

# National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF  
THE FIRST SESSION (2001) OF THE EIGHTH PARLIAMENT OF GUYANA  
UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA

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6TH SITTING

2.00 PM

Thursday 21st June, 2001

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## 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 (36)

The Hon. Samuel A.A. Hinds, M.P. - *Prime Minister*  
 The Hon. Reepu 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. Navindranauth O. Chandarpal, 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. Ramnauth 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. Satyadeow 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 (Absent)*
- 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. - *(Region No. 7 - Cuyuni/Mazaruni)*
- Mr Husman Alli, M.P. - *(Region No. 7 - Cuyuni/Mazaruni)*
- Mr. Komal Chand, C.C.H., J.P., M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mrs Indranie Chandarpal, M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mr Bernard C. DeSantos, S.C., M.P. - *(Region No. 4 - Demerara/Mahaica)*
- Mrs Shirley V. Edwards, J.P. M.P.
- Mr Odinga N. Lumumba, M.P.
- Mr Heeralall Mohan, M.P.
- Mr Ramesh C. Rajkumar, M.P. - *(Region No. 6 - East Berbice/ Corentyne) (Absent)*
- Mr Kumkaran Ramdas, 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.
- Mrs Philomena Sahoye-Shury, C.C.H, J.P, M.P. - *(Region No.1 - Barima/Waini)*
- Mrs Pauline R. Sukhai, M.P. - *(Region No.1 - Barima/Waini)*

### **Members of the Opposition (30)**

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

- Mr. Hugh Desmond Hoyte, S.C., M.P. - *Leader of the Opposition (Absent - on Leave)*
- Mr. Robert H. O. Corbin, M. P. - *(Absent - on Leave)*
- Mr. Winston S. Murray, C.C.H., M.P.
- Mrs Clarissa S. Riehl, M.P. - *Deputy Speaker of the National Assembly*

\* *Non-Elected Minister*

\*\* *Elected Member from The United Force*

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Mr E. Lance Carberry, M.P.  
Mr Ivor Allen, M.P. - (Region No. 2-Pomeroon/Supenaam)  
(Absent - on Leave)

Mrs. Deborah J. Backer, M.P.  
Mr. Deryck M.A. Bernard, M.P.  
Mr. C. Stanley Ming, M.P.  
Mr. Raphael G. C. Trotman, M.P.  
Mr Vincent L. Alexander, M.P. - (Region No. 4-Demerara/Mahaica)  
Mr. Andy Goveia, M.P.  
Mrs. Volda A. Lawrence, M.P. (Absent - on Leave)  
Dr Dalglish Joseph, M.D., M.P. - (Region No. 5-Mahaica (Berbice))  
Miss Amna Ally, M.P. - (Region No. 10-Upper Demerara/  
Miss Sandra M. Adams, M.P. 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 (Absent))

Miss Lurlene 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)  
(Absent)

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)

**(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)

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

Mr Ravindra Dev, M.P.

**OFFICERS**

Mr Frank A. Narain, C.C.H., Clerk of the National Assembly  
Mr Sherlock E. Isaacs, Deputy Clerk of the National Assembly

14:00h

The Clerk read Prayers

### **ANNOUNCEMENTS BY THE SPEAKER**

#### **Leave**

Leave has been granted to the Hon. Members Mr H. Desmond Hoyte, Mr Robert Corbin, Mr Ivor Allen and Dr Dalglish Joseph for today's Sitting.

### **PUBLIC BUSINESS**

#### **BILLS - Second Reading, Committee and Third Reading**

#### **ITEM 1- CONSTITUTION (AMENDMENT)(NO.4) BILL 2001 - Bill No. 7/2001 (published May 30, 2001)**

*A Bill intituled, an Act to alter the Constitution in accordance with articles 66 and 164.*

**The Speaker:** The Hon. Member, Mr Reepu Daman Persaud, Minister of Parliamentary Affairs.

**Hon Reepu Daman Persaud:** Mr Speaker, the PPP/Civic Government shortly after acceding to office embarked upon the challenging process of Constitutional Reform. Several bodies have had to be **constituted for the execution** of this exercise including the Constitution Reform Commission, the Parliamentary Special Select Committee and the Oversight Committee all of which comprised some of the finest of the loyal sons and daughters of Guyana who have contributed immensely and unreservedly toward bringing the process to a point of implementability. Then there was drafting and Task Force to advance the process to the level of Bills for consideration by the National Assembly. What is important about this particular Bill is



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that certain provisions would require a two-thirds vote and some of them a simple majority. The two-thirds deals with those provisions which are significant, important and crucial. It would mean and follow that if changes subsequent to today were to be made we would have to again obtain two-thirds voting to make those changes. Consequently one has to appreciate how demanding and tedious the process can be, and the care that has to be taken. Bill No. 7 repeals and re-enacts the Preamble. It provides a second Schedule with the National Flag, Coat of Arms, National Anthem and National Pledge.

Clauses 4, 5, 6 and 7 insert new provisions to the Constitution dealing with the objects of political system, the goal of economic development and the duty of the State to foster forms of development. All these are important provisions which will guide the economic and social destiny of this country.

Clause 8 recognises the role of private enterprises in the economic development of Guyana. This is an important inclusion where cognizance is taken of the role of the private enterprise. The doors are wide open for investment and development. Those doors are not confined to the borders of Guyana but even beyond. Guyana requires and needs vast investment and job creation for the social and other well-being of the people as a whole.

This Bill addresses the judiciary and assures its independence. I do not think the importance, the significance of the independence of the judiciary can ever be over emphasized. The judiciary is a pivotal component in a democracy; it plays an important role. While we frame the constitution, and make the constitution and make the law, it is the unenviable task of the judiciary to interpret them and to define them. It follows, Mr Speaker, that the citizens must have confidence in the judicial system and the judiciary. Those who occupy those high benches ought to perform with unquestionable integrity, competence and impartiality. That exercise constitutes a prerequisite for the observance of the democratic norms, preservation of rights and the rule of law in all spheres of society.

The Chancellor and the Chief Justice are now to be appointed by agreement with the President and the Leader of the Opposition. We have moved an amendment by means of a proviso which we still believe is necessary. We concede readily that proviso did not emanate from the Constitution Reform Process in its finest sense but we thought that when you legislate, when you are framing a Constitution you should not frame to have any sort of crises. Based on that very noble intention and clear objectivity the amendment is moved and included in the Bill. The Bill was distributed before the formal distribution so that members could become aware of it. I reject strongly any suggestion that it was clandestinely included. It was well intentioned. I say so very sincerely. Not only the Government, but a former chief parliamentary draftsman, very knowledgeable, very experienced and respected suggested that such a formula was necessary in a public letter in the *Stabroek News*. I understand, and I am subject to correction, that the Bar Association share such a view and there are other members of the Private Bar. While I intend at the appropriate time to withdraw that proviso, in keeping with good faith, I would strongly recommend to this National Assembly that the Constitution Commission, which will be permanent, continues to examine, not only all aspects of the Constitution, but also with special reference to this particular aspect. That Commission need not agree with our crafting or constructing of the proviso, it can change it.

I am very conversant with 127(2). It allows, when the vacancy is created, for the President, after meaningful consultation, which is put in today's Bill as an amendment, appoint the Chancellor and the Chief Justice. But both the Chancellor and the Chief Justice will be temporary. They can only become permanent when the two persons agree. (We thought that was not a good thing. I thought of making this point to say why we moved a proviso. And I repeat for clarity that I will withdraw the proviso at the appropriate time in Committee.) There must be confidence, there must be security in the tenure of office. The incumbent or possible holders of these offices must not experience any insecurity and they ought not to be dependent on

any person as such. The process ought to be free and fair. So we cannot argue in the one breadth that we want the Executive to be aloof and on the other leave the appointment dependent on both the Executive and the Opposition Leader. To me it's a contradiction. I thought of saying those few words, the idea is to avoid a crises. Confidence in the judiciary is very essential.

