

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

29TH Sitting

Monday, 22ND October, 2012

The Assembly convened at 2.17 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Mr. Speaker: Good afternoon again. Welcome everyone. I do have quite a number of announcements.

Leave to Members

Mr. Speaker: Leave has been granted to Hon. Member Minister Carolyn Rodrigues-Birkett to be absent from today's sitting and to Hon. Member Mrs. Catherine Hughes who is attending to a matter of great personal interest.

Tokens of Appreciation to female Members of Parliament in observance of Breast Cancer Awareness Month

Mr. Speaker: In observance of Breast Cancer Awareness Month being currently observed, the Hon. Minister of Health, Dr. Bheri Ramsaran, has presented the female Members of Parliament with small tokens of appreciation in recognition of the contributions they have each made and

that they will make in their own way to help raise awareness of breast cancer and also to encourage them to intensify their efforts in the future, as together we fight this dreadful disease.

Invitation to participate in Breast Cancer Awareness Month awareness and remembrance vigil

Mr. Speaker: Additionally, by way of announcement, I have been asked by the Hon. Minister as well, and I believe that some of you may have an invitation before you, to invite you to participate in an awareness and remembrance vigil in observance of Breast Cancer Awareness Month 2012 on Thursday, 25th October, 2012, at 6 p.m. The assembly point is the compound of the Public Buildings and there will be a procession that will take us along Main Street into High Street and will end just in the vicinity of the Umana Yana and Pegasus Hotel.

Seeking contribution of articles for Parliament Office's Magazine

Mr. Speaker: I wish to announce, as well, that the Public Relations Officer has asked and is asking Chief Whips and all Members to contribute articles and any matter of interest for a magazine that is being developed and worked on.

Introduction of "Chamber Notes"

Mr. Speaker: Members will also note that at their desks there is placed a document entitled "Chamber Notes." It is a little innovation that I have come up with just for Members. It is more in-house to keep us in tuned with what is happening and I am asking Members to please make contributions to it as well.

Submission of topics for Governance and Democracy Lecture Series

Mr. Speaker: Members are reminded that the Governance and Democracy Lecture series continues. I am inviting Members to submit topics for the lecture.

Parliamentary delegation to visit the British Parliament, House of Commons

Mr. Speaker: A delegation, I wish to announcement as well, of Members of Parliament, led by yours Truly, will visit the British Parliament, House of Commons from 29th October to 2nd November. It will comprise Hon. Minister Dr. Ramsammy, Member Mr. Odinga Lumumba,

Member Mr. Winston Felix and Member Mrs. Garrido-Lowe. In a very packed agenda, we will be visiting with the Speakers of the Houses of the Parliament in London as well as visiting, in Edinburgh, Scotland. We will be lectured on matters pertaining to Minority Government, the functioning of the House of Commons, Committees, and we will receive important briefings.

Legislative Drafting and Training Workshop for MPs

Mr. Speaker: A Legislative Drafting and Training Workshop will be conducted, thanks to the United Nations Development Programme (UNDP), commencing from tomorrow and will last until Thursday, for Members of Parliament and five members of staff. This has been in the making for some time and will be the first of two such sessions. Members who have been notified by their respective whips to attend and to participate are asked to assemble at the Grand Coastal Inn on the East Coast Demerara for 8.30 a.m. tomorrow, and the press is invited for the opening ceremony.

Convening of the Committee of Appointments

Mr. Speaker: I have written to the Chairman of the Committee of Appointments, Dr. George Norton, and I believe that I have copied it to the Hon. Prime Minister and the Leader of the Opposition, requesting for him to convene that important Committee to address the issue of appointments to the Ethnic Relations Commission and, of course, other appointments may wish to be considered by him and his Committee.

Live streaming of the sitting by the National Communications Network

Mr. Speaker: This afternoon, there is a first. I have been advised that there is live streaming of our discussions and debates on the internet by the National Communications Network (NCN).

New traffic arrangements

Mr. Speaker: I wish to announce as well that some of you would have noticed that following a motion introduced and passed by this House by the Hon. Mr. Desmond Trotman, regarding the barricades erected in the environs of the National Assembly, I did write to the Commissioner of Police asking to be advised. A meeting of the Sub-Committee of the Parliamentary Management Committee was held with the Commander of 'A' Division and new traffic arrangements have

been put in place as a test to see how they will work. The idea is that traffic will be allowed to flow from north to south along High Street without hindrance, but the roads immediately in front of and at the rear of this National Assembly will not be accessed or accessible to the public.

Resumption of visits to schools

Mr. Speaker: We will be resuming visits to schools in November and we will be visiting Region 10. Members of Parliament representing Region 10, and all of those who have an interest, please note. We hope to resume those visits in the second week of November.

PRESENTATION OF PAPERS AND REPORTS

The following Reports were laid:

1. (i) Report of the Auditor General to the National Assembly on the Public Accounts of Guyana and on the Accounts of Ministries, Departments and Regions for the fiscal year ended 31st December, 2011.
- (ii) Second Annual Report of the Women and Gender Equality Commission for the period June, 2011 to May, 2012.
- (iii) Report of the Indigenous Peoples' Commission for the period ended 31st December, 2011.
- (iv) Minutes of Proceedings of the 1st Meeting of the Committee of Selection held on Friday, 24th February, 2012.
- (v) Minutes of Proceedings of the 2nd Meeting of the Committee of Selection held on Wednesday, 7th March, 2012.

[Speaker of the National Assembly]

Mr. Speaker: Members, I wish to state that with regard to the Rights Commissions I am making every effort and will be working with leaders of the House to ensure that reports from these Commissions do not just come here, gather dust and die, but we are going to find a way for them to be sent to Committees and to be engaged, studied and recommendations should flow from

them. We are looking for suggestions and ideas and I have already been discussing with relevant heads of the House how we can make these reports work for the people of Guyana.

2. Audited Financial Statements of the Public Utilities Commission for the years ended 31st December, 2000 – 2010. [*Prime Minister and Minister of Parliamentary Affairs*]
3.
 - (i) Mid-Year Report 2012.
 - (ii) The Value-Added Tax (Amendment of Schedule I) Order 2012 – No. 178 of 2012.
 - (iii) The Customs Duties (Amendment) Order 2012 – No. 179 of 2012.
Loan Contract **No. 2567/BL-GY** dated September 23, 2011 between the Co-operative Republic of Guyana and the Inter-American Development Bank for US\$5,000,000 for the Sustainable Operation of the Electricity Sector and Improved Quality of Service.
 - (iv) Government Concessional Loan Agreement signed on November 4, 2011 between the Government of the Republic of Guyana and the Export-Import Bank of China **GCL No. (2011) 35 Total No. (385) No. 1420203052011111336** for Renminbi Yuan ¥215,000,000 for the E-Government Project.
 - (v) Sales Contract **No. SA 142251 (PETROCARIBE)** dated January 1, 2012 between PDVSA Petróleo, S.A. and the Guyana Energy Agency (GEA) to supply the Government of Guyana with crude oil, refined oil products and LPG of up to 5,200 barrels per day on an annual basis.
 - (vi) Audited Financial Statements of the Integrity Commission for the year ended 31st December, 2011.
 - (vii) The Guyana Oil Company Limited Annual Report for the year 2011.
 - (viii) The Audited Financial Statements of the Linden Mining Enterprise Limited for the period 9th December, 2004 to 31st December, 2004.

- (ix) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2005.
- (x) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2006.
- (xi) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2007.
- (xii) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2008.
- (xiv) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2009.
- (xv) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2010.
- (xvi) The Audited Financial Statements of the Linden Mining Enterprise Limited for the year ended 31st December, 2011.
- (xvii) The Audited Financial Statements of the Atlantic Hotel Inc. for the period 10th September, 2009 to 31st December, 2009.
- (xviii) The Audited Financial Statements of the Atlantic Hotel Inc. for the year ended 31st December, 2010.
- (xix) The Audited Financial Statements of the Guyana Electricity Corporation Inc. for the year ended 31st December, 2008.
- (xx) The Annual Report of the Linden Electricity Company Inc. for the year ended 31st December, 2007.
- (xxi) The Annual Report of the Linden Electricity Company Inc. for the year ended 31st December, 2008.

- (xxii) Audited Financial Statements of the Aroaima Mining Company Inc. for the year ended 31st December, 2006.
- (xxiii) The Audited Financial Statements of the Aroaima Mining Company Inc. for the year ended 31st December, 2007.
- (xxiv) The Audited Financial Statements of the Aroaima Mining Company Inc. for the year ended 31st December, 2008.
- (xxv) The Audited Financial Statements of the Aroaima Mining Company Inc. for the year ended 31st December, 2009.
- (xxvi) The Audited Financial Statements of the Aroaima Mining Company Inc. for the year ended 31st December, 2010.
- (xxvii) The Annual Report of the Guyana National Printers Limited for the year ended 31st December, 2011.

