

# National Assembly Debates

**PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE SECOND SESSION (2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE CONVENTION CENTER OCEAN VIEW INTERNATIONAL HOTEL LILIENDAAL**

21ST SITTING

2.00 PM

THURSDAY 23 OCTOBER 2003

## *MEMBERS OF THE NATIONAL ASSEMBLY (68)*

### *Speaker (1)*

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

### **Members of the Government - People's Progressive Party/Civic (34)**

The Hon. Samuel A.A. Hinds, M.P.

- *Prime Minister and Minister of Public Works and Communications*

The Hon. Ramepu Daman Persaud, O.R., J.P., M.P.

- *Minister of Parliamentary Affairs*

The Hon. Clement J. Rohee, M.P.

- *Minister of Foreign Trade and International Co-operation*

The Hon. Harripersaud Nokta, M.P.

- *Minister of Local Government and Regional Development*

The Hon. Gail Teixeira, M.P.

- *Minister of Culture, Youth and Sport*

The Hon. Dr. Henry B. Jeffrey, M.P.

- *Minister of Education*

The Hon. Saisnarine Kowlessar, M.P.

- *Minister of Finance*

The Hon. Shaik K.Z. Baksh, M.P.

- *Minister of Housing and Water*

The Hon. Navindranath O. Chandrapal, M.P.

- *Minister of Agriculture, Region No. 4 - Demerara/Mahaica*

The Hon. J. Ronald Gajraj, M.P.

- *Minister of Home Affairs, Region No. 3 - Essequibo Islands/West Demerara*

The Hon. Rev. Dr. Ramnarath D.A. Bisnauth, M.P.

- *Minister of Labour, Human Services and Social Security*

The Hon. Clinton C. Collymore, M.P.

- *Minister in the Ministry of Local Government and Regional Development*

The Hon. Satyadew Sawh, M.P.

- *Minister of Fisheries, Other Crops and Livestock (Region No. 5 - Mahaica/Berbice)*

- \*The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P. - *Minister in the Office of the President with responsibility for Foreign Affairs*
- \*The Hon. Doodnauth Singh, S.C., M.P. - *Attorney General and Minister of Legal Affairs*
- The Hon. Dr. Jennifer R.A. Westford, M.P. - *Minister of the Public Service*
- The Hon. C. Anthony Xavier, M.P. - *Minister of Transport and Hydraulics*
- The Hon. Bibi S. Shadick, M.P. - *Minister in the Ministry of Labour, Human Services and Social Security (Region No. 3 - Essequibo Islands/ West Demerara)*
- \*\*The Hon. Manzoor Nadir, M.P. - *Minister of Tourism, Industry and Commerce*
- The Hon. Carolyn Rodrigues, M.P. - *Minister of Amerindian Affairs*
- The Hon. Dr. Leslie S. Ramsammy, M.P. - *Minister of Health*
- Mr S. Feroze Mohamed, M.P. - *Chief Whip*
- Mr Cyril C. Belgrave, C.C.H., J.P., M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mr. Donald R. Ramotar, M.P. - *(Absent)*
- Mr Husman Alli, M.P. - *(Region No. 7 - Cayana/Mazaruni)*
- Mr. Komal Chand, C.C.H., J.P., M.P. -
- Mrs Indranie Chandarpal, M.P. -
- Mr Bernard C. DeSantos, S.C., M.P. - *(Region No. 4 - Demerara/Mahaica) (AOL)*
- Mrs Shirley V. Edwards, J.P. M.P. -
- Mr Odinga N. Lumumba, M.P. -
- Mr Heeralal Mohan, M.P. - *(Region No. 2 - Pomeroon Supernam)*
- Mr Ramesh C. Rajkumar, M.P. - *(Region No. 6 - East Berbice/ Corentyne)*
- Mr Khemraj Ramjattan, M.P. - *(Region No. 6 - East Berbice/ Corentyne)*
- Dr Bheri S. Ramsaran, M.D., M.P. - *(Absent)*
- Mrs Phloemah Sahoye-Shury, C.C.H., J.P., M.P. - *Parliamentary Secretary, Ministry of Housing and Water-*
- Mrs Pauline R. Sukhai, M.P. - *(Region No. 1 - Barima/Waini)*
- Mr Zulfikar Mustapha, M.P.
- Mr Neendkumar, M.P.

**Members of the Opposition (30)**

**(i) People's National Congress/Reform (27)**

Mr Robert H. O. Corbin, M.P.	
Mr Winston S. Murray, C.C.H., M.P.	
Mrs Clarissa S. Riehl, M.P.	- Deputy Speaker of the N.A.
Mr E. Lance Carberry, M.P.	- Chief Whip (AOL)
Mr Ivor Allen, M.P.	- (Region No. 2-Pomeroy/Superstump)-(Absent)
Mrs Deborah J. Backer, M.P.	
Mr Deryck M.A. Bernard, M.P.	- (Absent)
Mr C. Stanley Ming, M.P.	
Mr Raphael G. C. Trotman, M.P.	
Mr Vincent L. Alexander, M.P.	- (Region No. 4-Demerara/Mahaica)
Mrs. Volda A. Lawrence, M.P.	
Dr Dalglish Joseph, M.D., M.P.	
Miss Anna Ally, M.P.	- (Region No. 5-Mahaica/Berbice) (AOL)
Miss Sandra M. Adams, M.P.	- (Region No. 10-Upper Demerara Berbice)
Mr. Jerome Khan, M.P.	
Dr George A. Norton, M.P.	
Miss Myrna E. N. Peterkin, M.P.	- (Region No. 4-Demerara/Mahaica)
Mr. James K. McAllister, M.P.	- (Region No. 3-Essequibo Islands West Demerara)
Dr Carl Max Hanoman, M.P.	
Miss Lurline A. Nestor, M.P.	- (Region No. 4-Demerara/Mahaica)
Mr Abdul Kadir, J.P., M.P.	- (Region No. 10-Upper Demerara/Berbice)
Mr Ricky Khan, M.P.	- (Region No. 1-Barima/Waini)
Mrs. R. Bancroft, M.P.	- (Region No. 8 - Potaro/Siparuni)
Mr Nasir Ally, J.P., M.P.	- (Region No. 6-East Berbice/Corentyne)
Miss Judith David, M.P.	- (Region No. 7-Cuyuni/Mazaruni)
Miss Genevieve Allen, M.P.	- (Region No. 4-Demerara/Mahaica)
(One Vacancy)	

**(ii) Guyana Action Party/Working People's Alliance Party (2)**

Mrs Sheila V.A. Holder, M.P.	
Mrs Shirley J. Melville, M.P.	- (Upper Takutu/Upper Essequibo) (AOL)

**(iii) Rise, Organise and Rebuild Party (1)**

Mr Ravindra Dev, M.P.

**OFFICERS**

Mr Sherlock E. Isaacs, Clerk of the National Assembly

Mrs Lilawie Coonjah, Deputy Clerk of the National Assembly.

## PRAYERS

The Clerk read the Prayer.

### OATH OF A NEW MEMBER

- (i) **Death of Mr Andy Goveia**
- (ii) **Election of Dr Carl Max Hanoman**

**The Speaker:** Honourable Members, following the death of Mr Andy Goveia and my call upon the representatives of the People's National Congress/Reform list of candidates, I have been informed that Dr Carl Max Hanoman was extracted from the list and Dr Hanoman was on the 22 October 2003 declared to be an elected Member of the National Assembly.

Before Dr Hanoman can take part in the proceedings of the National Assembly, he will have to make and subscribe to the Oath before the Assembly as required by Article 167 of the Constitution. As Dr Hanoman is present, he can now make and subscribe to the Oath which will be administered to him by the Clerk.

*[Dr Hanoman made and subscribed to the Oath which was administered to him by the Clerk]*

### ANNOUNCEMENTS BY THE SPEAKER

- (i) **Congratulations and best wishes to Dr Carl Max Hanoman**

I wish, on behalf of Members of the National Assembly and myself, to congratulate Dr Hanoman on his election to the Assembly. We extend our best wishes to him. *[Applause]*

- ii) **Death of the late Mrs Viola Victorine Burnham, OR.**

Honourable Members, as you are aware Mrs Viola Victorine Burnham

died on 10 October 2003 in Miami, United States of America.

On 15 August 1985, Mrs Burnham was declared a Member of the National Assembly and remained so until 29 August 1992, when she retired.

On 19 September 1985, Mrs Burnham made and subscribed to the Oath of Office as Vice President, Social Development and Deputy Prime Minister.

Mrs Burnham, who was not an elected Member of the National Assembly became by virtue of holding the Office of Vice-President a Member of the National Assembly.

On 1 January 1989 Mrs Burnham was redesignated duties and served as Vice-President, Culture and Social Development and Deputy Prime Minister until 7 July 1991.

From 8 July 1991, Mrs Burnham continued to serve as an ordinary Member of the National Assembly until her retirement on 28 August 1992.

On behalf of Members of the National Assembly and myself, I place on record and convey our deepest condolences to the children and relatives of the late Mrs Viola Victorine Burnham.

### **(iii) Leave**

Honourable Members, leave has been granted to Mr Bernard De Santos, Miss Anna Ally and Mrs Shirley Melville for today's sitting, and Mr E Lance Carberry up to 31 October 2003.

### **(iv) Acquisition of Computers for use by Members of Parliament**

Honourable Members, since we last met, two internet-ready computers with accessories and e-mail facilities have been recently

acquired by the Parliament office for use strictly by Members of Parliament.

The computers are installed in the Parliamentary Library. I wish to urge Members to make maximum use of these facilities.

