these kinds of draconian measures which we are faced with today.

We therefore suggest that the Government look into the possibility of having revenue increased by increased productivity which will bring increased production. Here again you analyse statistics. We are plagued with falling productivity.

Then there should be an increase in the efficiency of management. We on this side of the House are not enthused with the way in which various state enterprises and corporations are run. This is one of the main reasons why we find the cost of Government administration is rising every year and this adds to the overhead State Bill.

We note here also that the motor cyclists seem to have been a main victim of this whole scheme. The motor cyclist who is going to learn to ride, just to have a privilege of an “L” on his motor cycle, will have to pay \$25. When we take into consideration what the Vice-President, Cde. Hoyte, said when he was introducing the “white” budget – he mentioned \$50 so I would like to ask the Vice-President, Cde. Naraine, whether this is a climb down from what his colleague Vice-President Hoyte said, that is, from \$50 to 25, or whether it was a mis-print when the Vice-President read \$50. Many people are worried. They want to know if they are going to have to pay \$200 a year to learn to ride or to learn to drive. We know that many people when they take the examination fail and it means therefore they have to pay a new fee and it means also that it is not always possible to have one provisional licence which in this case would be \$25. It could be that four provisional licences have to be taken out and that is \$100. In the case of what the previous Vice-President was saying it would have been \$200.

We note all these pressures. People are worried; they are concerned and they feel that the Government is just running the country arbitrarily imposing taxes willy-nilly and then coming to this Assembly and saying taxes are justified. We on this side of the Assembly are opposed to all these increases under the Motor Vehicle and Road Traffic Act.

The Speaker: Cde. Ram Karran.

Cde. Ram Karran: Briefly, sir, if I may ask if it would not have been more intelligible for the hon. Minister to have stopped his sentence by saying, “We do not think.” I think he continued beyond that point, but that would have been more intelligible.

I am very surprised to hear this Vice-President, who at one time headed the Ministry of Works and Hydraulics and who argued very strongly against the imposition of any provision for road transport – come here and argue and follow in the footsteps of the hon. Minister Cde. Sallahuddin that the cost of the

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road has influenced this to any extent. We argued against Cheetam who had introduced this thing. Cheetam was the I.C.A. engineer. How can you come now and talk about stationery and talk about the cost of the roads when you know, and I think every hon. Member knows, that the main measures of taxation go for the maintenance of roads. The next time he is going to tell us that the cost of toilet paper has gone up and therefore something has to be introduced. To talk about stationery on a measure like this is shocking.

Cde. Naraine (replying): Cde. Speaker, I think the comrade over there lost completely the points that I tried to make. Maybe I could be accused about “thinking” but I suppose with old age they have reached a stage of not hearing or probable they haven’t got the capacity to listen. And so we must excuse them.

I tried to explain to this Assembly that these measures became necessary because these fees and licences have not been increased in the light of general increasing costs over a number of years. The cost of making available – And stationery was just incidental; but stationery itself emphasises how costs have gone up and we do not make stationery in this country; we have to import it from outside, but costs have gone up over the years. And in some of these exercise when one takes the whole process of what has to be done, we find that the increase that we are suggesting may just cover the cost of stationery. So stationery was mentioned with a purpose, not to emphasise the smallest or largeness of what the measures are. But Cde. Ram Karran in his usually style – must as an old former Minister, and I suppose he wants to remind me that I used to be working him as Minister; I accept that – keeps thinking in the past; thinking of his days of misery and continues to behave miserably. I think, Cde. Speaker, I prefer not to say anything further on that.

Cde. Collymore, I think, has raised a number of important issues and I would like to explain that we very much had in mind the workers, the commuters, the school children when we introduced these measures. He is suggesting, Cde. Speaker, that the regular and ordinary worker is the person that goes to work on a motor cycle. That is not so. The persons who are the ordinary workers use the buses, maybe some of them, the taxis, and yet some of them the bicycle, and you will notice that we have not, as in the case of the butchers, introduced a licence for the bicycle. We still left that free.

In relation to the hire car you will notice that the increase is a modest \$10. From \$120 to \$130. With modest increase, therefore, we do not anticipate that this item will cause any increase in taxi fares. There may be other items which may cause such an increase, items over which we have no control, like the cost of the vehicle itself, the cost of the fuel, the spare parts, the lubricants for keeping these vehicles on the road.

I would like to explain once again that this Government is always conscious of the need for cheap and reasonable transport facilities for our workers and school children, and for this reason concessionary season tickets are sold both by the Transport and Harbours Department and Guyana Transport Services Limited for these two categories of citizens. Let us take as an example G.T.S.L. has just started to assist the co-operative at Linden in running a bus service there where school children have to travel as much as, I think, 15 miles. The return fare is 50 cents. This is the measure and this is the feeling, the great feeling, the great concern that this Government has for our children and for our school children. We know, Cde. Speaker, that workers have enjoyed also season tickets at concessionary rates.

We, therefore, would like to re-emphasise that these measures have become necessary costs, most of which we had no control over, have been increasing and if we are to continue to supply the facilities necessary for these transport facilities to be kept operating, then we must put an increase on these increases on these licence and fees. But the increases, Cde. Speaker, are very modest; they are very

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reasonable and we have already received intelligence, I repeat intelligence from the public and they are acceptable to them. I think those were points that deserved answers.

Question put, and agreed to.

Motion carried.

ADJOURNMENT

Resolved, “That this Assembly do now adjourn to a date to be fixed.” /The Vice-President,
Works and Transport. /

Adjourned accordingly at 5:07 p.m.