[Minister of Finance]

- 4. Guyana Rice Development Board Annual Report for the year 2011. *[Minister of Agriculture]*
- 5. The Immigration (Amendment) Regulations 2012 – No. 9 of 2012. *[Prime Minister and Minister of Parliamentary Affairs]*

ORAL QUESTIONS WITHOUT NOTICE

NON APPROVAL OF FINANCIAL PAPER

Mr. Speaker: Hon. Members, earlier this morning I received a request from the Hon. Member Mr. Carl Greenidge to ask of the Ministers of Finance and of Housing and Water, respectively, questions pertaining to Financial Papers that had not been approved by this House, in the first instance, and in the second, matters pertaining to a concert that is already being advertised, I believe, for 26th December, of this year.

I had asked Mr. Greenidge to put the questions and then I would determine whether or not the Ministers will be called on to respond.

Mr. Greenidge: Thank you very much, Mr. Speaker, for facilitating me. I hear the procedure that you propose to use. We have, during the course of the recess, been in receipt of a variety of information and some of that information, pertaining to the work of the House, also has to do with the use of funds made available by the Government.

The first of these has to do with a report that appeared in the newspapers on 7th September, and subsequently, which was quoting the Head of the Presidential Secretariat, Dr. Luncheon, as saying, in effect, that moneys that were not approved by the House have been made available to various recipients. If I may quote from the newspaper itself, according to it:

“The provisions of §1, the Chief Justice ruled was clearly inconsistent with the provisions in the law so the Finance Minister did what the law provided for and made the moneys available to meet those expenditures.”

This was said by Dr. Luncheon. A number of other comments went on and the newspaper also suggests that...

Mr. Speaker: The question, please, Mr. Greenidge.

Mr. Greenidge: The question, Mr. Speaker, is this: Would the Minister be good enough to verify the statements and, if true, indicate what categories of sums have been paid? That is the first question in relation to the first issue.

Mr. Speaker: Very well. I will allow the question. Mr. Minister.

Minister of Finance [Dr. Singh]: I am not in a position to verify the accuracy of the statement attributed to the Head of the Presidential Secretariat as read by the Hon. Member. I will say that the Government is guided by the ruling of the court, in particular the ruling of the Hon. Chief Justice, on the matter of the budget cuts and guided, also, by applicable laws, including the Constitution and other statutes that govern the incurrence of public expenditure.

Mr. Greenidge: I am a bit challenged here. Is the Minister saying that expenditure, which was not budgeted for, was not approved by this House, may have been undertaken and he is not in a position to indicate to us whether that is the case? He must have seen the report.

Mr. Speaker: Hon. Member, I believe that the questions are predicated on a statement purportedly made by Dr. Luncheon. The Minister is saying that he is in no position to verify whether and in what context those statements, if at all, were made. I believe that, perhaps, a substantive question to the matter that you raised could be put in. Certainly, the answer, “I am unable to verify what Dr. Luncheon may have said and if he did say so, in what context”, is a fair response, in my view. But the questions as you have put, I believe, give rise to substantial questions in and of themselves.

Mr. Greenidge: Mr. Speaker, thank you for your assistance. May I say, also, that the very report also suggested that the Minister of Finance – I am quoting here – Dr. Ashni Singh is reported to have said that: “The National Assembly was later deemed by the courts of Guyana to have acted outside of its constitutional limits in inflicting those cuts to the budget.”

That is part of the explanation for the same expenditure.

Mr. Speaker: Very well. What I suggest is that we avoid using ...Mr. Greenidge, I invite you to put a substantive question in written form, perhaps, for the Minister to answer, detailing exactly what you wish to have answered.

Mr. Greenidge: Mr. Speaker, I am asking the Minister specifically, if it is not clear, whether sums have been disbursed from the Consolidated Fund or any other source controlled by the Ministry to fund expenditures which this House specifically did not approve.

Ms. Teixeira: Mr. Speaker, can I crave your indulgence please? Under Standing Order 20 (k):

“a Question shall not be asked as to whether statements in the Media or of private individuals or bodies or persons are accurate;”

Standing Order 18 (b) – **Oral Questions Without Notice:**

“only Questions that are urgent and important or relate to the business of the day shall be permitted;”

I support you, Mr. Speaker, in that these questions are of such magnitude that they require properly presented submitted questions to the House.

Mr. Speaker: I believe that the issue of public expenditure is both urgent and public and important. However, as I said to Mr. Greenidge, the Hon. Member, perhaps, the questions that he seeks to elicit answers for could best be structured in a written question and directly pointed to the Minister, not using perhaps newspaper reports. I would invite you, Sir, to perhaps reduce them in written form and send to the Minister asking specifically whether, in fact, as you have stated, funds are being disbursed and used despite the Assembly's ruling and, if so, what and to what extent. If, in fact, there are some disbursements - I do not know - whether they come within the parameter of a ruling by the Chief Justice, I would need to see that. Of course, you will have to have details of the amounts, the agencies, and so forth. That, perhaps, could not be best answered orally, but I do believe that it is a matter of public importance.

There is one question for the Minister of Housing.

CONCERT TO BE HELD IN DECEMBER

Mr. Greenidge: Mr. Speaker, it is also a matter than pertains to the authority of the House and a matter of urgency to know whether the Minister of Tourism would provide this House with a report specifically on the extent of the financial as well as other involvement that the Government is to have in bringing Chris Brown in for a concert to be held here in December, as you indicated before. I am asking this question in the context of financial stringencies which suggest that we are not in a position to fund critical matters such as pensions, but we seem able to find money for other things.

Mr. Speaker: Minister, the question is whether you would be prepared to give a report on Government's involvement in this matter. If you are not in a position to do so now please indicate.

Minister of Housing and Water [Mr. Ali]: The question presupposes very erroneously that the Government will be involved in that event in a financial way: That is, we are earmarking financial resources for this event. If one would have followed the media press conference, in which this question was also asked, a clear answer was given and that is, as the Minister of

Tourism, I am tasked with ensuring the highest level of traffic to Guyana so that the hotels and the tourism industry in this country can benefit and that our people can have an expanded tourist product.

It is my belief that we ought to work aggressively on finding different formulas and this Government stands committed towards working in partnership with the private sector, towards building our various sectors with the full involvement of the private sector. Any initiative that seeks to expand and improve the tourism product of Guyana, this Minister of Tourism and the Ministry of Tourism would fully support such an initiative.

Mr. Speaker: Minister, after having said all that, how much is that going to cost the people of Guyana? I think that is the crux of the question.

Mr. Ali: Mr. Speaker, I commenced my answer by saying that the question erroneously presupposed that there are financial implications.

Mr. Speaker: Okay. Supplementary.

Mr. Greenidge: The question did not presuppose anything; it asked the Minister. May I go on to tell you, Mr. Speaker, that there is a newspaper report. The Minister referred to his own statement to the press and that statement to the press stated that the Government will be giving tax breaks. That is what is stated. That is what I am really asking: What is the extent of the financial commitment? Mr. Speaker, I find it repugnant for the Minister to be suggesting that to invite someone who has been accused of violence against women...

Mr. Speaker: One second Mr. Greenidge. Chris Brown is not on trial in this House, and if statements want to be made outside about his character, his past, or otherwise, I would ask that they be taken outside. This Chamber will not go into the man's antecedents or anything such as that. He is not here to defend himself. Minister, I believe that the question is about tax breaks, whether there is any financial outlay.

Mr. Ali: Mr. Speaker, there is an established criteria, an established policy, governing the tax breaks that are given to these entertainers for these big events during the August holidays and the Christmas period and that can be made available. Thank you very much.

Mr. Greenidge: Can the Minister tell us whether those tax breaks are any different from those that were not extended, whether the criteria were any different, to the other performers, because we have to be clear as to why some people are given tax breaks in circumstances that are problematic. Mavado, Bounty Killer and others were not allowed... [Ms. Shadick: It is hearsay.] It is not hearsay... on grounds that their lyrics were promoting violence. That was the explanation given by the Government for withholding tax breaks and the support of them. Apparently if they promote violence by saying it, it is cool. If they actually committed the violence, then they will get the Government's money.

Mr. Speaker: I believe that the question has been asked. My belief is that as it pertains to the concert, which is billed for December 26th, 2012, the question has been asked and answered. If, again, we need to go and have a comparative study done on past concerts *vis-à-vis* the one that is upcoming, I suggest that that be made the subject of written questions before the House. [Interruption]

Mr. Speaker: Honourable Members, could we have some order please. Hon. Minister and Mr. Greenidge, order please. All that you have to do is to stay away from the concert if you do not believe in it or attend if you believe in it.

QUESTIONS ON NOTICE

[Written Replies]

1. EXCAVATOR (HYMAC) ON THE WANINA ROAD, NORTH WEST DISTRICT

Lt. Col. (Ret'd) Harmon: Is the Hon. Minister aware that an Excavator (Hymac) has been lying on the Wanina Road, North West District, for over one (1) year to be repaired?

If so, could the Hon. Minister say who is responsible for this expensive piece of equipment being there for such a long time?

Minister of Local Government and Regional Development [Mr. G. Persaud]: Yes. I was made aware after my outreach to Mabaruma Sub-District earlier this year.