At the next meeting of the Parliamentary Management Committee, I will raise the matter of computer training for Members who are not familiar with these instruments.

## **PRESENTATION OF PAPERS AND REPORTS, ETC**

(1) By the Speaker of the National Assembly:

*Annual General Report of the Ombudsman for 2001.*

(2) By the Prime Minister:

(i) *Annual Report of the Guyana Geology and Mines Commission for 1999.*

(ii) *Share Purchase Agreement between the Government of Guyana and Americas and Caribbean Power Limited.*

(3) By the Minister of Finance:

*Customs Duties (Amendment) (No 2) Order No 29 of 2003.*

## **QUESTIONS TO MINISTERS**

**The Speaker:** Honourable Members, questions 1 to 11 on the Order Paper by the Hon Members Abdul Kadir and Miss Judith David are for written replies. The answers are, therefore, according to our Standing Orders being circulated.

**No 1 LINMINE'S MANAGEMENT CONTRACT**

By *Mr Abdul Kadir*:

- (1)
  - (a) **Is there a Management Contract signed with OMAI and the Government of Guyana relating to the Management of the state-owned company LINMINE?**
  - (b) **If yes, when was the Management Contract signed and what is its effective date?**
  - (c) **When will this contract become available for public scrutiny?**
- (2) **Could the Honourable Prime Minister undertake to make a copy of the Management Contract available to the Leader of the Opposition?**

Written replies submitted by the *Hon Prime Minister*:

1.
  - (a) *There is a Management Contract signed among the State (represented by the Government), CAMBIOR Inc the parent company of OMAI Gold Mines Limited, and the LINDEN Mining Enterprise Limited.*
  - (b) *The Management Contract was signed on 24 July 2003, and became effective on 1 August 2003.*
  - (iii) *The Contract will be provided to the National Assembly on completion of the privatization transaction.*
- (2) *Subject to the confidentiality provision of the Management Contract, a copy of the Management Contract can be provided to the Leader of the Opposition.*

*It should be noted that the contract has been circulated to the Members of the LINMINE board, which includes a nominee of the PNC/R.*

## **No 2 DISMISSED EMPLOYEES OF LINMINE**

*By Mr Abdul Kadir:*

Can the Hon Prime Minister say what steps, if any, have been taken to offset the dislocations experienced by more than 1,200 dismissed employees of LINMINE?

Written reply submitted by the *Hon Prime Minister:*

*It should be recalled firstly, that each dismissed employee received a generous severance payment and training grant totalling about one billion dollars(G) averaging over eight hundred thousand dollars(G) per retrenched employee.*

*Prime Minister has been urging that this money be seen as sacred money for individual and community redevelopment.*

*The objective of the government is to create the framework and opportunities for the development of new and existing economic enterprises in Linden and Region 10 as a whole. This objective is formalized in the government's Integrated Plan for Region 10, which puts into perspective current and planned developmental activities for the Region. The European Union (EU) funded LEAP (Linden and Region 10 Economic Advancement Programme) as a major component aiming to kindle and nurture the entrepreneurial spirit in Linden and throughout Region 10. LEAP has a small allocation for physical infrastructure improvement required to remove bottlenecks to economic activities.*

*His Excellency President Bharrat Jagdeo has shared this integrated plan with the Leader of the Opposition Robert Corbin, in the course of their 'constructive engagements.'*



*The overall objectives of the Integration Plan are as follows:*

- (1) to enable the bauxite industry to become internationally competitive.
- (2) to stimulate the expansion and diversification of the Region's economic base through:
  - (i) investment promotion;
  - (ii) development and expansion of small businesses
  - (iii) training to become entrepreneurs.
- (3) To upgrade the Region's infrastructure, specifically:
  - (i) electricity;
  - (ii) water;
  - (iii) roads;
  - (iv) river services;
  - (v) urban development.
- (4) To enhance the Region's social and recreational facilities, with the following as priority areas:
  - (i) health;
  - (ii) education;
  - (iii) special interventions - SIMAP and BNTF;
  - (iv) youth services.

The Government of Guyana is also pursuing a number of projects to bring jobs to Linden. Efforts are also underway to enhance the development of timber and related businesses, agriculture and other forms of mining.

*Thursday 23 October 2003*

Additionally, the Government of Guyana through the Privatization Unit is engaged in an exercise which aims at building a database on the redundant employees. This information will be used to promote the level of skills available to an investor and to attract business that can use these skills.

The intention is to create opportunities for strategic businesses to take advantage of the Brazil-Lethem road.

Jobs will be created in the short-term with Government of Guyana infrastructure projects and hopefully with the investment plan of CAMBIOR following the privatization of the company.

At the moment, about 350 of the 1200 exemployees of LINMINE have been currently employed by the successor operator and they have been granted severance and training packages.

Early results in restructuring LINMINE are showing that the project is cash-neutral. The completion of the privatization transaction is expected to achieve profitability and hopefully growth in employment over time.

The plan to develop a new power plant by OMAI is also important to secure the electricity supply in Linden.

Go-Invest and other agencies of Government of Guyana will continue to seek the development of Linden via marketing the incentive regime, the skills available and what land and other opportunities may be available.

The Government of Guyana has also been progressing with the Intermediate Savannah Development Project which will ultimately stimulate economic activities in the Linden area.

### **No 3 GUYANA GEOLOGY AND MINES COMMISSION**

By Miss Judith David:

**Can the Hon Prime Minister say why there is no Regional Representative for Region 7 on the Guyana Geology and Mines Commission (GGMC)?**

Written reply submitted by the *Hon Prime Minister*:

*The Guyana Geology and Mines Commission (GGMC) is a government agency that is charged with the mandate to manage the prospecting and development of Guyana's mineral and petroleum endowment all across Guyana.*

*The board of the GGMC comprises persons from various sector/ various stakeholders. There is no designated regional representative per se on the board of the Guyana Geology and Mines Commission.*

*To be specific the Board of the GGMC is by statute made up of up to 14 persons and traditionally includes representatives nominated by:*

- *The Ministry of Amerindian Affairs*
- *The Joint Services Commission.*
- *The quarry sector.*
- *The Guyana Gold Board (by tradition the manager),*
- *The Ministry of Finance.*
- *The Environmental Protection Agency.*
- *The Guyana Public Service Union.*
- *The Lands and Surveys Commission.*

Thursday 23 October 2003

- A worker of the GGMC.
- The Guyana Gold and Diamond Miners' Association.

#### **No 4 MAINTENANCE WORK ON ITABALLI ROAD**

By Miss Judith David:

**Can the Hon Prime Minister say how soon maintenance work would be done on the road from Itaballi to the interior in Region 7?**

Written reply submitted by the *Hon Prime Minister*:

*There are two roads developed from Itaballi. One is the route crossing the Puruini River and meeting the Mazaruni River opposite the mouth of the Kurupung River. It follows the old UMRP road. The other is the Oko-Arimu road closer to the Cuyuni which was built by Barama Company Limited in the area of the Timber Sales Agreement (TSA) of Guyana Sawmills Inc (GSI), as part of a contract with GSI.*

*The Prime Minister understands from the Hon Member Ms Judith David that her question refers to the Oko-Arimu road. Guyana Sawmills Inc on 1 October 2003, informed the Prime Minister that the road is presently in good order and will be kept so.*

*Prime Minister will investigate further and suspects that there may be issues relating to the quality of the road expected and the costs of maintaining the road to that level of quality.*

#### **No 5 REGIONAL HEALTH OFFICER FOR REGION 7**

By Miss Judith David:

Thursday 23 October 2003

**Can the Hon Minister say when a Regional Health Officer would be assigned to Region 7?**

Written reply submitted by the *Hon Minister of Health*:

*There is an acting Regional Health Officer in Region 7. Arrangements are being finalized for contracting a permanent RHO.*

*We hope that arrangements would be completed for the new RHO to assume duties by January 2004.*

**No 6 DOCTORS FOR BARTICA HOSPITAL**

By *Miss Judith David*:

**Can the Hon Minister say when will Doctors be assigned to the Bartica Hospital to facilitate minor surgeries?**

Written reply submitted by the *Hon Minister of Health*:

*Our recruitment process for a surgeon to be assigned to the Bartica Hospital is continuing. In the meanwhile, we have in collaboration with the GPHC made an arrangement for a doctor from the Surgical Department of the GPHC to be assigned as a visiting doctor to provide services two times per month.*

**No 7 PAYMENT OF WATER RATES IN BLUEBERRY HILL**

By *Mr Abdul Kadir*:

Can the Hon Minister of Housing and Water say why it is that residents who live in Blueberry Hill, Linden and have not received water in their taps for years are invoiced to pay water rates?

