

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2011) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

152ND Sitting

Thursday, 28TH April, 2011

The Assembly convened at 2.10 p.m.

Prayers

[Mr. Speaker in the Chair]

PRESENTATION OF PAPERS AND REPORTS

The following Reports were laid:

- (i) The Guyana Power and Light Inc., Annual Report of the year ended 31 December, 2009.
- (ii) The Fire Advisory Board Annual Report for the year 2010.
[Minister of Home Affairs]
- (iii) (a) The Lethem Power Company Inc., Annual General Reports and Financial Statements the years ended 31st December, 2005, 2006, 2007 and 2008.
- (b) The Audited Financial Statements of the National Communications Network Inc. for the period from 1st March, 2004 to 31st December, 2004 and for the years ended 31st December, 2005 and 2006.
- (c) The National Insurance Scheme Annual Report and Audited Accounts for the years 2008 and 2009.
- (d) The Audited Financial Statements of the Guyana National

Co-operative Bank for the year ended 31st December, 2006.

- (e) Kwakwani Utilities Inc., Annual Report for the year 2009.
[The Minister of Finance]

Mr. Speaker: And what about the Report for the National Communications Network Inc.?

Minister of Finance [Dr. Singh]: My apologies Mr. Speaker. When I presented the financial statements for the National Communications Network Inc. (NCN) under item (b), I, in fact, said years ended 31st 2005 and 2006, so that would have captured the item listed at (g) also.

Mr. Speaker: Okay, thanks.

REPORTS FROM COMMITTEES

The following Report was laid:

The Fifth Periodic Report of the Parliamentary Sectoral Committee on Social Services.

[Mrs. Indranie Chandarpal - Chairperson of the Parliamentary Sectoral Committee on Social Services]

QUESTIONS ON NOTICE [Written Replies]

1. CHILD FRIENDLY CLASSROOMS IN PRIMARY AND SECONDARY SCHOOLS

Ms. Kissoon: Could the Hon. Minister outline to this National Assembly what will be done to existing classrooms in Primary and Secondary Schools to make them child friendly?

Minister of Education [Mr. Baksh]: Quality education is the major goal of the Ministry of Education current strategic plan which has as its theme, “Meeting the Quality Imperative”. The development of its schools into child friendly institutions is a major strategy in raising the quality of education. It was reported in the UNICEF (2009) Child Friendly School Evaluation that Guyana has made significant strides in making schools child-friendly.

The following are some of the activities being implemented in schools.

Effective Learning/Teaching: To develop teachers’ proficiencies so that teachers have theoretical and practical knowledge with a specific focus on learning/teaching activities and

materials which promotes active, creative and child-centred approaches to learning in a joyful classroom environment. To nurture teachers' attitudes, behaviour and moral values which will lead to learning together in a harmonious way.

- Training of DEOs in child friendly methodologies done in 2010. Using the cascading method, all Headteachers and teachers will be trained.
- Training of teachers in hinterland in child friendly methodology and multi-grade teaching.
- School Health and School Safety Training workshops for Headteachers and Education Officers continued.
- Promotion of Inquiry Based Science Education and Problem-based Learning methodology in the teaching/learning of science at all levels.
- Language experience approach in teaching literacy ongoing.
- IRI Mathematics ongoing.
- Expansion of success maker in the classroom.
- Expansion of connecting classrooms
- Attractive classroom environment promoted.
- Remediation programme for slow learners expanded.
- Provision of textbooks and mobile libraries in the classroom.

Health, Safety and Protection of Children: To ensure that all the children who participate in education are cared for and supported by all concerned persons and institutions to keep them healthy and safe and protect them from violence at school, in the family and the society.

- Ensuring that school facilities and infrastructure are in keeping with the non-academic standards.
- Promoting of safe water and hygienic conditions in the schools.
- Monitoring the implementation of the canteen policy in schools.
- Provision of nutritious snack via the school feeding programme continued.
- Continued collaboration with the Ministry of Health and UNICEF to ensure that students are immunised and screened for vision, speech and hearing impairments in all education districts.
- Provision of School Welfare and Guidance and Counselling services expanded.

- Rigorous monitoring of the use of the guideline for maintenance of order and discipline in school.
- Ensuring the effective implementation and delivery of the HFLE Curriculum in schools.
- Promotion of music, physical education and sports in all schools.

2. EQUAL ACCESS TO EDUCATION AT THE PRIMARY AND SECONDARY LEVELS

Ms. Kissoon: Could the Hon. Minister inform this National Assembly whether his Ministry has in place a system to ensure that there is equal access to education at the primary and secondary levels?

- (a) If yes, what is the system?
- (b) If no, when will such a system be developed?

Mr. Baksh:

Primary Education

The issue of equal access to Primary and Secondary education is of great importance to the Ministry of Education. Over the years, significant attention has been given to this and it must be stated that particular strides have been made to date.

Access to primary level education in Guyana, in terms of the number of primary places available, has not been a major problem for many years. The net enrolment ratio, which is the proportion of children ages 6 to 11 who are in primary school, is around 95%. This is regarded as virtual achievement of Universal Primary Education (UPE) because it must be remembered that some children who are 6 years old are still in nursery school and a few who are 11 years old are in secondary school. In addition, the Ministry is not capturing a large amount of private school data at the moment, which will certainly increase these numbers. A recent World Bank document declared: "...Most children start school at the appropriate age, enrolment levels at primary school are high and the completion rate is nearly 100 percent..." As such, Guyana has been rightly recognised as having virtually achieved Universal Primary Education.

Secondary

As it relates to Secondary Education, the percentage of coverage is **78%**. The net enrolment ratio at this level reflects a combination of the issue of available places in General Secondary Schools as well as a relatively high dropout rate from around Grade 9; although this rate is now declining. As such, one of our primary goals in the Education Strategic Plan is to improve access to Secondary Education across the country while decreasing the overall dropout rate. The ultimate goal in this regard is to devise a system that provides access to the entire population of the relevant age cohort. As such, the following strategies have been devised:

- All Community High Schools converted to General Secondary Schools.
- Secondary Departments of Primary Schools amalgamated to ensure all secondary aged students have access to the secondary education programme.
- Provision of transportation service for students in hinterland and riverine communities.
- Expansion and building of dormitory facilities to provide additional places for students' of hinterland and riverine communities via expansion of existing and building of new dormitory facilities.
- Continuous review of placement at the secondary level based on specified scores/criteria at the National Grade Six Assessment.
- Provision of school uniform continued.
- Expansion of alternative pathways in secondary education (SCCP).
- Expansion of the Six-year Transitional Programme.

3. PLAN TO EXTEND UNIVERSITY EDUCATION TO REGION 10.

Ms. Kissoon: Could the Hon. Minister inform this National Assembly whether his Ministry has any plan to extend university education to Region10?

Mr. Baksh: University education is being extended to the Regions, including Region10, through the Institute of Distance and Continuing Education.

The University is preparing to expand university education across Guyana utilising Open and Distance Learning modes and this will be facilitated through the expansion of ICT and the launching of the Education Television Broadcasting Channel.

4. PROSECUTION OF PERSONS FROM 1ST JANUARY, 2007 TO 31ST JANUARY, 2011.

Dr. Austin: Could the Hon. Minister of Home Affairs state how many persons have been prosecuted from 1st January, 2007 to 31st January, 2011, subsequent to information of multiple national registration being reported to the police?

Minister of Home Affairs [Mr. Rohee]: The Hon. Minister of Home Affairs wishes to inform the National Assembly that:

1. One report of two hundred and ninety-two (292) incidents of double registrants was made by Mr. Gooool Boodoo on 19-10-2009.
2. Police investigations revealed that the report was made in excess of six months of the registration, which exceeds the statutory limitation, therefore no prosecution could have been brought.
3. Investigations are incomplete because, despite request made, GECOM has not provided sufficient information on the Registration Officers involved.

5. BREAKING OF SURFACE OF MAIN STREET CUMBERLAND, IN ORDINANCE FORT LANDS/NO. 38 N.D.C.

Dr. Austin: Could the Hon. Minister of Local Government and Regional Development say why the surface of Main Street, Cumberland, in Ordinance Fort Islands/No. 38 N.D.C., began breaking up within three (3) months after its rehabilitation? If so, has an investigation commenced?

Minister of Local Government and Regional Development [Mr. Lall]:

This project was done under the Ministry of Public Works in 2010. The Contractor was Reasat Ali. A technical assessment was carried out by the authorities in Region No. 6 and the Public Works Ministry and the contractor has been instructed to carry out corrective works.

6. COST OF REHABILITATION OF THE EASTERN HALF OF THE NO. 67 VILLAGE SIDELINE DAM.

Dr. Austin:

- (i) Could the Hon. Minister provide this National Assembly with the cost of rehabilitating the eastern half of the No. 67 Village sideline dam, also referred to as the No. 66 Fisherman Complex Street, in the No. 52/No. 74 NDC?
- (ii) Was the No. 52/No. 74 NDC consulted concerning the proposed rehabilitation of this road?
- (iii) If this NDC was consulted, could the Hon. Minister state when and by what means this consultation was done?

Mr. Lall: The cost of this project is \$2, 773,438. The rehabilitation of this road was done by Region No. 6. The NDC was informed of this work in December 2010.

INTRODUCTION OF BILLS

Presentation and First Readings

The following Bills were introduced and read for the first time:

1. ANIMAL HEALTH BILL 2011 – BILL No. 4/2011

A Bill intituled:

“AN ACT to control the movement of animals into and within Guyana and to prevent the introduction and spread of animal diseases within Guyana and from other countries, and to ensure the safe and humane movement of animals to and from Guyana and to regulate the importation and production of animal products and livestock feeds and other matters thereto and connected therewith.”

2. SEEDS BILL 2001 – Bill No. 5/2011

A BILL intituled:

“AN ACT to regulate the production, sale, import, export and quality of certain seeds for sowing; to provide for certification of seeds and for related matters.”

3. PLANT PROTECTION BILL 2011 – Bill No. 6/2011

A BILL intituled:

“AN ACT to regulate the importation and exportation of plants, planting material and objects derived from them, to protect from the introduction of exotic pests and diseases to Guyana and to control and eradicate diseases and pests within the country.”

[Minister of Public Service]

Mr. M. Williams: Mr. Speaker, may I respectfully enquire, because none of these Bills have yet been circulated.

Mr. Speaker: Hon. Member, discuss that with the Clerk, please. That is a matter between you and the Clerk, not for the floor.

Mr. M. Williams: Very well, Sir, but I just...

4. CONSUMER AFFAIRS BILL 2011 – Bill No. 7/2011

A BILL intituled:

“AN ACT to promote and protect consumer interests in relation to the supply of goods and services and for related purposes.” *[Minister of Finance]*

Mr. Speaker: Hon. Member Mr. Mervyn Williams, as far as I recall, without looking at the rules, the Bills do not have to be circulated before the first reading. There is some rule relating to the circulation of the Bills, but they do not have to be on your desk at the first reading. They are normally circulated some time after.

PUBLIC BUSINESS

PRIVATE MEMBERS’ BUSINESS

MOTION

POLITICAL PARTIES CAMPAIGN FINANCING

WHEREAS Article 162(1) (b) of the Constitution directs GECOM in relation to elections to issue such instructions and ‘take such action as appear to it to be expedient to ensure impartiality, fairness and compliance with the provisions of the Constitution or of any Act of Parliament on the part of persons or performing duties connected with or relating to the matters aforesaid’;

AND WHEREAS the laws relevant to financing campaigns of political parties as contained in Chapter 1:03 Laws of Guyana, Representation of the People Act Part XIII entitled ‘Election Expenses’ are generally considered to be archaic and not meaningful;

AND WHEREAS historically the Chief Elections Officer as the regulator and political parties as contestants in elections, routinely observe these laws in the breach;

AND WHEREAS Guyana has committed to several international instruments and mandates for addressing the issues of political party and campaign financing most notably the following, which explicitly or indirectly address these issues:

- As in the Declaration of Commitment of Port of Spain at the Fifth Summit of the Americas in Trinidad and Tobago April 19, 2009 where CARICOM heads of State reaffirmed their commitment to fostering credibility and public trust in democratic institutions, in particular the legitimacy of electoral processes;
- As in Article 5 of the Inter-American Democratic Charter where strengthening of political parties and other political organizations is recognised as a priority for democracy paying special attention to problems associated with the high cost of election campaigns and the establishment of a balance and transparent system for their financing;
- As in Article 7 Section 3 of the United Nations Convention against Corruption, to which Guyana acceded on April 16, 2008 and which requires that each state party ‘considers taking appropriate legislative and administrative measures to enhance transparency in the funding of candidatures for elected public office and ... the funding of political parties’;
- As in Article 10 of the African Union Convention on Preventing and Combating Corruption adopted in Maputo on July 11, 2003, each state party shall adopt legislative and other measures to incorporate the principle of transparency in funding of political parties; and prescribe the use of funds to finance political parties;
- As in Recommendation (2003) 4 of the Committee of Ministers for the Council of Europe (CoE) to member states on common rules against corruption in the funding of political parties and electoral campaigns which was adopted by the CoE Committee of Ministers on April 8, 2003. This international instrument primarily focuses on sources of funding – supporting a system that balances private and public financing - and on the merits of disclosure.

BE IT RESOLVED:

“That this National Assembly recognises that a strong democracy requires healthy political parties, resources to sustain and operate a basic party structure capable of representing people, contributing creatively to the public policy debate, and contesting elections; and that the role of money in politics undeniably influences the quality of democracy and governance;

BE IT FURTHER RESOLVED:

That the Government presents to the National Assembly such relevant laws and regulations pertaining to political party campaign financing; curtail abuse of public resources by the incumbent leading up to and during elections as recommended by the Commonwealth Secretariat in order to create a level playing field for contesting parties at elections in Guyana.”

[Mrs. Sheila Holder]

Mrs. Holder: Guyana finds itself within the ranks of those countries which have not enacted meaningful legislation, relating to either political parties or the financing of their campaigns for general and regional elections. Considering the high stakes up for grabs in governing the country, this leaves a lot to be desired as far as we are concerned. According to studies done by Organization of American States, the Commonwealth Secretariat, the Commonwealth Parliamentary Association and others, this is an issue which only engages the attention of societies within the CARICOM region during the period of an election cycle. These studies have shown that sitting Governments are the main beneficiaries, not only of improper use of State resources, but, also, are well positioned to collect large campaign contributions from special business interest.

