

# Official Report

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST  
SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA UNDER THE  
CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE  
PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN*

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30<sup>TH</sup> Sitting

Thursday, 8<sup>TH</sup> November, 2012

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*The Assembly convened at 2.20 p.m.*

*Prayers*

*[Mr. Speaker in the Chair]*

## **ANNOUNCEMENTS BY THE SPEAKER**

**Mr. Speaker:** Hon. Members, good afternoon again. I have a few announcements to make.

### **Death of the mother of Mrs. Hughes**

On my own behalf and that of the entire Assembly, I believe, we wish to extend our sincerest condolences to Member Mrs. Catherine Hughes on the passing of her mother last week in the United States of America. Mrs. Hughes is not here and her absence is excused.

### **Leave of Absence**

I wish to announce as well that leave has been granted to the Hon. Member Mr. Trevor Williams, Member of Parliament, from today's sitting. He is also out of the country.

### **Visit of Delegation to the United Kingdom**

Hon. Members, I wish to also announce and report that a delegation comprising yours truly, the Speaker, Dr. Leslie Ramsammy, Mr. Odinga Lumumba, Mr. Winston Felix and Mrs. Valarie

Garrido-Lowe visited the House of Commons of the United Kingdom and the Parliament of Scotland under the auspices of the Commonwealth Parliamentary Association (CPA) and the British Government, from 29<sup>th</sup> October to 2<sup>nd</sup> November, 2012. A report of this visit will be forthcoming within a few days. We would love to share with the Members and with the public our encounters and findings and all that transpired.

On behalf of the Members I would like to thank the British Government and the Commonwealth Parliamentary Association for making this worthwhile visit possible.

### **Legislative Training**

I wish to announce also that in October, from 22<sup>nd</sup> to 24<sup>th</sup>, 21 Members of Parliament, eight members of staff and one Attorney-at-law attached to the Attorney General's Chambers completed a training course in understanding the process of legislative drafting and analysis and were awarded certificates for their participation. I wish to thank the United Nations Development Programme (UNDP) for making this possible and acknowledge their continued support as a development partner to the National Assembly.

### **Assessment of Committees Division**

I would like to report as well that from the 9<sup>th</sup> to 15<sup>th</sup> November of this year there will be an assessment of the Committees Division of the National Assembly. This will be conducted by consultants provided by the Commonwealth Parliamentary Association, the United Kingdom Branch and the United Nations Development Programme. Members of the House may be approached by members of the staff to speak with these consultants about their views on how the Committee should be functioning. I encourage you to meet with them and to be frank and full in your discussions and discourses with the consultants.

Those would be my announcements Hon. Members.

Thank you.

### **PRESENTATION OF PAPERS AND REPORTS**

The following reports were laid:

- (i) The Audited Financial Statement of the Atlantic Hotel Inc. for the year ended 31<sup>st</sup> December, 201
- (ii) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2002
- (iii) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2003
- (iv) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2004
- (v) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2005

*[Minister of Finance]*

- (i) Annual Report of the Ministry of Labour, Human Services and Social Security for the year 31<sup>st</sup> December, 2011. *[Minister of Human Services and Social Security]*

## QUESTIONS ON NOTICE

### For Written Replies

#### 1. INTERNET FACILITIES AT THE GEORGETOWN SCHOOL OF NURSING

**Mrs. Garrido-Lowe:** Would the Hon. Minister say if his Ministry has plans for providing Broad Band Internet Service or Wireless internet Services to the Georgetown School of Nursing (GSN) to assist the students with their research since the dial-up-system, which is woefully out dated, has been out of service for a long time?

If his Ministry has plans to provide the Broad Band Internet Service, can the Hon. Minister say how soon this will be done?

**Minister of Health [Dr. Ramsarran]:** There is currently limited internet access at the Georgetown School of Nursing. The instruction to upscale the service was given towards the end of last year to the Information Technology (IT) Unit of the Ministry. The execution of this activity has been slothful. These services already exist for some time at adequate levels at the New Amsterdam School of Nursing and the Charles Rosa School of Nursing, Linden. Renewed efforts are underway to ensure that the expanded service is finally installed at the Georgetown

School of nursing. The Ministry notes that a significant number of nursing students already own personal lap top computers. They will be encouraged to use these in a prescribed manner in the hot spot created in the School. The Ministry is in possession of more computers and servers which will be installed when the minor civil works are complete.

Internet access is also available for students at the Georgetown Public Hospital (GPHC) Medical Sciences Library including access to the Pan American Health Organization/World Health Organization (PAHO/WHO) sponsored Virtual Libraries. Students will be encouraged to use their own computers to access the Virtual Libraries in a prescribed manner at the School or at home for self study.