The Ministry of Amerindian Affairs acquired the excavator through funding from the Government of Guyana for the National Secure Livelihood Programme (NSLP). However, the

Regional Democratic Council, Region 1, was granted authorisation for utilisation of the machinery in accordance with a Memorandum of Understanding.

The excavator was in use completing the excavation of fish ponds at Tobago Hill when it slid off the matting and sank into the pond/swamp.

Attempts were made by the Regional Administration, Region 1, utilising a private backhoe in an effort to salvage the machine which was under water, but they failed. The Region Administration then sought the Ministry of Amerindian Affairs' assistance for external help, which in turn approached the National Drainage and Irrigation Authority (NDIA).

NDIA was able to have the excavator lifted and removed whereby a temporary engine was utilised.

A tripartite arrangement is in place among the Ministry of Amerindian Affairs, Regional Administration, Region 1 and National Drainage and Irrigation Authority to make the machinery operational once again.

2. FULL-TIME TUTORS FOR THE GEORGETOWN SCHOOL OF NURSING

Mrs. Garrido-Lowe: Given the fact that there is a shortage of tutors at the Georgetown School of Nursing and that there are over 500 students presently attending the institution, with at least 300 attending on a daily basis, and there are only 7 full-time tutors at the said institution, would the Hon. Minister agree that in order to facilitate maximum learning, one (1) tutor is required to tutor 25 students?

Can the Hon. Minister say when the Ministry of Health will be providing the Georgetown School of Nursing with the required amount of tutors that are urgently needed to tutor 300 students on a daily basis at the institution?

Minister of Health [Dr. Ramsaran]: There were 12 full-time tutors attached to the Georgetown School of Nursing at the beginning of 2012, however, four of them retired in the last five months and steps has been taken to have them replaced. Also plans are on stream to incrementally increase the full-time tutor by employing an additional 10 within the next six months. In addition, there are 14 part-time tutors complementing the full-time tutors. Sixteen Clinical

Instructors are also used to perform some of the duties of tutors. A more comprehensive response is given in the answer to the question in Notice Paper number 92.

3. CLINICAL INSTRUCTORS AT THE GEORGETOWN SCHOOL OF NURSING

Mrs. Garrido-Lowe: Since the New Pilot Curriculum that the Georgetown School of Nursing is now using specifies that Clinical Instructors must be part of the programme, can the Hon. Minister say, why there are no Clinical Instructors at the school?

Can the Hon. Minister also say why the Pilot Curriculum has not yet been evaluated since this is the third year since it has been implemented?

Dr. Ramsaran: 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 29 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 30 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 Instructor's course will be held for Public Health staff from Regions 3 and 4. A total of 15 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 Director (ag.)

4. UP TO DATE TEXT BOOKS FOR STUDENTS AT THE GEORGETOWN SCHOOL OF NURSING

Mrs. Garrido-Lowe: Is the Hon. Minister aware that there is a shortage of up to date text books at the Georgetown School of Nursing and, if so, will the Hon. Minister state when the Ministry of Health will be providing the school with the urgently needed text books, which include the following:

1. Anatomy and Physiology
2. Fundamentals of Nursing
3. Medical Surgical Nursing
4. Emergency Nursing
5. Nutrition
6. Path physiology
7. Sociology for Nursing
8. Pharmacology for Nursing
9. Drug Guide for Nursing
10. Myles Midwifery Text Book
11. Maye's Midwifery Text Book
12. Anatomy and Physiology for Midwives?

Dr. Ramsaran: 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 bought during the remainder of this financial year and next year. This will increase the numbers and variety available in all of the libraries of the three schools. Thirty-five (35) essential texts will be purchased and this will account for approximately 300 current additional texts in the library. The 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 rotatory basis. The Ministry is currently upgrading 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.

5. EXPANSION OF LIBRARY AT THE GEORGETOWN SCHOOL OF NURSING

Mrs. Garrido-Lowe: Can the Hon. Minister say whether his Ministry has plans to provide a larger library at the Georgetown School of Nursing to facilitate approximately 500 students that are presently attending the institution?

Dr. Ramsaran: Expansion work 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.

6. ADDITIONAL COMPUTERS FOR GEORGETOWN SCHOOL OF NURSING

Mrs. Garrido-Lowe: Is the Hon. Minister aware that there are only 5 computers at the Georgetown School of Nursing? If so, can the Hon. Minister say when the Ministry of Health will provide the Georgetown School of Nursing with at least 20 more computers to facilitate the research work of the students?

Dr. Ramsaran: Thirteen (13) computers are currently in place at the Georgetown School of Nursing to be used by students and staff. In addition, the Ministry will be soon installing an additional eight (8) computers which will be network using a server. A Wireless Router will also be installed to provide internet service and access the virtual library through the server.

The 2012/2013 budget estimates proposes increase the number of computers at all of the schools of nursing.

2. 47 p.m.

7. GUYANA FOREIGN MISSIONS

Deputy Speaker [Mrs. Backer]: Could the Hon. Minister provide the National Assembly with the following:

- a) A list of the Heads of each of Guyana's Foreign Missions?
- b) The period that each Head of Mission has served at his/her current posting?

Minister of Foreign Affairs [Rodrigues-Birkett]: The following Heads of each of Guyana's Foreign Mission and the period of service at current post are outlined below.

NO	COUNTRY/MISSION	NAME	POSITION	PERIOD AT POST
1	Barbados – Consulate	Mr. Michael Brotherson	Consul General	3 months
2	Belgium	His Excellency Patrick Gomes.	Ambassador	7 years 5 months
	Brazil			
3	Brasilia	His Excellency Kellawan Lall	Ambassador	1 year
4	Boa Vista Consulate General	Mrs. Leila King	Consul General	2 years 5 months
	Canada			
5	Ottawa	His Excellency Harrinarine Nawbatt	High Commissioner.	1 year 5 months.
6	Toronto Consulate General	Mrs. Sattie Sawh	Honorary Consul General	7 months.
7	China	His Excellency David Dabydeen	Ambassador	2 years
8	Cuba	Her Excellency Mitra Devi Ali	Ambassador	3 years 3 months
9	India	His Excellency Ronald Gajraj	High Commissioner	6 years 10 months
10	Kuwait	His Excellency Odeen Ishmael	Ambassador	1 year 3 months
	Suriname			
11	Paramaribo	His Excellency Keith George	Ambassador	6 months
12	Nickerie – Consulate General	Mr. Arlington Brancroft	Consul General	8 years 8 months
13	United Kingdom	His Excellency	High	19 years

		Laleshwar Singh	Commissioner	
	United States of America			
14	Washington	His Excellency Bayney Karran	Ambassador	8 years 6 months
15	New York	His Excellency George Talbot	Permanent Representative to the United Nations	10 years (7months in substantive position)
16	New York – Consulate General	Mr. Brentnold Evans	Consul General	19 years
17	Venezuela	His Excellency Geoffrey Da Silva	Ambassador	1 year 4 months

STATEMENTS BY MINISTERS INCLUDING POLICY STATEMENTS

DISRUPTIVE EVENTS

Prime Minister and Minister of Parliamentary Affairs [Mr. Hinds]: Mr. Speaker and Hon. Members, we are meeting today for the first time after the recess. The Government wants to take the opportunity to bring before this House a course of events which occurred during the recess of which Members of the Government have already spoken, but given the gravity of the events the Government considers it necessary to lay this matter before the House. I speak of the alarming events in our country that led to the disruption of the peace, injury of people and called into question the method of the Opposition forces in our country, namely the Alliance For Change (AFC) and the A Partnership for National Unity (APNU), as it appears to the Government that they plotted an actively led disturbances that can only be viewed as concerted attempts to destabilise our country with callous disregard for the welfare and security of our people.

The Government was astonished and horrified by the statements of the Chairman of the AFC who on Monday October 8th, presumptuously issued an ultimatum to the Executive President and Commander-in-Chief, His Excellency Donald Ramotar, to dismiss a Cabinet Minister within a

given time frame – forty-eight hours. The Chairman of the AFC stated that if Minister Rohee was not removed from office within forty-eight hours, the AFC would call for mass protest. That they would lead themselves... On Wednesday, October 10, he repeated an extended call to civil society to take its own action. The words I have read in the news, he is reported to have said that with the expiration of that time it is their hope that civil society would take its own action. The Chairman clearly indicated, too, that if his demands were not met the AFC would engage in a range of measures that would make it difficult for the work of the incumbent Minister of Home Affairs to be done. As various Members of the Government have stated, we were astounded by such demands by the Chairman of the AFC and the support received by various Members of the APNU and we take the opportunity to restate in this House that the events created the environment which led to the horrendous event of October 11th – the day after the expiry of the ultimatum.

The events of October 11th were characterised by the setting of fires, blocking off the East Bank Demerara highway, attacking the police officers, preventing the fire service from operating, assaulting and robbing of innocent citizens, destroying of public and private property and serious disruption of the lives of citizens.