The Speaker left the Chair.

Madam Deputy Speaker in the Chair.

Given these facts, the pertinent question to be asked is why should a sitting Government, which benefits from this legislative vacuum, deny itself such a built-in advantage by agreeing to establish a legal and transparent monitoring framework to level the playing field in any elections year? I posited that there are several reasons that no Government ought to ignore, one with or without creditability.

The first reason I would like to advance is that it should be acknowledged that nothing lasts forever, so the incumbent will one day find itself within the ranks of the Opposition sooner than it expects. They too will find themselves one day disadvantaged. So the principle of what is good for the goose is good for the gander is what is coming into play here and is indeed a very strong argument.

Further, the enormous sum spent during elections campaigns, and it could be argued, is a waste of resources, given the law of diminishing returns. There is a point beyond which each dollar of a campaign spending has less of a dollar worth of effect on the elections results. Take note my friends on the other side. Also, with this open environment of spending during an elections campaign, it lends itself to corruption, and in some instance even buying votes, and that is not likely to be an activity of the Opposition, but of those who have State resources.

Reason number two: Given the creditability deficit facing this Government in particular, and its Presidential candidate supporting this motion, might be a viable option worthy of its consideration. The creditability deficit of which I speak relates to the failure of two successive PPP/Civic Governments to keep promises made to President Jimmy Carter during his last visit to Guyana in the year 2004. Seven years ago, at the end of his visit to Guyana, President Carter had considered it important enough to list campaign finance as the second most important item in his communiqué, as a result of his discussions with President Jagdeo. To emphasise this point, he committed the Carter Center to send in an expert team to help draft comprehensive legislation requiring full disclosure of all contributions made to political parties and how funds ought to be expended. At the same time a similar commitment was made in relations to access to information, as the Carter Center has done in Jamaica and Ecuador, up to now neither promise has been kept by this Government.

Reason number three: Since then the Commonwealth Secretariat, in its report of the last general elections, highlighted the fact that there was widespread allegations of abuse of public resources by the last Government, headed by President Bharrat Jagdeo. Already, in the lead up to elections later this year, we see the PPP presidential candidate being accorded executive privileges in travelling in and out of the country, in being allowed to hand out tractors and other State funded gifts to indigenous communities. We see him participating in Cabinet outreach exercises, even though he is not a member of the Government. This, Mdm. Deputy Speaker, is evidence of blatant abuse of executive power, which from our perspective

amounts to bribery of sections of the electorate using State resources, thereby justifying the need for the adoption of this motion.

Reason number four: Why should Government address the issue of political parties and the financing of its campaigns? I refer the House to the constitutional provision contained in article 162, section (1)(b), quoted in the opening paragraph of my motion, directing Guyana Elections Commission (GECOM) in relations to elections issues,

“ ‘...to ensure impartiality, fairness and compliance with the provisions of the Constitution or of any Act of Parliament on the part of persons exercising powers or performing duties connected with or relating to the matters aforesaid’; ”

I am disappointed that the Guyana’s Elections Commission did not advocate more vigorously for the implementation of this very important constitutional mandate which it possesses.

Reason number five: The rule of law is a governmental responsibility that my friends from the other side seem to forget more often than not. The campaign financing laws on our statute books are being violated for several decades now. Apart from this sad state of affairs, Guyana’s reputation is at stake internationally if the several international commitments signed onto by our Government are not respected. These international instruments and mandates specifically require governmental actions on several fronts in relations to democratising political parties as well as financing their campaigns, in some form or the other, under the rubric of fostering creditability and public trust in the legitimacy of our electoral processes.

Article 7, section (3) of the United Nations Convention, to which Guyana acceded on the 16th April in the year 2008, is against corruption. Article 5 of the Inter-American Democratic Charter is about strengthening political parties as a matter of priority for democracy. This Charter calls for special attention to be paid to problems associated with the high costs of elections campaigns and the implementation of a balance and transparent system of financing. The introduction of disclosure laws are recommended to curtail corruption in the elections campaigns and a system that balances private and public financing of political parties campaigns. These I have put on the table to inform this Hon. House in the creation of a unique set of rules suited to our peculiar political circumstances.

The sixth reason is aptly addressed in the first resolved clause of my motion, in that it recognises that a strong democracy requires healthy political parties as well as resources to sustain and operate them in order that they may contribute creatively to the public policy debate. Equally important is the observance as well that money and politics undeniably influence the quality of governance and democracy. Therefore, support for the salient elements of this motion would, according to the experiences of other developing countries, create an enabling environment that would give our country a needed political and economic boost. What better gift it is for this Government to leave the people of Guyana, as we expect it to leave soon.

I want to take a look now at the relevant body of laws in our statute books pertaining to campaign financing. The laws relevant to financing political parties' campaigns as well as their conduct during the elections are contained in chapter 103, in parts 13, 14 and 15 of the Laws of Guyana in the Representation of the People's Act. In 1990, under the stewardship of President Desmond Hoyte, some alterations and updating were made to sections 115 and 127. Personal campaign expenses were introduced from a minimum of \$25 000 per candidate to a maximum of \$50 000 per candidate. When these amendments were made in 1990, the Guyana exchange rate was G\$45 to US\$1, it is now G\$20 to US\$1. The need for upward revision is therefore obvious.

Mr. Speaker in the Chair.

The Representation of the People's Act provides that for a maximum number of fifty-three candidates out of a total of sixty-five who would be allowed to spend such sums from each contesting party. It is between \$25 000 and \$50 000 only for fifty-three of the sixty-five candidates contesting for parliamentary seats in this House. Special responsibilities were assigned through what was described as elections agents who are the ones expected to shoulder the burden of submitting financial returns to the Chief Elections Officer. He is also expected to disclose on behalf of candidates and their parties all payments made by the party's elections agent, also amounts of personal expenses paid by each candidates, all disputed and unpaid claims, all moneys, securities and equivalent of moneys received for the management and conduct of the elections. The names of donors and contributions are expected also to be disclosed.

The point is: None of this is adhered to by any of the political parties contesting the elections in the last umpteen years. No penalties have been applied since these laws have been enacted,

either for failure to submit expense returns or declarations by the specified thirty-five days. Neither has the Chief Elections Officer enforced the law. If this situation is acceptable to this Government it proves that it has no respect for the rule of law, and then I rest my case.

In conclusion, and without recommending specific sums, I state that we base our case on the merits of the international conventions that the Guyana Government is committed to adopting. We, in the Alliance For Change, are recommending no more, no less. In summary, let it be known, let the record show, that it was the AFC who brought this to the attention of the House, not the PPP. Thank you very much. [Applause]

Minister of Labour [Mr. Nadir]: I think what the last speaker, the Hon. Member Mrs. Holder, said is really the crux of this motion today. It goes down as scoring a political point, “Let it be known that it was the AFC who brought this motion...” That is all this is about, nothing else. The motion has in it some elements that this PPP/C administration and the United Force subscribe to, but clearly the drafters of this motion have no clue with respect to what they are speaking about - none at all. They do not know the difference between elections expenses, what the British system speaks about. The British system speaks towards elections expenses; that is why there are certain limits. The American system speaks about campaign financing which has a gamut of other things. And as you know, both countries are the bastions of democracy in the world - the British system and the American system. Way back in the middle of the nineteenth century, 1888 I think, was the first time the British system introduced elections expense curtailment. All of the Commonwealth countries have in their legislation provisions that deal with elections expenses.

This motion should speak to the issue, as our amendment will speak too, in a Special Select Committee, to examine all the different models that exist, and we need to get down to that now I would agree. Only in January of this year - all of the learned lawyers in this country know that - Citizens United took to the Supreme Court of the United States of America the issue of corporations and their free speech to support a candidate or a party of their choice. As you know, five to four, the United States of America Supreme Court turned on its head the issue of campaign financing in the United States of America, because, now, any corporation is able to spend any amount of money - on any issue in the United States of America, on any candidate or any political party - on the issue of free speech. But when it comes to campaign financing, there still exists on the American statute books the issue of submitting where the contributions come from, certain limits with respect to certain

companies, certain elections expenses, and so forth. But now this is a new monkey wrench in the whole issue and that is corporations are allowed... Citizens United... Hon. Member Mr. Nandlall, you can check the ruling. I think Justice Warren was only in January on *CBS 60 Minutes* speaking about it. That is why I remember the issue. We have to distinguish this issue about public financing and the issue of elections expenses. While they can go hand in hand, there are some subtle differences.

The motion itself and all these five or six issues which the last speaker, the Hon. Member, raised are nothing but fluff, the word a certain Member in this House used. We need to get down to a very serious analysis of the issue of campaign financing. I am not convinced, in the least, that money wins an elections... *[Interruption]* Mr. Speaker, I will say to you: those who takes this thing about their right to represent people, seriously, on the other side, should really get serious as the people of the PPP/Civic. The right to represent the people by the PPP/Civic is taken extremely seriously. The founder of eBay, Ms. Meg Whitman, at the last elections season, spent \$160 million to win the California seat. There was a good run with Ms. Barbara Boxer too. But we got to be up to date with these things. It sounds good - campaign financing - that we do not have this.

I will agree that the laws need to be updated, and that we need to have a comprehensive look at financing and elections expenses. But to put it this way and to make it sounds as if this Government has no interest whatsoever in campaign financing because the stakes are high, we are told,... Yes, we agree that the stakes are high, but do you know what we consider as the high stakes? It is the complete sincere service to the people of the country. That is what we consider high. We were told also that the Government can leave this as a legacy, because it is leaving shortly. Well, I have had the opportunity, and I continue, to travel the length and breadth of this country. I had a meeting at 9 o'clock this morning in Wakenaam to deal with some issues on the island. I will tell you, the biggest problem that is in Wakenaam is not the issue of the Government losing, it is, now, that people want treated water instead of just potable water, but treated potable water flowing through the taps. This is not the issue of this Government being overturned, because, what I have seen, it appears that at the next elections, the PPP/C will be returning with a larger majority.

2.40 p.m.

As I walked on Saturday last along the seawall with my grandson, after I had finished pasting his kite, and as I walked in the park on Sunday, and as I walked the length and breadth of the

seawall on Easter Monday and visited some of the fields, the mood of the people was, “You guys are doing a fantastic job and we are giving you another opportunity to continue doing these good works for the people of the country.” [Mrs David-Blair: You should have come to Bartica and then tell me what you heard.] We went to Bartica, too. Unfortunately, Minister Manniram Prashad is out of the country, but there are good things coming for the people of Bartica. I agree that the stakes are high and, for us, the greatest honour we have is serving the people of this land. That is the high stake that we see.

We have also heard the issue of our credibility and the promises made to President Jimmy Carter on campaign financing and we were given a little lecture on what is happening around. We are not oblivious to the conventions that we have signed. We did not sign those conventions because we want to show a record of acceding to a number of conventions. We signed those conventions because we are serious about compliance - complying with them - and we are serious about transparency and good governance, accountable locally, regionally and internationally. That is why we signed them.

We appreciate the work that President Carter has done in Guyana. What the involvement of President Carter has proven to the people of this country is that if there is a just cause and free and fair elections, no amount of money can be spent to prevent the just party, the fair party, from winning an election. No amount of money! That is why I am very fond of explaining, quite easily, why the Alliance For Change (AFC) did not do as well as it thought it would have done, in spite of outspending all the other parties in Parliament in the last campaign. [Mr. Nandlall: Where did they get the money from?] They got the money. Mr. Speaker, using the example of the Alliance For Change, when I saw the late calypsonian, Vivian, in Port Kaituma, in Mabaruma, in Mahdia...They did not send him to Region 9 because they knew that I was there a lot, and Minister Rodrigues-Birkett. But when I saw him there he had a suitcase - I do not want to lie on the dead - of money; he had a ubiquitous amount of paraphernalia. He was feting the boys in the corner. I am speaking from experience in Port Kaituma and I dare them to challenge me. That was what I saw in Port Kaituma, Mabaruma and Mahdia. That is what I saw. I shook his hands because he worked very hard with me in the past. Still, that amount of money expended, the resource committed, did not produce the results expected.

So while we look at the issue of how poorly..., with respect to the effort expended and the resources that were committed by the AFC, we look at President Obama. He did not ride into

office because he spent \$750 million. That is the kind of money the Obama campaign raised. President Obama said to the United States of America, “I am not going to take public money. I am going to spend our own.” So that is why he did not have a limit, because he did not go for public funding of the Democratic campaign. But President Obama record would show that he raised over \$750 million from the small contributors who thought that that was the right time for a person with the principles like President Obama to come. This is the issue. I am not convinced... [Mr. Ramjattan: This should be the practice of the Government.] I will deal with that shortly. I am not convinced that this issue of money buys an election, because, as I said before, if the campaign is sincere with the people and the cause is just you are going to see that particular party, as you have seen time and time again with the People’s Progressive Party, emerging victoriously at the polls.

The motion before us speaks about building strong political parties. Now, there are very few countries in the world - I do not even need notes to talk from because I can speak from my thirty-five years of experience in politics on this - which give direct money to political parties, but the parties have to earn it. For example, if one goes to Germany, the Bavarian Party, the Christian Democratic Union (CDU) and also the Socialist Party all get State funding. To qualify for State funding, a party must win a certain minimum level of votes. So parties as the Guyana Action Party/Rise Organize and Rebuilt (GAP/ROAR) and the United Force would never qualify, winning less than five per cent of the votes, for public financing. It is an expensive undertaking. I would say that this is one of the areas that we should look at: to building a strong multiparty system is not necessarily a strong political party, but it is a strong multiparty system. So, what has happened recently in Europe? The Greens have been doing very well and so they are now qualifying for public campaigning, especially in the European Parliament. Why I am raising this is that this is not just about saying, “We brought the motion.” This is a serious issue that requires us to sit down, especially those who are players in the arena, and bring in our amendments. We are proposing amendments to the motion in the final resolved clause when we are saying that we should commit this thing to a special selected committee and bring all the good examples from all over the world, and let us come up with a system that will be fair.