Written reply submitted by the *Hon Minister of Housing and Water*:

*Those residents in Blueberry Hill, Linden, who have not received a supply of water since GWI took over the water supply system will not be required to pay tariffs. GWI has been requested to prepare a verified list of those residents for tariff exemption and notification purposes.*

## **No 8 POTABLE WATER IN BLUEBERRY HILL**

*By Mr Abdul Kadir:*

**Can the Hon Minister of Housing and Water say when will the community of Blueberry Hill, Linden, receive potable water in their taps?**

*Written reply submitted by the Hon Minister of Housing and Water:*

*An estimated \$200m is being expended to rehabilitate the water supply at Linden, including Blueberry Hill.*

*The works to be executed include:*

- *Procurement of raw-water pumps for Wisroc WTP.*
- *Procurement of high-lift pumps for Wisroc WTP.*
- *Replacement of under-sized 200mm diameter pipe with 250mm diameter pressure main.*
- *Refurbishment of Wisroc elevated tank.*
- *Replacement of Wisroc booster pump.*
- *Installation of transmission main from Wisroc elevated tank to Blueberry Hill.*

*These works are expected to be completed early in 2004 and the affected communities at Blueberry Hill will then receive a supply of water.*

Thursday 23 October 2003

*In the meantime, the affected communities are receiving water through the water tender service.*

## **No 9 MONEY COLLECTED FOR HOUSE LOTS IN AMELIA'S WARD**

*By Mr Abdul Kadir:*

**Can the Hon Minister of Housing and Water say what is the total amount of money collected for the house lots in Amelia's Ward and how much has been spent to date on infrastructure in that area?**

*Written reply submitted by the Hon Minister of Housing and Water:*

*According to the records, that total amount of money collected for the house lots in Amelia's Ward is \$49,879,308. The sum of \$26,000,000 has been spent on construction of roads in Amelia's Ward.*

*In addition, contracts in the sums of \$207,285,100 and \$60,578,758 respectively, have been awarded for the construction of roads (including drainage) and water distribution system in Amelia's Ward.*

## **No 10 STATUS OF INFRASTRUCTURE WORK AT FOUR MILE, BARTICA**

*By Miss Judith David:*

**Can the Hon Minister say what is the status of the infrastructure works to be done at Four Mile, Bartica?**

*Written reply submitted by the Hon Minister of Housing and Water:*

*A contract has been awarded for the installation of water distribution system in the Four Mile Housing Development at Bartica.*

Thursday 23 October 2003

*The construction of roads (including drainage) is to be undertaken under the GOG-IDB Low Income Settlements Programme and it is expected that works will commence in 2004.*

## **No 11 IDB FUNDED WORKS AT BARTICA**

*By Miss Judith David:*

**Can the Honourable Minister say what is the status of the IDB-funded works being done on the road to the western side of the Bartica Secondary School and the Housing Scheme?**

*Written reply submitted by the Hon Minister of Housing and Water:*

*There is no IDB-funded works for the road to the western side of the Bartica Secondary School and the Housing Scheme.*

*The Ministry of Housing and Water is planning to build a road in the Housing Scheme but the cadastral survey plan has to be amended.*

A contract has been awarded for the installation of water distribution system at the Housing Scheme.

## **STATEMENTS BY MINISTERS**

**Report on the Cancun Ministerial Conference**

**The Speaker:** The Honourable Minister of Foreign Trade and International Co-operation

**Hon Clement J Rohee:** Mr Speaker, the Fifth Ministerial Conference of the World Trade Organization was convened in Cancun, Mexico on 10-14 September 2003.



Guyana was represented among a Caribbean delegation which was comprised of several countries mostly at the ministerial level.

In preparation for the Conference, the Caricom Council for Trade and Development (COTED), had convened a special session on 1- 4 September 2003 in Georgetown to strategise and agree on a unified Caribbean approach in Cancun. Cuba and the Dominican Republic participated in that special session.

The COTED had also engaged in an exchange of views with representatives of a number of regional and international NGOs.

The Cancun Conference was appropriately organized as a midterm stocktaking of the Doha Development Agenda.

In this regard Mr Speaker, the chairman of the General Council of the World Trade Organization, in seeking to close off the preparatory discussion in Geneva and consolidate a divergent view of WTO members and the various negotiating issues for the purposes of the Ministerial Conference, forwarded on its own responsibility a draft text called the *Chairman's Text* to the meeting in Mexico.

A draft declaration was issued on 24 August 2003, and served as a basis of the deliberations at Cancun.

The Chairman at the Conference in keeping with traditional practice under the GAT/WTO organized the negotiations in the following five working groups under the coordination of ministerial facilitators:

- Agriculture;
- development;
- non-agriculture market access;
- Singapore issues; and
- other issues.

In Cancun, the Caribbean delegation met regularly for briefing and consultations as well as to refine the Region's strategy in response to emerging developments during the conference.

The Caribbean group was also consulted and maintained useful alliances with other like-minded countries and groups especially the ACP, the African Union and the G-21 Group which included larger countries such as Brazil, India, China, South Africa and Indonesia.

It was evident from the Geneva process that the key stumbling blocks at the Cancun deliberations would be in the area of agriculture, TRIPS and public health and the Singapore issues, namely:

- Transparency of government procurement;
- investment;
- competition policy; and
- trade facilitation.

In keeping with the Doha Development Agenda, developing countries sought firm commitments from the developed countries and treatment on agriculture subsidies, preferences, TRIPS and public health and special and differential treatment.

The developed countries on the other hand, were not prepared to make commitments beyond best endeavoured undertakings. The decision on TRIPS and public health issues were reached on the eve of the Cancun Conference.

The developed countries demanded as a trade-off strategy firm and additional commitments from the developing countries in such areas as the Singapore issues, which in the context of the Doha Development Agenda is not part of the single undertaking of the agreements to be negotiated.

*Thursday 23 October 2003*

Mr Speaker, on 8 September 2003, the Region tabled its specific proposals for amendments for the text on agriculture in the Ministerial Declaration Draft. The Region's strategic approach on this matter was underscored by the expressed need for greater policy space within which the Region can exercise flexibility to support national development needs.

Six areas of key interest to the Region were identified, namely:

- special and differential treatment;
- preservation of preferential trade arrangements;
- measures to address special needs including special products;
- a safeguard mechanism and exceptions to tariff liberation formulas;
- trade capacity building, et cetera; as well as
- the exclusion of the Singapore issues.

Caricom issued a full statement on the revised text underscoring the fact that the text was not reflective of the expectations and interest of many developing countries and said it fell short of the balance that the Caribbean requires and a satisfactory outcome of the Cancun Ministerial Conference.

It was not development-oriented and it demanded that small economies be given the policy space within which to support the development need and safeguard their revenues.

It is important to note Mr Speaker that the Caribbean scored several firsts in Cancun.

First, in the preparation for the conference, a Caribbean Ministerial Declaration was issued prior to the meeting.

Second, the Region crafted and cosponsored a statement on behalf

Thursday 23 October 2003

of small economies, highlighting small economies' issues in a way not previously done.

Third, selection of a Caricom minister as a friend of the Chair.

Fourth, Caricom's participation in the Greenwood closed-door consultations.

Mr Speaker, the collapse of the Cancun Ministerial Conference does not mean the suspension of negotiations. The negotiations will continue in Geneva with a view to concluding same hopefully by the 2005 deadline.

As such, Caricom will indeed remain engaged as fully as possible, especially in light of the other negotiations in which our Region is currently involved. The Region's preparation for and active participation in the Cancun deliberations demonstrated very clearly how small states can, with appropriate technical preparations and alliances, affect the outcome of the multilateral systems.

Thank you Mr Speaker. *[Applause]*

**The Speaker:** Thank you.

**MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE NATIONAL ASSEMBLY AND MOVED BY A MINISTER**

***BE IT RESOLVED:***

*That Standing Order No 46 (2) and (3) be suspended to enable the Assembly to proceed at its sitting on Thursday 23 October 2003, with the second reading and the remaining stages of the Revenue Authority (Amendment) Bill 2003, Bill No 19/2003 published 16 October 2003.*

**The Speaker:** The Hon Minister of Parliamentary Affairs.

**Hon Reepu Daman Persaud:** Mr Speaker, I wish to move the Motion

standing in my name.

*BE IT RESOLVED:*

*That the Standing Order No 46 (2) and (3) be suspended to enable the Assembly to proceed at its sitting today, Thursday 23 October 2003 with the second reading and the remaining stages of the Revenue Authority (Amendment) Bill 2003, Bill No 19/2003.*

Motion proposed.

**The Speaker:** The Hon Member Mr Corbin

**Mr Robert HO Corbin:** I am waiting for the Motion to be seconded, because we don't support this Motion Mr Speaker, in the absence of some proper explanation as to why it is necessary to suspend the Standing Orders to have this Bill proceed thorough all its stages.

I am aware that the indication was made at the Management Committee that this Bill will be going through all its stages and therefore I look forward to seeing in the Bill itself some reason for the urgency, but I would have thought that we would be given the courtesy in this Assembly as to why is this Bill so important that we must suspend the Standing Order to pass it, which may influence us to make a decision on the matter. But looking at the contents of the Bill, I can see nothing which suggests that there is any urgency about it.

In any event, when one really evaluates the contents of the Bill, and I am not getting into that now, one sees that the Bill really makes no change in the original law, all they have is a camouflage of what used to go on before. So really, I think that the Assembly deserves some kind of explanation as to why is it this Bill is so urgent.

We are not persuaded that the Standing Orders be suspended on this matter.

*Thursday 23 October 2003*

**Hon Reepu Daman Persaud:** Mr Speaker this Bill has to do with certain conditionalities that deal with the HIPC matter and as the Honourable Member and Leader of the Opposition quite rightly pointed out, it is not controversial, it is a minor amendment.

We had intended to move it the week before and he quite rightly pointed out too that it is not suddenly proposed that the Standing Orders be suspended, it was intimated and agreed to at the Management Committee. Based on that fact, I brought it here with the full consent of Honourable Members.

I strongly urge Honourable Members to support it and let us pass it. It is simple, as the Honourable Member and Leader of the Opposition said, it does not really make any major changes, so have it passed.

**The Speaker:** Thank you. Are there any other speakers to the Motion?

The Hon Member Mrs Holder

**Mrs Sheila VA Holder:** Mr Speaker, it is my view that the government would have been aware for many months now about the international multilateral financial institutions. They would have made these demands,

It is therefore receptive to some degree of competence that the government brings this Bill, requesting the suspension of the Standing Orders which would deny interest groups and members of the public the right to review the legislation before the House today.