The other Article I wish to draw attention to is 153 which opens the door wide, removes any ambiguity to enable citizens to move, by way of motion in the court, if they are of the view that their constitutional right has been in any way violated. So Article 153 will now have more clarity and allows that opportunity.

Article 197(4) is a significant amendment. It provides the manner and the way how a judge can be removed. The word used is *misbehaviour*. This amendment this afternoon adds a new dimension. If a judge fails to write reasons, I think, within a reasonable time, it causes delay in the administration of justice, that can constitute *misbehaviour*, and would be a good ground to invoke the powers of the Constitution for a tribunal to investigate the behaviour of the judge. Of course, certain appointments have been put under the Judicial Service Commission - the Commissioner of Title, Magistrate, Director of Public Prosecutions, Deputy Director of Public Prosecutions, Registrar of the High Court, Deputy Registrar of the High Court, Registrar of Deeds, Deputy Registrar of Deeds and such other offices. The fund available for the judiciary also takes on an independence all of its own - it will come direct from the Consolidated Fund.

Another important amendment is that the Office of the Auditor General, I think the public and probably the press too were carried away only with the proviso and they ignored other important aspects of the Bill. I do not mind drawing attention to them and I seize this opportunity to do it. The Auditor General's Office comes squarely under the jurisdiction of the Public Accounts Committee. That is an innovation. So far, therefore, Mr Speaker, the constitutional changes

are progressive, admirable and commendable. I am glad to associate the PPP/C Government with these changes and in a personal way to be associated with them. I trust that the Bill will be passed without any difficulty and we will advance the Constitution Reform Process forward this afternoon.

Mr Speaker, I formerly move the second reading of the Bill.  
[Applause]

Question put.

**The Speaker:** The Hon. Member, Mrs Clarissa Riehl.

**Mrs Clarissa Riehl:** Thank you Mr Speaker. Sir, many persons, both at home and abroad, looking at Guyana with a critical eye, are perplexed that a country so wonderfully endowed with so many resources, not the least being its human resource has failed for so long a period to grapple development and nation building. Just recently I overheard a couple of expatriates talking about Guyana and Guyana was referred to as a pathetic little country. It saddened me, Mr Speaker, to have to endure, by extension with my country, the pity of other people. There is a school of thought out there that says as a people we are not challenged enough. Slavery and indentureship are long over and an entire generation has gone by since colonialism. We have no natural disasters, we have no hurricanes, we have no earthquakes, no common enemy, nothing to tax our moral fibre. The notion being that if we were to struggle together under some common cause then we will begin to forget our ethnicity and in that struggle we would become one, we would truly become a nation.

This Constitution Bill No. 7/2001 is part of a trilogy of Bills to be debated in this House today and represents most of the amendments remaining for the completion of the constitutional revision. The process of constitutional reform, this Honourable House would recall, was part of a menu of measures mandated by the Herdmanston Accord. A reformed constitution should address improvements in race relations, equal opportunity legislation and concepts that con-

tribute to the causes of justice, equity and progress in Guyana. Those are the words of the Accord itself.

Clause 2 of this Bill, Sir, has the preamble to this new revised Constitution. Most of my words this afternoon will surround the preamble. Mr Speaker, so often I have heard comments from people on the streets that Guyana can never come good again. It is a cry of disillusionment from the ordinary people of this land for this same reconciliation and co-operation of which the preamble speaks. Let me read the first words of the preamble of this Constitution. Perhaps it will help us and bring us together. This Constitution with all its measures will be a worthless piece of paper unless the guiding principles, and the reasoning behind making these changes are brought home to bear to us here. The preamble reads:

*We, The Guyanese People,*

*Proud heirs of the indomitable will of our forebears, in a spirit of reconciliation and co-operation, proclaim this Constitution in order to:*

*Safeguard and build on the rich heritage, won through tireless struggle, bequeathed us by our forebears;*

*Affirm our sovereignty, our independence and our indissolubility;*

*Forge a system of governance that promotes concerted effort and broad-based participation in national decision-making in order to develop a viable economy and a harmonious community based on democratic values, social justice, fundamental human rights, and the rule of law.*

These are in keeping, I submit, with many of the dictates of the Herdmanston Accord itself which mandated the changes made. These words also beckon us as leaders of this Nation to strive to fulfill the aspirations of our people. Considerable damage has been done al-

ready to our national psyche. In Guyana today there are many different realities - East Indian, African, Amerindian, Portuguese. The challenge to us all sitting in these seats here today, Sir, is to begin and to sustain the process of nation building and weaving these various realities into one fabric. This administration has failed to do these things because it has concentrated all of its eight (8) years on wood and concrete. Wood and concrete, Sir, I submit, would not do it alone. Wood and concrete are not enough. It is what happens behind the doors and within the walls of these wood and concrete structures that matter most. The country has to be seen holistically and the talents of all its people brought to bear in nation building. The great sense of community and service, the aptitude for athleticism and sports of those of us who have our roots in Africa, the great industry of those who have their roots in India, and the quiet contentment of our Amerindian brothers and sisters whose quiet contentment mask a valuable repertoire of knowledge of this land, its flora and fauna. These assets are all intangible building blocks of a great nation, if we ever hope to be one. All these peoples with their various talents must be given due respect and due regard.

We are called upon Sir, by this preamble to celebrate our diversity and not to use it as a weapon. Yes, it is wrong for one group to attack another, but it is equally wrong for one group to seek to dominate all political and economic spheres in callous disregard that another group is becoming increasingly alienated and, yes, even marginalised. The Government has assumed office at the time of the dismantlement of the socialist apparatus of the state. Every asset of this country was held in the name of 'we the Guyanese people'. Guyanisation gave way to privatisation and thousands of jobs were lost to the ordinary people of this land. I have been in this House, Sir, for eight years and I have never heard any statistics quoted for the unemployment figures of this country. I have heard numerous statistics on all manner of issues but never ever, and as I am here today I have no clue, but I know we have a great number of unemployed people out there. It must be a horrendous and embarrassing figure that is why nobody has ever sought to use it. We on this side

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of the House, Mr Speaker, have been pleading with this Administration to create the enabling environment to encourage investments to flow in this country, for the development of the country and job creation. The Hon Minister said this a moment before. All we have been getting in response is recrimination. Perceived errors of the past, Sir, do not absolve us from getting it right and doing it right today. When we point to irregularities emanating from the Auditor General's Report, the answer is not, *you did not lay one in whatever number of years*. The answer is *we will do better next year so you wouldn't find fault with us*. We have tried to be a loyal opposition to point out errors to you so that you can correct it. *[Interruption. . . 'I am talking about the preamble, things that you need to know. ']* When we point to corruption in its many facets, the latest one being the Report, we are giving you an opportunity to root out this corruption. Yet, occasion after occasion, the Government shuts its eyes. When recrimination is compounded with bad faith we are in a bad state.

