

NATIONAL ASSEMBLYMINUTES OF PROCEEDINGS

OF THE 45TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1986-1987) OF THE FIFTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON FRIDAY, 7TH AUGUST, 1987

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (74)

The Deputy Speaker, Cde. Reepu Daman Persaud, J.P., M.P., - In the Chair

Speaker (1)

*Cde. Sase Narain, O.R., S.C., J.P., M.P., Speaker of the
National Assembly (Absent - on leave)

Members of the Government - People's National Congress (62)

Ministers in the Cabinet (10)

Prime Minister (1)

Cde. H. Green, M.P., Prime Minister

Other Vice-President and First Deputy Prime Minister (1)

Cde. Dr. M. Shahabuddeen, O.R., S.C., M.P., Vice-President,
First Deputy Prime Minister and Attorney General

Other Vice-Presidents and Deputy Prime Ministers (2)

Cde. R. Chandisingh, M.P., Vice-President, National Mobilisation,
and Deputy Prime Minister

Cde. Viola V. Burnham, O.R., M.P., Vice-President, Education and
Social Development, and Deputy Prime Minister

Other Deputy Prime Ministers (2)

Cde. W.A.L.H. Parris, C.C.H., M.P., Deputy Prime Minister,
Planning and Development (Absent - on leave)

Cde. R.H.O. Corbin, M.P., Deputy Prime Minister, Public
Utilities (Absent - on leave)

Senior Ministers (4)

Cde. R.E. Jackson, M.P., Minister of Foreign Affairs (Absent)

*Cde. C.B. Greenidge, M.P., Minister of Finance

Cde. S. Prashad, M.P., Minister of Labour

Cde. W.S. Murray, C.C.H., M.P., Minister of Trade and Tourism

Other Ministers (14)

Senior Ministers (7)

Cde. J.R. Thomas, M.P., Minister of Regional Development

Cde. Dr. R.A. Van West-Charles, M.P., Minister of Medical Education,
Environment and Food Policy (Absent - on leave)

Cde. Yvonne V. Harewood-Benn, M.P., Minister of Information and
the Public Service

*Cde. Dr. P.L. McKenzie, A.A., M.P., Senior Minister in the Ministry
of Agriculture (Absent)

*Cde. D.M.A. Bernard, M.P., Minister in the Ministry of
Education (Absent)

*Cde. J.R. Kranenburg, M.P., Minister of Communications and Works

*Cde. Dr. N.E. Blackman, M.P., Minister in the Ministry of Health

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*Non-elected Member

Ministers (5)

- Cde. Urmia E.H. Johnson, M.P., Minister in the Ministry of National Mobilisation (Absent)
Cde. C.G. Sharma, A.A., J.P., M.P., Minister in the Office of the President
Cde. D. Sawh, M.P., Minister of Forestry
*Cde. V.V. Parvatan, M.P., Minister in the Ministry of Agriculture (Absent - on leave)
Cde. J.T. Kisson, M.P., Minister in the Ministry of Medical Education, Environment and Food Policy

Ministers of State (2)

- Cde. Dr. Faith A. Harding, M.P., Minister of State in the Ministry of Planning and Development (Absent - on leave)
Cde. Stella Odie-Ali, M.P., Minister of State in the Ministry of Home Affairs.

Parliamentary Secretaries (2)

- *Cde. Jean M.G. Persico, A.A., M.P., Parliamentary Secretary, Education
*Cde. L.E. Scotland, M.P., Parliamentary Secretary, Office of the Prime Minister

Government Chief Whip (1)

- Cde. Jennifer A. Ferreira, M.P., Government Chief Whip

Other Members (23)