I cannot overemphasize that I feel very strongly about this matter, that eroding the rights of the people of this country ought not to be condoned by this House and therefore I do not support the suspension of the Standing Orders.

**The Speaker:** Is there anyone else?

**Hon Saisnarine Kowlessar:** Mr Speaker, I just want to make a clarification here.

Thursday 23 October 2003

This Bill is coming here at this point in time, as the Honourable Minister of Parliamentary Affairs has said, because it was only a week-and-a-half ago when we had a visit of the Mission Chief responsible for the Western Hemisphere of the International Monetary Fund, and we learnt that this is a conditionality that we need to fulfil before 27 October, so that the papers could be circulated in time for the board meeting.

We hope to have the completion point some time in December and these papers have to be circulated in time before the meeting of the board. *[Noisy interruption]*

**The Speaker:** Hon Member Mrs Backer, you are distracting me from my work. Would you please be silent?

The Hon Member Mr Raphael Trotman.

**Mr Raphael GC Trotman:** Mr Speaker, notwithstanding the distractions you claim, Members on this side of the House remain unconvinced that there is a necessity of the suspension of the Standing Orders. We have listened to the, and if I may say so, bland arguments proposed and we are not convinced.

Thank you.

**The Speaker:** Short and sweet.

Are there any other speakers?

The Hon Member Mr Persaud, you have a right to reply before I put the Motion.

**Hon Reepu Daman Persaud:** Mr Speaker, suspension of the Standing Orders is not unusual. It is not a major issue, it is not a controversial issue.

The sitting has time and we should work and remove from the Order Paper, a matter which can be removed without any controversy. It is a

Thursday 23 October 2003

minor amendment. It has to do with funding of this country; it has to do with the development of the country; it has to do with accessing funds; and I hate to believe that any Honourable Member would want to inhibit such a process where the country can progress and benefit.

In the circumstances I urge Honourable Members that the Motion be supported. *[Applause]*

**The Speaker:** Thank you Honourable Members.

*Motion put and carried.*

## INTRODUCTION OF BILLS

### Presentation and First Reading

By the *Minister of Finance:*

**REVENUE AUTHORITY (AMENDMENT) BILL 2003, Bill No 19/2003 published on 16 October 2003**

## PUBLIC BUSINESS

### BILL - Second Reading

**The Speaker:** Honourable Members, we will now proceed with the Second Reading of the Bill as stated on the Order Paper.

- 1. REVENUE AUTHORITY (AMENDMENT) BILL 2003, Bill No 19/2003 published on 16 October 2003**

*A Bill intitled, an Act to amend the Revenue Authority Act 1996.*

**The Speaker:** Honourable Minister of Finance.

**Hon Saisnarine Kowlessar:** Mr Speaker, I beg to move that the Revenue Authority (Amendment) Bill 2003, be now read a second time.



Thursday 23 October 2003

Mr Speaker in the Budget Speech of 2003, I had announced that the government would make concerted efforts to improve the efficiency of the tax system and also strengthen the capacity of the Guyana Revenue Authority and that a number of actions will be undertaken this year in this respect.

These measures are being undertaken in the context of a comprehensive tax reform action plan that encompasses tax policy and tax administration reform. In this regard, the objective of the government is clear and includes the strengthening of the tax system to better serve the objectives of generating economic growth, reducing poverty, increasing equity, and enhancing transparency and accountability.

In addition, these reforms aim to strengthen the administrative capacity of the Guyana Revenue Authority, all with the objectives of broadening the tax base and promoting economic growth.

Mr Speaker, this Bill represents yet another important initiative, as I said, in building the capacity of the Guyana Revenue Authority to efficiently and effectively administer the tax laws of our country.

Specifically, this Bill seeks to grant the governing board greater autonomy in managing the human resources of the Guyana Revenue Authority within the framework of transparent policy directives.

Mr Speaker, within that framework, the following amendments are being made to the Principal Act:

### ***Section 21 Subsection 1***

In Section 21 Subsection 1, we are seeking to substitute for the words *be appointed by the President* the words *subject to the approval of the Minister be appointed by the governing board*. Thus Section 21 Subsection 1 should now read:

There shall be a Commissioner-General of the Authority who shall subject to the Authority of the Minister be appointed by the governing

board on such terms and conditions as are specified in his instruments of appointment.

**Section 21 Subsection (3)**

Mr Speaker, the second amendment is to subsection (3) of Section 21 where we are seeking to substitute the following:

*The Commissioner-General shall, subject to the approval of the Minister be removable by the governing board, thus in fact the power is being removed from the President.*

**Section 21 Subsection (4)**

Mr Speaker, there is a third amendment to Section 21 which is to insert a new subsection (4) after subsection (3). The new subsection (4) should read as follows:

*There shall be a deputy Commissioner-General of the Authority who shall be appointed by the governing board on such terms and conditions approved by the Minister.*

**Section 22 Subsection (3)**

In addition, Section 22 of the Principal Act being amended as follows:

In subsection (3) the words *The governing board shall subject to the approval of the Minister* are being replaced by the following words:

*The Commissioner-General shall subject to the approval of the Governing Board.*

So that the subsection now reads:

*The Commissioner-General shall subject to the approval of the Governing Board appoint such other staff as may be required by the Authority for the efficient performance of its functions.*

**Section 22 Subsection (4)**

Mr Speaker in subsection (4) of the same section 22, the words *subject to the approval of the Minister* are being deleted.

**Section 22 Subsections (7) and (8)**

Also Subsections 7 and 8 are being deleted

**Section 22 Subsection (9)**

Finally Mr Speaker, subsection (9) is now being amended to read as follows:

*The Commissioner-General may at any time with the approval of the governing board retain the services of professional persons and experts and may pay such remuneration in respect thereof as the board may determine.*

Mr Speaker, those are the amendments we are seeking to the Principal Act, and as I said before, it must be seen in terms of its overall objectives of what it is we are seeking to achieve.

Essentially it is to strengthen the capacity and improve the management capabilities and efficiency of the Guyana Revenue Authority.

This Bill therefore requires the support of everyone.

I therefore commend it to this Honourable House for consideration and approval.

I thank you. *[Applause]*

**The Speaker:** The Hon Member Mr Winston Murray.

**Mr Winston S Murray:** Mr Speaker, I listened carefully to the minister who seeks to cast this Bill in the general context of strengthening capacity

of the Guyana Revenue Authority, building capacity of the Guyana Revenue Authority. It is interesting that one of the substantive ways in which that is supposed to be done is to withdraw the involvement of the President from having a role in this institution, because that is one of the effects of this Bill.

But Mr Speaker, I really take my starting point in addressing this Bill as the Explanatory Memorandum, because while the minister has talked generally and well sounding, the rationale for this Bill seems to be, and is usually cast in the Explanatory Memorandum.

The Explanatory Memorandum states:

*This Bill seeks to amend the Revenue Authority Act 1996 to grant autonomy...*

I repeat,

*to grant autonomy to the governing board in the management of the human resources of the Authority.*

Sir, not trusting my own knowledge of the English language, I sought refuge in the *Oxford Dictionary* as to the meaning of the word *autonomy* and it says that *autonomy* means *freedom of the will; right to self-government*, so if the institution is to be autonomous, it must act independently or have the right to do so. Let us in that context of the objective and the meaning of the objective seek to analyse what it is that in effect is being done by the proposals contained in the Bill.

The first proposal has to do with the amendment to Section 21 of the Principal Act, which says that the role of the President is being removed and let us see how that fits into the general context of Section 21. What in fact happens is this, Section 21 will now read:

*There shall be a Commissioner-General of the Authority who shall subject to the approval of the Minister be appointed by the governing board.*

With great respect Mr Speaker, I do not see how that brings about autonomy in the role of the governing board. The governing board is unable to act independently; the governing board must act ad referendum Minister of Finance and without his approval, the governing board is impotent to secure the appointment of a Commissioner-General.

Therefore Sir, with great respect, we see this as the substitution of one political person by another, thereby still diminishing to an unacceptable degree the independence of the governing board of the Guyana Revenue Authority.

The Minister of Finance, we know, has not so long ago, been appointed in his own right as the Minister of Finance, but Sir, I do not think I am letting any secret out, if I was to say that many of the most important functions of the Ministry and/or the Minister of Finance lie elsewhere and if that does not in fact change, then maybe this role conceived here for the Minister may even reside where we think we are withdrawing it from. *[Laughter]*

Mr Speaker, the interesting thing here to note in my respectful submission, is that that board is already a creature of the minister and yet he finds the need to reserve authority for himself to intervene in the appointment of the Commissioner-General.

Let me say what it is I mean by what I have just said. The composition of this governing board for which we are seeking to grant autonomy is as follows:

- A chairman appointed by the minister, I repeat, a chairman appointed by the minister.
- Two persons with knowledge and experience in taxation, et cetera, appointed by the minister.

Sir, already we have three persons of the board of five directly appointed by the minister.

*Thursday 23 October 2003*

- The fourth person, the Director of the Office of Budget, Ministry of Finance.

So we have now an employee of the Ministry of Finance whose direct line of command is to the Minister. He sits on the board.

Four members, all under the direction of the Minister of Finance.

- The fifth person is the Governor of the Bank of Guyana.

I would not want to get into exactly how the governor is appointed.