We have heard the issue being raised about State abuse of the public system. In my political understanding the general secretary of a Marxist Communist party is the leader. I understand it that way. There is a PPP/C Government which, through the leader of this party, should not be associated with the policies of the Government. Is that what they are saying? Is that really

what they are saying? So if the AFC wins tomorrow and Mr. Trotman stays out as the political leader he cannot have anything to do with the policies of the AFC Government. I cannot understand this divorce. So we are hearing that Mr. Ramotar, as leader of the party in Government, as the General Secretary of the party in Government, has no business in Government. That is what we are hearing. [An Hon. Member: The protocol list ...inaudible] I did not write the protocol list, but I understand that the leader of the political party in Government is ranked very high. I think Minister Irfaan may say it is number four or five. [Mr. Ramson: Three.] It is number three. That is even higher than the Attorney General, even higher than other political parties in Parliament and the Chancellor. We did not set that. We did not set that in place. This is protocol and I think whoever put it in place is very correct. Whoever put that table of precedence in place is extremely correct. So it is going to be difficult for President Jagdeo, as the President of the PPP/C Government, to say to the PPP/C, "You have no say in this Government," because the social contract of the people of Guyana is with the People's Progressive Party/Civic, in terms of the manifesto. But now we are told, "Divorce yourself, because it is an abuse of State resources."

There is one country with the extreme and that country is India where the moment the election bell is rung you cannot cut the ribbon and you cannot go to a political meeting in a government vehicle. We could go that route too. But we need to sit together. I do not have a problem with that. I still have my wagon that Khemraj backed into two years ago. The side is still there. He did not know he reversed into it. I did not say the Hon. Member Khemraj Ramjattan. I do not know, but Khemraj reversed into my little wagon – I can use that. We can go to that extreme where India has said... I think some Members of the Congress Party were hauled over the coals and were also fined, only recently, for using the helicopter to do something, and then there was some action and reprimand. We can go to that extreme, but it requires us to sit. It is not about coming into the House with a motion and to say, "Well, let it be known that it is us who brought this motion here." It is a comprehensive analysis of the whole issue of funding and expenses, a comprehensive analysis of all of the probabilities, and it is a comprehensive understanding of the small society in which one lives. This society is so small – small countries are like that – that there will be persons from the same family on all sides of the political spectrum. What will happen when my grandson grows up? Will the AFC deny him a job because his name is Sharma? We are going to have situations where we will

have to also craft a unique system, for ourselves, to take into account all of these little anomalies that we may find, and prepare ourselves for them.

This issue of campaign expenditure, of campaign financing...I want to use them separately because, for me, they require two things. Election expenses: It was thought that you would want to allow many of the ordinary people to get in the campaign and I agree with that objective. But, as we have said earlier, only January of this year, in the United States of America, the bastion of political party campaign financing - that is where the bastion is - the Supreme Court has just turned on its head - the whole issue of campaign financing.

I want to deal with some issues that, in the motion itself, we are going to be proposing amendments to. It is not a case that the PPP/C Government and the United Force are not supportive of the motion. We are supporting with amendments. We have to make these amendments because the motion has some fundamental inaccuracies.

In the second WHEREAS clause, in the last line, it states:

“...‘Election Expenses’ are generally considered to be archaic and not meaningful;”

I do not know if that is exactly what is intended to be said, but we know and we feel that the issue is not so much being archaic but, maybe, not as meaningful as it could have been. We want to say “need to be updated” as an amendment there.

The second amendment we have is the deletion of the third WHEREAS clause which speaks to:

“...the Chief Elections Officer as the regulator and political parties as contestants in elections, routinely observe these laws in breach;”

By Mrs. Holder’s admission, I think, all of us have failed to submit our election returns. I do not think we should, at this time, label the Chief Elections Officer and say that he should be taking all of us to court before the next elections. I humbly suggest that we delete this particular clause.

In the next clause, the fourth WHEREAS clause, we are going to be proposing that where it says “...Guyana has committed to several...” be changed to “Guyana noted its assent to several international instruments”. [Mrs. David-Blair: Why not use the word committed?]

We can put the words “noted” and “committed” if you want. In all the bullets under the fourth WHEREAS clause, I think I have made mention of the fact that we are committed to and have signed on to those out of our principle that we want to develop a vibrant multiparty democracy that can and will withstand the test of time, and any party in Government.

The next clause, which is the first BE IT RESOLVED clause, we want to change that to a WHEREAS clause because it is more of a WHEREAS clause. It is not a RESOLVED clause. So we are going to be proposing that in the second line we speak of “...requires a healthy multiparty system” because this whole issue of healthy political parties has many other overtones.

In our country today, there are several parties which have an elected mandate. There is the Good and Green Guyana. The Members have been elected. There are all those National Democratic Councils (NDCs) which are in control of every NDC...The Members are all elected officials. There is a list of candidates and all can be considered as political parties.

At the regional level, there is the Justice For All Party. I cannot leave Mr. Sharma out. The Justice For All Party is an elected party. So we have to be careful how we talk about healthy political parties. What happens to the parties which are yet to reach an elected status – a status where they have elected officials who are declaring their intentions to be a political party contesting elections? What happens with those? So we are saying that that should be changed so that we speak of “requiring a healthy multiparty system”. Mr. Speaker, we want to, after the word “elections” in that resolved clause, eliminate the words after because, as I have said, the jury is still out on the issue of how much influence money can make. And there are laws with respect to buying gifts for people, bribing people and buying votes. We have legislation in our law books, if people do not remember or do not know. There are provisions in our law books to deal with that. So we are saying let us leave that particular RESOLVED clause that we are suggesting to be amended to be a WHEREAS clause stop at word “elections”.

We are going to propose an amendment that will replace the last RESOLVED clause with a resolved clause that will call for a Special Select Committee. This is our point: “BE IT RESOLVED that this National Assembly approves the establishment of a Special Select Committee to examine the existing laws...” - because there are laws that exist – “...and regulations regarding political parties electoral expenses, examine legislation in other countries in relation to political parties campaign financing, and report its findings and

recommendations to the National Assembly.” We still have time, and if we move with the same kind of gusto as the previous speaker mentioned, “Yes. Let it be shown that it is the AFC that brought the motion”, I am confident that we can produce some recommendations to the National Assembly before this Ninth Parliament concludes. Mr. Speaker, I am prepared to move these amendments which have been circulated earlier when the time comes and I urge all of the parties to consider what I have said and to support the amended motion as we are going to propose from this side of the Government. Thank you very much. [Applause]

Mr. B. Williams: The People’s National Congress Reform has long been interested in putting campaign financing on a proper legal footing. As far back as 2001, in a run-up to that election, the two major parties had engaged on the question of campaign financing and the use of State resources during the electoral period. I remember that the PPP was represented by a formidable team, including the General Secretary, now presidential candidate, the Hon. Member Madam Gail Teixeira and the Hon. Reepu Daman Persaud. Dr. Luncheon was the scribe. Mr. Hoyte asked me to ensure that he understood his role in that process. So PPP cannot say that the AFC should not have brought this motion at this time, and that we should have waited on it to bring this motion. Even then it had resisted the use of State resources during a campaign period. I am going to develop this contention with salient facts as I progress in my presentation.

In Guyana, our Constitution gives the Guyana Elections Commission the custody and control of national and regional elections. It has both responsibilities for registration and for the administrative conduct of these elections, and, in that regard, it is empowered to make rules which are impartial in the conduct of elections in Guyana. In the Representation of the People Act, chapter 103, in part 12, provision is made under the caption of “Election Expenses.” I agree with the AFC that those rules and those laws are mundane and are absolutely irrelevant to the contemporary times and the requirements of money for campaigning. For example, the election agent is the only person who could spend money for the purposes of election. I do not know what will happen to the Lumumbas of this world if we were to apply those rules. But there were limits of \$1,000, for example. How relevant would that be today in campaigns that they say used \$750 million and \$1 billion? Therefore, Mr. Speaker, those rules are totally inapplicable today and we need not an updating of these rules - nothing from nothing comes nothing - we need a transformation of the rules governing political parties in Guyana because the prevailing ethos in the world is that political parties are so important in any country that they need to be organised and put on proper legal footing. All the conventions referred to in

the motion which we agreed to and subscribed to, all those in Europe, Africa and our hemisphere...The world is moving towards establishing proper political parties, making them fit for purpose so much so that provision is also made, by the State, to fund those parties. So the question is: Should Guyana be left behind on the muddy banks as those waves that take men unto greater heights roll by? If the PPP/C were to have its way we would stay right here, Mr. Speaker, languishing on the muddy banks of the past. So the motion is apposite and it comes because the incumbent party has made no effort in this regard.

The whole problem with conventions in this country...I note that the Hon. Member Manzoor Nadir wants to remove the word “committed” and substitute it with the word “noted”. That really encapsulates the attitude of this incumbent party to international conventions that it signed on to. The concept in international law of *pacta sunt servanda*, treaties must be observed, it does not understand that concept. So it says it “noted” when it signed on and it observes all of them in the breach. It refuses to reduce the provisions of international conventions into the municipal law of Guyana, so I am not surprised at the proposed amendment to move the word “committed” for the word “noted”. But it is an idea of whose time has come.

Campaign financing of political parties being put on proper footing is here so that we cannot escape it. When the legislation and the provisions in those conventions are looked at they speak to registration of political parties. I think what is important about this one is that *ipso facto*, on registration, they become corporate bodies. That is something that would be very important in the context of Guyana. The financing of parties...All of those treaties speak to transparency and accountability, and, so upon registration, they will have to make disclosures and they will have to submit returns of donors and other contributions to the party. What I have found is that they have made a kind of dichotomy between general party financing, which the State is prepared to do, and campaign financing which really is the crux of the matter that we wish to address in this motion.

I notice that in the proposed amendment on the part of Mr. Nadir, the Hon. Member, the last RESOLVED clause, seeks to omit the specific reference in the motion, brought by the AFC, to this fact of the “curtailed abuse of public resources by the incumbent, leading up to and during elections as recommended by the Commonwealth Secretariat in order to create a level playing field...” He has eliminated that from the RESOLVED clause of the AFC motion. We

would not subscribe to that, but I will deal with that later. So there are international conventions.

3.10 p.m.

It is clear that the Government is only paying lip-service to those conventions and so we have to now deal with how we will approach reducing these conventions into our Municipal Law.

I have with me Draft Model Law on the Registration and Regulation of Political Parties. This draft legislation is sponsored by the Organisation of American States (OAS) which has been consulting countries in the region with a view to getting them to sign on to these revolutionary provisions governing the status of political parties. It will also serve to put them on a proper footing and instill in them accountability and transparency in their actions.

There is a chapter on campaign financing and donations in this model.

Campaign Financing: what is clear from the outset is that they have outlawed donations from foreigners. Foreign donations are impermissible and outlawed. I do not know how that will affect the coffers but it is a very important provision. They must file an annual donation report, that is, the political party as distinct from its candidate. The candidate has to file too, but what is striking here is that these reports must disclose the donor's name, address and the amount of the donation. That is definitely going to be transformative once we apply them. This will definitely be very revolutionary and ground breaking. **[Mr. Neendkumar: Mr. Basil Williams, tell us how much money you spent.]** The candidate must also disclose by filing a donation report. I do not subscribe to the contention of Mr. Nadir. I know that money wins elections. I had no money. Let us continue.

What is important here too is the provision for state financing of parties and the qualification that they must – according to the Hon. Member Mr. Nadir – have shown that they could have accumulated certain votes, do not apply here. If that were so, no new or emergent party would ever get state funding. They would have to take part in elections before they could get that. In these provisions, the criteria that they have established would not outlaw a beginner. This is good because it means that in the normal run-of-the-mill, in the organisation of its business, state financing would support the business of a political party.

When it comes to campaign financing, it regulates them to a large extent and the disclosure is very important. I do not know if there will be a substantial diminution in the coffers of the

incumbent party if these rules are to be implemented in Guyana. The kernel and gravamen of this motion speaks to the abuse of state resources by the incumbent party in the run-up to elections. It is very important that we have well defined rules governing the conduct of the incumbent party in the electoral period.

Section 67 of the mother legislation provides, and I would like Mr. Lumumba to pay careful attention to this: “A government official shall not use his position to obtain a benefit for any political party or candidate.” Do you want me to read it again? “A government official...” who uses his/her “position to obtain a benefit for any political party or candidate...” commits an offence. This is just to let you know.

Further, the mother legislation provides: “A government official shall not use any government property or staff for the benefit for any political party or candidate.” This is very relevant. As India was referring to, as I remember in those bilateral discussions, how startled my friends were when they learned that the late Prime Minister of India, the Hon. Indira Gandhi, at a political meeting asked a policeman to pass the microphone to her and that was a breach of the laws governing campaign financing. These rules ought not to have this Government that has been incumbent from 1992 cowering in fear or hiding under the table and running from them and the effects of them. We need to move forward in this country. We need to move this country forward. We must have elections that are acceptable where campaign financing is regulated. It goes on. We are going to come to the use of government staff to drive campaigners around using boats and planes and state resources to go into the Interior. We will come to those in more detail.

Further, Section 68.2 provides: “A government official shall not be required to work for the benefit of any political party or candidate.” This is ground breaking – “A government official shall not be required to work for the benefit of any political party or candidate.” Further, the legislation says, in Sub-section 3 of 68: “Government buildings shall not be used exclusively by one political party to host that political party’s functions.” What the legislation is speaking to is unfair advantage in the process and the run-up to elections and it wants to create a level playing field for all parties which are in the race. It goes on to say, “Where a government building is used to host a political function by a political party or candidate...” this is important “...every other registered political party or candidate shall be entitled to the use of that government building.” These are revolutionary provisions and we want these provisions to be in operational now in Guyana. It is an offence when, “a government official who (a)

uses property or government staff for the benefit of any political party commits an offence” and that it how it must be so that we can have a level playing field.

We have not awoken over night to do this. Might I respectfully refer you to the People’s National Congress Reform -1Guyana (PNCR-1G) press statement dated the 13th July, 2006 in the run-up to the last elections we had this to say, and I read:

“The Cabinet outreach comedy show:

We are told that the President had pressing engagements such that he could not attend the recently concluded CARICOM Heads of Government Annual Summit held in St. Kitts. He felt it necessary to stay at home for what he called “Cabinet Outreaches”.”

That is what has been the baying of our electoral system – Cabinet Outreaches. Cabinet Outreaches really are a disguise for campaigning because it is not easy to campaign in the hinterland. We have been very concerned since 2006 and now we are in 2011. We were also concerned since 2001.

It goes on to say:

“This complete exercise is being paid for from public funds and is a blatant and unconscionable abuse of state media; more so, it is a serious misuse of public funds.”