- Cde. Agnes W. Bend-Kirton, M.P.
Cde. A.K. Habibulla, M.P.
Cde. E. H.A. Fowler, M.P.
Cde. Joyce Gill-Mingo, M.P.
Cde. M. Ally, M.P. (Absent)
Cde. Elaine B. Davidson, M.P.
Cde. H. Doobay, M.P.
Cde. Joyce M. Munroe, J.P., M.P.
Cde. Edwina Melville, M.P. (Absent - on leave)
Cde. Anna Ally, M.P. (Absent)
Cde. L.R. Arthur, M.P.
Cde. J.R.L. Bovell-Drakes, M.P.
Cde. N. Calistro, M.P.
Cde. F.M. Cumberbatch, M.P.
Cde. M.I. Deen, M.P.
Cde. Cyrillda A. DeJesus, M.P.
Cde. Edith Deygoo, M.P.
Cde. Clarice A. Edwards, M.P.
Cde. C.L. Geddes, M.P.
Cde. G. Marshall, M.P.
Cde. B. Persaud, J.P., M.P.
Cde. E.W. Trotman, M.P.
Cde. K. Sankar, M.S., M.P. (Absent)

*Non-elected Member

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

Cde. Rose I. Semple, M.P.
(One vacancy)

Members from the Regional Democratic Councils (10)

Cde. Nellie R. Charles, M.P. (Region No. 7 - Cuyuni/
Mazaruni) (Absent - on leave)
Cde. R. Bishop, M.S., M.P. (Region No. 4 - Demerara/Mahaica)
Cde. Y. Khan, M.P. (Region No. 2 - Pomeroon/Supenaam) (Absent -
on leave)
Cde. Enid E. Abrahams, M.S., J.P., M.P. (Region No. 3 -
Essequibo Islands/West Demerara)
Cde. I. Ally, M.P. (Region No. 6 - East Berbice/Corentyne)
Cde. B.L. Domingo, M.P. (Region No. 1 Barima/Waini) (Absent)
Cde. S.I. McGarrell, M.P. (Region No. 8 - Potaro/Siparuni)
Cde. M. Stephens, M.P. (Region No. 9 - Upper Takutu/Upper
Essequibo) (Absent - on leave)
Cde. Joycelyn Thom-Lindie, M.P. (Region No. 10 - Upper
Demerara/Berbice) (Absent - on leave)
(One vacancy - Region No. 5 - Mahaica/Berbice)

Members of the Minority (11)

(i) People's Progressive Party (8)

Minority Leader (1)

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

Deputy Speaker (1)

Cde. Reepu Daman Persaud, J.P., M.P., Deputy Speaker of the
National Assembly

Other Members (6)

Cde. Janet Jagan, M.P. (Absent)
Cde. C.C. Collymore, M.P.
Cde. S.F. Mohamed, M.P., Minority Chief Whip
Cde. H. Nokta, M.P.
Cde. I. Basir, M.P.
Cde. C.C. Belgrave, M.P.

(ii) United Force (2)

Mr. M.F. Singh, C.C.H., J.P., M.P. (Absent - on leave)
Mr. M.A. Abraham, M.P. (Absent)

(iii) Working People's Alliance (1)

Mr. E. Kwayana, M.P.

OFFICERS

Cde. F.A. Narain, A.A., Clerk of the National Assembly
Cde. I. Hartman, Deputy Clerk of the National Assembly

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE DEPUTY SPEAKER

Leave

The Deputy Speaker announced that Cde. Sase Narain was unavailable to be present at that sitting.

He also announced that leave from that sitting had been granted to Cdes. Parris, Corbin, Van West-Charles, Parvatan, Faith Harding, Nellie Charles, Yusuf Khan, Stephens, Thom-Lindie and Mr. Feilden Singh.

14:05 Hrs

PRESENTATION OF PAPERS AND REPORTS ETC

The following papers were laid:

- (1) (i) Constitution (Amendment) Order 1987 (No. 38), made under article 47(4) of the Constitution on 30th June, 1987 and published in the Gazette on 18th July, 1987.
- (ii) Annual Report and Accounts of the Guyana Sugar Corporation Limited for the year 1986.
- The Prime Minister
- (2) (i) Annual Report and Accounts of the Guyana Co-operative Insurance Service for the year 1985.
- (ii) State Pensions (Hubert Moshett) Order 1987 (No. 37), made under section 4 of the State Pensions Act, Chapter 27:04, on 8th July 1987 and published in the Gazette on 18th July 1987, together with Erratum.
- (iii) Annual Report of the Office of the Auditor General for the year 1986.
- Minister of Regional Development, on behalf of the Minister of Finance
- (3) (i) Minimum Wages (Employees in Drug Goods Stores) (Amendment) Order 1987 (No. 40), made under section 9A of the Labour Act, Chapter 98:01, on 21st July, 1987 and published in the Gazette on 25th July, 1987.
- (ii) Minimum Wages (Employees in Drug Stores) (Amendment) Order 1987 (No. 41), made under section 9A of the Labour Act, Chapter 98:01, on 21st July, 1987 and published in the Gazette on 25th July, 1987.
- (iii) Minimum Wages (Employees in Hardware Stores) (Amendment) Order 1987 (No. 42), made under section 9A of the Labour Act, Chapter 98:01, on 21st July, 1987 and published in the Gazette on 25th July, 1987.
- (iv) Minimum Wages (Employees in Groceries) (Amendment) Order 1987 (No. 43), made under section 9A of the Labour Act, Chapter 98:01, on 21st July, 1987 and published in the Gazette on 25th July, 1987.