I rather leave that as an independent issue. So four out of the five members of the governing board, Sir, are directly, not indirectly, under the minister's thumb, and we fail to see with justification how the minister argues that he strengthens the autonomy of the board after he has four out of five appointees directly by him by inserting himself on top of that process and saying that the board has to get, subject to his approval, only then can they appoint a Commissioner-General.

Sir, we cannot support this approach.

We are willing to support this Bill if the government is prepared to withdraw the role of the Minister of Finance, which has been inserted so intrusively and unnecessarily inserted in a board which he has legal control through this mechanism by his appointments.

Sir therefore the same will hold good for the dismissal of the Commissioner-General because that is subject to the same procedure, subject to the Minister of Finance's approval. So again, we will have the same problem of the minister's insertion into the process, but we shall be willing to support the Bill if the minister will withdraw himself from this process and leave the board alone.

We are even more flabbergasted by this insertion, when we note Sir, that the members of this board hold office for one year. This is not a three-year board or a four-year board, so the minister has to wait some

inordinate length of time to assert his control once again.

Within a year, he can decide the person he had for chairman the previous year was no good, he can put another chairman because it is his discretion.

The two people he directly appointed within a year, he can throw them out. He can change his Budget officer and have somebody more to his liking. So, I am saying that in all of those circumstances, it is an unnecessary intrusion to place the minister in the process for the appointment of the Commissioner-General of the Guyana Revenue Authority and to truly give the governing board the authority which is stated in the Explanatory Memorandum, is the objective of this Bill.

Mr Speaker, we are glad that there shall be a Deputy Commissioner-General. We support that and we think that is helpful given the scope of work that the Guyana Revenue Authority has intended to undertake and if it is to do it efficiently.

I am not sure that we are adding them with the minister that although he gives the board here the right of appointment of the deputy Commissioner-General, he does not insert himself in the appointment process there and that is good.

It says, subject to the approval of the terms and conditions by the Minister of Finance, and we are even willing to live with that, because the Minister of Finance have control over the purse-strings, and the terms and conditions as distinct from the appointment himself may be something that the minister has an illegitimate role in.

We cannot conceive of him at all and will not concede his involvement in the appointment procedure of the governing board.

Mr Speaker, I note that there was a late amendment that was submitted and on which I would like to make a comment, and that is the amendment to Section 12.

This is indeed the way it should be.

The amendment that is proposed to Section 12 says that subject to subsection (2) the governing board shall be responsible for the approval and review for the policy of the authority.

In subsection (2) what is said is this:

*The Minister may give to the governing board such general policy directives*

and the amendment is to insert the word *policy* between the words *general* and *directives*. So it says,

*the Minister may give to the governing board such general policy directives,*

*et cetera.*

We think that is right, we agree with that. The minister must be in a position because he is responsible for policy, but having written that in, Sir, and inserted here the minister's right to give the governing board policy directives, why the dickens does he want to interfere in the autonomy of the board in appointing its Commissioner-Genera?

Once he has given general directives, he has to let the board perform.

We talk about enhancing transparency and accountability and if we are to enhance accountability, we must give general directives, appoint the board for one year, let it function, and if it does not function within a year, he has the right to change four out of five members of that board.

Sir, that is the way it should be.

So we are prepared to support this Bill, because we believe in the greater autonomy of the Guyana Revenue Authority. However, we do



not believe that autonomy is in any way secured by what is proposed here.

We believe that the Minister of Finance's role in the appointment of the Commissioner-General is not in the interest of the autonomy of the board.

Sir, I do not know whether what is proposed here meets what is expected by the IFIs. I do not know, but I will tell you what, we, and the people of Guyana that we represent are not going to be hoodwinked by this under the guise of granting autonomy to the board.

We will not be deceived by this and we are saying that this does not give the degree of autonomy that is necessary to the board and we will not support it if the government insists in retaining a role for the Minister of Finance in the operations of the Governing Board.

I thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Hon Member Mrs Sheila Holder.

**Mrs Sheila VA Holder:** Mr Speaker, having reviewed the amendments proposed by the Minister of Finance since entering this Chamber, I am of the view that it does not change my original position on this Bill which is that this Bill flatters wholly to deceive.

If viewed separately and distinctly from the 1996 Revenue Authority Act, one would get the first impression that some attempt is being made to introduce through the human resources management of the Revenue Authority an arms-length distance between the Authority and the executive arm of the government with respect to the presidency on the one hand and the governing board with respect to the Commissioner-General and the Revenue Authority on the other, but that is where it all begins and where it all ends.

When one refers to PART III Section (2) of the parent Act dealing with the establishment and the composition of the Governing Board, one is not convinced that it changes anything.

Let me concede, Mr Speaker, that no doubt for purposes of accountability, the amendments to Sections 21 and 22 both assigned the responsible Cabinet minister in the person of the minister for the appointment and removal of the Commissioner-General. The minister wheels similar influence in the appointment of the Deputy Commissioner-General and other crucial members of staff of the Authority.

In the context of the Guyana situation however, where the Minister of Finance is perceived as being a creature of the President, his authority in this regard is unlikely to exert much public confidence in creating the kind of institutional independence so unequivocally and expressly desired by the people of Guyana.

Given the fact that under PART III Section (2) of the 1996 Revenue Authority Act, the Minister of Finance has indeed had total control over the appointment of members to the government board, and given the fact that the Minister of Finance has discontinued the practice of including a private sector member on the governing board, where does that take us?

In the circumstances, it would be reasonable to say that the amendments are more cosmetic than anything else.

The reality is that this Bill fails to introduce the kind of checks and balances so essential to strengthening our fledgling democracy and contrary to the Explanatory Memorandum, it does not grant autonomy to the governing board in the management of the human resources within the Revenue Authority.

Given these realities, it would be appropriate to this National Assembly to expressly direct the members of the governing board in clear unequivocal terms that like the Guyanese people, this House expects

them to exhibit the strength and character to withstand political interference, to withstand partisan political directors and to jealously guard the independence of this premiere revenue collecting institution.

Further, this National Assembly also has the duty to convey to the governing board that failure to uphold these democratic ideals will inevitably earn them the wrath of the people.

Mr Speaker, I have other concerns that I feel obliged to voice on this occasion. They relate to the circumstances surrounding this Bill being brought to the National Assembly today.

They are about how the government came to agree to this Bill being drafted, what appears to be on the face of it, some semblance of autonomy to the Revenue Authority at this particular point in time, when over the past eleven years, this government has been in office, many pleadings and many cogent arguments advanced by several of the people's parliamentary representatives on this side of the House have failed to persuade them of the necessity for autonomy to be widely institutionalized in order to return some semblance of public confidence in our institutions.

Given these circumstances, we are faced with the stark reality that while government remains unresponsive to the advice of the people's parliamentary representatives over the years, while government recklessly ignores the inspiration of the people who protests in many ways for better governance, they did not dare ignore the multilateral financial institutions on this matter.

As we digest this reality and the attendant failures of our political system as a consequence, it becomes ominous, when we are regaled with the PPP/Civic's propaganda about having strengthened democracy in Guyana, about expanding transparency and accountability in government, when in fact it is the multilateral financial institutions that control the purse-strings of the HIPC funds that really provide the government with the impetus to hastily draft and rush this Bill through all its stages here today.

*Thursday 23 October 2003*

But regrettably it does not end there because what the government is unwittingly doing is conveying a very distressing message to the Guyanese people. It is a message that validates the saying, he who pays the piper calls the tune.

The one that gives credence to the call of the multilateral financial institutions to withhold funds from this government that borrows large sums of money in the name of the people, that adamantly refuses to respond to the legitimate and democratic demands of the parliamentary representatives for firm and reasonable understanding for the demands of the affairs of the State to be elevated to an acceptable standard, to allow for the introduction of intrusive constitutional separation of powers principle.

As 2003 draws to a close and after promises were made to this House to lay the report of the Revenue Authority in the National Assembly, these promises remain unfulfilled to date in spite of the fact that I am informed that these reports have been prepared and exist.

The time is now ripe Mr Speaker, for government to demonstrate by their actions that they understand their national duties and responsibilities to the people of this country without having to be coerced into doing the right thing by the international financial institutions.

In bringing before the House this Bill which pretends to deal with government's issues, government has opened the door to mutilate the point that they have spent the last eleven years in office running from being transparent and accountable even as they deceptively mouthed platitudes in an unsuccessful attempt to hoodwink the Guyanese people.

Guyana's Government may succeed in hoodwinking the international financial institutions, but as members of this National Assembly, we have a duty, a duty to see that the people of Guyana are not hoodwinked.

Today's sitting is a living example as a result of government moving the suspension of the Standing Orders No 46 (2) and (3), the Guyanese

people, and indeed several interest groups in civil society have been denied the right to be granted the opportunity to review this Bill.

The fact that legislation ought not to be enacted behind the backs of the people has for some desired reason continued to persist in government's quarters in spite of strenuous efforts on the part of many of us on this side of the House to impress upon them the dangers of eroding the people's rights that could lead to conflict in our society.

As inconsequential as this Bill appears to be, the people have a right to be properly informed.

To deny them that right is to be undemocratic. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Honourable Minister of Tourism, Industry and Commerce.

**Hon Manzoor Nadir:** Mr Speaker, I stand in support of my colleague for the adoption of this Bill which is designed to give autonomy to the board for the management of their human resource of the Guyana Revenue Authority.

Mr Speaker I listened quite attentively to the last two speakers trying in vain to make a mountain out of a molehill. The Hon Member Mr Murray jokingly said that this Bill is to strengthen capacity and build capacity. Well, we are moving the authority for the appointment of the Commissioner-General from the President.