It is not just today that we have been talking about the use of state resources by the incumbent on the run-up to election.

Let us go to 2007; that was 2006. The People’s Progressive Party/Civic (PPP/C) Administration continues to render lip-service to hinterland and regional development after the farcical show of interest during the 2006 elections campaign. Before and during that campaign the various Administrative Regions were the subject of several PPP/C campaign visits labeled “Cabinet Outreach” to facilitate the use of state resources by the PPP/C for their campaign. It is not just today we have said these things about putting proper order and decency in the competition that goes on at election time.

This is not only the PNCR-1G’s position about capital outreaches. If I might respectfully refer this Hon. House to a Guyana Information News Agency (GINA) release of 22nd June, 2006; it is captioned “*Government’s Cabinet Outreach Run-up to 2006 Elections*”:

“Over the past weeks President Jagdeo and Cabinet Ministers fanned out to Regions 3 and 10 to interact with residents as part of Government’s programme to maintain grass-root contact. On June 24th -26th Cabinet will fan out to Region 6 communities.”

Here again we have massive Cabinet Outreaches being financed by state resources. Then it says:

“Region 6 will be hosting, on the 3rd, a series of Cabinet Outreaches currently being conducted. Outreaches in Regions 7 and 10 were completed... and then we will go on Saturday to Skeldon.”

All of this was financed by state resources. Then we go to disclosures during the meetings in the hinterland at Paramakatoi and Kato in Region 8 as part of the Cabinet Outreach of that region. That is what we are seeing here. That was 2006. That is what is happening in the run-up to elections now in 2011.

“As part of the outreach to Region 8, which began on 4th July, President Jagdeo also led his team to Mahdia and Campbeltown. Included in that team were the Minister of Amerindian Affairs, Carolyn Rodrigues, the Commissioner of Guyana Geology and Mines, Mr. Robeson Benn, and Chief Planning Officer.”

This is what has been happening with state resources in the run-up to elections.

It was not only the PNCR-1G that was concerned about this matter. The AFC was also concerned. If I may refer to 2006 to 2007, the AFC claims, “PPP Cabinet Outreach is a vulgar attempt to disguise the elections campaigning”. The Opposition Parties have been consistent in this quest to have a level playing field at elections time and they have been completely ignoring us. I do not know how the Hon. Member Mr. Nadir could say that it does not require a motion at this time.

Let us fast-forward to 2011.

Minister of Transport and Hydraulics [Mr. Benn]: Mr. Speaker, before the Hon. Gentleman fast-forwards, I would like to advise him that in 2008 I was not the Commissioner of Geology and Mines. I was a Minister of the Government.

Mr. B. Williams: I said 2006-2007. You want people to know that you got promoted; you are now breaking down buildings; now he has a hammer.

Let us fast-forward to 2011 in the run-up to elections which are constitutionally due in a couple of months. I am looking at a *Stabroek Newspaper*, Friday, 27th August, 2010; captioned: “*Ramotar appearances signal PPP role in governance – Luncheon.*” “The PPP General Secretary, Donald Ramotar’s recent presence at Cabinet Outreaches...” Do you see what is going on now? A Presidential Candidate is using the guise of Cabinet Outreaches to go around this country on state resources to campaign. This was not only done nationally but internally because he also had to campaign to get the Presidential Candidate status as well. It is not only that he was affecting the nation as a whole, but he was affecting other challengers in the PNCR-1G in that contest.

“Questioned yesterday at a press conference about Ramotar’s presence, Luncheon said that Donald Ramotar’s presence is reflective of the PPP/C’s role in the administration of this country.”

He said:

“...Ramotar, as General Secretary of the Party, continues to contribute ideologically, programmatically and operationally...”

He continues:

“When asked who funded the General Secretary’s trips Luncheon said that public funds were not used for this purpose...”

The Hon. Member Donald Ramotar used his own funds.

Then Mr. Luncheon admits:

“Well I am not certain that there is a financial cost that is incurred by Donald Ramotar’s presence at Cabinet Outreaches...”

I do not know what that means. Fortunately, we do not have this resolve to use public funds “willy-nilly”.

Might I now respectfully refer you to another article in the *Guyanapress.com* – I do not want to read too much for him, I want to read the slued ones: “Ramotar, who fellow candidates have accused of being sponsored by President Bharrat Jagdeo...” The point we are making is that it is not only the PNCR-1G and the AFC had problems with the use of state resources to move Mr. Ramotar around. His opponents in the run-up for the presidential candidacy of the

party had that problem too. In 2011, the incumbent party is up to its old tricks – using state money and resources to campaign for the upcoming elections.

I refer you, Mr. Speaker, to yet another article from the *Demerara News*: “Ramotar heads to New York under a cloud of criticism.” Now the money is going overseas. I do not know if Dr. Luncheon could say that he is not sure if this has a cost because he had to fly out to New York.

“As Presidential Candidate for the governing People’s Progressive Party Donald Ramotar prepares to travel to New York in the company of President Bharrat Jagdeo, concerns are again being raised about the misuse of state resources.”

It is not only AFC and PNCR-1G who are saying this, but PPP/C Members are saying this too. It is unfair! You are unfair even to your own PPP/C Members. It is abuse of state resources. We do not have the facts in relation to who paid for the ticket for him to go to New York, but I am absolutely certain that it was by state resources and that is attributable to the AFC. The main Opposition Party, People’s National Congress Reform One Guyana, has since added its voice to the cause of the AFC for Guyana Elections Commission (GECOM) to referee the use of resources to ensure fairness and impartiality.

As I said, the crux of this matter is in this period for the incumbent party to have the massive unbridled use and access to state resources to conduct its campaign. That is such an unfair advantage that I am not sure why there should be any noise coming from that side of bench. We should all strive for fairness in this country. If we do not strive for fairness in this country we have nowhere to go; we have no future. As the Hon. Member, Cde. Sheila Holder, said, “You cannot be in there forever.” You would not be in there forever, so let us create the rules that could sustain this country for all time.

The Electoral Commission of Jamaica has gone ahead and it has laid a report in Parliament – Political Party Registration and Financing. In other words, Jamaica is prepared to embrace these revolutionary provisions from these international conventions and reduce them into the national law. Why should we be left behind? Why should we be left behind in this area? We need to get that done.

The amendments that are proposed, as I said earlier, the Hon. Member, Mr. Nadir...

Mr. Speaker: You time is up, Hon. Member.

Mrs. Riehl: Mr. Speaker, I rise to ask permission that the Hon. Member be given fifteen minutes to conclude his presentation.

Mr. B. Williams: The proposed amendments by the Hon. Member, Mr. Nadir: The Hon. Member in the first Whereas Clause had dealt with the requirement on his part that it should be updated and I believe that it needs to be more than updated. We really require a holistic and transformative approach in this area of campaign financing and putting political parties on a proper basis and legal footing.

Delete the whole clause – we are neither here nor there on that but I am not too sure that the reason given by the Hon. Member is one that we could say is acceptable for such a deletion. The question of removing the first Resolve clause and converting it to another Whereas clause also has this proposal to introduce words requiring a healthy representative multiparty system. I do not think that there is much difference between what the AFC has and what is being proposed as a change. However, what I believe is that all of these preceding proposed amendments were merely fluff – a distraction from the real substantive amendment that the incumbent party wants and that is in the second Resolve clause: “Be it Resolved that this Nation Assembly approves the establishment of a Special Select Committee to examine the existing laws.” We do not have a problem with that because we were going to suggest to the Hon. Member Sheila Holder that we could not afford to allow the PPP/C alone to bring this type of revolutionary legislation to Parliament, as was suggested in the second Resolve clause that the Government presented to the National Assembly. We believe that this is a multiparty exercise and that it must involve the joint opposition political parliamentary parties. That could probably be done in the Select Committee but, as we know, a lot of the Select Committees are talk shows. One goes in there, looks at so called precedents around the world and one just pulls out the most abstruse ones and then says that there was a process.

What is relevant in this proposed amended resolved clause is that it omits these words:

“Curtailed abuse of public resources by the incumbent leading up to and during elections as recommended by the Common Wealth Secretariat in order to create a level playing field for contesting parties at elections in Guyana”

The question is: why would you have such a studied amendment of that Resolve clause? That is the crux and kernel of this matter. It is clear from this proposed amendment that the intentions of the Hon. Member on the other side – not all of the Members, I am not painting

with a wide brush – is to really put up a façade, another show, at consultation and at democracy when in truth and in fact, they are stamping and standing on the specific issue of dealing with the incumbent party at election time. We are saying that your resolve clause is not bad but you must, specifically, retain that particular proposal that is in the AFC’s motion – curtailed abuse of public resources by the incumbent – and we would not have a problem with your proposed Resolved clause because the PNCR-1G agrees and would like to subscribe and support this motion brought by the AFC to regulate political parties in Guyana. So with these few words, Mr. Speaker, I thank you for hearing me out.

Mr. Nandlall: Thank you very much, Mr. Speaker. I have listened to the presentations made by the Hon. Members, Mrs. Sheila Holder and Mr. Basil Williams, on the motion that is before the House. This motion concerns campaign financing and I have listened to the presentations which have been made, in particular the presentation by Mr. Williams, and it went far and wide beyond the concept of campaign financing. Campaign financing is a political term of art and it has a definition. It is defined online by the Encyclopedia as, “the fundraising and spending that political parties do in their election campaigns”. That is the definition of campaign financing. We have heard criticisms of the Government’s Campaign Outreach Programme as part of campaign financing. How can that be campaign financing?

3.40 p.m.

This Government, as part of its democratic ethos, has decided to launch a very novel political exercise of going out at periodic intervals to discuss and consult with the people of this country, so that we can hear the views of our people and take their views on board as we craft policies to advance the development programme of this Government. How can that be criticised? That does not go on only at election times; that goes on throughout the electoral term of office. We did that in 2000. We travel to every single region in every single year to meet with our people and that is why we are returned to power year after year and we will return to power in 2011 because we will do the very same thing. The people of this country are not stupid. They are the recipients of the goods and services which are delivered by this Government and they are seeing that. That is not the PPP/C at campaign time. It is no secret that the Government of Guyana, as presently constituted, only consists of about 40 card-bearing members of the PPP/C party. This is a broad-based Government of Guyana consulting with the people of Guyana in relation to the business of governance of this country. That cannot come under campaign financing. That has nothing to do with campaign

financing. We will continue the Government Campaign Outreach programme. It has no relevance, whatsoever, to the concept of campaign financing.

Campaign financing has assumed particular significance in the larger democracies of the world such as India, the United States, Canada and Great Britain. The reason why campaign financing has assumed such significant importance in these countries is because of the political culture, political system and the electoral systems which exist in these countries. In these countries, there is a heavy presence of political lobbyism which is part of the political architecture and the political landscape of these countries. In the United States of America, for example, at every strata of the political system there are interests which are represented. For example, the social issue organisations, the human rights organisations, the labour-oriented organisations and, by far the most influential grouping, the corporate America organisations that pump huge sums of money into the political campaign of politicians in these countries, in particular the United States. And so, when these people sit in the political seat of power they advance and they protagonise for the interest of these individual pressure groups. Hence, there is the need for regulation. What one finds happening is that the oil, insurance, health care and the tobacco companies lobby for representation in Congress and at various levels of political strata in the American system to advance their causes. Invariably, their causes are being advanced at the expense of the ordinary working people in American who do not have the money to pump into the campaigns as these large corporate giants do. Hence, the situation arises for the need for campaign financing. That is how campaign financing became an important issue and it is against that backdrop and from that perspective that campaign financing must be looked at. Transpose that situation to Guyana and one sees that we have a different political culture. We have a different political system. We have a different political environment. There is nobody in this House, from either side of the divide, who represents corporate interest to the exclusion of any other interests. At least it does not happen on the Government's side. Perhaps, it happens in the Alliance For Change (AFC). We do not represent sectoral interest. We represent the interest of every stakeholder in this country at every level of the political strata. We do not have that situation in Guyana and that is why the apprehensions which underscore and underpin this motion are out of sync with Guyana's political reality. I am not surprised that the motion came from the Alliance For Change – a political party that is out of sync with the political reality of Guyana. That is why in the last elections they brought a gentleman, Dick Morris, who conducted a poll and they

were so enamored with the poll that they actually believed that they would have won the elections. The man came here and told them that they would have won the elections.

I am not saying that we should not look at other countries to take guidance and learn from their experiences. We cannot, slavishly, follow the precedence and situations in other countries. We are a sovereign nation and we have a duty to craft laws and fashion policies to meet the needs, dynamics, exigencies, idiosyncrasies and the peculiarities of our society and our people. That is what is important. We should not look at campaign financing in America, get enamored with it and transpose it wholesale here. We have to see how the concept of campaign financing can be adjusted and altered to suit the Guyana situation, hence our recommendation for it to go to the Special Select Committee where it can be more dispassionately and maturely looked at to come up with more sensible explanations.

When one examines countries that are similar to ours, for example, countries in the CARICOM Region, my contentions are borne out because in the CARICOM Region the question of campaign financing is virtually unregulated. It is an issue that is gaining momentum, I agree, but it has not received statutory imprimatur in any country in the Caribbean. Indeed, only 3rd February 2009, an almost identical motion was tabled in the Parliament of Trinidad and Tobago. Normally, whenever there is an opportunity to criticise, the Opposition and critics of this government look at other countries and what transpires there and they use that as ammunition to criticise this government and the PPP/C Administration. For example, Trinidad is now the bastion of coalition politics and partnership politics in the Caribbean. I am going to read the motion which was presented to the Trinidad Parliament from an independent senator. It says:

“WHEREAS financial support for election campaigns is necessary for a healthy multi-party democracy,

And WHEREAS the electorate needs to be satisfied that all viable political parties contest elections under conditions which are fair and transparent,

And WHEREAS the issue of election financing has been the subject of widespread public concern during the last 13 years in this country,

BE IT RESOLVED that Parliament elects a joint select committee to consider establishing a legislative framework to govern the financing of election campaign and

to submit its report with recommendations to both Houses of Parliament within six months of its appointment.

All that this motion does is to call for the matter to be addressed by a Select Committee. It was not to pass laws, as the AFC motion seeks to do. All that it asked was for the matter to be remitted to Select Committee for a more expansive examination and this motion was rejected by the Trinidad Parliament.