Airline flights into and out of Guyana were also temporarily suspended during that period, thereby temporarily cutting Guyana off from the rest of the world. The Government views those events to be directly attributable to instigations, urges and actions of the Alliance For Change and the APNU. We hold the AFC, in particular, responsible and accountable for the disturbances. This cannot be viewed as anything but a threat to national security and the peace and public order in our country.

We note that the Chairman of the AFC followed his ultimatum with a statement that, and I quote, “I am not calling for peace.” It is an unfortunate wording. He went on to say: “I want equal rights and justice”, which we all want - equal rights and justice for all. However, his follow-up statement is this, and I quote: “I do not care how we get it but we must get it” which has led us in Government to form the opinion that the Chairman certainly did not care whether his party adopted responsible or disruptive methods to achieve its objective. We are of the view that his party chose the less noble method of the instigating, urging, causing and leading the unrest at the expense of all the citizens who were caught up in the ensuing mayhem.

We condemn the attempts by the Opposition to destabilise our country, to make it ungovernable as a method of getting into power. We condemn its selfish callous disregard for the safety and welfare of our people on its readiness to sacrifice the peace and public order in our country in its attempt to remove the PPP/C from office.

The PPP/C Government expects and accepts vigorous and robust competition for office, as we each present our different policies, programmes and arrangements for the business of our people and country, but we, the PPP/C, expect that the Opposition would be thoughtful, reflective and responsible in its methods, in its quest as it pursues office.

PERSONAL EXPLANATIONS

Mr. Speaker: Hon. Members, the Standing Order states that prior notice to the Speaker is necessary but neither his permission nor leave of the House is required. Does any Member wish to make a personal explanation?

Mr. Nagamootoo: Mr. Speaker, I crave your indulgence...

Mr. Neendkumar: *You ain't shame..[inaudible], all them lil gal you deh feeling up...[inaudible]*

Mrs. Lawrence: Mr. Speaker...

Mr. Speaker: What is that? I did not hear that.

Mrs. Lawrence: Mr. Speaker...

Mr. Speaker: Mrs. Lawrence, you had a matter.

Mrs. Lawrence: I just want to talk about his behaviour.

Mr. Speaker: What has happened?

Mrs. Lawrence: Mr. Speaker, I do not know which Standing Order I should quote. I would declare that. I feel so disgusted in this House to sit on this very first day we come back to deal with issues, important issues, pertaining to this nation, to hear the Hon. Member Mr. Neendkumar...

Mr. Neendkumar:...[*inaudible*] This is not important [*inaudible*]...

Mrs. Lawrence: You hear that.

Mr. Neendkumar: You [*inaudible*] that little girl. I saw that [*inaudible*]...

Mrs. Lawrence: Who would sit in this House and [*inaudible*]...?

Mr. Neendkumar: I was in the vehicle [*inaudible*]...

Mrs. Lawrence: Mr. Speaker, are we in the National Assembly?

Mr. Speaker: Is there a Point of Order? You have to rise on a Point of Order.

Mrs. Lawrence: Yes. It is Standing Order 40. Mr. Speaker, I am sitting here and I am hearing the interruption of another Member, the Hon. Member Moses Nagamootoo who has taken the floor, by the Hon. Member Mr. Neendkumar. I am speaking about issues that have to do with children in a manner that is so disgusting. If there is evidence about something such as that the Minister of Human Services and Social Security is at Mr. Neendkumar disposal and it is not for him to come into this House and behave in this manner. I would appreciate that that will be done.

Mr. Speaker: Okay. Thank you. Mr. Neendkumar I, personally, did not hear the statement but I would ask you to conduct yourself as a Member of the House. I did not hear the statement; I cannot chide you nor do anything, because I did not hear what was said. My focus was on Mr. Nagamootoo's rising and I would like to invite him to rise. Mr. Neendkumar, I do not recognise you.

Mr. Nagamootoo: Mr. Speaker, in his remarks to this National Assembly, on this first day of reconvening this House, the Hon. Prime Minister has essayed to disclose to this nation that the Alliance For Change, which holds his strategic place in this National Assembly, has been part and parcel of a scheme to remove the Government and to make the country ungovernable as well as to fermenting, instigating and executing violence. These are statements that border on accusation of treachery. Treason is a high offence in Guyana and it cannot be taken lightly if the Prime Minister, using his privilege in the House, is levelling these allegations and one wants to know the motive for doing this.

The Alliance For Change, Your Honour, wishes to say this - I am the Vice Chairman for the Alliance For Change, I speak here for the Alliance For Change - ...

Minister of Agriculture [Dr. Ramsammy]: I tried to be patient on this matter. The Prime Minister's statement is not open to debate and what the Member is doing right now does not fall into the Standing Orders of Personal Explanation.

Mr. Speaker: Hon. Members, statements by Ministers, by right, by practice, pertains to policy matters coming under a Minister's purview. The Hon. Prime Minister went on a very long discourse which was permitted. A Member of the House, who feels that he or she wishes to make a personal statement or explanation about a matter,...but the Prime Minister's statement cannot be debated. A Member may speak about his personal matters and he or she is free to do so, but it is not to debate the Prime Minister's statement.

Mr. Nagamootoo: Mr. Speaker, thank you very much. I wish to say this, that as a Member of the Alliance For Change and a Member of this august Assembly I am personally offended by any accusations that border on sedation or treason and wish to say that I or the Chairman for the Alliance For Change, Mr. Nigel Hughes, nor any member and leader of the Alliance For Change have not been part of planning, executing violence in Agricola or any other village in Guyana. While we agree with the right of citizens to protest, we believe that the right is circumscribed by the law and that right is that they protest peacefully. We recognise, however, the anger of ordinary citizens who suffer grief and loss of life by police bullets; their anger not to be provoked, and not to be challenged to rumble, and not to be mocked and taunted by officials of the State.

We condemn any and all violence, robbery, which has been brought to our attention, that was associated with or exploited by events that had unfolded in Agricola. I have made a statement to the press on the very night of the incident at Agricola denying any implication of myself or the Alliance For Change in any of those events. Also the next day I was a part of a press conference in which we clearly stated our condemnation of any violence that had been perpetrated at Agricola. We also said that any violence and attack on citizens, racially or otherwise, would not do the cause of any person or persons in Guyana, including Agricola, any good because the Guyanese people would disassociate themselves with such protest.

We ask that the NCN, the anti National Communications Network, should carry our statement and yet, for all, those statements we have made condemning of what we considered to have been exorcism have not been carried.

In conclusion I wish to say...

Mr. Speaker: You have to keep your statement personal.

Mr. Nagamootoo: ... that I have been personally offended by the allegations made by several persons associated with the State that I have been involved in instigating violence against Indo-Guyanese and that I should go to Berbice to inform them about what I have done. I wish to condemn this racism as being divisive on the part of the Government, and that its attempt to give racial content to people's anger and people's protest will not bring peace to Guyana. It will further divide our society. As a national, concern with the future of Guyana, I call on it to call off its hate campaign and to lead in the way that is befitting of a State that is responsible to all the people in Guyana. I condemn its attempt to insight racism in Guyana and to divide our country.

Leader of the Opposition [Brigadier (Ret'd) Granger]: I rise to make a personal statement on this matter. The Hon. Prime Minister has made some very damning accusations. I would like to inform this House that I, personally, presided over a meeting of Members of the People's National Congress Reform (PNCR) which is part of the Opposition...*[Interruption]*

Mr. Speaker: Hon. Members, the Leader of the Opposition is on the floor and he is entitled to be heard.

Brigadier (Ret'd) Granger: We planned a week of protest. The protests were conducted without incident in a picketing demonstration in front of the office of the Minister of Home Affairs, in front of the Office of the President; we had a rural outreach and the week of protests culminated in a rally at Stabroek Square. There were no reports from the police about disorder. A Partnership for National Unity (APNU) and the People's National Congress Reform were not involved in any disorder and no accusations were made against us. I refute everything that the Prime Minister said attributing any blame to APNU or the PNCR with regard to the incidents at Agricola.

REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE NATIONAL ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

Mr. Speaker: At exactly 12.53 p.m. today I received a letter under the hand of the Government's Chief Whip, Ms. Gail Teixeira, raising the issue of events at Agricola as a matter of urgent public importance and requesting my leave to permit a debate under Standing Order 12 on this matter. I have, in the short time, made available to me, conferred with the rulings given on this matter by my predecessors Mr. Ralph Ramkarran and Mr. Sase Narain and having considered them, I would wish to adopt those rulings, particularly the one by Mr. Ramkarran, given against a similar request by Mr. Corbin on the 16th March 2004, in which Mr. Corbin's request was denied and Mr. Ramkarran stated then that, and to quote him:

“Definite as a single specific matter must be one that is not couched in general terms or covering a great number cases, not offered when facts are in dispute or before and not importing an argument.

In relation to urgency, the matter must be of recent occurrence and raised without delay.”

The fact that a grievance is continuing is not sufficient, in the view of Mr. Ramkarran, if it is not of recent occurrence. Well, I go on to quote Mr. Ramkarran:

“The matter must be one that is sudden in manner that gives rise to an emergency and should not have arisen over a series of weeks.”