## **2. GUYANA HEADING FOR A SERIOUS HEALTH CRISIS**

**Mrs. Garrido-Lowe:** Would the Hon. Minister agree that the shortage of lecturers at the various levels of the nursing programme, the absence of clinical instructors, outdated text books, lack of internet research facilities, insanitary conditions, limited classroom space due to the high student population in Guyana, is likely to produce nurses of very poor quality, who are and will be employed by both public and private health institutions, thus laying the foundation for a serious health crisis in Guyana in the near future?

### **Dr. Ramsaran: (a) Shortage of Tutors**

The three Government Schools of nursing presently have 24 full-time tutors on staff. Based on the current student population an additional 21 tutors are required. However, the full-time tutorial staff is assisted by 52 part-time tutors who are nurses and other allied health professionals and possess similar competencies. The Ministry is implementing actions to ensure reducing reliance on part-time tutors.

The Division of Health Sciences Education is currently focusing on expanding the tutorial staff by using some of the 29 recently trained Clinical Instructors to assist with conducting tutorial sessions to reinforce content taught in the lectures. These possess many of the competencies of the tutors.

In keeping with its mandate to produce competent graduates capable of providing quality services to the people of Guyana, the Division of Health Sciences Education (DHSE), in

collaboration with ITECH, developed a basic education course for Health Sciences Tutors. This effort also saw the incumbent Director (ag.) of the Division attending a short Curriculum Development course in Seattle. This was an activity to develop local capacity for the longer term needs of nursing education which will demand continuous review and re-crafting of curricula.

Ten tutors from the three Government Schools of nursing successfully completed the training course for Health Sciences Tutors and will graduate in October 2012. This will significantly strengthen the core faculty group.

A second batch of nurses and Allied Health Professionals will commence training as Health Sciences Tutors in September, 2012.

The combined efforts are directed towards increasing the quantum and quality of educators in nursing and other allied health disciplines. In the coming year their introduction will remove our need for part-time tutors and the improvised use of Clinical Instructors to deliver tutorials. Their introduction will not bring an end to the training of this category of nurse educator. The Ministry will then be able to continue the training courses aimed at creating some level of redundancy.

#### **(b) Clinical Instructors**

The Ministry through the DHSE in 2011 developed a basic Clinical Instructors training programme for nurses and other health sciences educators. This initiative is expected to guarantee students assigned to the clinical areas will be mentored by designated trained staff in a safe environment as they link theory to practice. Additionally, the existing group of clinical Instructors is already providing invaluable support in the classroom and is involved in didactic sessions and tutorial sessions.

A total of twenty-nine Clinical Instructors received basic training and are providing clinical guidance and tutorial support.

In October, 2012, Clinical Instructor courses will be conducted at the two of the Government Schools of Nursing where currently such training is absent. A total of thirty instructors will be trained. The target population will be nurses and other allied health professionals in all of the clinical settings that students are assigned to. In addition, a special Clinical Instructors course will be held for Public Health staff from Regions 3 and 4. A total of fifteen Health Centre team

leaders will be trained to provide support to students on public health rotations at select Health Centres. Currently existing professional Health Centre staff is used for this purpose with support provided from the Directors (ag.)

### **(c) Outdated Textbooks**

The Ministry is constantly expanding its stock of textbooks in all three of the Schools of Nursing. Older versions are currently being replaced incrementally based on available resources. Additional volumes of the required texts will be brought during the remainder of this financial year and next year. This will increase the number and variety available in all of the libraries of the three schools. Thirty-five essential texts will be purchased and this will account for approximately 300 current additional texts in the library. The Ministry of Health (MOH) will continue to encourage the nursing students to make use of other Medical Libraries such as the GPHC Medical Sciences library, conveniently located in the Compound of the Hospital. The Ministry secured several years ago with the assistance of PAHO access to Virtual Libraries. These are accessible from the computers housed at the Medical Sciences Library (GPHC) and the Libraries of the Nursing Schools. The Ministry is aware that a significant number of its nursing students possess personal computers and laptops. The students will be encouraged to use these in a prescribed manner in the Schools and for home self-study. With the introduction of the second shift of classes the School Libraries are accessible late into the night allowing more students desirable of using this resource on a rotator basis. The Ministry is currently up-grading its capacity to allow simultaneous access to more and more students.

A perusal of recent editions of the standard texts used at the Schools will show that there has been little or no changes to content in recent years. It is the approach to teaching content that has seen continuous change. The Ministry is positioning itself to shift more and more to Virtual Libraries and will continue to encourage students in this direction.