In this House, the Government's side is using its majority to commit this motion to Special Select Committee, something that the Trinidad and Tobago Parliament rejected, and we must be complimented for that. We are showing leadership in consultative democracy when we do this. But we will not get credit for that. The Alliance For Change and the People's National Congress Reform will not credit us for that. The aggressive members of the press will not credit us for that. All they do is criticise and criticise. We will not see any mention in the press of the noble position taken by the PPP/C of embracing an Opposition motion and sending it to Special Select Committee for mature deliberation that embrace the contributions of all of the members of this House. That is what we are doing which is something that the Trinidadians did not do.

I listened to Mrs. Holder very carefully to hear the type of evidence that she would have produced to this Hon. House to show the lack of transparency and corruption that campaign finance money results in. No evidence was produced. Bald, wild and unsubstantiated statements and generalised conclusions were mentioned. No hard evidence was presented to this House to show that because of the unregulated nature of this current law in relation to campaign financing that there is massive corruption. That is the underpinning of this motion and that is the irresponsible and reckless type of presentation that we are hearing in this House. The member made certain serious allegations and not a single piece of evidence was cited to support the thesis for which this motion advances.

In contrast, the mover of the motion in Trinidad and Tobago presented to the House cold, hard evidence and I will read some. These are matters which were reported in the national newspapers. For example, the presenter of the motion in Trinidad drew to the attention of the House an article in the *Trinidad Guardian* dated 14th January, 2009 which carried a story that said that a businessman sued Congress of the People (COP) for \$0.5 million. This gentleman contributed financially to the election campaign of COP and wanted back his money.

On 18th January 2009, the Trinidad and Tobago *Mirror Sunday's* edition headline read: “United National Congress Deputy Leader, Austin Jack Warner, has warned that if there is no unity he will not fund the party in the next general election.”

Trinidad Express dated 23rd February, 2009 said, “Emile H. Elias International Caribbean Ltd made a substantial financial contribution towards Dr. Keith Rowley’s unsuccessful campaign to unseat Prime Minister, Patrick Manning, as the political leader of the People’s National Movement in 1996.” This was the type of evidence which was put forward in the motion to the Trinidad and Tobago House. And not the bald, unsubstantiated rhetoric that we have heard from the other side. With all of this overwhelming evidence, the Trinidad Parliament rejected the motion and we in this House are supportive of the motion with the amendments that we are suggesting.

We hear all the rhetoric that this Government does not want transparency and does not embrace the regulation of finance. We are the government that has promulgated the Judicial Review Legislation, specifically, to control the actions of public officers and officials. We have restored to this House, after a 10-year hiatus, the Auditor General Report where every single government department is audited and that is what the Opposition is getting now. It is getting ammunition from that. Had it not been for this government, half of the ammunition that the Opposition has, it would not have had. We gave them the opportunity and we will continue to give them the opportunity because we respect their role as an Opposition. Of course, they are going to be there as opposition for a very long time. They are not going to come over to this side. I was just informed by the Hon. Attorney General that most of the times the report is read wrongly and his expertise is normally solicited at Cabinet and elsewhere to clear up all of the ambiguous statements and misinterpretations that are made.

There are certain aspects of the motion that we cannot support. In fact, to support it would be as reckless as the preferrer of the motion. The motion contains certain statements which, as I have said, have been put forward without any evidence and I wish to deal briefly with certain aspects of the motion. For example, the second WHEREAS clause says:

“AND WHEREAS historically the Chief Elections Officer as the regulator and political parties as contestants in elections routinely observe these laws in the breach”

This is a serious indictment not only on a public officer, but on every major political party in this country. The AFC, of course, is only in its embryonic stage and so it has no history to

refer to. This is a condemnation on the People's National Congress Reform 1 G, the People's Progressive Party Civic and The United Force. We, as a responsible party, cannot admit and will not countenance such wild and baseless allegations that we have been breaching laws for years and the Guyana Elections Commission has been breaching laws for years, without any evidence whatsoever. The more I think that the Presidential Candidate is a lawyer who ought to understand the importance of evidence in support of an allegation, makes me wonder. This allegation is libelous and nothing Mrs. Holder said was in support of this very wild allegation.

Similarly, the motion in its present construct has as the last sentence in the First Resolve clause this statement:

“And that the role of money in politics undeniably influences the quality of government, of democracy and governance.”

This statement, when one analyses it, is ambiguous, ambivalent and epifocal, in the least, because money can have a good influence. If money improves democracy and the ability of government to deliver goods and services, what is wrong with that? The motion should have put words to the effect that would have led one to conclude that money has a deleterious effect on democracy.

The Hon. Member, Mr. Manzoor Nadir, alluded to the amount of money which was raised by President Obama. Over \$US750 Million was raised. It was the most money ever raised by a presidential candidate in the history of electoral politics in the United States of America. What is most amazing is that \$500 million of the \$750 million was raised from donations below 200 each. Is the Alliance For Change alleging that the then Senator Obama was corrupt? Is that the inference because the man raised all of this money? It was unregulated because he did not accept public funding and he did not accept large amounts of money from corporations. He was absolutely unregulated to receive small donations. A website was set up – www.barackobama.com – where people could send money. His aunt, for example, sent five dollars per day from Boston on her credit card into the campaign fund. That is how he was able to raise \$500 million. Is that corruption? The Government cannot support this statement in its present construct and our amendment seeks to delete it.

The last Resolve clause deals with the creation of a level playing field. First of all, it is the vision and goal of the PPP/C and it has always been our tradition to, as far as possible, try to

be even-handed and make it equal for all in whatever transaction we engage. The political truth of this country is that we are not equal to any other party. We are the most superior political force in this country. We have never lost an election since 1953. That is the record of this governance. [Mr. Ramjattan: That is arrogance] That is not arrogance. That is a statement of political fact. Mr. Ramjattan, you were with us until 2006 and you know that we have never lost an election since 1953. We have always won the elections. We are the largest mass based political organisation in this country and, perhaps, in the entire Caribbean. That is the truth. [Mr. Ramjattan: You are the most thieving one according to Transparency International]

Mr. Speaker: Hon. Members, let us maintain some kind of order and dignity in this House. Would the two persons who are among the senior lawyers stop shouting at each other across the aisle?

Mr. Ramjattan: My apologies, Sir.

Mr. Nandlall: That is the type of injudicious, improvident behaviour that those who aspire to lead this country must never exhibit publicly, especially when we have young people with impressionable minds seeing that type of irresponsible and reckless outburst. It does not do well for our future if our political leaders are going to behave in that manner.

We have this motion advancing the thesis that campaign financing and money corrupts everything. That is the central tone of this motion. In my research, I came across an article published in the *New York Times* of January 24th, 2010 under the heading, “*Does Corporate money lead to political corruption?*” This is what it says:

“There is no evidence that stricter campaign finance rules reduce corruption or raise positive assessments of government said Kenneth Mayer, a Professor of Political Science at the University of Wisconsin. It seems like such an obvious relationship but it has proven impossible to prove.”

All the paranoid statements being made in the House that if the campaign financing is not regulated, the country will come to an end and there will be massive corruption, is unfounded. It is a hypothesis that cannot be supported by any empirical data. The article continues:

“Opponents of restrictions on the other hand, point out that Australia barely regulates political money. Individuals and corporations can give without limit. Parties can spend freely and there is not much disclosure about who gives to whom, but political corruption has not threatened a vibrant democracy there. In the United States, studies comparing states like Virginia with scant regulations against those like Wisconsin with strict rules have not found much difference in the level of corruption and public trust, several scholars said. Jeff Milo, from the University of Missouri has compared states with strict bands on corporate contributions to political parties against those with no limits at all. There is no good evidence that campaign finance law have any effect on actual corruption, he said.”

That is why rather than take the precipitous position of rushing to pass a law; we have taken the mature position of sending the matter to the Select Committee so that we can deal with it in a mature way. We can look at the evidence that is available elsewhere and the studies done elsewhere so that our end product would be one that captures the mischief which we are seeking to address. One does not pass laws for the purpose of passing laws. Your Honour knows that because you are a lawyer. You seek to find the mischief and then you craft a law to meet the mischief. What we want to achieve by sending it to the Select Committee is to access what the mischief is and then we would be able to advance the cure to remedy that mischief. That is scientific law making and that is how it is done.

The reason why we have to look at this issue again is because the position has changed in the United States of America, as Mr. Manzoor Nadir said. Only in January of last year the Supreme Court made a significant ruling. There is a grouping in America called Citizens United and during the 2008 elections campaign they wanted to show a video which was highly critical of Senator Hilary Clinton. The Federal Elections Commission prevented them from showing that video because they were an organisation that was heavily funded by corporate money. It was not a political party and the Federal Elections Commission ruled that it could not get involved in electioneering. They could have gone through one of the existing political parties. They went to the Court to challenge that decision. At first instance, they lost. The court upheld the Federal Commission’s decision and the Citizens United appealed to the Supreme Court of the United States. The Court reviewed all of the laws of campaign financing and in a majority decision of 5:4 and, essentially, said that the present position hitherto in the United States of America was unconstitutional and against the First Amendment of Free Speech. They said that a person has a right, under the Constitution of

America, to support a political party of his choice and to make any amount of donation to that political party whether that person is a corporate person or an ordinary person. There must be no discrimination between the two.

4.10 p.m.

And so, even in the USA, you have the position where the regulation of campaign financing has taken a beating through that decision by the Supreme Court. So, even in America now they have to also return to the drawing boards. That is why our recommendation for it to go to the Select Committee is so well positioned and thought out. We can benefit from what has transpired in the USA after that ruling because that ruling turned on its head over the current position which existed in the USA.

In closing, I wish to say that the motion embraces certain vital concepts which we, as a Government, recognise is important for our democracy. However, we recognise that it, also, contains some un-substantiating statements, and we do not agree with the Resolve Clause that it seeks to achieve. We think that it is precipitous and it should be approached in a more circumspect manner. Hence, we have put forward certain amendments; I wish to support them. Thank you. [Applause]

Mr. Ramjattan: Mr. Speaker, there has been a significant development that I just learned. That has relevance to the point made by the Hon. Sheila Holder, presenter of this motion this afternoon. The relevance has to do, with the countering of the argument made, as to the reason why we would like to see that second Resolved clause that the Alliance For Change (A.F.C) has propose as against what the People's Progressive Party (P.P.P/C) has proposed.

With all that has been spoken of here, there is absolutely no rationale as to why the PPPC does not find favour with having the second Resolved clause read, and curtail the abuse of public resources by the incumbent leading up to and during elections as recommended by the Commonwealth Secretariat, in order to create a level playing field for contesting parties during elections in Guyana.

We have indicated that, that is the mischief and whatever you call it. **[A Member:** That is the Government business.] That is not the Government business! It is the people's business! If you are going to sponsor a Presidential candidate, that is not a member of the Executive branch. I am happy you brought that up because that is exactly what happened. The Government knew it was an illegality, they just appointed Mr. Donald Ramotar as

Presidential Advisor. They knew, that taking him all across the country and overseas, state sponsored, is, obviously wrong. They, now, want to vindicate their spending. What did they do? Fifteen minutes ago Dr. Roger Luncheon announced, that Mr. Ramotar is now Advisor to the Government, and that no one could say the money he is using is wrong.

We know that they have a lot of these advisors around the place. This is called: misuse of the public's purse. And that is what we are talking about. They want to turn this thing and run it off as a tangent, as if campaign financing is necessary. If you consult your dictionary you could see that certain meanings given to words do not carry the same meaning in this august Assembly.

In here we can use man and mean it to be woman, as almost all our laws have. We can, understanding what the mischief is, give campaign financing a certain definition that is going to curtail abuse of the public's resources by the incumbent leading up to elections. The government has gone off on this tangent: "oh we are going to give a definition to campaign financing." this clause does not refer to it, and as such we are talking nonsense. No it is not that.

This Government wants to utilise the 2011 campaign to ensure it maximises its propaganda work through tax payers' money. That is what we are getting at. This Government wants to deviate from certain commitments it made, internationally, by signing unto those three conventions mentioned in the motion. And it is going to say that different circumstances. America has a culture of lobbying and so does England etc. It is absolutely a distinction without a difference.

In Guyana, there are lobbying for contracts, lobbying for services, lobbying for the solar panel equipment that you have to give the Amerindian community. It is happening, and not because we cannot have the evidence of it. Do you want to tell me that you do not have lobbying? I know, people going to Ministers everyday saying "I would like to have this contract".

Please do not be like the ostrich that is going to hide its head and, then, come to tell me that we do not have that kind of culture. I am absolutely certain, that when you speak of an absence of the lobbying culture in Guyana you honestly do not mean it. It happens. To that extent then, this culture, which is now given the impression as non-existent in Guyana, absolutely exist.

We have seen it happen with Amaila falls, we have seen it happen with the Queens Atlantic deal. The Government even started to give duty free concessions and tax holidays when it was illegal to do so. Then they had to come, easily and very embarrassed to pass the law to legalise the illegality. That is what they did here. All because of the fact you wanted to give favours to certain people. All of this is abuse and curtailing the abuse, that is the point we are making, even if you want to call this rose by another name... (Mr. Nandlall, where are you going?) You do not want to hear my reply... Let me just make this point; all have been literally dissolved by the virtue of knowing how wrong they were and now they put their Presidential Candidate on a league with the Hon. Member Gail Teixeira.

Ms. Gail Teixeira has what is called this designation: Adviser to the President on Governance issues. I do not know what they are going to make Mr. Ramotar. They are going to give him a special salary. I understand the salary of Hon. Gail Teixeira is G\$ 888,000 a month. She is not the leader of the party, so I suppose Mr. Ramotar will get, probably, a million. [A Member: That is irrelevant.] It is not irrelevant.

Mr. Speaker: Hon. Members, could we have some order please and allow the Hon. Member to continue with his presentation?