It should be sudden and in an emergency which should not have arisen over a period of weeks.

Earlier in the year I, myself, had received a similar request from the Leader of the Opposition and I did give ruling citing similar statements coming out of the Lok Sabha in India. I wish to quote the Speaker of India's Parliament. He said:

“The matter proposes to be raised should be of such character, that something very grave, which affects the whole country and its security, has happened and the House is required to pay its attention immediately by interrupting its normal business of the House. The adjournment motion is just an extraordinary procedure which, if admitted,

leads to setting aside the normal business of the House for discussing a definite matter of urgent public importance.”

For those reasons, and even reinforced by the fact that the Prime Minister has raised this matter as a statement by a Minister and has given the Government’s position on it, I have indicated to Ms. Teixeira, previous to us convening at 2 p.m., that I will not give leave for her to introduce this matter as a Definite Matter of Urgent Public Importance.

Government Members rose to their place.

Ms. Teixeira: Mr. Speaker, in accordance with Standing Order 12 (3) (b), we rise to seek your indulgence to allow the motion to proceed.

Mr. Speaker: Mr. Clerk, could you take a count of those who are standing please.

Hon. Members, Standing Order 12 (3) states that if the Speaker is not satisfied and does not give leave, if at least eighteen elected Members rise in their places to support the request the motion shall stand over until 5 p.m. on the same day and at that time the proceedings of which the Assembly is engaged shall be postponed until the motion for the adjournment is disposed of or until 9 p.m.

Mr. Clerk, could you advise and take a count, please, of those who are elected and standing. I need the record of the elected Members.

Deputy Speaker [Mrs. Backer]: Mr. Speaker, before the count is taken... *[Interruption from the Government Members.]*

Mrs. Backer: Mr. Speaker, I rise on a Point of Order. *[Interruption by the Government Members.]*

Mr. Speaker: One second.

[Interruption by Government Members.]

Mr. Speaker: Members, allow me please. Hon. Deputy Speaker, I have asked the Clerk to take a count but before I give a ruling or anything I will hear you.

Mrs. Backer: Much obliged, thank you.

Mr. Speaker: Could I have the count completed and then I will hear you on your Point of Order. People are standing at the back who is not Members. I see Mr. Hamilton. Mr. Clerk, have you...

Ms. Ally: Mr. Speaker, before the Clerk gives his count, could I enquire whether the vote of Mr. Clement Rohee is being counted?

Mr. Speaker: The Clerk has advised that he is an elected Member of the House.

Ms. Ally: Okay. Thank you.

Ms. Teixeira: Mr. Speaker, this is not a vote.

Mr. Speaker: It is not a vote...

Ms. Teixeira: It is a body count.

Mr. Speaker: ... so all I would ask is when the Clerk calls your name you just indicate whether you are standing or not. We just need to have, for the record... It goes without saying that what is happening here is historic. We have never had a Government's motion on a Definite Matter of Urgent Public Importance, so the record must be accurate. Please work with us.

Ms. Shadick: Mr. Speaker, why should I be answering when I am standing? Could the Clerk, or whoever is counting, walk around and see if we are standing? I would not answer if I am standing. I am standing.

Mr. Speaker: I think we should allow the Clerk to do his task as he sees it fit.

The Clerk made the count.

Mr. Speaker: The Clerk has reported. Members, you may be seated.

Mrs. Backer: Mr. Speaker, as a public servant, Dr. Nanda Gopaul is not an elected Member. It is in the case of if he has forgotten. Standing Order 12 (3), "If the Speaker is so satisfied" and "either" leave is given – in this case leave was not given – or if at least 18 Members... The Speaker has to be so satisfied. Mr. Speaker, you clearly stated that you are not satisfied. This [Mr. Lumumba: He never said that.] He said that. Is this a threat to the Speaker? This

matter came up on more than one occasion with Mr. Hoyte, the Speaker.... Mr. Speaker, you would recall that PNC, in the Ninth Parliament, had more than eighteen persons, and with the AFC, it had even more than eighteen persons, but we never got pass the first hurdle because the Speaker always held that he was not satisfied that it was qualified, so because of that we never got to eighteen.

3.17 p.m.

[Ms. Shadick: That is foolishness...*[inaudible]*. I am hearing that Mr. Ramkarran was very foolish, according to Ms. Shadick. **[Ms. Shadick:** I did not say so.] That is what she is saying, but I do not think that we should speak about someone...

Mr. Speaker: Mr. Ramkarran is not here and I will not preside and allow his name and his character to be smirched.

Ms. Shadick: I am very sorry. I never said that the Speaker was foolish. I am saying if a Speaker is satisfied then he would give his permissions. For that argument, it does not hold any water. The permission was not given, so eighteen persons have got up to ask for it to be done. She should withdraw that. I never said...

Mrs. Backer: Mr. Speaker, getting back to the serious nature of the business, it is APNU's position, and I formally put it on the table, that a precondition of an adjournment for Definite Matter of Urgent Public Importance is that the presiding Speaker must be satisfied. If he is satisfied he then asked: Is the National Assembly in favour? If the National Assembly is not in favour, the entire National Assembly, once eighteen people get up, then the motion can proceed. In this case, Sir, you started off by saying that you are not satisfied and it is our respectful submission that that ends the matter.

Mr. Speaker: Is there any other view that anyone wishes to canvass?

Mr. Ramjattan: I want to state my concurrence with that argument and the articulation of it by the last Member. If the Speaker is so satisfied that it is urgent, and that is obviously what it has been qualificatory thereof, definite and a matter of public importance and he has ruled already that he is not, so it is not definite, urgent or of public importance, then no matter if it is twenty-

eight or thirty-eight of them, over there, who stood, it cannot become a matter that we have to discuss here. I am just concurring with her.

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: My own respectful view is that one has to make sense of the entire Standing Order. If it is Sir, that you had the power to withhold your leave and that is the end of the matter then the Standing Order would have concluded at 12 (2) and there would not have been a need to go beyond, but it goes beyond and it states when you are not satisfied, because one Member fails to satisfy you, that is why eighteen Members must stand. That is the only logical interpretation which can be put to the Standing Order or else it does not make sense. It states:

“If the Speaker is so satisfied and either:-

(a) leave of the Assembly is given...”

Leave was not given, so it goes on to (b) to deal with the second eventuality.

“(b) If it is not given,...”

If leave is not given..., so we have gone beyond Your Honour’s satisfaction and we are dealing with if you have refused leave, then, at least eighteen Members must rise in their places to support the request. Any other interpretation, Sir, will make a mockery of the English language. .

Mr. Speaker: Hon. Members, I wish to thank you for your contributions. Deputy Speaker, I, in fact, recall the instance that you mentioned. A matter that comes under this very grave Standing Order must first meet the Speaker’s approval for the disruption of the regular business. At the end of the day the Assembly has to also agree that its business will be disturbed, on the invitation of the Speaker. If the Speaker is of the view that it should proceed, the Assembly still has to give its blessing. If eighteen Members have stood, because of my dissatisfaction, the House...

Mrs. Backer: Mr. Speaker, if I could, if we go to Standing Order 12 (2), the second sentence, which is the third line, “The Speaker shall refuse to allow the claim unless he or she is satisfied...”

Mr. Speaker, let us get it very clear. If you, Mr. Speaker, in your deliberate judgement, are saying that you are satisfied that is when the eighteen comes in.

Mr. Speaker: Is it then?

Mrs. Backer: It is if you are satisfied because that is what it states. “The Speaker shall refuse to allow the claim unless he or she is satisfied...” It is if the Speaker is so satisfied. Mr. Nandlall quite rightly said that we have to read the whole thing. Standing Order 12 (2) states:
[**Mr. Nandlall:** But the Speaker has ruled.]

Mr. Speaker: Let me hear the Deputy Speaker, please.

Mrs. Backer: Mr. Speaker, our position is this if you have ruled that it does not satisfy the test that, with the greatest respect, Sir, is the end of the matter. I am reading from Standing Order 12 (2) the second sentence:

“The Speaker shall refuse to allow the claim unless he or she is satisfied that the matter...”

“(3) If the Speaker is so satisfied...”

That is Standing Order 12 (3). Standing Order 12 (3) only kicks in if you pass Standing Order 12 (2) - “If he is so satisfied...” - and you are the one who will then say, “I am satisfied”, and the whole Assembly will say “we agree”. If the whole Assembly does not agree then is when you will ask who agrees and if eighteen Members or more stand, then that is it. The Speaker must agree. That is it.

Mr. Speaker, before you have a say, if we can, Sir, in the same way that you sought the assistance of previous Speakers, we are not saying that you are bound by them, but we are saying that in the Eighth and Ninth Parliaments the Speaker then, the Hon. Mr. Ramkarran, ruled using that interpretation. Ms. Teixeira, in all honesty, is looking at me and agreeing with me that he so ruled. We are urging that that is the correct ruling.