In fact, the Bill does seek to strengthen capacity and to build capacity by giving the board of the Revenue Authority the authority to hire staff they feel fit without coming to the Minister of Finance or going to the President.

The current position is that every staff officer that has to be hired, the board needs an approval of the Minister of Finance. That will no longer exist once this Bill is passed. So they have the ability to strengthen

capacity and to build capacity without having to turn to the Minister of Finance for approval and has said so quite clearly in the third section of the Bill.

Mr Speaker, the Hon Member Mr Murray did also tell us what the *Oxford Dictionary* says the meaning of autonomy is and again, we have to read the entire sentence in the Explanatory Memorandum. It says:

*autonomy to the governing board in the management of the human resources of the Authority.*

Autonomy of the governing board, and they have that. The governing board can approve and disapprove on any appointment, any proposition which the Commissioner-General puts.

Mr Speaker, the Honourable Minister of Finance has been accused in the past of being not the Minister of Finance and that that power resides elsewhere. Here we have a Bill before us which demonstrates tangibly significant confidence in the Minister of Finance by the President who no longer has responsibility for the hiring of the two most senior persons of the Guyana Revenue Authority, the Commissioner-General and putting that in the hands of the Minister of Finance.

How much more confidence would we want?

Here are the laws of Guyana saying that His Excellency the President has confidence in the Minister of Finance to approve of these two important appointments.

Mr Speaker, also the Hon Member Mr Murray goes back in this nauseating call for government to exclude itself from the management of the affairs of the nation and asking for some other body perhaps divinely appointed to approve of these boards and the senior positions. The people of Guyana when they voted, appointed a Board of Directors for this country and they did not say to the persons who are in government that after you make the appointment you must go on leave and leave things to run on its own.

*Thursday 23 October 2003*

Ministers have the responsibilities not only to give policy directions, but to also monitor to ensure that those policy directions are being executed. The people of Guyana gets an opportunity to question how the management of the affairs of the nation is being conducted when this Assembly meets, when there is scrutiny in the media, when there is an independent judiciary to challenge supposed illegal or unlawful actions of the government.

Those are the checks and balances that any democracy has and we have it here, but the democracies do not call on the elected government to make appointments and then go on vacation. It behoves us to ensure that there is monitoring, that there is supervision to ensure that the policies are implemented. It resides those responsibilities in ministers of the government.

Mr Speaker, this is a very simple Bill which promises more management of organization and here we have the government saying that we agree, we are going for more autonomy, for more decentralization and we are going to cut two tiers, one from the President and send it to his minister, the second is that the vast majority of the employees except for two appointments will reside with the autonomous governing body of the Guyana Revenue Authority. A very simple piece of legislation.

Mr Speaker, we have been told that the people of Guyana did not have an opportunity to have their say and I remember only a few months ago, when this National Assembly had to be adjourned because you rightly said the Bill which was supposed to be debated was not published seven days in advance to give people an opportunity to have their say.

That was the litmus test, in the end, of our people having a say and I ask today, have we complied with that? The answer is yes. For a very simple piece of legislation to grant more autonomy, to grant the professionals the opportunity to govern, to take actions to increase revenues and to better manage our collection, seven days are more than adequate notice.

*Thursday 23 October 2003*

So Mr Speaker, all the innuendoes and all the mountains that have been built in the advancing of arguments to oppose this Bill, I feel were just creating the proverbial storm in the teacup.

The Minister of Finance is wise to take good advice which he has done today and I fully support his actions in bringing this Bill.

Thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Hon Member Mr Jerome Khan.

**Mr Jerome Khan:** Mr Speaker, having listened to my dear friend and colleague, the Hon Minister Manzoor Nadir, I thought I was listening to a debate on whether or not we will have chickens for Christmas, because he is confusing the debate on this issue of the Revenue Authority (Amendment) Bill 2003 with whether or not there is enough eggs in the country.

You see Mr Speaker, practice is disconnected from principle. While he speaks of granting autonomy I think, the point was well made in a reasoned way by Mr Winston Murray that at the heart of the problem is the fact that the minister has direct control in the appointment of four persons who sit on the Guyana Revenue Authority board.

That is not a trivial matter, Sir, because, if indeed what is being attempted is autonomy, how can we justify the minister being directly involved in the appointment of four persons?

Let me say what the danger is, Sir. Of grave concern to the private sector of this country is political interference in the running of their businesses. Therefore, with respect to the Guyana Revenue Authority, you have perceived political appointments under the direct thumb of the minister who could be easily influenced because they are creatures of the minister in carrying out certain policies against the private sector.



*Thursday 23 October 2003*

We know of one issue where the licence to import chicken was granted to a certain importer and when it was on the high seas, the minister responsible for that particular area raised the duty and consumption tax by several hundred percent, forcing that particular importer to suffer tremendous economic disadvantage.

That is the kind of danger that we see, Sir.

Would the Guyana Revenue Authority be a board that acts independently? Perception? No!

So what level of confidence that would engender in the private sector in this country where the the board is controlled by political operatives and could very well act in that direction? They would not want to invest in Guyana, they may see signs that if they do not toe a certain political party line, it may work against them. So in terms of generating investment and confidence in the private sector there is a problem.

Equally, Sir, is generating confidence in the citizenry of this country.

Part of the responsibility of this board lies not only in the Customs and Tax Administration, but in the Inland Revenue section and while I have great confidence in the officers in the newly-appointed Commissioner-General to handle his job in a very objective and unbiased manner, one cannot erase the fact that the citizens out there may feel that the very board which they may want to appeal to is a politically-controlled board and therefore their voice would not be given the kind of objective review that they ought to get.

So if the citizens lose confidence, Sir, in the very Parliament that is debating this Bill, is proposing to pass it, then what is going to happen? Already we had a fiasco with the Fiscal (Amendment) Regulations where citizens are now challenging the very merit of that amendment in court.

Mr Speaker if indeed the intent is to increase the efficiency of the tax system as was stated by the Minister, certainly this is not going to be achieved. It is not going to be achieved particularly for the same point

Thursday 23 October 2003

that I have mentioned before, because people will see the entire operation of the tax administration as nothing more than a political machinery at work targeting them.

Already there are complaints being heard, whether it is at the Customs area or whether it is at the Income Tax area and therefore like my colleague who spoke before me, Mr Winston Murray, I would say that the People's National Congress/Reform cannot support a Bill in which the minister has been given so much authority to appoint people.

If you remove that we will consider supporting it.

Thank you. *[Applause]*

**The Speaker:** Thank you Honourable Member.

The Hon Member Robert Corbin.

**Mr Robert HO Corbin:** Mr Speaker I just want to make two points on this debate.

First of all, when we opposed the suspension of the Standing Orders, I pointed out very clearly that the government had an obligation to satisfy this House that there was indeed an urgency for this Bill to go through all its stages, that the motivations were good. In order to convince us of the necessity for this to pass, because after all the Standing Orders which guide this Parliament were carefully crafted, it was not crafted so that it can be willy-nilly pushed aside, and there is good reason why Standing Order No 46 specifies the timeframe that bills should either be gazetted before being passed in this Assembly, and the timeframe before its first reading and its second reading.

For a Member of Parliament to say the Bill is simple in his view, is a callous disregard for the functions of this Parliament, which has a responsibility for the people of this country. *[Applause]*

I am amazed to hear a minister of the government who has to answer

to the public right now for the haste which the Fiscal (Amendment) Bill was passed, still believing that suspending the Standing Orders and rushing through a Bill is answer to the issues which face the people of this country.

Now, the motive of this Bill is very clear Mr Speaker, and while the Minister of Finance seemed to have had schooling in the diplomatic corps in his presentation, he perhaps did not expect the Minister of Trade and Tourism to expose the whole story - and he always puts his colleagues in trouble when he opens his mouth. *[Laughter]*

For him to come to this House and try to hoodwink us that this Bill is a simple Bill... The Bill is a hoax, Mr Speaker!

The motivation for this Bill according to the mover of the motion is to satisfy certain conditionalities to get the HIPC initiative.

The Minister of Finance and the Minister of Trade would try to hoodwink this House with all kinds of so-called logical explanations about increasing accountability, transparency, administration. What hogwash, Mr Speaker.

If the government is serious about autonomy of the Revenue Authority then they do not have to look only at how the commissioner is appointed, they have to look at the whole board itself.

My colleague earlier pointed out where the entire board is a creature of the state. He was very polite about the Governor of the Bank, because really and truly we have none. I do not know if any has been appointed yet; we had an acting one for the longest while and if the government was serious about having institutions function in an autonomous manner and according to law, you would have a proper appointment of the Governor of Central Bank that has a control of important financial affairs of this country, but we do not have that.

We are told that this matter is for transparency. The truth is that the motive of this legislation is clearly to hoodwink the financial institutions which provide assistance to this country while doing absolutely nothing

Thursday 23 October 2003

about the systemic nature of the institutions which exist in Guyana.  
*[Applause]*

I make no bones about this, because the financial institutions have set certain conditions and the government is clearly saying that in order to satisfy them, we are going to do this, but Minister Nadir in his words said this Bill will give an opportunity for independence of hiring staffing and so on. He said that the Board will be able to hire without interference.

Is the minister now admitting finally that all the appointments up to the time of this Bill have deliberate political interference? Thank you for admitting what we have been saying all along. He always puts himself in trouble when he opens his mouth.

Therefore, the issue which the government and this Parliament should be addressing as we seek to make these institutions autonomous, is how to deal with the mischief of political interference in the full operations of these institutions so that the rights of citizens would not be jeopardized.