Mr. Ramjattan: I think my learned sister is going to ensure that she counters those arguments made and I do not want to steal her thunder. But, I want to state that how more outrageous could it get when in their amended Resolved clause, they are going to whole sale; pluck out that which we are talking about. Why? Why is it that a party that speaks so much about democracy and transparency, would not want... even if you are sending it to a Select Committee... not want to pass the law, but send it to the Select Committee. Are you not going to ask the Select Committee to have a term of reference? To say we want you to come up with an amendment, law or regulation that will take care of the abuse of State resources during an election campaign. You know why? By plucking that out they will have what is called the rationale now to go and to say that we cannot keep that commitment. We can do whatever we want. They have done. They have done it with the television. This address that I am making here will never be played on the National Communication's Network (N.C.N). It will never be played on the radio station, and even if we want a paid add, to publicise what I am stating here, they are not going to accept the moneys. And some times, like they did in the last elections, at Linden, they took our moneys and did not play the ads. That is misuse! Then the proportionality of the coverage: They have the Government Information Agency

(G.I.N.A), the President's Diary and a lot of other things that goes on and on until 3 o' clock in the morning.

More than that they utilise the vehicles of Ministers and they utilise the vehicles of Advisors to do party work. That is an abuse of State resources for election campaign purposes. The Government, also, started giving out, in certain parts of this country, G\$ 25,000 to clean trenches and so forth to buy the votes. That is the abuse we are talking about.

Let me say this, in so many ways they are abusing public funds. You have to understand. That is why they are getting annoyed over there. The Government is also going to raise certain salaries this year in a subtle way. That might very well be an abuse. Why did you not raise the teacher's salaries last year and the year before? Why did you not raise sugar workers salaries? [A Member: That is when we got the money.] Oh, you got the money.

They do not like to hear the truth. They get annoyed. This is a vitally important thing for the furthering of the democracy of this country. Whatever it is called: Finance legislation, abuse and curtailment of resources. It is necessary. To degut this portion of that motion is literally life less at this stage. The A.F.C is not going to support this amendment because you are literally taking away the lettering spirit of the thing.

The other aspect is: why is it that you can come here in a couple of weeks and pass laws, you want this to go into some Select Committee where it is going to die a natural death knowing that we have the dissolution of Parliament coming very soon? Parliament will be dissolved in a couple of months. You think that the Administration want to have this campaign legislation prior to that! No way. So do not give the impression that you want to be accountable and transparent. No! That is why, because you, yourself appreciate that it is wrong, you have now regularised your Presidential candidacy into having a job with the Executive Branch. That is but vindication that this must pass as is. Thank you very much Mr. Speaker. [Applause]

Sitting suspended at 4.25 p.m.

Sitting resumed at 5.36 p.m.

Ms. Teixeira: I am very pleased to participate in the discussion on this motion that is before this House. Whilst, the motion has been tabled since October of last year, it is now coming up after many deferrals by the AFC. We are very pleased that it has finally been put to the floor

today so that we can discuss it and bring the best we know to the House as the law making body of the country.

There are a number of issues relating to the motion, itself, which I will come back to. I want to say: this country has not, and politicians have not ignored the issue of political party financing and political party campaign financing. These are not exactly the same thing. In fact, in the 1997 elections the inter-party dialogue that took place. We met in the Ministry of Finance's Boardroom. There was a big delegation from the People's Progressive Party (PPP), the People's National Congress (P.N.C), the Working People's Alliance (W.P.A) and the United Force (T.U.F). We met in most of the year 2000. In fact, I remember that it was an Old Years Night, I wanted to go out and enjoy myself; but that night I was stuck in a very dark room in the Ministry of Agriculture with no other that the infamous Dr. Roger Luncheon, who is my comrade, and my friend Mrs. Holder, Mr. Collins from the United Force, and Mr. Basil Williams.

We argued and fought until after midnight struck. I remember us coming out about twelve or one in the morning and realising everyone was partying, and we were too tired to go out. We just went home.

I remember those occasions because we were discussing a number of issues that came up in relations not just to election financing but those were one of the issues. We had very heated debates and very great differences in views, and I am very pleased to know some of the things that Mr. Basil Williams said today, about being an exponent on this issue. But, the point that in those discussions we tried to look at various models; the Canadian model and the Indian model, in particular, and we had very, very heated debates. That old year's night, actually became the finale for that leer of discussions that took place at the party. Ms. Holder at that time represented the W.P.A not the A.F.C which was not born as yet. Post 2001, there was another layer of discussion that went on the plenipotentiary of the P.N.C and the P.P.P to do with a number of issues, including the broadcasting, the public servants, election and political party financing. Those issues are captured in a core that was signed between Mr. Corbin and President Jagdeo; and it has been referred to in this House several times.

There have been various attempts. Maybe there were stops and starts; maybe they were not conclusive; but certainly there were attempts to come to some understanding of this issue. Therefore, I want to quote from the news papers in relation to the kind of comments from the various parties on the issue. Un-regrettably, I should have said that I am very sorry to have

heard that MP Everald Franklyn has been ill. We regret his illness and we wish him god speed and that he gets well as quickly as possible, as he is a valuable Member of this House. I want to quote him from the Stabroek news on the 8th August, where he says:

“Campaign financing was a complex issue that needed sufficient time to be dealt with and as such should be dealt with after the elections. I think that the whole issue of campaign financing should be reviewed and not be dealt with at this stage; it certainly should be reviewed after the elections because certainly the time is too short to start dabbling with that. I do not think we have enough time to reach a resolution on it”.

Mr. Lance Carberry, Chief Whip from the P.N.C, who has been on leave for a little while, agreed that it was important. He said in the same Stabroek news issue:

“I do not that anyone has put their mind to that. We have more important things to worry about like the Governance of this country. But it should be talked about and I will raise it with my colleagues”.

Those were the kinds of comments that came out of this issue, including what was reported in the Stabroek news about the conference held at the O.A.S health, and, also, the issue of draft legislation where the former Prime Minister of St. Lucia, Kenny Anthony, was being recruited to prepare a monologue for the Region. There is a strange comment in the Stabroek news, of September 5, 2009 stating that Mrs. Holder was supposed to have proposed the name of a P.P.P/C Member of Parliament to work along with that group. I am afraid we know nothing of that intervention. However, the most interesting comment, probably, came on September 26, 2010. It came from, no less than, the General Secretary of the P.N.C.R-1G, Oscar Clarke, in relation to this same O.A.S meeting looking at model legislation on political party campaign financing.

Again I quote from the Stabroek news:

“The participants thought it was a good start. Clearly there was no question that it was being kept in its present form; no country felt that they were ready for it, but it was a good starting point for discussion in the various political parties in the various countries, and among the citizens, because people need to know what this thing is all about”.

He then went on to say that this was something for the future in the Caribbean. Further down in the article he went on to say, again I am quoting, about the conference:

“Everybody felt that nothing significant was going to happen in the next ten years, even though you start talking about it now. I think, for most of us, it was an introduction to something that will have to be necessarily discussed internally by the parties, then you have to take it out to the public, and then, of course, for official aspects to come on stream”.

Before the motion came to the House, there were also comments by the General Secretary of the P.P.P/C, Donald Ramotar, who said, "this is a very important issue". We have always supported something of this nature, because we suffer greatly in the Opposition.

He then went on to say, “our party minimises donations from individuals because some may have their own agendas to promote. That is why we stage public fund-raising activities." This was printed in the Guyana Times 3rd November, 2010.

There was then a comment by His Excellency, the President on October 25, 2010 where he said, campaign finance reform should insure a level playing field and agrees to support issues and efforts to update the laws; recognising that this would have to be as it is quoted. This is similar to what Mr. Franklin points out, that this is a complex issue that needs sufficient time to be dealt with, and as such should be dealt with after the elections.

So, there are a number of responses to the motion, as well as the issue, and the recognition that this issue is not a simple one; there is no template. There is a lot of literature on political party and campaign financing from various universities across the world, and by various Governments and by Non Governmental Organisations (N.G.O's), but I would like to quote from Dr. Danielle Zovatto, the Regional Director for Latin America and the International IDEA, he said in November, 2008: “the issue of financing is not only technical but fundamentally political, complex, controversial, unresolved, and there are no panaceas or magic formulas. A good financing system has to guarantee free inequitable competition and contribute to strengthen a public trust in parties' politics and democracy through the improvement of transparency.

Dr. Zovatto also points out, for example, that on the issue of the concern to do with money and the connection of money to political parties, before he gives the examples he says that financing parties and campaigns is not a corrupt activity, per say. We have to be careful about

that. It is not a corrupt activity, per say; it is the issue of whether there are intentions or whether they are various objectives in relation to why the money is given. The point that was raised by the MP Mr. Nandlall about the ruling in the United States to do with the right and freedom to decide who one wishes to support, and to lend one support is not something that should be wished away. It is a very important Constitutional and Human Right issue. And this issue of political financing and how one can control is a Human Rights issue that needs to be looked at.

If we take the point that Mrs. Holder made, that money by definition is corrupt and therefore one has to be careful on the amounts that has to be contributed, then one would have to go to the United States where the most expensive elections in the world are held and where no poor man can come off the street or no other political party except the two giants, i.e. the Democratic and the Republicans party's can contest elections. No one else has the chance. It is not that they are not political parties in the US, but none of them can afford to run primary's; none of them can afford to be able to contest for the level of Presidency. Therefore, whilst it is considered and used as a model in a number of situations it is severely criticised that the genesis of the democracy. That is why we included that amendment about a healthy multi-party representative democracy; that is why we included that change, because one could have a situation where only two parties are ever going to be in the race all the time.

In fact, it is healthier to have more than two parties, obviously. In addition to that, despite the fact that in the 2008 elections President Obama raised US\$ 750 million, as Minister Nadir pointed out, in fact in terms of the turnout of the voters at the poll, i.e. the investment of money and the contributions, whilst being higher than obviously the two elections President Bush, only competed in the level of turn out as with the John F. Kennedy Presidential elections. In those elections the amount of money spent was less than US\$200 million dollars. In the elections of 2008 in the US, US\$2.4 billion were spent.

However, one has to be careful to not simplify the argument in relation to Political Party financing and campaign financing. I am making a distinction between the two issues, because in the debate, I think, we mixed up a number of issues; that is political party financing and campaign financing are not the same thing. In another paper that was presented on Party Finance Regulation: Israel in Comparative Analysis by Menachem Hufnung of the Department of Political Science in the Hebrew University of Jerusalem, at a conference in Mexico in November, 2008. He pointed out that "political party financing includes the

campaign electioneering, but it also includes the day to day operation, fun rising etc, that the political party does between elections. Therefore, there are issues relating to that particularly in those countries where legislation has been brought in that deals with the State financing political parties; some people call it professional political party's because then they are financed by the State; by the percentage of votes they get at the poles, as well as by a number of criteria.

The issues I think we have to look at, and that is why, I think, we need to go to a Special Select Committee- because I know this House well enough to know if we take the A.F.C's motion for the Government to bring these regulations they will never be satisfactory- let us sit together and look at the different models. The Canadian model, the American model, the Ghanaian model, the Indian model, the Israeli model, are all, totally, different. The countries right on this continent have completely different models.

They are about four different models in political campaign financing that are used in various permutations in various countries throughout the world to a lesser or a more extent. There is no template. As Dr. Zavatto said, there is no panacea; there is no template; no magic bullet for this issue. We have to sit and join our heads to decide what the best interest of our country is, how we can improve transparency, how we can ensure that we build the trust of the electorate of the Guyanese people.

5.46 p.m.

These are the issues that we have to confront rather than trading cheap shots during this debate. The issues I think we have to also look at, there are a number of things we also have to study in the Select Committee. The Israelis for example has a State funded support system for their national elections and non for local government elections. Israel is probably a model that has been looked at by us, because it is the only one that we have been able to find to do that has a Proportional Representation system.

Proportional Representation and elections financing and campaign financing has to be constructed differently when you have a P.R. system than when you have a first past the post system. Canada and the United States and these other countries that have first past the post systems, the candidate is the one that is answerable in terms of reporting on their election expenses, because you fight on a constituency to win that constituency. This is not the case in Guyana. In the Local Government Select Committee when we were looking at the Local

Government Act where we put in amendments – regrettably neither P.N.C nor the A.F.C came to those meetings, and then the meetings came to a halt because of reasons that everyone knows including the press – we put into that some of the issues in the amendments to the Local Government Act, certain amendments that will deal with the issue of candidates in this new hybrid system that we have; we would be bringing in Local Government being able to deal with elections expenses and reporting mechanisms. As I said, regrettably, that is now hanging in the air because we did not get far on that, and it was just the Government after a while. That Bill has to come back up for new discussions and so on.

When we look at, again, the issue of who contributes, the Canadian laws focuses not so much on who gives the money, but on the limits of how the money is spent. Their focus is on limits of spending by a political party, remembering that in Canada, the State also finances the political parties. Those who are able to get two percent of the votes at the federal level and those that are broken down at the provincial and the local government level have different formula. Approximately 30 Million Canadian dollars annually is approved by parliament to be given to the political parties of Canada. It is based on inflation rates. What has happened interestingly in the Canadian experience is that the majority of the parties now are dependent on the State for that funding, and doing less of what you call the fund raising that we characterise by looking at Obama’s model of using the internet and getting everyone to put their \$5, \$10 or \$20 in. A fantastic model to look at, which also did not breach the American elections laws, but allowed a person, as Minister Nadir or Mr. Nandlall pointed out, was that you could go on the net everyday and put in \$5. So, by the end of the elections campaign you could have put in several hundreds of dollars and therefore be above you elections expenses. These are some of the issues we have to discuss in the Select Committee. This is not something that we are going pick up and model. As I quoted from the Stabroek news, and I assume in this case that the Stabroek news is telling the truth about what Mr. Oscar Clarke said, that this is an issue that requires a lot of thought, and one has to also go to the people and talk about it.

The issues of Canada, for example, versus the United States and Israel: in Israel, because so much of the population lives overseas they allow Israelis citizens regardless of residency to contribute to the political parties. In Canada, no foreigner is allowed to give a cent to a political party, so that only a Canadian citizen or permanent resident is allowed. That might have some interesting complications here is you want us to introduce that here in terms of some political parties that receive financing from overseas. It is an issue we have to talk

about, especially like Israel we have a large diaspora, and in addition to the fact also that we do not have a residency clause here. Once you are a born Guyanese citizen, you are a citizen. These are issues we have to talk about.

The Canadians look at the issue of third parties. What is a third party? This is not a third political party; it is those organisations or groups that are not involved in the elections. They are not contesting, but they have an interest in the elections, this includes Labour Movement, non Governmental organisations, interest groups who want to support a candidate, corporations et cetera. They have limits in terms of what they can give, but the amounts are not tiny or insignificant. A third part, for example, can contribute CAD \$366,000 in an electoral district and CAD \$183,309 nationally. That is quite a bit of money when you translate that into Guyanese dollars for any given political party. This is Canada with so many provinces and federal elections as well as local government elections. This is each electoral district, if you looking at the electoral districts of Guyana, you are talking of about 1000 electoral districts. The third parties will be able give about 1000 times that, literally, if they contribute to every electoral district.