I come now to our bad faith. Every agreement entered into between the Government and the Opposition is either later watered down or rendered meaningless or outright reneged upon. Consider this Bauxite Committee, Sir I was shocked to hear my colleague the Hon. Kemraj Ramjattan say the last time he spoke in this House that the Committees must not be a burden to other decision making. I beg to disagree, Sir. When a committee is formed in good faith to look into the bauxite industry, a committee on which the Government has representation, they are estopped ethically from making unilateral decisions on that industry without first taking that Committee into its confidence. Similarly, the Government has agreed at the CRC level, at the Oversight Committee Stage, to have the Chancellor and the Chief Justice each appointed by the President after obtaining the agreement of the Leader of the Opposition. The Government has again estoped from putting in a proviso later on, at this stage when we are debating these provisions, to render that agreement nugatory. You simply cannot do these things. It is untrue, Mr Minister, that the Bar Association has agreed with the provision that



you have put. I am happy that this proviso will go because I am sure that those twenty (20) people that sat down at CRC level knew full well, and they would have contemplated gridlock if there is no agreement. The whole heart of that measure was to give comfort to the forty (40) percent, those who might not have voted for this administration so that those people would have a say in at least one of the arms of Government. If you have a say in the selection of the top people of the judiciary then you can begin to relax and have some faith in at least one arm of Government. You can have faith and confidence in the judicial system.

Mr Speaker, agreements such as the one on the judiciary, the one on bauxite, are agreements that the people welcome in the country and cause them to breathe a sigh of relief because those people who did not vote for this administration, once they become the Government, they have to represent all the peoples of this Guyana. That is so by all the norms of a civilized democratic society. So the Government cannot seek to try to dominate everything. I believe Mr Speaker, that we are no less possessed of that indomitable spirit or indomitable will that saw our forefathers through slavery, colonialism, et cetera. We need a rallying call peculiar to this juncture of our history. **We need** a new rallying call that will motivate us and pull us out of the doldrums in honest government. Honest government can help us and put us on an even keel. This Government has to begin to understand that the spirit of things matter even more than the letters of things. Integrity of leadership, sound institutions not biased by political interference, social justice and equitable distribution of the **resources** of this land can serve to imbue our people with hope again and the will to work together and move this country forward.

Mr Speaker, recently these questions were posed to me by a friend who is also a judge. What happens at the next election? What happens after these talks with the President and the Leader of the Opposition? What happens after five years? I will posit, Sir, that what happens five years from now will largely be determined by what happens during the five years. If fair play, justice and equity



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are perceived to be the order of the day, and if the Government does not breach agreements that have been entered into, then there is some hope. If not, we will continue to move along from upheaval to upheaval and posterity will condemn us for squandering these early formative years of our society. The ball is in the court of the Government and we are ready to play.

Mr Speaker, I welcome the re-introduction of the deity in these reforms. I know from the aborted constitutional process of the Sixth Parliament that the majority of Guyanese people welcome and advocated for this. For me, it was something of an anomaly to be saying prayers every time in Parliament and to live with a Constitution which in no way or form made any reference to God. I also wish to make two small recommendations:

(1) That copies of this revised Constitution be sent to all schools across Guyana, especially since it now has that schedule, as the Hon Minister said, containing the Coat of Arms, the National Anthem, the Pledge and the other facets of national life. These copies will be valuable tools to schools and may stimulate in our young ones early interest in our Constitution.

(2) That copies of the revised Constitution be made available at cost price across the country so that adults may be able to read and study it so that we, the Guyanese people, could begin to understand our basic law.

Mr Speaker, I turn now to some of the practical measures of the Bill. The Hon Minister alluded that it has a lot more than the proviso, although the proviso, the sticking point, caused, as everyone knows, the aborting of an entire session of Parliament. Despite that happened I agree, Hon Minister, that there are other very important provisions in the Constitution.

The Clauses that deal with the judiciary, a combination of Clauses, Clause 15 which speaks of appointment of part-time judges

and Clause 18 which raises the age of judges to 65 for the Puisne, and 68 for the Appellate are welcome provisions that will allow the court to tackle the great backlog of cases. We should have speedier trials when we bring on part-time judges.

These provisions of dealing with the appointment of judges are all welcome provisions to help to put the judiciary out of reach of the political arm of Government.

Article 11 of the Constitution creates the Caribbean Court of Appeal which apart from its original jurisdiction in intra-regional trade and Caricom Treaty matters, will no doubt replace the Privy Counsel as the final Court of Appeal in most Caricom territories, and as the final Court of Appeal of Guyana. I know that it will serve to enrich our own jurisprudence by taking us a tier higher. We have another appeal beyond our Court of Appeal. That is a provision that lots of Guyanese have also been clamouring for over the years.

Mr Speaker, there is a provision in this Constitution which I must point out to you before I reach the Auditor General. That is the provision encompassed in Clause 20 of this Bill. Clause 20 says:

Article 199 of the Constitution is hereby altered by the substitution for paragraph (3) thereof, of the following paragraph:

*This article applies to the office of the Commissioner of Title, Magistrate, Director of Public Prosecutions, Deputy Director of Public Prosecutions, Registrar of the High Court, Deputy Registrar of the High Court, Register of Deeds, Deputy Registrar of Deeds . . .*

These provisions of Clause 20, which seek to bring the appointment of these functionaries now under the Judicial Service Commission, beef up that Commission considerably. Sir, I believe that the Deeds Registry Bill that we had passed in this House delinking the Deeds Registry from the traditional Civil Service speaks of the appointment of the Registrar and the Deputy Registrar to be done by

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the Minister. Here, the Constitution amendment speaking of the appointment and the disciplinary measures runs foul of this provision. Perhaps Mr Durjon will guide us in the Committee stage.

The last item I will like to touch on is the Auditor General's position which is a very sensitive one. We are all very happy on this side of the house that it has been completely delinked from the Government's control. No longer does the Auditor General have to lay his report first to the Minister of Finance who has to transmit it, as in the old Constitution measure, to the Parliament or to the Public Accounts Committee. It goes now direct to the Public Accounts Committee which transmits it to the Parliament. This provision is a welcome provision.

The Auditor General's remuneration and subvention, for the first time, comes under the Consolidated Fund as a result of the provision of Clause 23. This Clause puts the remuneration of all the Commissions that we have dealt with already under the Consolidated Fund. The Judiciary is there, now the Auditor General. This helps in the independence. We are generally happy. We worked for these provisions in those Committees, the Constitution Reform Commission, the Oversight Committees. We on this side of the House worked to shape many of these provisions. We are happy that they are going forward as we intend them to do. They can only add to the rectitude of people in public offices and generally to contribute to better governance for all of Guyana.

Thank you.

**The Speaker:** Thank you, Hon. Member.

Hon Member Mr Reepu Daman Persaud.

**Hon Reepu Daman Persaud:** Mr Speaker, what is true about this Government is that we audited our accounts so that you can refer to them. You had none for ten (10) years. *[Applause]* Secondly, Mr Speaker, the contribution was definitely prejudicial. It is clear, be-

yond the shadow of doubt, that the President and the Leader of the Opposition are dealing with the Committees. They met this week and will be meeting Friday again to discuss bauxite. How you can prejudice that discussion by such a contribution in Parliament at this time, I do not know. I want to dismiss the irrelevance, it has no place in this debate *[Applause]*. What is true, Mr Speaker, is we are dealing with progressive legislation and it stands to the credit of the Government, that this Government brought this Bill and was prepared to compromise. I want to urge, Mr Speaker, with those few observations that the Bill be passed unanimously. I so propose.

**The Speaker:** The question is proposed that Constitution Amendment No. 4 Bill be read a second time. Those in favour say Aye, those against No.

**Members of Parliament:** Aye.

**The Speaker:** The Ayes have it. Hon Minister of Parliamentary Affairs.

**Hon. Reepu Daman Persaud:** Division.

**The Speaker:** Mr Clerk, please take the division. *[Interruption]*

**Hon Reepu Daman Persaud:** If the Hon Members are bothered about the deletion of the proviso, I indicated in my original address that at the appropriate time I will move the deletion by an amendment. I said so but you were not listening.