Mr. Speaker: Hon. Members, giving the gravity of this situation, it is a matter of public importance in my view, but I do not believe that it is qualified as being urgent and immediate. I do recall, but my recollection is somewhat sketchy, of a ruling of a similar nature by Mr. Ramkarran when Members stood. I am asking for your leave and your permission for a five-

minute recess so that I may retrieve the records from the parliamentary library and be advised by the Clerk. The sitting is suspended for five minutes.

Sitting suspended at 3.26 p.m.

Sitting resumed at 3.36 p.m.

Mr. Speaker: I thank you for your patience. During the recess the Clerk and I took the opportunity to refer to several writings which I will refer to. The first is *Practice and Procedure of Parliament of the House of Commons of India, the Lok Sabha* and I wish to quote from that, at page 550. It states:

“The consent of the Speaker alone does not entitle the Member, given the notice of an adjournment motion, to move for the adjournment of business of the House, it has to be followed by leave of the House.”

If I am satisfied, I still now have to put the motion to the House for its approval. The House may then say yea or nay. If it says no, eighteen Members may stand and give their approval or disapproval. Similarly, a document entitled, *National Assembly Parliament of Guyana Manual of Rules and Procedures Practices and Convention used by Parliamentarian in Conduct of the Business of the National Assembly, 2007*, prepared by the former Deputy Clerk, Mr. Maurice Henry, he wrote:

“In coming to a decision, the Speaker must...”

And this is on page 20.

“...have regard to the extent to which the matter concerns the administrative responsibility of Ministers.”

He went on to say:

“In declining a request, the Speaker ought to state whether or not he is satisfied that the matter is qualified to be discussed without giving his reason for the decision. If the Speaker is satisfied that the claim to make a motion is in order, he asks whether the Member has leave of the Assembly, if leave of the Assembly is not signified the Speaker

will then ask those Members who support the motion must stand in their places. If at least eighteen elected Members rise accordingly the motion stands over until 4.30 pm on the same day”

It does appear from these writings that if the Speaker is satisfied then he goes on to ask the House whether it wishes to have its business disrupted. Just before coming out, we have received as well, the Minutes of the Proceedings of the 20th Sitting of the National Assembly, held on the 20th February, 2007, a matter in which a request to move the motion was made by Mr. Robert Corbin and it was, according to these Minutes, negatived when a division was taken in which twenty- nine Members voted against the motion and eighteen Members, obviously standing, voted in favour of it. The note goes on to state, however:

“Notwithstanding, the result of the division claimed eighteen elected Members rose in their places and supported the request in accordance with Standing Order 12 (3) (b) thereafter the motion was allowed and stood over until 4.30 in the afternoon.”

Members we have gray area here because it would appear that, on that occasion, despite the motion being negative, eighteen Members rose. However, based on the reading of the procedures as of the Lok Sabha, and of the procedures manual, which is used by this House, despite the standing of eighteen or more Members of the House for the motion, I will not put it for the approval of the House. Ms. Teixeira, your request is not permitted.

Mrs. Backer: For clarity, because I remember that occasion very clearly. On that occasion the Speaker - I would be happy, for the benefit of everyone, if some more research could be done - had signal his approval for the motion and that is how it got to the stage of the twenty-nine Members for the Government, because we barely had eighteen Members. I remember specifically. I was the acting Chief Whip and there was a mad scramble to ensure that we had eighteen people in the House, but the Speaker, on that occasion had ruled in favour. It is not inconsistent.

Mr. Speaker: Very well. We are actually retrieving the verbatim transcripts from the Hansard Department as we speak.

Ms. Teixeira: Mr. Speaker, I defer to your ruling, however, I do say that, on behalf of the Government, we will be bringing a substantive motion at the next sitting to discuss this issue which we believe is definite, urgent and of public importance. The fact that Agricola ended up... There was a follow-up instance, subsequent protest, on the October, I believe, the 15th and 16th, on more than one occasion, does raise concerns for us on the Government side as well as thousands of people, on that day, who were discommoded, who walked and waited, regrettably, some were robbed and who were afraid, particularly, children. On the Government side, we believe, this is a matter of great importance, particularly as we have heard from Mr. Granger that the APNU was in no way involved in this and that its events were peaceful. Therefore we would wish to have a proper discussion in this House, on this matter, so that we can hear all the concerns on both sides. Thank you very much Sir.

Mr. Speaker: Members, the verbatim transcript has come. I will review it and we will decide. Sorry, I need to read from it. It is dated the 20th of February, 2007.

The acting Speaker, I believe that would be, at the then time, Mrs. Clarissa Riehl, Member of Parliament, said, and I quote her:

“Hon. Members, I have considered the claim by the Hon. Member Mr. Robert Corbin. I am satisfied that the matter qualifies as one which will be properly raised on a motion for the adjournment of this Assembly. However, the leave of the National Assembly is also required and I will now seek such leave.”

I believe that we are consistent. We may now proceed.

Hon. Members, the Clerk advises that it is 4.05 p.m. and that we take the suspension at this time for one hour. Members who wish to have copies of any of this material please indicate and I will have them circulated. We will be suspended for one hour, exactly.

Sitting suspended at 4.05 p.m.

Sitting resumed at 5.05 p.m.

Mr. Speaker: Members, when we took the suspension we had just concluded consideration of a request to move the House on a matter of urgent public importance and a ruling was given.

Before we proceed, I wish to mention, that is an oversight on my part, that earlier today, I did receive, in my capacity as Speaker, a document intitled first petition by the People's Parliament of Guyana. The Clerk and I had a discussion. I have since circulated it for the edification of Members of the House. It was given by persons holding themselves out to be the People's Parliament of Guyana and I believe, as the Speaker, I ought to have shared it. Each Member should receive a copy of this document.

INTRODUCTION OF BILLS

Brigadier (Ret'd) Granger: On a Point of Order, Mr. Speaker. I rise in order to forestall, perhaps, a damage to our parliamentary democracy which could occur if this House is not vigilant. At the end of July, we deliberated, we discussed, we decided, we debated and we must not allow our efforts to be disregarded, we must not allow our efforts to be described as a waste of time. This House must not allow its efforts, it must not allow itself, to be described as the most reckless in history. All of us feel insulted when this sort of language is used to describe this honourable House.

We took a decision, but we have been in the subject of contempt. This House has been the subject of vilification. We took a resolution and today this House must demonstrate the seriousness of its debate and its decision making. We took a decision and we must not allow ourselves to be the victims of a pattern of intimidation and of spurious challenges. This is a serious matter. If this House has come to a decision that it has no confidence in a Member of this House, we must honour that decision and we must be prepared to stand up to that decision.

If this House decides to censure a Member of this House, this is a matter for this House. I urge that any matter coming before this House under the name of a Member in whom no confidence has been expressed should not be allowed. I urge that this House should not proceed with any matter introduced by a Member in whom it has no confidence. This is a serious matter for this House. This House must not allow decisions taking in deliberate judgement to be flouted. On this ground, I urged that the Member, Hon. Clement Rohee, in whom a vote of no confidence was passed be not permitted to introduce matters in this House as Minister of Home Affairs.

Hon. Members (Opposition): *Rohee must go.*

Mr. Speaker: Hon. Members, this again, is unprecedented. The Member in question is an elected Member of the House. He has been appointed Minister of Home Affairs. This House has passed a resolution *vis-a-vis* his appointment as Minister. I, personally, indicated to the Clerk earlier today... and have been engaging this matter mentally, and believe that I need to be advised and will make a pronouncement on that later on. I believe I saw the Hon. Attorney General seeking to rise.

Mr. Nandlall: Sir, I agree with the Leader of the Opposition that the issue at hand is one of importance and it affects our democracy, and therefore we must proceed with extreme circumspection. Clement James Rohee sits in this National Assembly not as a result of the confidence of this Assembly, but because he was elected by the people of this country to sit there. He was appointed, Sir, by His Excellency the President, as a Minister of the Cabinet and the Government of Guyana and assigned the ministerial responsibility relating to Ministry of Home Affairs.

Sir, it is not for this House to determine whether Minister Rohee should function as an elected Member or not; it is a matter for the electorate of this country. To address this very fundamental problem, I have resorted to the other democratic mechanism which is available, and that is the judiciary. Your Honour is fully aware and the Hon. Leader of the Opposition is fully aware that the matter has been served and lawyers have appeared and there is an adjourned date. I ask this Assembly not to take any precipitous step and to act in a manner that will prejudice the proceedings. The letter and spirit of the Standing Orders prescribed that this Assembly must have due regard and deference to matters that are subjugated and must not take a position that can convey the impression that it is prejudging or acting contrary to a matter that is awaiting adjudication by the court.

In the circumstance, I will ask that Hon. Member, the Minister of Home Affairs be allowed to proceed with his business and the business of the Government until and unless the court pronounces.