The other point is the issue of tax credits. In some countries, tax credits are given for donations that are \$400 or over or \$200 or whatever is the limit of that country. We have to discuss and decide whether we want to give tax credits to people who are contributing to political parties, whether during elections time or normal political party financing. This is an interesting debate, and one I believe can go on in the Select Committee, and where we can bring our best minds together. I wanted to just repeat something I said, because it has pointed out in the studies of Israel and Canada and a number of other countries, that where political parties receive automatically based on the percentage of the vote in the electorate, the tendency has been for them to become dependent on the State for financing. My question is; whether that is not an issue of putting the political parties in situation where the State is giving you money? You have become dependent on the State and does that guarantee your independence. An example of why I am saying that is; when Prime Minister Harper in Canada in few years ago – I think it was 2007 or 2008 – sometime in the fuel crisis, tried to look at where they can cut back money in the Canadian budget, wanted to cut out the money for the political parties, and said “look we cannot manage this, it is a lot of money every year, \$30 million and it had risen to \$60 million by that time”. The political parties in the Parliament said no, you are not doing that. We are not giving you approval. Therefore, Prime Minister Harper’s budget, which was his mini Budget for cuts, was completely thrown out by

the Parliament and they almost had a constitutional crisis. Those were self interested of political parties not wanting to lose their money. These are issues which, as I keep saying, need to have the best minds amongst us talk and try to find what the best model for Guyana is. We have a P.R. system and now we will have a hybrid P.R./First-past-the-post system at the local government level.

In addition to that, we also have to recognise that in Guyana, we have actually a partial state funding for political parties. I think we have to recognise that there is an evolution in progress, which started in the period of 1999, when I referred to my Old year's night being spent with the Hon. Member Basil Williams instead of him with his wife and me with my husband. A very historic and one which will never be repeated in my life, I am sure the same for Basil. It is from that 1999 period that the issue started being thought about, looked at how to do this thing. One of the recommendations that came out in trying to look at how to help political parties be able to compete on an equitable footing, not equal footing, and that is what all the laws talk about, not about equality between political parties, but equity. The issue of what was agreed to in that period was putting in laws in the Parliament to deal with preventing people from buying votes, people influencing to leave political parties, rigging elections in a variety of ways. There are sections; I think 116 of the People's Representation Act which brought in some of those things in that period.

The issue after that, by 2005, when we started the preparations for the 2006 elections, again the discussion inter-partied looking at a number of issues and came to this House with paying the scrutineers for the registrations of people, which I think was \$25,000 a month. It has all been publically known that some political parties seem to have kept 50% for the party's financing and the rest went the scrutineers that has been in the press somewhere along the line. I am sure those parties held their own investigations to account for their money.

The issue of the scrutineers being paid for the scrutinising of the registration process, \$25,000 a month for what is hundreds of scrutineers covering the Parliamentary political parties is a big chunk of financing that comes from the taxpayers of this country. Therefore political parties cannot say in this country that they cannot scrutinise the registration process because they cannot afford to have someone in the centre monitoring the registration process and going out doing verification that is a very important innovation of Guyana right now. It allows a small party like G.A.P to be able to finance once the leader of the opposition and the opposition party agrees, on the numbers of scrutineers they have amongst themselves in

accordance with the law. They have to sort that out, it is not the Government saying that G.A.P will only have so many scrutineers and A.F.C. will only have so many. That is that side of the House, your House work; you do it and you tell and the money is released.

The second issue is in relation to the polling agents. I heard Mr. Granger speaking about 6,000 polling agents being required for the elections of Guyana. He referred to it as a small army, and his use of veteran army soldiers to help guard the boxes in these elections. If his figures are right, then he is talking about a huge cost to all the political parties. In the Constitution and in the Laws, in order to compete for the presidency you have got to run 'X' in all the ten Regions. Prior to 2001, there were 11 parties competing for Presidency, and some of them only competing in one region, some in zero. This House changed those laws to ensure that anyone who wanted the Presidency and the Government of this country had have the capability to be able to man and contest all ten regions so that when you came to that point you had the support of all ten regions of Guyana. These things did not come about overnight; it came about with a lot of studies and arguing and distillation of information to come to these points.

It did not start today, Mrs. Holder pretends as if this is the beginning of it all. The A.F.C must learn, they are not the beginning, nor are they the end; they are in between, the starting and there is a history and some of us can share that history if they are interested in knowing it. Please do not listen to the History that Hon. Mr. Ramjattan tells you. His history has a problem. The political parties in this country can now, especially those that manage to reach Parliament, all get their polling agents paid for the day of elections. They can put together the pool of agents in every station, scrutinise everything that is going on because elections is about transparency and accountability. When we add up the hundreds of millions of dollars for the scrutineers, and for the polling agents, you are coming up with approximately over half a billion dollars that is coming from the tax payers to the political parties in this House. The Polling agents were a decision of the 2006 elections and you are well aware of that.

We are evolving what is a partial funding situation. The issue of whether Guyana takes a quantum leap to look at State financing political parties is that what the Parliamentary political parties want. Is that a direction which we should go in? Political party financing is not just for elections, it is for the period from when you are elected into the Parliament. One of the reasons why it came about in most countries was because it was to try to allow smaller parties to be able to participate, to grow, to strengthen the political party system in the

countries and to be able to have a fairer footing between the political parties. Otherwise, in the developed world it would be two basic parties running all the time.

Mr. Speaker: Your time is up Hon. Member.

Mr. Rohee: Mr. Speaker, I request to move that the Hon. Member be given fifteen minutes to continue.

Question put, and agreed to.

Ms. Teixeira: Mr. Speaker, some of the points which were raised are not strictly to do with the Government in office et cetera. This was also an issue that was discussed in the 1999 and 2003 talks. The issues came out as within all countries, and in Canada the Canadian law makes it clear that the Government of the day does not step down until the elections results. The President remains until the new Government is sworn in. It is a recognised policy in law and in politics that the party in office, the Government, continues to function and carry out its programme until the day it is no longer that. This nitpicking you are having; makes it seem you have a problem. The programmes that have been carried out have been part of what have been announced a year ago in the budget debates et cetera. Where the issue seems to be coming from, and I need to clarify this, is that the President of Guyana can determine by the Constitution who he wishes to sit in his Cabinet and who he wishes as his advisers. Whilst the Hon. Members has a problem with this, it is not a problem by law or the Constitution of Guyana. The President can invite anybody he so wishes to sit in the Cabinet while it is meeting. The Cabinet outreaches by definition, *our Cabinet not in sauté* (our Cabinet not jumped in). It is a moving, roving Cabinet. It falls under the same rubric that if the President and the Cabinet are going to meet people he can include anybody which includes any Member of Parliament. The members of Parliament, especially the geographic MPs and national MPs had been attending all the Cabinet outreaches at different levels, rotating them. Therefore, this nitpicking that Mr. Ramjattan seems to have a particular *penchant* for is of no consequence. In fact, I will say this; as a Member of the P.P.P and as a former Minister, during the elections campaigns when I am going to do public rallies that are political, whatever expenses that I incur whether I had to fly to place or had to take a boat the P.P.P has paid for that not my Ministry.

It is recognised in the Canadian law and the American law and the other laws that have issues to do with political parties and their behaviour and conduct during elections, and the

Canadian law in specific, when a Minister of the Canadian Government travels to a community to meet what is Government matters and then two hours later he is having a political meeting with his constituents, if he overnights he has to put the hotel bill on his party's bill. If he is using the same vehicle for both meetings he does not have to include gas claiming one for one and one the other. We have to be realistic in this country. The issues that I want to raise in relation particularly to the motion where there are some issues to do with corrections. I do not want to go over my time Sir.

The points were raised in the discussion, to do with it seeming as if the preoccupation is during campaign financing on elections time. Political parties responsibilities are: to do their job, work with their constituencies, have their M.P.s work with their constituencies and to raise funds for their normal functioning within the five years. It is expected that a wise party would do fund raising even before elections are announced, because you have to raise money; you are not a Government agency. Therefore, political parties fund raising and financing is something that is the normal par for the core of all political parties. If one is thinking that the PPP is waiting until 2011 to raise money for elections campaign, well then you are on some wrong boat somewhere. We have been having fund raising in the PPP since two years ago; we have started preparing for these elections. They are public functions. When you go at the gala dinner at Pegasus, there were over two thousand people for dinner at \$10,000 per ticket. It was public, the press was there and regrettably Mr. Ramjattan was not there. The issue of fund raising and how you do it in public events is open under the Canadian law. This is not an issue, and therefore it should not be an issue for any political party of this House. You have a right to fund raise. You have a right to have your events, your dinners, your galas, your parties whatever you want to do to raise money.

The motion seeks only to do with one aspect. Political parties and politicians' integrity are something that is important. The Integrity Commission Act which was passed in this House, and we have the Opposition lauding over us in terms of the integrity and non integrity of the Government. Why is it that the only people sending in their declaration to the Integrity Commission is the Government's side? Why is it that the moral harbingers of integrity sitting over there cannot submit their declarations to the Integrity Commission? Why can you not do that?

Let me just quickly deal with the motion. Minister Nadir dealt with a number of issues, but I just want to add to what both Minister Nadir and Member Nandlall pointed out. On the

Whereas Clause where we switched from “*committed*” to “*noted*” if anyone read that section and the bullet points properly, they will understand why it was changed to “*noted*”. The declaration of Port of Spain at the 5th Summit is not an international treaty, it is a declaration. Guyana signed the Inter-American Democratic Charter and, and of course we supported the CARICOM. At the UN convention we signed, ratified and deposited our instruments. How can we have within a motion in this House, international treaties when we are talking about the African Union and the council of Europe? First of all these are two bodies, these are not treaties. Secondly, how can Guyana be held by any council of Europe decision or any African union decision; it is absurd. We have not signed off to any council of Europe or African union declaration. Listen, Hon. Member, you have a problem listening. The issues that are international conventions listed in the motion are the UN convention against corruption. The Inter American convention is not an international convention. It is a regional convention which Guyana has signed to. The CARICOM one is a declaration again it is at a regional level. Therefore, it is the language of the motion that is inappropriate, and that is why we should change it from “committed” to “noted”. We have noted all the African Union things and the European ones but we are not held account to them. We are held to account by the treaties that are there which we have acceded to. Do not play games with the words.

On the issue of the first BE IT RESOLVED clause which we have amended, we had asked that it becomes an AND WHEREAS and that it be amended. The inaccuracy in the last BE IT RESOLVE CLAUSE is the following; it talks about curtailing the abuse of public resources etcetera as recommended by the commonwealth secretariat. The Commonwealth Secretariat never recommended anything to do with curtailing abuses. The Commonwealth recommendation pointed out that we as a country should move to have election laws amended. The OAS one mentions a similar thing. The recommendation of the Commonwealth to do with campaign finance says here that GECOM should seek to ensure that its report on the 2006 general and regional elections includes details on the campaign expenditure incurred by the political parties and candidates of those elections. The present laws on campaign financing should be enforced and they should be reviewed with a view to ensure their adequacy. That is the recommendation they are talking about. It has nothing to do with that Clause. The Commonwealth never made that recommendation to Guyana. In case you made a mistake and got the OAS and the Commonwealth mixed up, nor does the OAS. The OAS recommendation of the observer mission of 2006 recommends political party reform, 2(b) on page 40, “Political party reform and modernisation should be addressed.

Internal democratisation, campaign financing and political party institutionalisation between elections are issues being addressed in the Caribbean and other OAS Member states throughout the hemisphere that also holds relevance for Guyana; that is it. Those are the two recommendations. The Clause is flawed because you are using the Commonwealth Secretariat as if it recommended to Guyana that it should be doing these things when it never did.

This is an important issue that I believe the amendments which the Government has put on this motion have not done damage to the intent and purport of this motion. It in fact enhanced it and strengthened it. Therefore instead of quibbling over minutia, we are suggesting that the motion, particularly the last paragraph, to go to Select Committee. The Hon. Member Ramjattan seems to have had a difficulty with that paragraph that made the recommendation. We know that Mr. Ramjattan tends to have a lot of problems with a lot of things. The issue is that when the Clause says “to examine the existing laws and regulations regarding political party’s electoral expenses” and “to examine legislations of the country in relation to political party campaign financing and report its finding recommendations to this National Assembly’s consideration”. Obviously it will deal with a whole range of issues to do with political party financing and political party campaign financing, because that is what the language mean when you talk about it. It talks about curtailing, it talks about control, it talks about limits, and it talks about transparency. If you take any of the modelled laws which have been used in all of the countries, they all deal with those issues. Mr. Ramjattan wants us to put in the issue of abuse. That is involved in the examination of the electoral practices laws of other countries. Different countries address it in different ways. Therefore, knowing that also the time is late, it is not our fault that this motion tabled in October only reached the House today.

6.16 p.m.

It was deferred, by the request of the AFC, over and over and over again. Maybe it is opportune for the AFC to want to put it now. But the point is, we are saying, this matter there is a short period before elections. A select committee could do a lot of examination and be able to come to this House and say, ‘here are the areas we have agreed on, and state what laws need to be amended. After the elections, a Government is installed and Parliament is back on its feet, these recommendations could become part of the legislative agenda of the 2012-2016 period of government. Those are recommendations; there is no sinister motion, no

sinister movement. You gave us a choice, either reject the motion as it is because it is inoperable, or strengthen it so that it can be operable and, therefore, would have the blessing of this House, so we would reached unanimity on an issue and be able to move forward. Thank you Mr. Speaker. [Applause]

Mrs. Holder (replying): Mr. Speaker, let me first of all execute my duty by expressing appreciation to my two colleagues on this side of the House, the Hon. Member Basil Williams, who understood the concept behind the motion, and my colleague the Hon. Member Ramjattan for ably taking on those on the other side who seemed to prefer to obfuscate the core issue of abuse and misuse of State resources. [Ms. Teixeira: That's not what the motion was about.]