I am saying that this cosmetic arrangement here will do nothing to remove that fear which exists. It is unknown in this country where businessmen and private sector persons or prominent citizens have raised their voices exercising their right to freedom of speech *[Interruption: 'Guaranteed by the Constitution.'* "Yes, guaranteed by the Constitution, and by the next day, they are suddenly visited with letters from the Commissioner of Inland Revenue, now the Guyana Revenue Authority, that is not unknown in Guyana."]

It is not unknown Mr Speaker. *[Interruption]*

**The Speaker:** I can tell you, it is not unknown, I received many.

**Mr Robert HO Corbin:** Well, I don't know when you have raised your voice against the government, *[Laughter]* but perhaps you have done that internally and they may be unhappy, but a Guyanese secret is one that everyone knows and this Parliamentary debate will not fool the public of the reality of political interference, manipulation, and terrorizing

that goes on, using State institutions particularly the Inland Revenue Department to harass citizens.

I hope the Commissioner (I am told he is around somewhere) will have the strength like Paul Slowe, (I hope he will have that strength) a man who had served there long enough to resist any attempts to politically manipulate the agency for political purposes, to harass the citizens and do not have others, as in the case of the Ministry of Home Affairs, interfering with the discharge of his duties effectively.

I note carefully the Minister of Trade and Tourism defending adamantly the right of the board of directors to account to the people of Guyana. He said, the Parliament. It is not this Parliament you have to account to, it is the people and I do not know that they have elected you to any board on that side. If you are to examine who really is the board of directors that were elected, and he has the temerity to tell us that it is the board of directors that the people elected and answerable.

Let us assume that the board of directors is accountable to the people of Guyana... I agree with him that if they take full responsibility to a political manipulation, they must take responsibility for when things go wrong. What we are seeing... *[Noisy Interruption: 'You have to set the example.' 'Yes, I set the example when I was in office. Yes, I set the example. I want to see the example over there. You can say what you like, check the records, but when we look at the case of the minister telling us about accountability and that ministers must be responsible for when things go wrong, when things go wrong they must also resign, don't wait and don't look to find scapegoats. Is the PNC this; the PNC/R doing things wrong, it is the crime situation, it is the bandits, it is the international community, looking for excuses. No, you cannot run with the hare and hunt with the hounds. You have to decide on which side of the fence you are.']*

*So if you are saying that the ministers must be fully accountable, live by that rule and by now we should have had the resignation of the Minister of Home Affairs for*

Thursday 23 October 2003

*the security situation of this country, [Applause] because he is fully answerable according to Mr Nadir.*

*Don't find excuses, and if according to Mr Nadir's analogy when things go wrong in this country, the minister must take full responsibility, we should have been seeing the resignation of the Minister of International Trade for the loss of the rice market [Applause] when the letter was exposed... [Noisy interruption: 'Don't start up now.'] so, don't let us talk about accountability.*

**The Speaker:** Let us have some order.

**Mr Robert HO Corbin:** Mr Speaker, when the Hon Member, Minister Manzoor Nadir comes to this House, who is not really an elected member of the board, and seeks to defend the indefensible by bringing all kinds of, should I say, specious arguments, he should think again what he is telling this House

Now, being independent, he said that there is the independent judiciary, this is what he just told us, that if these institutions are not functioning properly, then there is the independent judiciary to protect the citizens.

Mr Speaker, I do not know whether you can advise me whether the government has honoured the court order to pay the court workers. I don't know. It has to do with the independence of the judiciary and the autonomousness of State institutions, because the judiciary Mr Speaker, is supposed to be even more important than the Revenue Authority, it is a separate arm of the State. They are supposed to be:

- the Judiciary;
- the Executive; and
- the Legislature.

So that insofar as the separation of powers and autonomy are concerned, there is no better example that can be made than with the question of the independence of the judiciary. But minister Nadir said that in his argument today, I thought that he would have announced that the Minister of Finance when he gets up to speak again will tell us that he is honouring the independence of the judiciary by paying the court workers that they are harassing through the courts for such a long time, and refusing to carry out the court order. *[Applause]*

I thought that he would get up and tell us why the Harbour Master, who is supposed to be functioning as an independent authority is not honouring the order of the courts to restore the licence... *[Interruption]*

**Hon Reepu Daman Persaud:** On a point of order, I am one of those who believe that the Leader of the Opposition should be given some latitude. We are dealing with a Bill which has a number which is specific. I want to refer to Standing Order 35:

*Subject to the Standing Order debate on any motion, bill or amendment shall be relevant to such motion.*

What does the Harbour Master has to do with this Bill?

**Mr Robert HO Corbin:** Mr Speaker, it seems again in this House that your functions are being usurped. It is the third time I am seeing this.

The Speaker has the power to rule me out of order if I am straying, but he sees the relevance. I am speaking about the autonomy if you do not understand, Reepu.

I am speaking about the principle of autonomy and I am making examples of why this amendment here is a farce, because there are several other institutions in this country that masquerade under the banner of autonomy and the proof of the pudding which is in the eating shows that they are not really autonomous.

That is the relevance of the point and it is the Speaker who has to

make that ruling and I will bow to his rulings at all times. I am just making an example because if one speaks without examples, the public may get the impression that I am just speaking from the top of my head and politicking. I am making serious points, which, if this government is serious about the functioning of national institutions for the development of this country, they would take them seriously.

I am drawing attention to the Harbour Master. I do not want to go into any more details, the minister knows what I am speaking about. He sent me a little note earlier. Yes, to look into it and it is relevant to autonomy and I do not want to go into more details because I respect the Minister of Works. I spoke to him and he said that he will investigate it and he did do an investigation and he sent me a note. I am not satisfied with the note, but at least he is making an effort to find out. So I am not making wild accusations, I know what I am speaking about.

Finally Mr Speaker, the legislation which is before this House is being rushed through this Parliament today and I dare say, the people of Guyana are no wiser about how this Bill will indeed give the kind of autonomy which the Minister of Finance has taken to this Parliament.

I contend:

(a) that the Bill is a hoax;

(b) on the premise that the Minister of Finance has advanced -

it is an illusion that it will provide real autonomy for the agency that it is intended to provide; and

(d) that the urgency which was explained to this House is really an attempt to fool the international financial institutions.

If they want to be fooled, well that is a matter for the international financial institutions, but insofar as the People's National Congress/Reform is concerned along with the people of Guyana, we are not going to be subjected to the hoax before this Parliament.



Thank you. [Applause]

**The Speaker:** Thank you Hon Member Mr Robert Corbin.

The Hon Minister of Finance.

**Hon Saisnarine Kowlessar:** Mr Speaker, I just want to respond to some of the points that have been made.

Firstly, I cannot pronounce on what the word *autonomy* is in full scope, but it seems as if the Leader of the Opposition has total knowledge and control of what the word autonomy means.

What we are saying here, is a matter of interpretation. In terms of interpretation the word *autonomy* does not mean total independence. [Interruption: 'Oh! Ooh! Oooh! Ooooh.'] What the word autonomy means, in our opinion, is *greater authority*. What we are seeking to do is to give greater authority to the revenue authority in this respect.

The Bill therefore is not a hoax in that respect. We are saying here... the Opposition wants us to take away the power of the political directorate entirely from the process of revenue collection and control. Nowhere in the world does that happen, that the political directorate withdraws itself completely from the process of collection of revenue and control.

In some measure what we are doing here is reducing the power of the political directorate, but we cannot take away entirely the power of the Minister of Finance who is the controller or custodian of the nation's purse. So that is the point that we want to make.

We are giving the Revenue Authority greater independence. We are increasing the independent capacity of the Revenue Authority of the board. The structure of the board has already been determined in the old Act and what we are seeking to do here is to increase that independence of the members of the board.

The members of the board that are appointed are all professional people and we should give them a chance to work and to operate professionally. In fact since the Revenue Authority has been set up, the revenues of this country have increased tremendously.

In 2000 the revenues collected were \$38bn and in 2002, the revenues have gone up to \$40.8bn. *[Applause]* So we are giving the Revenue Authority a chance to govern its affairs in that respect.

Mr Speaker, we must ask ourselves 'what are we trying to do?' If we look at the arrangements being put in place, is it a better arrangement than the one previously? That is what we need to ask ourselves. 'Is it a better arrangement?'

Mr Speaker, much has been said about the role of the international financial institutions. We have no qualms about that. We should ask ourselves, why is it that we should have an IMF programme in Guyana today? Why is it that we need to have the support of the international financial organizations? Then we go back in history and see what we inherited when we came into power. *[Applause]* We inherited a debt situation that has been unparalleled in the history of this country and which we are seeking to reduce, and that is why we have to do things like in the contents of this Bill.

We have to ensure that we get the enhanced HIPC to reduce the debt which will bring US\$30m reduction in debt relief per year for the next 20 years. *[Applause]*

What have we inherited in terms of the balance of payments?

What have we inherited in terms of the infrastructure of this country?

These are the questions we need to answer. It is to our credit that we have been able to reach agreements with these international organizations, to have programmes with them so that we can modernize the economy in terms of governance, transparency and accountability. *[Applause]*

Thursday 23 October 2003

Mr Speaker, much has been said about this Bill, its simplicity and so on. It is indeed a simple Bill; it is a very simple Bill. All we are trying to do is to increase the independence of the Revenue Authority and its board and that is what is meant by autonomy here.

Mr Speaker, with these few words, I ask that the Bill be read a second time. *[Applause]*

**The Speaker:** Thank you Honourable Member.

**Question put and agreed to.**

**Bill read a Second time.**

## ASSEMBLY IN COMMITTEE

### *Arrangement of Sections*

**The Chairman:** Honourable Members, before we reach Clause I, I think there is an amendment to the Title of the Bill - The Arrangement of Sections. Could you move the Amendment, please?