### **(d) Internet/Research Facilities**

The Ministry of Health is committed to providing internet services in all of the Schools of Nursing. Currently, New Amsterdam and Linden have adequate internet access. The Ministry is currently engaging GT&T to provide upgraded internet service for the Georgetown School of Nursing. Improvements in library services including access to internet facilities will enhance

research capabilities of students and faculty members and reduce the reliance on traditional text books. This will allow the Ministry to move away from the “Library” to the “Resource Centre” concept. The Ministry has introduced Computer Training into the Nursing Curriculum.

#### **(e) Classroom Spacing/Insanitary Conditions**

Expansion works was carried out on all three of the Schools of Nursing to accommodate the increase in the student population. Special emphasis was directed at expanding classroom space and sanitary facilities. This has been particularly so at the Georgetown School of Nursing. Particular care was taken to provide adequate sanitary facilities during the upgrade completed last year. However, the Ministry has observed that there are challenges in managing the environment and cleanliness of the School generally, and the sanitary facilities in particular. Maintenance of the facilities appears to present a challenge to the management structures as presently constituted.

The Georgetown School will shortly be expanded further to accommodate an additional classroom, a sanitary block and a recreational area for students. Special care will be taken to ensure that additional sanitary services peculiar to the needs of the female student population at the School.

The Ministry has noted the unsightly solid waste collection/holding site at the very front of the GSN Compound. This will be addressed with immediate effect. The GPHC will now collect the garbage at regular intervals and merge it with its own for final disposal.

Rehabilitation of the Kingston Annexe will provide additional classroom, library, and other facilities to improve the learning environment. Significant work has been done there and additional works are scheduled. This added capacity will allow for further relief at the GSN.

The Georgetown School of Nursing has outgrown its existing management structure. The MOH has sought permission to expand the Management team to include an Administrator and a Social Worker. This is aimed at removing some of the responsibilities from the remit of the Principal Tutor to allow that functionary to devote undivided attention to core academic issues and to achieve better division of functions resulting hopefully in higher efficiency.

#### **INTRODUCTION OF BILLS**

## **PRESENTATION AND FIRST READINGS**

The following Bills were introduced and read the first time:

### **SEXUAL OFFENCES (AMENDMENT) BILL 2012 – BILL No. 26/2012**

A Bill intituled:

“An Act to amend the Sexual Offences Act.” *[Attorney General and Minister of Legal Affairs]*

### **BUSINESS NAMES (REGISTRATION) (AMENDMENT) BILL 2012 – Bill No 27/2012**

A Bill intituled:

“An Act to amend the Business Names (Registration) Act.” *[Minister of Finance]*

## **PUBLIC BUSINESS**

### **GOVERNMENT BUSINESS**

#### **Bills – Second Readings**

### **TELECOMMUNICATIONS BILL 2012 – BILL No. 182012**

A bill intituled:

“An Act to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith.” *[Prime Minister and Minister of Parliamentary Affairs]*

### **PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – BILL NO. 17/2012**

A Bill intituled:

“An Act to amend the Public Utilities Commission Act.” *[Prime Minister and Minister of Parliamentary Affairs]*



*Second reading of both Bills deferred*

## **SPEAKER'S RULING ON MINISTER OF HOME AFFAIRS ADDRESSING THE ASSEMBLY**

**Mr. Speaker:** Hon. Members we have on our agenda the second reading of the Firearms Amendment Bill No. 21 of 2012 published on 4<sup>th</sup> September, 2012. On the last occasion when this Bill was introduced for its first reading, the House was in an uproar regarding the ability of the Minister, Mr. Rohee, to perform the duties of Minister of Home Affairs. Some Members took the view that he should not be allowed to speak and I believe that view was audibly delivered. I did indicate from the Chair that I would be seeking legal opinion on this matter. I have been able to solicit two opinions which I requested of Counsels here in Guyana. I believe it is only fitting that I share my findings with this House. I will give a preliminary ruling on this matter and then have something later in written form.

Hon. Members, I have been requested by Members of this House, to wit, the Opposition, to restrain Mr. Clement J. Rohee, Member of Parliament, from addressing this House in his capacity as Minister of Home Affairs, consequent to the adoption of the House of the resolution in August, 2012. I believe it was Resolution No. 18 of 1012. At the last sitting held on the 18<sup>th</sup> October, 2012 I indicated that I would be seeking legal opinion on this matter. This, notwithstanding, that I, myself, am a lawyer and a Member of Parliament of 14 years standing, but I did not presume to be familiar with all the laws, rules and procedures of the National Assembly and of its Members. I have since solicited two separate and independent opinions from eminent Counsels in the person of Mr. Rex Herbert McKay and Mr. Stephen Fraser of Fraser, Housty and Yearwood. I am in receipt of their opinions. I am also in receipt of an opinion from Ms. Ulele Burnham of the United Kingdom Bar on the subject as it pertains to the matter filed in the High Court by the Attorney General. I asked specifically of Counsel the following questions and asked for an answer:

- (a) Whether the President of Guyana is obliged to act on the Motion adopted by the House?
- (b) Whether Mr. Clement J. Rohee can continue to perform his functions as Minister of Home Affairs in the National Assembly.