The Minister of Labour

INTRODUCTION OF BILLS - FIRST READING

The following Bills were presented and read the First time:

- (1) Sea Defence Laws (Amendment and Transfer of Functions) Bill 1987 - Bill No. 6/1987 published 1987-08-06

The Minister of Regional Development, on behalf of the Senior Minister in the Ministry of Agriculture/

- (2) (i) Domicile Reform Bill 1987 - Bill No. 7/1987 published 1987-08-06.
 (ii) Criminal Law Reform Bill 1987 - Bill No. 8/1987 published 1987-08-06.
 (iii) Rehabilitation of Offenders Bill 1987 - Bill No. 9/1987 published 1987-08-06.
 (iv) Fundamental Rights (Practice and Procedure) Bill 1987 - Bill No. 10/1987 published 1987-08-06.
 (v) Law Reform (Miscellaneous Amendments) Bill 1987 - Bill No. 11/1987 published 1987-08-06.

The Vice-President, First Deputy Prime Minister and Attorney General/

- (3) Hydro-Electric Power (Amendment) Bill 1987 - Bill No. 12/1987 published 1987-08-06.

The Minister of Regional Development on behalf of the Deputy Prime Minister, Planning and Development/

- (4) Fugitive Offenders Bill 1987 - Bill No. 13/1987 published 1987-08-06.

The Vice-President, First Deputy Prime Minister and Attorney General/

- (5) National Assembly (Disqualification) (Amendment) Bill 1987 - Bill No. 14/1987 published 1987-08-06.

The Prime Minister /

PUBLIC BUSINESSBills - Second ReadingCaribbean Agricultural Research and Development Institute Bill 1987

A Bill intituled:

"An Act to provide for the implementation by Guyana of the Agreement establishing the Caribbean Agricultural Research and Development Institute."

The Deputy Speaker: Comrades and hon. Member, I have been advised by the Leader of the House that the Cde. Minister of Agriculture is unavailable today. In the circumstances this Bill, ^{No. 4 of 1987,} which is listed as the first item under Public Business, will not be proceeded with. We shall then proceed to item 2.

Bill, by leave, deferred.

The Deputy Speaker: Cde. Minister of Finance.

**TAKE
14:15
TO
14:35 HRS
MISSING**

14:35 hrs

Clause 2.

Mr. Kwayana: Mr. Chairman, I should like to ask the mover whether, from the point of view of tidiness, the numbering should be 61A or 62A.

Secondly, I notice that the deposit, according to the Commissioner's report, is as follows:

"Registered insurers are required to deposit with the Commissioner of Insurance the sum of \$250,000 in respect of long term insurance business or property insurance business not including motor vehicle, marine, aviation, transit insurance."

Perhaps that also may not include savings insurance and loans insurance. I just mention this from a point of interest as it seems, on the face of this, that not all types of insurance business will attract a deposit.

Cde. Greenidge: Cde. Chairman, as far as the first question is concerned, the numbering, I have been advised that it would be inappropriate to re-number this particular section 62A because section 62 refers to something which is not quite related to this particular provision. 61A must follow 61 as it stands at the moment.

Secondly, I have noted the point raised by Mr. Kwayana as regards the types of insurance activities which require inputs and we will specify in the Order whether or not As I indicated earlier, it is envisaged that persons would be required

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

Assembly resumed.

Bill reported without amendment, read the Third time and passed as printed.