**The Speaker:** Thank you, Hon Minister. Mr Clerk, please take the division.

**Mr Ravindra Dev:** Has the proviso been removed?

**The Speaker:** The proviso, I understand, according to the Hon Minister of Parliamentary Affairs, will be withdrawn in Committee stage.

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**Mr Ravindra Dev:** I withdraw the question.

*DIVISION:*

<i>Mr Dev</i>	<i>Mrs Sukhai</i>
	<i>Mrs Sahoye-Shury</i>
<i>Mrs Melville</i>	<i>Dr Ramsarran</i>
<i>Mrs Holder</i>	<i>Mr Ramjattan</i>
	<i>Mr Ramdas</i>
<i>Miss Allen</i>	<i>Mr Mohan</i>
<i>Miss David</i>	<i>Mr Lumumba</i>
<i>Mr Ally</i>	<i>Mrs Edwards</i>
<i>Mr R. Khan</i>	<i>Mr DeSantos</i>
<i>Mr Kadir</i>	<i>Mrs Chandarpal</i>
<i>Mr McAllister</i>	<i>Mr Chand</i>
<i>Miss Peterkin</i>	<i>Mr Alli</i>
<i>Dr Norton</i>	<i>Mr Ramotar</i>
<i>Mr J. Khan</i>	<i>Mr Belgrave</i>
<i>Miss Adams</i>	<i>Mr Mohamed</i>
<i>Miss Ally</i>	<i>Dr Ramsammy</i>
<i>Mrs Lawrence</i>	<i>Miss Rodrigues</i>
<i>Mr Goveia</i>	<i>Miss Shadick</i>

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<i>Mr Alexander</i>	<i>Mr Xavier</i>
<i>Mr Trotman</i>	<i>Dr Westford</i>
<i>Mr Ming</i>	<i>Mr Sawh</i>
<i>Mr Bernard</i>	<i>Mr ollymore</i>
<i>Mrs Backer</i>	<i>Dr Bisnauth</i>
<i>Mr Carberry</i>	<i>Mr Gajraj</i>
<i>Mrs Riehl</i>	<i>Mr Chandarpal</i>
<i>Mr Murray</i>	<i>Mr Baksh</i>
	<i>MrKowlessar</i>
	<i>Dr Jeffrey</i>
	<i>Miss Teixeira</i>
	<i>Mr Nokta</i>
	<i>Mr Rohee</i>
	<i>Mr Persaud</i>
	<i>Mr Hinds</i>

*Total*      57

*Declined to Vote (1)*

*Miss Nestor*

Thursday, 21st June, 2001

*Constitution (Amendment) (No. 4) Bill 2001 (Second Reading)*

**In Committee**

**The Speaker:**

Clauses 1 to 12

Clauses 1 to 12 as printed, agreed to and ordered to stand part of the Bill.

Clause 13

I put the question that Clause 13 stand part of the Bill

**Deletion of Proviso:**

*Provided that if there is no agreement within two months the President shall make the appointment taking into consideration the views of the Leader of the Opposition.*

Clause 13, as amended, agreed to and ordered to stand part of the Bill.

Clauses 14 to 17

Clauses 14 to 17, as printed, agreed to and ordered to stand part of the Bill.

Clause 18, as printed, agreed to and ordered to stand part of the Bill.

**Hon Reepu Daman Persaud:** Mr Chairman, I wish to move the following amendment:

Substitution of the following for paragraphs (2) and (2A),

(2) With effect from the commencement of this paragraph, a person holding the office of Judge on the said commence-

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ment shall vacate that office on attaining:

(a) in the case of a Puisne Judge, the age of sixty-two years;

(b) in the case of any other Judge, other than the Chancellor, the age of sixty-five years;

and

(c) in the case of the Chancellor, the age of sixty-eight years.

(2A) A person appointed to the office of Judge after the commence of this paragraph shall vacate that office on attaining -

(a) in the case of a Puisne Judge, the age of sixty-five years;

(b) in the case of any other Judge, the age of sixty-eight years.

Clause 18, as amended agreed to and ordered to stand part of the Bill.

Clauses 19 to 24 and the Second and Third Schedules were passed as printed.

## **ASSEMBLY RESUMES**

**Hon Reepu Daman Persaud:** Mr Speaker, the Bill was considered clause by clause in Committee and passed with amendments. I beg to move that the Bill be read a third time and passed as amended.

**The Speaker:** Hon Members, I put the question that the Bill be read the third time and passed as amended. Those in favour please say Aye, those against No.



Thursday, 21st June, 2001

**Members of Parliament: Aye**

**Hon Reepu Daman Persaud: Division**

**DIVISION:**

*For fifty eight(58) elected Members of the Assembly i.e. by more than two-third of all sixty-five (65) elected Members of the Assembly:*

<i>Mr Dev</i>	<i>Mrs Sukhai</i>
	<i>Mrs Sahoye-Shury</i>
<i>Mrs Melville</i>	<i>Dr Ramsaran</i>
<i>Mrs Holder</i>	<i>Mr Ramjattan</i>
	<i>Mr Ramdas</i>
<i>Miss Allen</i>	<i>Mr Mohan</i>
<i>Miss David</i>	<i>Mr Lumumba</i>
<i>Mr Ally</i>	<i>Mrs Edwards</i>
<i>Mr R. Khan</i>	<i>Mr DeSantos</i>
<i>Mr Kadir</i>	<i>Mrs Chandarpal</i>
<i>Miss Nestor</i>	<i>Mr Chand</i>
<i>Mr McAllister</i>	<i>Mr Alli</i>
<i>Miss Peterkin</i>	<i>Mr Ramotar</i>
<i>Dr Norton</i>	<i>Mr Belgrave</i>
<i>Mr J. Khan</i>	<i>Mr Mohamed</i>

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<i>Miss Adams</i>	<i>Dr Ramsammy</i>
<i>Miss Ally</i>	<i>Miss Rodrigues</i>
<i>Mrs Lawrence</i>	<i>Miss Shadick</i>
<i>Mr Goveia</i>	<i>Mr Xavier</i>
<i>Mr Alexander</i>	<i>Dr Westford</i>
<i>Mr Trotman</i>	<i>Mr Sawh</i>
<i>Mr Ming</i>	<i>Mr Collymore</i>
<i>Mr Bernard</i>	<i>Dr Bisnauth</i>
<i>Mrs Backer</i>	<i>Mr Gajraj</i>
<i>Mr Carberry</i>	<i>Mr Chandarpal</i>
<i>Mrs Riehl</i>	<i>Mr Baksh</i>
<i>Mr Murray</i>	<i>Mr Kowlessar</i>
	<i>Dr Jeffrey</i>
	<i>Miss Teixeira</i>
	<i>Mr Nokta</i>
	<i>Mr Rohee</i>
	<i>Mr Persaud</i>
	<i>Mr Hinds</i>

*Total*      58

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**Hon Reepu Daman Persaud:** Mr Speaker, the Bill was considered clause by clause in Committee and passed with amendments. I beg to move that the Bill be read a third time and passed as amended.

**The Speaker:** Hon Members, I put the question that the Bill be read the third time and passed as amended. Those in favour please say Aye, those against No.

**Members of Parliament:** Aye

**ITEM 2 - CONSTITUTION (AMENDMENT) (NO.5) BILL 2001 - Bill No. 8/2001 published May 30, 2001**

*A Bill intituled, An Act to alter the Constitution in accordance with articles 66 and 164.*

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

**Hon Reepu Daman Persaud:** Mr Speaker, Bill No. 8 deals with the efficiency of the Disciplined Services and it reiterates what the duties of the Members of these Disciplined Forces are, and, if I should read:

*The State's Defence and Security Policy shall be to defend national independence, preserve the country's sovereignty and integrity, and guarantee the normal functioning of institutions with the security of citizens against any armed aggression.*

The intention is not to discuss the Disciplined Forces as such but the measure that is before the House is to bring greater efficiency in home forces and to have Member of these forces perform professionally.