Mr. B. Williams: The question of censuring the Minister is solely a matter within the jurisdiction of this National Assembly. Our Standing Orders are silent on this question, but the Constitution is not. Our Standing Orders state that where any rule is silent then recourse must be

had to the practice of the House of Commons of England and Northern Ireland. When there is recourse to the practice it has always been within the jurisdiction of the House of Commons to censure a Member of the House. The cases are replete with that, even in Trinidad nearby. The Hon. Leader of the Opposition, Mr. Rowley, had brought a no confidence motion in Mr. Ramlogan, I think, the Minister of Justice, and that is pending. This is not an isolated issue. This manner of running to the courts whenever we have legitimately exercised our business and our jurisdiction in this House must stop. It is wholly unacceptable. These whimsical, capricious and specious recourses to the court, in the face of the legitimate exercise of the internal business of this National Assembly, we must put a stop to them. *Sub judice* cannot operate in isolation. My respectful submission is that only Parliament has the jurisdiction to censure its Members.

5.22 p.m.

We have censured Minister Rohee and we have further asked the President to intervene in the matter and I do not know if the President was written to. I believe the Leader of the Opposition had written to the President informing him about the decision of this National Assembly and I am not sure if he has had any official response from him.

Article 106 speaks to the House voting on a Vote-of-Confidence with respect to the Government. What is the Government? Article 106 (1) states that the Cabinet has the President, the Prime Minister, the Vice Presidents and Ministers. Anytime the Government loses a vote of confidence, the entire array must resign. [*Interruption*] That is the whole cabal, *a fortiori, mutatis mutandis*.

If we could remove the entire Cabinet, including the Minister, how come we do not have the ability to move a Vote-of-No Confidence in a Minister which is a mere component of the Cabinet? The practice in the House of Commons, which is a convention, is that if the Minister loses a Vote-of-Confidence, the Minister must resign.

Mr. Speaker: Mr. Williams, does the Minister resign as a Minister or as a Member?

Mr. B. Williams: As a Minister... And so we are saying... [*Laughter*] That is the motion we moved, no-confidence in the Minister. How could a Minister in whom we lack confidence purport to lay a Bill in this Hon. House? It will be a travesty if we allow him to do that! It will be an affront to our capacity in this House to make decisions in this House! So we are saying that

Minister Rohee ought not to be allowed to lay any Bill in this House until and unless he either resigns of his own volition, the President moves him or we take further action to move him as a Member - at all. **[Opposition Members (chanting): Rohee must go!]** Mr. Speaker, I rest my case. Mr. Rohee cannot lay a Bill in this House because we have voted against him. *[Applause]*

Ms. Teixeira: Mr. Speaker, as you noted, there are rather unusual things happening in this House today. We are under Introduction of Bills – First Reading and I have never heard – I have sat here for 20 years – an interruption under Standing Order No. 40, which I believe is what Mr. Granger raised, has ever been done before the person even gets up to read the first reading and have the debate on it. These are highly unusual times. However, Mr. Speaker, I am hearing words such as “censure” and “removal”.

The motion that was debated in this House and which the Opposition, by majority, won was to do with the removal of the Minister. Censure is a different thing. The censure of a Minister does not necessarily come by motion. It goes through a process which the House has in its mechanisms of privileges and it has to be something wrong that that Minister did wrong in the House. So you cannot talk about censuring a Minister for something that you may think he did outside the House.

The Committee of Privileges deals with the behavior of a Member in the House. There is a lot of convenience and really wrong deductions and wrong information being shared in this House today. Any comparison with Trinidad is not relevant here in the sense that Trinidad does not have a Proportional Representation (PR) system and we have. Trinidad does not have a constitution like us; we have. Therefore, it is not like in the British systems and other Parliaments with First-Past-The-Post. We have a PR system and the Constitution makes it clear that how a Minister is appointed that Minister is removed. Mr. Williams who is talking about censure is totally irrelevant because the Minister has not been censured by this House; there is a confidence motion, but not a censure.

Brigadier (Ret'd) Granger: On a Point of Order...

Ms. Teixeira: Are you point of ordering me now too.

Brigadier (Ret'd) Granger: On a Point of Order, may I read the Resolved clause?

Mr. Speaker: I just sent for it. This is for clarification, Ms. Teixeira.

Brigadier (Ret'd) Granger: For clarification:

“Further Resolved:

that the National Assembly censures and expresses no confidence in the Minister of Home Affairs, Hon. Clement Rohee, MP, over his ability to discharge his responsibility for public security.”

Ms. Teixeira: Mr. Speaker, the censure of a Member does not come through that means. The Hon. Member is a recent Member to this House and, therefore, he may not be *au fait* with the issue of how a motion of censure is brought. Therefore, you cannot censure a Member of this House for anything that you think he or she may have done outside of this House. Therefore, on the motion that was brought, it has nothing to do with the behavior of the Member in this House. There are very glib things being spoken in this House which have no substance and no precedent in the Standing Orders of this National Assembly. If the Hon. Members want a constitutional change, the Hon. Member who spoke, Mr. Granger, the Leader of the Opposition, is the Chairman of the Constitutional Reform Committee. He can bring these constitutional amendments and he will learn that we have to go for a referendum for some of these. Mr. Speaker, I appeal to you that despite all the passion of the Members on the other side, on this issue, they are standing on sticky mud.

Thank you very much.

Mr. Ramjattan: Mr. Speaker, if I may have a word on this, in relation to a matter that was very comprehensively deliberated on when the motion was brought before. I had cause then to quote, extensively, from Diana Woodhouse on Ministerial Responsibility and as an authority, by the way, it was also, as I impressed upon this National Assembly at that point in time, an application of a convention that is across the Commonwealth. What is of significance here is that a certain Minister, in this case Minister Rohee, as a matter of the arithmetic within this National Assembly, had a no-confidence motion disfavouring him as Minister of Home Affairs.

Motions brought in this House ought to be respected. Motions of disapproval of certain Members, because of the arguments that led to the realisation of the passage of those motions, ought to be respected.

We, in the WHEREAS clauses, indicated, in a very rational way, why it is that he has lost confidence. The trouble is that the arrogance and what is called an authoritarianism which are forthcoming from the Government benches are indicating that they do not want to respect that convention.

The conventions of Westminster democracies make it quite clear that if one does not have the confidence of the House then one is to do the honourable thing, the decent thing, the thing that requires the justice of the Parliament and that is that one decently walks away. This Minister, however, seems to pay absolutely no heed.

Now, I want to make mention of another argument in which the Hon. Attorney General, in rebuttal to me, or purported rebuttal, indicated, “Where is the convention in the Constitution?” Conventions are not all in the Constitution. The Constitution is our supreme law, but the machinery of governance in the Executive branch, in the Legislative branch, in the Judicature branch of Government sometimes has rules and norms that are not written in the statutes or in the Constitution. That is what oils the machinery of good governance. It is where we go back to the position of what the norms are that govern scenarios like this. I made it quite clear that yes, indeed, it is not in the Constitution that having passed the no-confidence motion, there is anything stating that he has to go. However, the trouble is that there is, as a matter of convention, all across Commonwealth countries. When a no-confidence motion is done in the Lok Sabha, against a Minister, he decently walks and there are very many examples in Diana Woodhouse’s article that I quoted. It is in the Hansard. It is the same thing in Canada. If one brings a no-confidence motion against even a Member of Parliament, one can have him walking. So not because he is appointed by the President, it necessarily follows that he has to be disappointed by the President. He could be disappointed here. That is what has happened.

Your Secretary is not an employee of this National Assembly. [Member: Rohee is not an employee of this National Assembly.] He is in a sense. He has to have the appreciation and

he has to have the confidence before he operates here. You must understand that that is good governance.

It has happened and the examples given in a piece I saw written recently in the newspapers that even though the Courts might not find you guilty, there can be a scenario where your Commission or whosoever it is, that body under whose rules you come, can make the decision to expel. That is what we are seeking here. We are indicating that this conventional mode that we want to apply here so that the Hon. Minister who has a deficiency, deficit or lack of confidence in him in this National Assembly, we must start to cultivate that kind of culture. Why are we just going to continue and be arrogant and get the Hon. Dr. Luncheon to say, “He shall not be removed”? If we do not start these conventions and living them, we are going to enter crisis proportions, constitutional crisis. That is what we are trying and seeking to avoid. The argument should not be that he is appointed by the President. He has no right to be here as a Minister in view of the passage of that motion. That is the clear case. We have seen – and I mentioned on the last occasion that I debated this where people like Mr. Asgar Ally was very decent enough to walk when he was told certain things that under policy he was doing wrong. He walked even before any motion could have been brought. [Mr. Ali: Did you send Ms. Kissoon home?] Ms. Kissoon is not a Minister. Luckily the convention, my dear Minister Ali, that I quoted to you has to do with ministerial responsibility. If a Member misbehaves, a Member could also have a no-confidence motion and could have to resign. This is the convention of ministerial accountability, ministerial responsibility. That is the distinction here. So do not tell me about Ms. Kissoon! It does not apply!

Mr. Speaker: Okay, Mr. Ramjattan.

Mr. Ramjattan: Mr. Speaker, I want it to be understood that this Parliament ought not to allow the breach and violation of that convention. The motion was in order. A majority of the Members voted for it and he should not be allowed to speak.

Mr. Speaker: Hon. Members, we have a situation where by majority of this House, a motion was passed. Aspects of the motion have been taken to Court for a review. Whether or not the Court has the right to do so, I am not going there right now. The Minister remains an appointed

Minister by His Excellency the President. This House or a majority thereof has a view as it regards that appointment.