MOTIONS

SUPERANNUATION BENEFITS OF NON-PENSIONABLE EMPLOYEES

"Whereas Legislative Council Resolution No. XXV of 1940 as amended from time to time provided that an employee holding a non-pensionable appointment should be granted superannuation benefits on certain terms and conditions;

And Whereas under the aforesaid Resolution, as so amended, the superannuation benefits provided for therein are available to a non-pensionable employee only in the case of his retirement on account of ill-health, incapacity, inefficiency or voluntary retirement on or after the age of fifty-five years, or on abolition of post;

And Whereas Government is of the view that in a case where the service of a non-pensionable employee is terminated on account of unavailability of work, closure of project, redundancy or in the public interest (not being a case where his service is terminated on disciplinary grounds or on resignation) and who has more than one but less than seven continuous years of service, should be paid a gratuity calculated -

- (a) in the case of a non-pensionable employee holding an "approved" appointment at a rate of one-eighteenth of a month's pay for each month of service; and
- (b) in the case of a non-pensionable employee not holding an "approved" appointment at a rate of one-twenty-sixth of a year's pay for each year of service.

Now, therefore, be it resolved:

That this National Assembly approve that the aforesaid Resolution be amended in the following respects -

- (a) by the renumbering of paragraph B as sub-paragraph (i) thereof and by the insertion, after sub-paragraph (i) as so renumbered, of the following sub-paragraph as sub-paragraph (ii) -
 - "(ii) A non-pensionable employee holding an approved appointment whose service is terminated on or after 1st April, 1982, on account of unavailability of work, closure of project, redundancy or in public interest (not being a case where his service is terminated on disciplinary grounds or on resignation) and who has more than one but less than seven continuous years of service be paid a gratuity calculated at the rate of one-eighteenth of a month's pay for each month of service.";
- (b) in paragraph C, by the renumbering of sub-paragraph (ii) as sub-paragraph (iii) and by the insertion, after sub-paragraph (i), of the following sub-paragraph as sub-paragraph (ii) -
 - "(ii) A non-pensionable employee not holding an approved appointment whose service is terminated on or after 1st April, 1982, on account of unavailability of work, closure of project, redundancy or in public interest (not being a case where his service is terminated on disciplinary grounds or on resignation) and who has more than one but less than seven continuous years of service be paid a gratuity calculated at the rate of one-twenty-sixth of a year's pay for each year of service.";
- (c) by the insertion, after paragraph I, of the following paragraph as paragraph J -

"J. For the purposes of this resolution -

- (i) "pay", for calculating gratuity payable to an employee, shall be computed on the basis of the last salary or wages drawn by the employee;
- (ii) "approved appointment" means any appointment approved in that behalf by the Minister."

The Minister of Information and the Public Service.

The Minister of Information and the Public Service (Cde. Harewood-Benn):

Cde. Speaker, this Motion standing in my name represents the formal mechanism to give effect to a decision made in our on-going endeavour to provide social and economic justice for all our citizens, all our workers. We are aware that over the years regulations have been amended from time to time and this particular amendment has to do with benefits. The existing situation is that non-pensionable workers who have less than seven years service cannot benefit

from superannuation. There are no conditions providing superannuation benefits for non-pensionable employees in our service with less than seven years' service. This is a situation which we are now proposing in this amendment to change. It means that those whose services have been terminated on or after April 1, 1982, on account of unavailability of work, as long as the termination has not got to do with disciplinary matters or resignation, those people will now, provided this Motion is passed, be able to benefit from superannuation. Those holding what is called "approved appointments" will benefit to the amount of one-eighteenth of the monthly salary for every month they have worked; those holding what is described as positions which are not approved will benefit differently, one-twenty-sixth of a month's pay for each month of service.

I do not think that I need to justify very much more this Bill. It seeks to give assistance to people whom we feel deserve assistance. As such, we have adjusted the regulations. We are asking that they now be amended in order for us to be able to provide this assistance to the people who fall in these categories.

We cannot at all correct all the perceived injustices. We cannot do all we would like to do but certainly I would like to submit that this is a step in the right direction where people have worked and their services have been terminated. We want to be able to superannuate them accordingly as to whether they held approved or non-approved appointments, but certainly they will benefit from some form of superannuation.