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I think it is not unknown that both the Defence Force and the Police Force are governed by our statues. What has happened is that there has been representation at the Constitutional Reform Commission about these two bodies to be elevated to the Constitutional level. I remember sitting in that Committee when representation was made by Members of the GDF, and that is how this first part of the Bill came about and so the Disciplined Forces are important enough to find themselves in the Constitution of our country - the primary document. So the forces are expected to perform efficiently and impartially. I will read another paragraph:

*The Defence and Security Forces shall be subordinate to national defence and security policy and owe allegiance to the Constitution and to the Nation. The oath taken by Members of the Defence and Security Forces shall establish their duty to respect the Constitution.*

So, it is in their command and in their hands, our sovereignty, our borders rest.

The Guyana Defence Force established under the Defence Act shall in the discharge of its constitutional responsibilities function in such a manner as to earn the respect and enjoy the confidence of citizens.

I think those are the operable words -*to earn the confidence of the citizens*. This places a great responsibility on Members of both Forces and I do not think that we can have a war in support of that principle and that law because we would like to have Disciplined Forces **being** respected, because we want to have a country which is governed by the rule of law; and for law to become effective, you have to have the concomitant enforcing institutions to enforce the law. You can make law, you can legislate, you can constitutionalise, but unless you have the equivalent forces to implement them, they will be simply matters on paper. And I simply want to say that these have been matters of scrutiny particularly within recent times.

Reading the fourth paragraph:

*The Police Force, established under the Police Act shall function in accordance with law as the law enforcement agency of the State responding to the daily need to maintain law and order by suppressing crime to ensure that citizens are safe in their homes, the streets and in other places.*

Well, those are important words and this is what the citizens want. They want to be at peace in their homes, they want to be safe with their families and together we should endeavour to ensure this. When someone retires into what he may consider his castle, he ought not to be threatened, disturbed, provoked or worst of all brutally attacked and beaten. And so this Bill comes at a time when there is demand in this respect and I support action, prompt action, adequate action in all these matters, particularly to lessen crime and more particularly and specifically for people to be safe in their homes.

There is a provision in addition to the duties of the Force - Disciplined Forces Commissions may be constituted by the National Assembly - that the Bill provides for the Constitution of Disciplined Forces Commissions.

And it went on to say what would be the objective or mandate of that Commission generally with the view to promoting their greater efficiency. We feel that these bodies should be efficient, professional, acting with integrity and fairness and giving effect to the need in the public interest that the composition of the Disciplined Forces take account of the ethnic constituent of the population. This has been a matter of concern for years. I remember ICJ Report - International Commission of Jurists Report. I read that Report and ever since there was a recommendation in the late 1960s, possibly 1964 for the Force to be balanced.

It is not late and I think all those who had wanted security and

wanted to achieve the objective of this Bill particularly young people should open themselves to enter the Force and the conditions should be such to attract them in every way. This is our official policy and I think the Bill is timely and I repeat, the intention is not to discuss the Police Force, but the law that is being put in place to have an efficient, professional Disciplined Forces, both Army and Police. I formally, Mr Speaker, move the Bill. *[Applause]*

**The Speaker:** Thank you, Hon Minister.

The Hon Member, Mr Trotman.

**Mr Raphael GC Trotman:** Mr Speaker, I rise to make a few brief remarks on this Bill. I, like the Hon Minister, wish to note that this Bill is, indeed, timely. It does state, in a very general way, the stated objectives of the Guyana Defence Force and the Guyana Police Force, both of which, as we know, Mr Speaker, are regulated already by Statute Law, so what we see is, yes, an elevation to Constitution status of the two coercive arms (if we may wish to refer to them as those) of the State. We see a statement of the ideals which have always been the ideals of the Guyana Defence Force and the Guyana Police Force which they have sought diligently to adhere to. In recent times, of course, we know that the Guyana Police Force, Mr Speaker, has been the subject of much criticism, it finds itself between two millstones, like wheat being ground. On the one hand there is talk that the Police Force is not performing well; one notes sentiments expressed in today's daily. On the other hand, Mr Speaker, there are those who say that the Police Force is going far and beyond what is required by Statute. So we welcome the introduction of Commissions to be convened, and I trust that the first will be convened very shortly. Under Sub-section 5 of Section 3 of this Bill, I quote:

*Disciplined Forces Commissions may be constituted by the National Assembly from time to time.*

So we would expect that in due course a Commission and Com-

*Thursday, 21st June, 2001*

missions thereafter will be constituted. Quite apart from the vexed question of the ethnic composition of the Forces which, as the Hon Minister pointed out quite rightly, have already been the subject of intense scrutiny and recommendations issued therefrom by a panel constituted by the International Court of Justice way back in 1963. We have those reports. We have tried assiduously as members, and you yourself, Mr Speaker, would know, to implement those recommendations. Only last week I noticed that President Jagdeo whilst in Albion publicly stated that there is no policy of discrimination vis-a-vis recruitment into the Police Force. I was quite pleased to hear that statement because we know that statement is the truth. However, there are those who wish to put forward the view that there is a deliberate policy to influence the type of recruit into the Force. So I welcome that statement and I welcome as well the words spoken this afternoon by the Hon Member Mr Reepu Daman Persaud. Therefore we support this Bill and remind Members that we ought not to praise the Guyana Defence Force and the Guyana Police Force or condemn them without, of course, providing them with the necessary skill and tools to do their jobs. We note as well, what I would term the duplicity in the handling of certain matters in both agencies but particularly the Police Force. We expect that these would be addressed when the Commission meets. We note as well that there is, Mr Speaker, a new form of policing that needs to be looked into in Guyana and that is the Community Policing Group. In my opinion, and that of the People's National Congress Reform, Community Policing needs to be encouraged but, has to be regularised. There are too many horror stories and differences in the way these groups are constituted and supplied. We need to see regularization in that regard. So as I promised, Mr Speaker, to make only brief comments I end by saying that we support wholeheartedly this Bill, but we would expect that the Commission and/or Commissions that are to come will be speedily constituted, especially now, Mr Speaker, as the Nation looks on at both the Guyana Defence Force and the Guyana Police Force for improvements and now that the time is right we should forge ahead.

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Thank you. *[Applause]*

**The Speaker:** Thank you, Hon Member.

The Hon Minister.

**Hon Reepu Daman Persaud:** I wish to thank the Hon Member for his support of the Bill.

**The Speaker:** Hon Members, I will now put the question that the Constitution (Amendment) No. 5 Bill, 2001 be read the second time. Those in favour say Aye, those against No.

**Members of Parliament:** Aye.

**The Speaker:** The Ayes have it. Mr Clerk, please take the division.

*DIVISION:*

*Mr Dev*

*Mrs Sukhai*

*Mrs Sahoye-Shury*

*Dr Ramsarran*

*Mr Ramjattan*

*Mrs Melville*

*Mr Ramdas*

*Mrs Holder*

*Mr Mohan*

*Mr Lumumba*

*Miss Allen*

*Mrs Edwards*

*Miss David*

*Mr DeSantos*



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*Mr Ally*

*Mrs Chandarpal*

*Mr Chand*

*Mr Alli*

*Mr Ramotar*

*Miss Nestor*

*Mr Belgrave*

*Mr McAllister*

*Mr Mohamed*

*Dr Ramsammy*

*Dr Norton*

*Miss Rodrigues*

*Mr J Khan*

*Miss Adams*

*Miss Shadick*

*Miss Ally*

*Mr Xavier*

*Dr Westford*

*Mrs Lawrence*

*Mr Sawh*

*Mr Collymore*

*Dr Bisnauth*

*Mr Trotman*

*Mr Gajraj*

*Mr Ming*

*Mr Chandarpal*

*Mr Bernard*

*Mr Baksh*

*Mrs Backer*

*Mr Kowlessar*

*Dr Jeffrey*

*Thursday, 21st June, 2001*

*Mr Carberry*

*Miss Teixeira*

*Mrs Riehl*

*Mr Nokta*

*Mr Murray*

*Mr Rohee*

*Mr Persaud*

*Mr Hinds*

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*Total*

*53*

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**The Speaker:** Hon Members, the motion is carried, let the Bill be read the second time.