In answer to the questions posed, I have received the categorical and unequivocal opinion that His Excellency The President is not constitutionally and or legally obliged to adhere to the Motion; and similarly in respect to the second question put, that the Member Mr. Clement J. Rohee is not restricted from performing the duties of the office of Minister of Home Affairs. As previously indicated I can find no provision within the Standing Orders of this National Assembly, the Constitution and the Laws of Guyana which restrains the elected Member from fulfilling his functions as a Minister. As uncomfortable and as unpleasant as it is for me, I must stand on the side of the rule of law and find that in the absence of a specific resolution in this august House that specifically sanctions the Member and directs that he be restrained from speaking on any one or more of his capacities. I am by law, duty-bound to find that he must be allowed to speak.

The decided case of Sabaroche versus the Speaker of the House of Assembly of Dominica, and another 1999/3 Law Reports of the Commonwealth on page 584, a case out of the Commonwealth of Dominica, as I indicated, is very instructive. In that case the House purported to suspend a member Mr. Sabaroche for two sittings. The OECS Court of Appeal ruled that the suspension was unlawful. In the course of its decision the Court upheld that the parliamentary privileges in the United Kingdom which are derived from ancient customs and practices are not incorporated into the local legislative framework of the British colonies unless they are expressly done. I find that the same is the case in Guyana.

However, one would have thought that if a Member realises he does not enjoy the confidence of the majority of the House in which he serves that he would consider resigning or requesting a reassignment to another Ministry. In the absence of the observance of such hallowed practice and custom, the Member remains in his position. This is both unfortunate and regrettable a development for a young nation such as ours, seeking to etch its own brand of parliamentary customs and practices.

In the circumstances, and having regard to the foregoing, the Speaker of the National Assembly of Guyana, I so rule, has no power to restrict or deny the right of the Member, the Hon. Clement J. Rohee, Member of Parliament from speaking or fulfilling his ministerial duties and responsibilities in-so far as they relate to this House of Assembly.

Members of the House may wish to consider whether a substantive motion on the subject of the Hon. Members participation in the House should be pursued or not.

I thank you. [*Applause*]

## **FIREARMS (AMENDMENT) BILL 2012 – BILL NO. 21/2012**

A Bill intituled:

“An act to amend the Firearms Act.” [*Minister of Home Affairs*]

[*Combined Opposition banged on desks and chanted: “Rohee cannot speak” and “Rohee must go.”*]

**Mr. Speaker:** Order Members. Members, I am asking for order. I have made a ruling that the Member be allowed to speak; he must be allowed to speak.

[*Combined Opposition continued banging and chanting*]

**Mr. Speaker:** Hon. Members, I am going to withdraw until there is order in the House.

[*Combined Opposition continued banging and chanting, “Rohee must go.”*]

[*Mr. Speaker withdrew from Chamber*]

*Sitting suspended at 2.35 p.m.*

*Sitting resumed at 2.49 p.m.*

**Mr. Speaker:** Hon. Members, at the time I arose I was unable to even hear my own voice. I believe that having given a ruling, the ruling should be respected and adhered to. I ask that we proceed with the day’s business. I ask that we proceed with the second reading of the Firearms Amendment Bill 2012. Bill No. 21 of 2012 published on 4<sup>th</sup> September, 2012.

**Minister of Home Affairs [Mr. Rohee]:** Mr. Speaker, I rise to address this Hon. House...

[*Combined Opposition continued banging and chanting, “Rohee must go.”*]

**Mr. Speaker:** Members I am asking for your compliance and your order.

*[Combined Opposition continued banging and chanting]*

**Mr. Rohee:** Mr. Speaker, I am seeking your protection.

**Ms. Teixeira:** Mr. Speaker, I call on you to call on this House for order. Standing Order No. 47

*[Combined Opposition banging and chanting got louder]*

**Mr. Speaker:** We are not going anywhere. Hon. Members, I am going to ask once again, if not I am going to invoke Standing Order 47(9) which says if there is disorder in the Assembly the Speaker may, if he thinks fit and necessary to do so, adjourn the Assembly. I am asking that we proceed with the business of the afternoon. Proceed Hon. Member.

**Mr. Rohee:** *[Stood to speak]*

*[Combined Opposition started banging and chanting again]*

**Mr. Speaker:** Hon. Members, unfortunately, reluctantly, but in vain, I must adjourn this Assembly by the power vested in me under Standing Order No. 47(9) until the 22<sup>nd</sup> November, 2012,

Thank you.

*Adjourned accordingly at 2.52 p.m.*