**Hon Saisnarine Kowlessar:** Yes Mr Chairman, the changes that are to be made are as printed and circulated.

**The Chairman:** Could we deal with them one by one? You are asking that under the contents of the Bill that Number "2" be added.

**Hon Saisnarine Kowlessar:** Yes, of Section 12 of the Principal Act.

**The Chairman:** Is that Amendment circulated?

**Hon Saisnarine Kowlessar:** Yes, Mr Chairman.

**Amendment -**

*Insert immediately under the words "1. Short title."*

*the following -*

*"2. Amendment of section 12 of the Principal Act."*

**Proposed and put.**

**Amendment carried.**

*Renumbering of Sections 2 and 3*

**Hon Saisnarine Kowlessar:** Sections 2 and 3 be renumbered Sections 3 and 4 as proposed.

**Amendment -**

*Renumber Sections 2 and 3 as Sections 3 and 4, respectively.*

**Proposed and put.**

**Amendment carried.**

*Clause 1*

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

*Clause 2 (the new clause)*

**Hon Saisnarine Kowlessar:** Clause 2 will now be Amendment of Section 12 of the Principal Act.

**The Chairman:** You are requesting an Amendment to Clause 2 for the addition of a new Clause 2 immediately below Clause 1?

**Hon Saisnarine Kowlessar:** Yes, Mr Chairman.

**Amendment -**

*Insert immediately after Clause 1 the following Clause 2 -*

*Amendment of 2. Section 12 of the Principal Act is hereby amended*

*Section 12 of the as follows -*

*Principal Act.(a) In Subsection (1) (a) by the insertion immediately before the words 'the approval' of the words "subject to Subsection (2)";*

*(b) in Subsection (2) by the insertion immediately after the word 'general of the word "policy."*

**Proposed and put.**

**Amendment carried**

**The Chairman:** Clause 2 is amended to insert a new clause 2.

**Clause 2**

I am going under the old numbering.

**Question proposed.**

**Hon Saisnarine Kowlessar:** Mr Chairman, the amendment there in Clause 2 should come under Section 12 of the Principal Act.

**The Chairman:** Yes.

**Put and agreed to.**

Clause 2 as printed, agreed to and ordered to stand part of the Bill.

**Clause 3**

**Question proposed.**

**Put and agreed to.**

Clause 3 as printed, agreed to and ordered to stand part of the Bill

**Clause 4**

**The Chairman:** There will have to be some amendments to the numbering so that the Clause 3 will be the new Clause 4.

Bill reported with amendments.

**Question -**

*That the Bill be read the Third time and passed as amended.*

**Put and agreed to.**

**Bill read the Third time and passed as amended.**

## MOTION

### **2. CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) (No 2) ORDER 2003 (No 29)**

**The Speaker:** The Honourable Minister of Finance.

**Hon Saisnarine Kowlessar:** Mr Speaker, I beg to move the following Motion:

*BE IT RESOLVED:*

*That this National Assembly, in accordance with Section 9 of the Customs Act, Chapter 82:01, confirm the Customs Duties (Amendment) Order 2003 (No 29/2003), which was made on 1 September 2003, under Section 8 of the Customs Act, Chapter 82:01, published in the Official*

*Gazette dated 1 September 2003.*

**The Speaker:** Is that all Honourable Member?

**Hon Saisnarine Kowlessar:** Yes.

**Question proposed.**

**The Speaker:** It is a Motion, you are free to speak.

The Minister chooses not to speak.

**Mr Winston S Murray:** Mr Speaker, I am rather surprised that the minister chooses not to speak. At the minimum, in my opinion, he needs to explain the basis on which and the affects on what is being proposed here, but that is an option for him.

In my respectful view, I could only say that is a grave disappointment to the people of the country that the minister just simply gets up and without a word as to the basis on which this is being done, the intended effects of this, the revenue effects, because it is granting concessions which we may not have an objection to... None of that is put before the Honourable House, a very grave disappointment on our side. But since he opts not to speak Sir, I feel I nevertheless have to raise some matters that are of concern to us.

The Minister points out that under Section 8 of the Customs Act, he made an Order dated 1 September 2003, which he seeks now to confirm by this Motion. The Customs Act under which the minister made this Order Sir, Section 8 thereof, does empower the minister to make interim Orders and such Orders have to come to this Parliament to be confirmed.

There is a procedure set out in the Customs Act with which the Minister has to comply in moving that Order to the National Assembly for confirmation and I take the opportunity to draw attention to Section 9 of the Customs Act which says as follows:

Thursday 23 October 2003

*Within ten (10) days of the publication in the Gazette of an Order made under Section 8, the Minister shall lodge with the Clerk of the National Assembly a copy of the Order and the notice of Motion for the confirmation of the order by the Assembly.*

Mr Speaker, my information is that the minister has failed to comply with this important legal procedure Sir, and what is the effect of such failure? He has failed in that he has not within ten days of the making of the Order laid over the Motion and a copy of the Order to the Clerk of the National Assembly. [Interruption: "I will tell you what the effect is, Mr Rohee."]

Section 9 (4) of that very Act says as follows:

*The order shall ipso facto expire if it is not lodged as required by Subsection (1)*

[Interruption: "I know that you did not know and this is why... I know that you won't have known, boy." ] [Laughter].

It means that by that very fact or act of failure to comply with the timeframe for submitting the Motion to the Clerk of the National Assembly, the Order has expired.

Mr Speaker, I respectfully propose that this National Assembly be momentarily adjourned so that we can have a confirmation or otherwise of the compliance or non-compliance of the minister with the requirements of the law.

I will tell you why the PNC/R deemed this to be important. The government has been at pains to explain how much it is in conformity with the law, and we have been at pains to point out the lack of conformity with the law in which the government has been acting.

Here is, to use Mr Nadir's words *the litmus test*, pointing out the correctness of your ruling on one occasion Sir, when the necessary seven



days were not complied with, and I am saying that it looks like we are having another litmus test here today.

Sir I respectfully request an adjournment of the National Assembly so that we can be satisfied before we go further.

Sir, because it is our respectful view that should the minister not have conformed with the requirements of the law, you shall not wish to superintend over a sitting of the National Assembly that will be considering an illegality and we want to be sure before we move forward as to whether or not such an illegality exists.

That is all we are asking, Sir.

**The Speaker:** Honourable Members, I think that this is an appropriate time that the National Assembly should stand suspended for our usual refreshments.

#### **SUSPENSION OF THE ASSEMBLY AT 15:55H**

#### **RESUMPTION OF THE ASSEMBLY AT 16:35H**

We will continue the debate on the Motion.

**Mr Winston S Murray:** Mr Speaker, with respect before you commence the debate Sir, what I have here does not clarify the matter in my respectful view. Are you overruling my...

**The Speaker:** I cannot overrule what you say.

**Mr Winston S Murray:** No, no, my request for verification of the date of lodgement.

**The Speaker:** Well, that is what we have in our Parliament.

**Mr Winston S Murray:** Oh, I see.

**The Speaker:** I caused our Parliament's file to be brought and to be

handed to you.

The Hon Member Mr Robert Corbin.

**Mr Robert HO Corbin:** Mr Speaker, I cannot dare to challenge your ruling on this matter, but one would have thought that in this hallowed Assembly and in the clamour for transparency, the matter which was raised by the Honourable Member would have attracted an invitation almost simultaneously to be part and parcel of any inquiry and verification, but as I said, we cannot challenge your ruling on this matter. Albeit, the evidence we have seen does not clarify what in our opinion clearly indicates that the law has not been complied with.

Further, as I said, there is information at our disposal which has led us to such a conclusion, and we would have thought that the seriousness with which we raised such a matter would have invited a more reasoned and scientific inquiry into this matter.

If indeed your ruling is that this Parliament will continue to debate this matter, which in our opinion has not fallen within the realms of legality, we would not be part and parcel of a process which we believe is breaching those rules which we took a note of.

**The Speaker:** Before you can presume what you will do, divest yourself from the process, I just wish to make one comment.

I have no power under these rules to make a ruling that a piece of legislation or a Motion - this is a Motion - to declare this Motion to be out of order in the terms and circumstance in which Mr Murray indicated.

The Motion was properly moved and it is properly before this House and it is being debated. If an issue arises in relation to the legality of the Order which is the subject matter of this Motion, I am not in a position to make a judgement on that. That is a matter for the courts and if there are arguments which are raised by the Opposition in relation to legal issues on the Order, that is a matter for the government to consider firstly here.

Thursday 23 October 2003

If the government considers that your arguments are valid then they will have to determine what to do. If they declare that your arguments are not valid, if they come to the conclusion that your arguments are not valid and you do not agree with that, then the proper place where that issue is to be determined is the Courts of Guyana and not the National Assembly. I just want to make that plain.

I have no power to terminate the discussion on the Motion unless there is an issue that comes before me in relation to the Motion itself.

Thank you very much.

The next speaker.

Are there any other speakers?

**16:42H**

*[At this stage all the Members of the PNC/R walked out of the Chamber]*

Is there any further speaker?

I would like to put the motion now, please.

**Motion put and carried.**

## ADJOURNMENT

**The Speaker:** Honourable Members, this concludes our business for today.

The Honourable Minister of Parliamentary Affairs.

*Thursday 23 October 2003*

Resolved: On a Motion by the Honourable Minister of Parliamentary Affairs the Assembly was adjourned to a date to be fixed.

*Adjourned accordingly at 16:44H*