*Constitution (Amendment) (No. 5) Bill 2001. (Second Reading)*

**The Speaker:** The Assembly will resolve itself into Committee to consider the Bill clause by clause.

#### **IN COMMITTEE**

**The Chairman:** Hon Members, the Bill has two clauses and I perceive that there are no proposals for amendments so with your permission I will put both clauses at the same time. I propose the question that Clauses 1 and 2 stand part of the Bill. The question is that Clauses 1 and 2 stand part of the Bill. Those in favour say Aye, those against No.

**Members:** Aye.

**The Chairman:** The Ayes have it.

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

Hon Members, the question is that the Bill be reported to the Assembly. Those in favour say Aye, those against No.

**Members:** Aye.

**The Chairman:** The Ayes have it. Let the Assembly resume.

### **ASSEMBLY RESUMES**

**The Speaker:** Hon Minister.

**Hon Reepu Daman Persaud:** Mr Speaker, I wish to move that the Bill be read a third time, but in so doing to report that it was examined clause by clause and passed without amendments in Committee.

**The Speaker:** Hon Members, the question is that the Bill be now read the third time and passed as printed. Those in favour say Aye, those against No.

**Members of Parliament:** Aye.

**The Speaker:** The Ayes have it. Mr Clerk please take the division.

*DIVISION:*

*Mr Dev*

*Mrs Sukhai*

*Mrs Sahoye-Shury*

*Dr Ramsarran*

*Mr Ramjattan*

*Thursday, 21st June, 2001*

*Mrs Melville*

*Mr Ramdas*

*Mrs Holder*

*Mr Mohan*

*Mr Lumumba*

*Miss Allen*

*Mrs Edwards*

*Miss David*

*Mr DeSantos*

*Mr Ally*

*Mrs Chandarpal*

*Mr Chand*

*Mr R. Khan*

*Mr Alli*

*Mr Kadir*

*Mr Ramotar*

*Miss Nestor*

*Mr Belgrave*

*Mr McAllister*

*Mr Mohamed*

*Miss Peterkin*

*Dr Ramsammy*

*Dr Norton*

*Miss Rodrigues*

*Mr J. Khan*

*Miss Adams*

*Miss Shadick*

*Miss Ally*

*Mr Xavier*

*Dr Westford*

*Miss Lawrence*

*Mr Sawh*

*Mr Collymore*

*Thursday, 21st June, 2001*

<i>Mr Alexander</i>	<i>Dr Bisnauth</i>
<i>Mr Trotman</i>	<i>Mr Gajraj</i>
<i>Mr Ming</i>	<i>Mr Chandarpal</i>
<i>Mr Bernard</i>	<i>Mr Baksh</i>
<i>Mrs Backer</i>	<i>Mr Kowlessar</i>
	<i>Dr Jeffrey</i>
<i>Mr Carberry</i>	<i>Miss Teixeira</i>
<i>Mrs Riehl</i>	<i>Mr Nokta</i>
<i>Mr Murray</i>	<i>Mr Rohee</i>
	<i>Mr Persaud</i>
	<i>Mr Hinds</i>

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*Total 57*

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**The Speaker:** The motion is carried. Let the Bill be read a third time.

*Constitution Amendment No. 5 Bill 2001. (Third Reading)*

**The Speaker:** Hon Members, this concludes our proceedings in relation to Bill No. 8.

**ITEM 3 - CONSTITUTION (AMENDMENT)(NO. 6)  
BILL 2001 Bill No. 9/2001**

**Hon Reepu Daman Persaud:** Mr Speaker, this is a progressive

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Bill, progressive measure, it does have the powerful element of inclusion. It exposes any government of this country to absolute scrutiny and examination in terms of policy.

Three Standing Committees are going to be named according to this Bill. The first is the Standing Committee on Constitutional Reform. For the first time in the history of this country, we will have a Standing Committee that deals exclusively with the constitutional Reform. It's a progressive step. In other words, citizens will be allowed every day and throughout the year to make representation to that Committee. The Committee has power to employ experts, to ensure that its work is efficient and in keeping with the mandate that is given to them in the Constitution.

It's a welcomed idea. I am one of those persons who believe that a Constitution is not a static document. It is something that has to be constantly examined and re-examined to ensure that if there are weaknesses, those weaknesses should be completely eliminated and we have a strong document which controls the destiny of this nation and its people. The permanent Constitutional Committee will do exactly that. It will also develop scholarship, expertise in the Constitutional matter. Very often I was told that there are very few Constitutional lawyers in this country. I don't know. We need to develop a corp of Constitutional lawyers now. With so many women in the profession, I am sure some of them will be inclined to take up this particular area which is sadly lacking. I am sure that this measure will receive the unanimous support off all Members.

The Second Committee is the Parliamentary Sectoral Committee and I want to quote from the Bill what I consider an important aspect of it and that is 119 B(1):

*There shall be parliamentary sectoral committees established by the National Assembly with responsibility for the scrutiny of all areas of government policy and administration including -*

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- (i) *natural resources;*
- (ii) *economic services;*
- (iii) *foreign relations;*
- (iv) social services.

Mr Speaker, an important element of this Bill with respect to Parliamentary Sectoral Committees is that if the Chairman comes from the Government, the Vice-Chairman comes from the Opposition and vice versa, for example, if the Chairman comes from the Opposition, the Vice-

Chairman comes from the Government. Nobody will have it all: there will be a sharing of responsibility in the running of these bodies.

The third Committee is a simple one and it deals with the appointment of members of Commissions established under the Constitution. We have passed hitherto, legislation, constitutional change, by way of setting up Commissions. These Commissions will need membership and so the draftspeople envisaged that we should have an Appointment Committee. So this third area is to enable the appointment of a Committee to make those appointments. I think it is the simplest of the three Bills and I urge unanimous support for it. I so move, Mr Speaker.

**The Speaker:** The question is proposed. Hon Member, Mr Ming.

**Mr Stanley Ming:** Mr Speaker, I rise to make a few brief comments on this Bill. As a new boy on the block I have limited knowledge of the operations of Government, but at the same time as a Guyanese I have paid over the last few years some attention to the running of our country. I think it is fair to say that there needs to be lots of changes in lots of areas. I share the Hon Minister Reepu Daman Persaud's feelings and sentiments that constitutional reform

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has to be an ongoing process. Those reforms have to reflect the commitment on the part of both sides of the House and the people of Guyana to see our country move forward.

Mr Speaker, with regard to the various Committees that are going to be established to deal with our natural resources, our economic services, foreign relations and social services, I think it would be fair to say that over the years those four areas all suffered from some degree of indecision and in some cases bureaucratic procedures. I do not think it would be fair to apportion blame to any one group or any side, but it is clear that in a country such as ours with a limited population that you need to have the input of as many persons and sectors of our society whether they be NGO's, special interest groups, opposition parties, et cetera. Because as one of our learned politicians (I think it was Mr Eusi Kwayana) said, *'no one has all the answers.'* I think that is a fair statement. It would be fair to say that in Government, both current and previous, many mistakes have been made. We need to put in place mechanisms and institutions that can reduce the possibility of these mistakes being held to a minimum.