Perhaps it would be appropriate for me to start by rebutting the Hon. Member Teixeira who gave us some three quarters of an hour lecture on what obtains in various parts of the world, clearly omitting to enlighten us about what happens right within our CARICOM region and lecturing us about her perception of history, which my colleague here is far more competent to inform you about.

Let me first of all quote from the report of the Commonwealth Observer Group, which the Hon. Member suggested that I misquoted. Everything I said in this Hon. House was what was quoted here. I am talking about what I said in the debate on campaign finance. The report says on page 58:

“GECOM should seek to ensure that its report from the 2006 general and regional elections...” [Interjection]

Exactly! So what is it you were saying? That is what I said. Why are you suggesting that I said something apart from that? Why did you not quote what it said about radio? Let me read what it said about radio,

“Non-state local and national radio should be allowed to ensure that there is plurality of voices on the airwaves and so encourage greater political debate and information on the democratic process.”

Why did you not read what they said on page fifty six.

“We trust that the discussion on constitutional governance and electoral reforms will now be taken forward to the stage of implementation. We are sure that action will be

taken to address inequality and social exclusion. [Ms. Teixeira: That is not what the motion said.] We hope that the people of Guyana would use their present opportunity to build an approach to politics which unites rather than divide, includes rather than excludes, and which builds a sense of collective confidence rather than fear and suspicion. Most of all, to echo the report of the 2001 Commonwealth Observer Group, we urge the people of this country to make a renewed effort to find ways of transcending Guyana's still largely ethnic politics.”

What has been done since 2006? Why have you not spoken to these issues which are dividing the society, which are causing us the problems?

The Hon. Member made the point of suggesting that I didn't know the difference between financing of political parties and the issue of campaign financing for political parties. A number of Government speakers seem to think that there was a plank that they could comfortably hide behind to give the impression that we do not know the difference. I made it very clear in my presentation that in terms of political parties I was advising a dual system, one that encourages raising of funds by the individual political parties, as well as some degree of public funding. I linked that to the need for transparency in the political parties, and some kind of legal framework to ensure there was transparency indeed. I do not understand what it is they were trying to distract because the point was ably made, and the point was clearly understood by those who have ears to hear.

The Hon. Member gave us a lecture about the scrutineers fund. Now let me make this very clear, the Alliance For Change as a political entity has never received a penny of Government funds. In fact, after the court ruled in our favour, that Government made a point of coming to this House to statutorily overturn the decision of the High Court. How transparent is that? How democratic is that? Then you sit there, daring to lecture us.

The Hon. Member talks about the political party getting polling agents paid a sum of \$5,000. The Alliance For Change has never received \$5,000 for any of its polling agents. In fact, what we were subjected to is an act on the part of GECOM that left a lot to be desired. They in fact excluded all of our polling agents in certain areas, with no explanation. They had them standing outside waiting for hours, half of a day, then the decision was overturned. As far as I am concerned that was an act deliberately designed to exclude a legitimate political party that had a right to be there.

We have also been subjected to other injustices, and let me tell you what they are. As the Alliance For Change submitted its list of names of scrutineers to GECOM...

Ms. Teixeira: Mr. Speaker, could I ask for relevance to the motion?

Mrs. Holder: ...the Elections Commission proceeded thereafter to employ the persons whose names we submitted at a sum of something like \$30,000 for the night. [Mr. Ramjattan: What are you talking about relevance? She is rebutting you, always with relevance.] Mr. Speaker, I am well within my right to raise the issues I am raising. They are pertaining to the points you made. You raised the issue of scrutineer's money and I am dealing with it as condignly as it deserves to be dealt with. [Mr. Ramjattan: That's right; deal with it.] Let me tell you this... [Mr. Ramjattan: You want to give the impression to the House that you paid moneys to the AFC.] [Ms. Shadick: We paid the Opposition.]

Mr. Speaker: Hon. Members, let us stop this cross talking, please. Mrs. Holder cannot proceed with her speech.

Mrs. Holder: Mr. Speaker, the Alliance For Change was unfairly treated in many respects in the last elections. So, as you are talking about equity, let it be known that some are more equal than others. And in that regard it is appropriate to read from this report which you introduced, Madam: The Independence of GECOM found on page 57. I am talking about the same report of the Commonwealth Observer Group for the elections of 2006.

“GECOM's independence from Government would be better assured if it were accountable directly to the National Assembly with funds voted for by the National Assembly and not under the control of a line ministry. This is done in the same way as for other independent commissions such as the Judicial Service Commission.”

Has this been done? You talk, Madam, about taking heed of all the recommendations that are made. Has this been implemented? No.

Let me make the point in terms of a number of speakers including the Hon. Member Nandlall that somehow does not understand references made to corruption. Now, he talks about presenting the evidence. My colleague Ramjattan has dealt with that over and over in this Hon. House and quoted from the World Bank. The World Bank has listed Guyana last out of 113 countries in terms of transparency and accountability; last in terms of its perception of corruption out of 116 countries of the world. What more evidence do you want?

Mr. Speaker: Hon. Members we cannot continue in this way. You either stop this or we stop the National Assembly. One of the two, it is a joke. The Hon Member thinks it is a joke. We either stop this or we stop the National Assembly. You make your decision. Proceed Hon. Member.

Mrs. Holder: Thank you very much Mr. Speaker. So it is very important that the Hon. Member Ms. Teixeira understands that we are fully *au fait* with the responsibilities we have as a political and parliamentary party. We also have a pretty good comprehension of what the responsibilities of a government are when it comes to transparency and accountability, and when it comes to executing its mandate with respect to being even handed in this society. And when you are not, we will not hesitate to call it as we see it.

I was given the impression when I listened to the Hon. Member Mr. Nadir that, the deceased Hon. President Cheddi Jagan will no doubt turn in his grave, every time he stands within the ranks of the PPPC and advance what could only be described as a concept of paramountcy of the party. In justifying that the Hon. Presidential candidate of the PPP/C has a right to be treated as a Member of the Executive and be part of the Cabinet outreach exercises. I am sure he is turning in his grave for one who's Party has done him such personal harm. That is where we have come to, politically. No doubt that is why the people are so disillusioned over what takes place in this Hon. House.

We are very clear that the misuse of State resources is the core issue in this motion. If you remove it, you degut the motion. We will not be hoodwinked into believing that if we accede into the requests of the Government benches and take this motion to a Parliamentary Select Committee, without an examination of how to curtail the misuse of State resources, that the exercise will be worthy of the participation of members of this side of this House. I say unequivocally it will not. I say now that I will not accept those conditions unless the issue is put on the table for discussion. Since you indicated it will not, I will not support the amendment to the motion.

I believe it makes better sense for those of us on the Opposition benches to hold GECOM accountable, because the Constitution is very clear that they have a duty to ensure that these elections are held in a transparent manner, and are free and fair. The Representation of The People's Act gives them also a referee role to play which they have not been playing. I believe that it is because of our advocacy with regards to the involvement of the prime ministerial candidate and General Secretary of the P.P.P/C in Cabinet outreach exercises, and

in the misuse of State resources, that the decision was made today to appoint him an Advisor to the President. I believe that is a direct response to our advocacy in this point in time. It is also recognition of the wrongdoing that the Party in Government was involved in. We will, therefore, focus our energies, henceforth, on the Guyana Elections Commission.

Let me remind the House that in the ruling of the high court on the matter of the scrutineers funds, which we won, but for which we never received a penny. The judicial decision clearly indicated that GECOM had a refereeing role. GECOM has not been playing that role, has been silent on many of these issues, and therefore we will do as we did in the case of the misuse of State resources by holding them to the wire. That, we believe, is far more effective than sitting around the table with the Members of the Government benches who have no intentions of seriously addressing the issues. I thank you very much.

Mr. Speaker: Hon. Members we have some amendments. I hope they have been circulated to Members. I will put the amendments one after the other.

In the first AND WHEREAS clause, it is proposed that the following words be deleted, *“are generally considered to be archaic and not meaningful”*

Amendment put and agreed to

That the following words be inserted, *“need to be updated”*

Amendment put and agreed to.

The first AND WHEREAS clause, as amended agreed to and ordered to stand part of the Motion

For the second AND WHEREAS clause, it is proposed that this clause be deleted.

Amendment put and agreed to

The second AND WHEREAS clause deleted as agreed to.

In the third AND WHEREAS clause, in the first line after the words, *“Guyana has”* remove the words *“committed to”*.

Amendment put and agreed to.

Insert therefore the word *“noted”*

Amendment put and agreed to.

In the same third AND WHEREAS clause delete the word, “*and*” between the words “political party and campaign financing” in the second line

Amendment put and agreed to.

The third AND WHEREAS clause, as amended, agreed to and ordered to stand part of the Motion

The first BE IT RESOLVED clause to be amended to read as an AND WHEREAS clause, In other words the words “*BE IT RESOLVED*” are deleted. I am interpreting the amendment which is badly drafted. The amendment is that the words BE IT RESOLVED be deleted.

Amendment put and agreed to.

And the following words “AND WHEREAS” be substituted there for.

Amendment put and agreed to.

It is proposed that the word “that” at the beginning of the clause be deleted.

Amendment put and agreed to.

It is proposed that the phrase “*required healthy political parties*” be deleted.

Amendment put and agreed to.

The following be substituted therefore, “*requires a healthy representative multi-party system*”

Amendment put and agreed to.

After the word “*elections*” is proposed that all their words thereafter, “*and that the role of money in politics undeniably influences the quality of democracy and governance,*” be deleted.

Amendment put and agreed to.

In the BE IF FURTHER RESOLVED clause, it is proposed that the entire clause be deleted.

Mrs. Holder: May I call for a division on this clause.

Mr. Speaker: Yes, Hon. Member, you can have a division

For

Rev. Gilbert

Dr. Mahadeo

Mr. Whittaker

Mr. Seeraj

Mr. Parmanand Persaud

Ms. Neendkumar

Mr. Lumumba

Mr. Nandlall

Mr. Khan

Mr. DeSantos

Mr. Atkinson

Ms. Shadick

Mr. Nokta

Mrs. Chandarpal

Ms. Teixeira

Mr. Ali

Ms. Webster

Mr. Nadir

Mr. Benn

Dr. Anthony

Against

Mrs. Budhan

Mrs. Holder

Mr. Ramjattan

Ms. Hastings

Mr. Fernandes

Ms. Kisson

Ms. Baveghems

Ms. Wade

Dr. Austin

Ms. Selman

Mrs. David-Blair

Mr. Danny

Ms. Sampson

Mrs. Lawrence

Dr. Norton

Mr. Basil Williams

Mrs. Riehl

Mr. Lall

Dr. Westford

Mrs. Rodrigues-Birkett

Mr. Rohee

Mr. Speaker: Hon. Members the division shows there are 17 Members against and 24 Members for the amendment.

The amendment is carried.

I now put the question that the following clause be substituted for the words that have been deleted.

“BE IT RESOLVED that this National Assembly approves the establishment of a Special Select Committee to examine the existing laws and regulations regarding political parties electoral expenses, examine legislation in other countries in relation to political party campaign financing, and report its findings and recommendations for this National Assembly’s consideration.”

Amendment put and agreed to.

The motion as amended put and carried.

COMMITTEES BUSINESS

MOTION

STAFF ISSUES RELATING TO THE AUDIT OFFICE

WHEREAS the Public Accounts Committee, in examining staff issues relating to the Audit Office, noted that the Works and Structure Division and the staff therein were omitted from the Rationalised Job/Position Titles and the Manning Level Chart of the Regulations, the Rules, Policies and Procedures Manual;

AND WHEREAS in order to correct the omission, the Chief Parliamentary Counsel advised that the amendment be published in the Gazette and that the Public Accounts Committee

shall, thereafter, lodge the Regulations with the Clerk of the National Assembly, together with a notice of motion for confirmation by the National Assembly;

AND WHEREAS the amendment was published in an extraordinary copy of the Official Gazette dated 15th February, 2011, Legal Supplement B, No. 1 of 2011 dated 14th February, 2011;

BE IT RESOLVED:

That the Rationalised Job/Position Titles and Manning Level Chart of the Rules, Policies and Procedures Manual be confirmed, as correct, by the National Assembly.

[Mrs. Volda Lawrence – Chairperson of the Public Accounts Committee]

Mrs Lawrence: Sir, the motion titled: “Staff Issues Relating to the Audit Office” is a simple one. Though laid in my name, this motion came to this Hon. House with the full consent of the Members of the Public Accounts Committee; a Committee which has the role of oversight of the Audit Office of Guyana by the Audit Act of 2004 and the Rules Policies and Procedures Manual of the Audit Office which was considered in this August House on 21st July, 2004.

The first WHEREAS clause seeks to address the reasons for this motion. That is, the omission of the Works, Structure Division and staff from the Manning Level Chart of the manual, thus rendering the total number of staff to two hundred and twenty three instead of two hundred and twenty seven. Approval of this motion would allow for the inclusion of one Director, one Manager and two Engineers in this particular department. These persons, no doubt, are critical to the work of the audit office, given especially the large percentage of our annual budget which goes towards capital expenditures. With the help of the Chief Parliamentary Counsel we made two prior attempts to address this matter. Today, however, we have satisfied the required procedures and thus this amendment was gazetted on 15th February 2011.

No doubt the Public Accounts Committee Members do have a vested interest in ensuring that the Audit Office of Guyana is given the support which would allow for the strengthening of its human resources, thereby allowing this critical office to achieve its mandate.

6.45 p.m.

I therefore ask this Hon. House to give its full support to this motion titled, “Staff Issues Relating to the Audit Office”. Thank you. [Applause]

Ms. Shadick: I will be very brief. On behalf of the Members of the Government benches, I would like to say that there were too many false starts regarding this motion. The devil was in the details, in the manual itself and then...but we have managed, after a lengthy process, to correct what we thought was the intent of the regulations in the first place. So, Sir, I would like to say that the Members of the Government benches fully support this motion, especially in view of the fact that the Audit Office, having been strengthened, given dignity, made independent and comes under the Parliament, with the Public Accounts Committee having only supervisory capacity over it, can move in the direction of Value For Money Audits for which engineers will be very necessary. So, Sir, we fully supports the motion. Thank you. [Applause]

Mr. Speaker: Thank you Hon. Member.

Question put, and agreed to.

Motion carried

ADJOURNMENT

Mr. Speaker: Hon. Members, this brings us to end of our business for today. The House shall stand adjourned to a date to be fixed.

Adjourned accordingly at 6.50 p.m.