I would like to submit this Motion to the Assembly as one which deserves support since it seeks to rectify a situation which we feel needs rectifying.

Motion proposed.

Mr. Kwayana: Mr. Speaker, I think the Motion will be supported. It is an improvement, a very marginal one. There are large numbers of people I believe falling within the categories outlined. What I am concerned about is that a distinction is made, at this last stage, after the end of the appointment, between approved appointments and appointments not approved. I feel this is splitting hairs. We can further improve the Motion by applying the same benefit to both categories.

The second point I wish to raise is the definition of "approved appointment". I ask for some explanation. There is probably some very good reason for it.

I think in the General Orders an approved appointment is one approved by Parliament. In this Motion the phrase is used in a different sense - "one approved in that behalf by a Minister." I should like to ask what is the practical distinction and which one is more liberal. Mainly my point is that the Administration will have to go to some lengths to alert people who have retired since 1982 of the benefit.

Secondly, there is this question of the distinction between those who, maybe without even knowing it, have been holding "approved" or "non-approved" appointments. I don't know whether these things are known to workers in the non-pensionable sections or whether they will just find themselves marginally deprived at the end of a term of service by this definition.

**TAKE
14:45
TO
15:05 HRS
MISSING**

15:05 hrs

The Deputy Speaker: Comrades and hon. Member. I will first put the Amendment which has been circulated. I take it that you are au fait with the wording of the Amendment and that there is no need for me to read it.

Amendment put, and negatived.

Motion, as proposed, put and agreed to.

Motion carried.

PARLIAMENTARY RECESS

The Deputy Speaker: Comrades and hon. Member, this brings us to the end of what I would like to describe as a very orderly, disciplined and objective afternoon. I want to personally thank you for your co-operation and support on the first occasion I have been given the opportunity and privilege to preside as Speaker. [Applause]

Last year we amended our Standing Orders to provide for an annual Parliamentary recess from the 10th August to the 10th October. This year is therefore the second occasion in the history of our Parliament that the National Assembly will be having a fixed period for a recess.

As this is the last Sitting before the recess commences, I wish to express good wishes to all Members of the Assembly for a happy and fruitful recess. We have done some business during the course of the year but there are still a number of matters outstanding - about a dozen Bills, about three dozen Motions and about a similar number of Questions. It appears that we will be commencing an proceeding after the recess with much business.

It is my hope that we will all revitalise ourselves to return after the recess refreshed with renewed vigour to continue here our tasks as parliamentarians and together as Members of the National Assembly.

I want to take this opportunity once again this Afternoon to thank you for your co-operation. It was a pleasure for me to preside and I wish you a happy recess.

The Prime Minister (Cde. Green): Cde. Speaker, I join with you in extending good wishes to the Members of this Parliament. It will be a period of rest for some of us. Others have other duties, but really the intention is to give Members of Parliament an opportunity to recap and to come back to this Parliament with information in the interest of the public at large so that this Parliament can serve the purpose for which it is intended.

I believe that we have had an interesting and busy period. Altogether I think that this Parliament functions effectively. We had some problems. Life itself can never be perfect. On this side of the Assembly we go into our

Congress very shortly. I hope that when we resume in October we will not only get through the business of this Assembly but we will serve the people of this country in other fashions. That depends on the level of co-operation we can get and on the maturity that individual Members will bring to this honourable Assembly.

On behalf of this side of the Assembly, Cde. Speaker, I, too, wish you and your colleagues a pleasant and refreshing break. May I take this opportunity to say it was a great pleasure to share the Parliament with you presiding. I noted the observation that the meeting was orderly, but I could not help remembering that when I was at school we had a senior master who, whenever the class got out of order, identified me. I was always considered one of the disorderly students and he brought us forward and said, "You take charge of the class" and there was no disorder. [Laughter] I am not suggesting by any means that there is a parallel to that story, but I believe that you conducted the sitting admirably. It confirms the view we have always had that the Parliament has a good Speaker and a competent Deputy Speaker. [Applause]

ADJOURNMENT

Resolved, "That this Assembly ^{now} de/adjourn to a date to be fixed."
[The Minister of Regional Development.]

Adjourned accordingly at 15:10 hrs.