I recall two years ago reading an article in the Latin Trade Magazine talking about one of our neighbour's, (Venezuela) economic development and its natural resource. I want to share this information with you, if you bear with me for a few minutes, because I think it is important that we pay attention to what is happening on our doorstep. On the eastern slant of Venezuela which borders with our western boundary there is a city called Ciudad Guyana. That area has been slated over the next ten years for investments of over US\$50B and I understand that many of our Guyanese citizens are now residing in that area. The areas of investment include the extraction of oil, natural gas and gold among other minerals.

Just recently the Brazilian Government having been lobbied by the private sector of Venezuela has agreed to build a bridge across



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the Oronoque delta at the cost of over \$400M to create a land link between northern Brazil and the eastern Venezuela and northern coast of Venezuela to a place called Camino. That port unfortunately lies at a distance more than twice the distance, if the alignment of the road had passed through Guyana and access to our Atlantic seaport. I am told, reliably, that the Venezuelans were hoping for quite some while that that development would have taken place and northern Brazil would be linked through Guyana to our Atlantic seaport. We might have missed the bus with regard to having Guyana as a gateway into northern Brazil and eastern Venezuela. I hope it is not too late.

The other thing, Mr Speaker, as we speak, the Brazilian and Venezuelan private sectors are now working on establishing a free trade zone on the border of Venezuela and Brazil just west of Guyana where there will be the processing of goods and services between northern Brazil and eastern Venezuela for export throughout the world. At the same time, Mr Speaker, the distances, as I said to you, to traverse Guyana is less than half, going the route they are going right now and the power that is being utilised by both the city of Boa Vista and Manaus is now being supplied by the Gumi Dam at a cost of less than 4 cents per kilowatt hour. I don't think I need to say what it is costing us here in Guyana. I say these things, Mr speaker, because I think that it is very important that as we seek to build our country we take cognizance of what the Latin Trade Magazine has said that the greatest risk today is not taking one. I think Guyana has to start taking risks in deciding what is in the best interest of the development of our country.

Mr Speaker, I want to close in saying that our country is existing in a very difficult period of time throughout the world and the countries that will survive and prosper are the countries that will take into account the initiatives, ideas and thoughts of all their people and in so doing come up with the best solutions, the best ideas that can move a country forward in the true sense of the word. With these words, Mr Speaker, I wish to lend support of this side of the

House to this Bill.

Thank you. *[Applause]*

**Hon Reepu Daman Persaud:** Mr Speaker, congratulations to the Hon Member on his maiden speech and for that reason I will not disturb him. Mr Speaker, this Bill is simply to set up Commissions. .  
*[Interruption: . . . 'You have somebody else?']*

**The Speaker:** Hon Member Allen.

**Miss Genevieve Allen:** Mr Speaker, thanks for allowing me this opportunity to speak on this Bill now laid before this House, Bill No. 9/2001. For too long Committees have been established and they have borne no fruit. However, we on this side of the House have been placed here by the electorate and they have placed their confidence in us to represent them at the highest forum. Mr Speaker, the issue of Parliamentary Sectoral Committees being established must be committees that will help to ensure that this Honourable House hurry on in a manner that will bear fruit which the Guyanese populace must be able to not only to see, but also their very lives must be enhanced by the services of these Committees.

Mr Speaker, social services being offered in our society today is at its lowest ebb and the present Government has not demonstrated the ability nor willingness to grapple or attend to the core ills which have caused this important sector in our society to become impotent. The programmes planned by the Government for social services are not adequate. I speak primarily of the services offered in the health sector, services for women, children and the elderly.

Mr Speaker, the HIV/AIDS virus has taken a significant toll on our country. In 1998 statistics showed that 3 percent of the adult population was diagnosed positive. From then to now the numbers have increased significantly. The AIDS Secretariat does not seem to have proper programmes to deal with the victims and their relatives. So far we have had NGO's like Lifeline Counselling, and the media

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highlighting the physical effects and trauma endured by victims. There is therefore the need for proper planning to address this issue or else our country will be like other countries where the life span will be reduced to approximately twenty-nine years. Mr Speaker, as a body we will need to put our minds and resources together in finding a solution which is eating away at the very heart and core of our nation.

Mr Speaker, young women are an integral part of the development of our society. The PNC had established an agency to address the issues relating to women and to look after their affairs. This agency was structured and personnel with the relevant skills were placed there for manning that agency and for developing the programmes to adequately address the affairs of women. What is happening today is that too many of our young women are running away. We need to look at the services that are offered to these young women. There are programmes offered that focus on more self conceptualisation, leadership or even etiquette but, Mr Speaker, we need to look at their basic needs. We need to also implement programmes that will cause them to become empowered. Women in all sectors in Guyana do not benefit from the funded programmes that are being done at the agency that relates to women, and the skilled personnel within the agency are not even allowed to function as effectively as they should. The PNC/R is an icon for the development of women in society [*Applause*] and I hope that these committees would revisit the policies which took the development of women to the highest ever in Guyana. Mr Speaker, I hope that we can resist prejudice and seek the truth and seek those programmes and policies which are in the best interest for the development of women.

Mr Speaker, in Guyana we have a number of children that are termed 'street children'. This is a sore social issue. An action plan was formulated to deal with the special needs of street children. We need to look again at that programme. We have established the Drop-in Centre but it does not adequately cater for the physical needs of these children. There is also the need for the establishment of similar

centres in other Regions of Guyana. If a survey is conducted as to the reasons why children live on the streets, among the possible conclusions will be the effect of the socio-economic problems experienced by families. These are issues that should be addressed by the Committee.

Mr Speaker, the social services offered to our senior citizens need total revamping. Even though the Means Test was removed for Old Age Pension, the pension received can only be compared to a child's pocket-piece. This shows a lack of provision for the total welfare of senior citizens. Today their living standard is far below that of the average person. Mr Speaker, I want to conclude that the delivery of social services by the Government is very poor. In any country the social service is one of the fundamental issues that must be addressed since it is the most important facet of any society.

Mr Speaker, I rise to support the Bill, moreso on the establishment of the Parliamentary Sectoral Committee on social services.

Thank you. *[Applause]*

**The Speaker:** Thank you, Hon Member.

Hon Member Mrs Chandarpal.

**Mrs Indranie Chandarpal:** Thank you, Mr Speaker. I also rise in support of the establishment of the Committees which we are now looking at.

First of all we need to remember where we came from as a nation. I wish to draw your attention to the Mark Ramprakash Report in 1991 which stated that 86% of our population were living below the poverty line. It is very dishonest for the Hon Member to lay all the blame at the door of the Government especially in view of the fact that since we came into power we have done our very best to ensure that people are involved in the process. As a matter of fact we established four (4) National Commissions which have brought

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together people from different agencies. We set up the National Commission on Family, the National Commission on the elderly, the National Commission on women and the National Commission on children. All these Commissions had different mandate and were supposed to work with the people, to look at what their problems were and to come up with solutions. Mr Speaker, we have sought to do so. It is very dishonest for the Hon Member to say that the amount of money that is given to the Old Age Pensioner is very minuscule especially when compared with what was given to the elderly when we came to power in 1992. The elderly were receiving \$240. You had the Means Test. It was the People's Progressive Party/Civic that withdrew this Means Test in 1993. The Hon Member is very dishonest when she speaks on those issues.

Clearly, she has not been reading and she has not been kept abreast with all the mechanisms we have put in place with regard to women. We have established the Women's Leadership Institute in which we have had women being trained in some of the very virtues the Hon Member has referred to, whether it was self esteem, leadership, micro-enterprise, business training etc. All of those issues are presently being addressed.

Mr Speaker, the fact of the matter is that our country is poor and there are many things that we still have to do. The People's Progressive Party/Civic cannot change all the things that have been done, and that you have destroyed in the country in your years when you were there. Do you expect us to change it in eight when, ever so often, you have sought to destabilise the process? *[Applause]* Mr Speaker, our Government is interested in the people and we will do our very best to ensure that the lives of women, the lives of children and the lives of the elderly are taken into consideration. As a matter of fact it was not the PNC that established - you did not establish any programme for street children - it was we who did it. Not only have we . . . *[Interruption]*

**The Speaker:** Hon Members, can we have some order, please.

**Mrs Indranie Chandarpal:** Mr Speaker, not only have we set up a Drop-in Centre for Street Children, but very shortly there is a permanent home that will be open to street children where we will be taking care . . . (it is in the Palms Compound and I hope that when this house is open members will be able to come and say we are prepared to work with you to eradicate the problems of street children from our society). Mr Speaker, I did not, at this point, want to refer to many of these issues because this is not the debate of the Budget. I know when we will have the opportunity to talk about performance of the Social Services Ministry, we will then be able to account, in terms of the things that we have done.

Mr Speaker, I want to thank you. *[Applause]*

**The Speaker:** Thank you, Hon Member.

Hon Minister.

**Hon Reepu Daman Persaud:** Mr Speaker, the Bill does exactly what Mr Ming was talking about. He said the solution is not in the hands of any single person. We share that view. This Bill allows the inclusion of people, that is why you are having Committees. Notwithstanding the contradiction between the two speakers, one criticised Committees and the other welcomed Committees, I think the Bill is an approach in the right direction. I think what we need to look at very deeply, Mr Speaker is that we need to have a re-definition of the role of the Opposition in the context of things, so that the Opposition will come out in support of development, investment and progressive measures which will help all the peoples of this country.

I formally, Mr Speaker, move the Bill.

**The Speaker:** Thank you. Hon. Minister.

Hon Members I will now put the question that the Constitution Amendment Bill No. 6/2001 be read the second time. Those in fa-

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vour say Aye, those against No.

**Members of Parliament:** Aye.

**The Speaker:** The Ayes have it. Mr Clerk please take the division.

**DIVISION:**

*Mr Dev*

*Mrs Sukhai*

*Mrs Sahoye Shury*

*Mr Ramsarran*

*Mr Ramjattan*

*Mrs Melville*

*Mr Ramdas*

*Mrs Holder*

*Mr Mohan*

*Mr Lumumba*

*Miss Allen*

*Mrs Edwards*

*Miss David*

*Mr DeSantos*

*Mr Alby*

*Mrs Chandarpal*

*Mr Chand*

*Mr R. D Khan*

*Mr Alli*

*Mr Kadir*

*Mr Ramotar*

*Miss Nester*

*Mr Belgrave*

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*Mr McAllister*

*Mr Mohamed*

*Miss Peterkin*

*Dr Ramsammy*

*Dr Norton*

*Miss Rodrigues*

*Mr J. Khan*

*Miss Shadick*

*Mis Ally*

*Mr Xavier*

*Dr Westford*

*Mrs Lawrence*

*Mr Sawh*

*Mr Goveia*

*Mr Collymore*

*Mr Alexander*

*Dr Bisnauth*

*Mr Trotman*

*Mr Gajraj*

*Mr Ming*

*Mr Chandarpal*

*Mr Bernard*

*Mr Baksh*

*Mrs Backer*

*Mr Kowlessar*

*Dr Jeffrey*

*Mr Carberry*

*Miss Teixeira*

*Mrs Riehl*

*Mr Nokta*

*Mr Murray*

*Mr Rohee*

*Mr Persaud*

*Mr Hinds*

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**The Speaker:** The motion is carried. Let the Bill be read the second time.

*Constitution Amendment No.6 Bill 2001. (Second Reading)*

**The Speaker:** The Assembly will resolve itself into Committee to consider the Bill clause by clause.

### IN COMMITTEE

**The Chairman:** Hon Members, this Bill has two clauses and I perceive that there are no amendments, so I will put them together. The question is that Clauses 1 and 2 stand part of the Bill. Those in favour say Aye, those against No.

**Members:** Aye.

**The Chairman:** The Ayes have it.

Clauses 1 and 2 as printed , agreed to and ordred to stand part of the Bill.

The question is that the Bill be reported to the Assembly. Those in favour say Aye, those against No.

**Members:** Aye.

**The Chairman:** The Ayes have it. Let the Assembly resume.

## ASSEMBLY RESUMES

**Hon Reepu Daman Persaud:** Mr Speaker, the Bill was considered clause by clause in Committee and passed without amendments. I beg to move that the Bill be read a third time and passed as printed.

**The Speaker** Hon Members, the question is that the Bill be read a third time and passed as printed. Those in favour say Aye, those against No.

**Members of Parliament:** Aye.

**The Speaker:** The Ayes have it. Mr Clerk please take the division.

### *DIVISION:*

*Mr Dev*

*Mrs Sukhai*

*Mrs Sahoye-Shury*

*Dr Ramsammy*

*Mr Ramjattan*

*Mrs Melville*

*Mr Ramdas*

*Mrs Holder*

*Mr Mohan*

*Mr Lumumba*

*Miss Allen*

*Mrs Edwards*

*Miss David*

*Mr De Santos*

*Mr Ally*

*Mrs Chandarpal*

*Mr Chand*

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<i>Mr R. Khan</i>	<i>Mr Alli</i>
<i>Mr Kadir</i>	<i>Mr Ramotar</i>
<i>Miss Nestor</i>	<i>Mr Belgrave</i>
<i>Mr McAllister</i>	<i>Mr Mohamed</i>
<i>Miss Peterkin</i>	<i>Dr Ramsammy</i>
<i>Dr Norton</i>	<i>Miss Rodrigues</i>
	<i>Mr J. Khan</i>
	<i>Miss Shadick</i>
<i>Miss Ally</i>	<i>Mr Xavier</i>
	<i>Dr Westford</i>
<i>Mrs Lawrence</i>	<i>Mr Sawh</i>
<i>Mr Goveia</i>	<i>Mr Collymore</i>
<i>Mr Alexander</i>	<i>Dr Bisnauth</i>
<i>Mr Trotman</i>	<i>Mr Gajraj</i>
<i>Mr Ming</i>	<i>Mr Chandarpal</i>
<i>Mr Bernard</i>	<i>Mr Baksh</i>
<i>Mrs Backer</i>	<i>Mr Kowlessar</i>
	<i>Dr Jeffrey</i>
<i>Mr Carberry</i>	<i>Miss Teixeira</i>
<i>Mrs Riehl</i>	<i>Mr Nokta</i>

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Mr Murray

Mr Rohee

Mr Persaud

Mr Hinds

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Total 57

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**The Speaker:** The motion is carried. Let the Bill be read the third time.

*Constitution (Amendment) (No. 6) Bill 2001 (Third Reading)*

**ITEM 4 - SEVENTH PARLIAMENT OF THE CO-OPERATIVE  
REPUBLIC OF GUYANA (CONSTITUTION AND PROCEED-  
INGS) VALIDATION BILL 2001**

**Hon Reepu Daman Persaud:** Mr Speaker, I wish to move that the last Bill be deferred to allow further discussion on the crafting of the Bill.

Question put and agreed to.

Bill deferred.

**ADJOURNMENT**

Mr Speaker, I move that the National Assembly stand adjourned to Monday, 25<sup>th</sup> June, 2001 at 16:00H.

**The Speaker:** The National Assembly stands adjourned.

***Adjourned accordingly at 16:00h***

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