A Bill is to be introduced this afternoon by the person carrying out the functions of Minister of Home Affairs. The Leader of the Opposition has raised an objection, by way of a Point of Order, that because of the motion and its Resolved clause, the Minister should not be allowed to introduce that Bill. I have gone through the Standing Orders and I am not certain as to what powers I have to prevent the Minister or an elected Member from introducing any Bill.

This morning I spoke with a senior counsel asking for an opinion because I believe that I need to be advised and I was promised that opinion within a week. That is the furthest that I can go. At this time I am not prepared to make a ruling in the absence of legal advice which I have solicited. I do not know if the Whips can find a way around it, but as it is, as I have said, I have solicited a legal opinion from a senior counsel and I am awaiting that opinion. So we have, for all intents and purposes...

Ms. Teixeira: Mr. Speaker, if I could try to help, the Standing Order No. 26 (g) states, and I assume in a sense of what Mr. Granger has said it is not really a motion but an interruption:

“It shall not relate to any matter which is under adjudication by a court of law;”

[**Mrs. Backer:** What Standing Order is that?] Standing Order No. 26 (g). Mr. Speaker, you had referred to Speaker Ramkarran’s rulings on an earlier matter. Could I suggest you to look at Speaker Ramkarran’s ruling in April 2007 in relation to an issue that was before the Court? Therefore, I think the recourse is to stand by the Standing Orders. No matter that is related to a matter which is under adjudication by a court of law can be brought before this House. In that ruling by Mr. Ramkarran he had used the Canadian courts and the British courts in terms of defining what meant “before court”. Therefore, I am asking you to stand by that so that we could proceed. Thank you.

Mr. Ramjattan: Mr. Speaker, if that be the position that my colleague on the other side would like to see happen, we have to stand by our motion so that he should not be allowed to speak until you get your legal advice or the court rules. What has been quoted here, Standing Order No. 26 (g), “it shall not relate to any matter”, has to do with admissibility of motions. Look at the

subtitle. It is misleading us in relation to what *sub judice* prevents. If it were a motion brought here and that motion had a matter relating to a *sub judice* matter, then fine. However, it is not to be held inadmissible. What we are saying and I think you are taking the correct approach by looking for legal advice, if your legal advice indicates that he could speak, then fine, if it is not, that is fine, or if you want to wait until the court has so ruled... but your legal opinion is only up to next week. That court case will take another year. The court case was brought especially to bring in the *sub judice* sinister motive.

Ms. Teixeira: Mr. Speaker, by allowing an interruption under a first reading of a Bill, this is how we ended up with a debate actually. It is really not allowed to interrupt in a first reading. However, having come to that...

Mrs. Backer: Mr. Speaker, on a Point of Order, I am asking if the learned authority on the Standing Orders can indicate where it says that one cannot have an interruption at a first reading. [Ms. Manickchand: What is your Point of Order?] Her whole argument is prefaced on that.

Mr. Speaker: Proceed, Ms. Teixeira.

Ms. Teixeira: Thank you Mr. Speaker. You are very kind. Under the Standing Order to do with the first reading, it was never anticipated that there would be an interruption on the first reading. We are “un-anticipating” many things in this House. As we write the Standing Orders as we think and it suits us, we will be in serious trouble down the road. Anyway, this is the way you want it.

How can this House remove the rights of individuals? The debate on the motion on the Minister assumed certain guilt based on statements made in this House by Members of the Opposition. The Commission of Inquiry which is dealing with those matters has found that a lot of the allegations are completely baseless. One cannot remove the Member’s right to due process whether it is in this House, in the media, in the Commission of Inquiry or in the courts. When we talked about the censure motion and I think the Hon. Member Deborah Backer was taken to the Committee of Privileges and the matter was never even resolved. The censure issues are dealt with at the Committee of Privileges and can only deal with what is said in the House.

It is unacceptable that this House, by majority rule and undemocratic majority rule, is not allowing a Member of this House to speak and is not allowing the Member to read a Bill for the first time. This is unacceptable because you have assumed the purposes of being judge, jury and executioner all in one. And you will be proven to be wrong and “you gon *eat crow*” in this House! I warn you that you are going to *eat crow* in this House. [*Interruption*]

Mr. Speaker: Hon. Members as I have indicated, I have sought and have been given a promise of a legal opinion from a senior counsel within a week. I do not believe that I can, in the absence of any opinion, one way or the other, stop or encourage Mr. Rohee to speak.

The matter before us is the laying of a Bill for first reading, a Bill to be introduced in the name of Mr. Rohee. Incidentally, I wish to make the point that there is no substantive motion before the House; there is a point of Order, but there is no motion before the House to prevent the Bill from being introduced. There is a Point of Order that because of a motion passed, the Bill ought not to be read by the..., but there is no substantive motion.

The outcomes are that the person, Mr. Clement James Rohee, carrying out the functions of Minister, rises to present it or it may be, in the interregnum, passed to another Member to be read whilst I obtain the opinion. Those are the options.

FIRST READING

1. FIREARMS (AMENDMENT) BILL 2012 - BILL NO. 21/2012

A Bill intituled:

“AN ACT to amend the Firearms Act.” [*Minister of Home Affairs*]

[*Members chanted while Minister of Home Affairs was on the floor.*]

Ms. Ally: Mr. Speaker, I await the presentation and first reading of the Firearms (Amendment) Bill 2012. [**Mr. Nandlall:** It just passed.] I have not heard it and so... Any Member of the combined Parliamentary Opposition...we did not hear it.

Mr. Speaker: Mr. Clerk, could you advise whether the Bill was read or not read, in your opinion?

Clerk of the National Assembly [Mr. Isaacs]: I was instructed to read the Bill and it was read a first time.

Mr. B. Williams: Mr. Speaker, the Bill was not presented so the Clerk could not read it.

Mr. Speaker: Hon. Members, I propose that because of the depth of the agenda and what lies ahead of us, that we proceed.

Ms. Ally: Mr. Speaker, may I enquire whether we have just had the laying or the presentation and first reading of that Bill? Could you rule on that, Sir?

Mr. Speaker: The Standing Order states that a Bill, being a Government Bill, may be presented to the Assembly without an order of the Assembly for its introduction. In other words, it does not need an introduction. That is the Standing Order. Therefore, when it comes up for second reading..., the Clerk read that the Bill does not need to be formally presented and introduced and so I believe that we will deem it as introduced by the Clerk and we will proceed.

Ms. Teixeira: Mr. Speaker, just before, I noticed that there was a placard on the other side. Could we please ask that that be desisted? Ms. Kissoon had it; it is green with the phrase "*Rohee must go*". Could we please ask that it be removed from this House?

5.52 p.m.

Mrs. Backer: Mr. Speaker, I would crave your indulgence to look at Standing Order No. 53(1):

“Except as provided in paragraph three (3) of this Standing Order any Member may move for leave to introduce a Bill of which he or she has given notice...”

Our position is that we did not hear anyone on the Government’s side move leave to introduce a Bill. It is a Government Bill. It is the introduction and first reading of a Government’s Bill.

Mr. Speaker: Please read on Mdm. Deputy Speaker.

It says:

“... but a Bill may be presented to the Assembly on behalf of the Government after notice without an order of the Assembly for its introduction.”

Mrs. Backer: Sir what is the problem? I have no problem with that.

Mr. Speaker: A Member may introduce a Bill in his/her name, but a Bill may also be presented to the Assembly on behalf of the Government after notice without an order of the Assembly for its introduction.

Mrs. Backer: Are we saying that the Assembly has replaced the Minister with the Clerk?

Mr. Speaker: As a means of moving the business forward, I ask the Clerk to read the Bill on behalf of the Government without an order from the Assembly.

Mr. B. Williams: Mr. Speaker, I was wondering if you would consider, in all these circumstances, deferring this Bill until this matter is settled. In addition to that, you are awaiting advice from Senior Counsel. Might I suggest to you that everything be stayed until you receive your advice? I do not think it is unreasonable. You have already put, in train, a course upon which you could be advised. My respectful submission is that it might be a good thing for you to await the Senior Counsel's advice so that we could...

Mr. Speaker: Mr. Williams that is very good, but I need help in someone pointing out to me where the Speaker has the power to order the deferral of any Bill or Motion or Question.

Mr. B. Williams: Sir, do you wish for a motion to be put?

Mr. Speaker: I do not have that power.

Mr. B. Williams: Sir, we could move a motion for its deferral and we could vote on it. Further, another Member of the Government could move the Bill.

Mr. Speaker: The opinion is on its way and I suggest we move on.

2. MUSIC AND DANCING LICENCES (AMENDMENT) BILL 2012 – BILL NO. 23/2012

A BILL intituled:

“AN ACT to amend the Music and Dancing Licences Act.” [*Minister of Finance*]

PUBLIC BUSINESS

GOVERNMENT BUSINESS

Bills – Second Readings

TELECOMMUNICATIONS BILL 2012 – Bill No. 18/2012 published on 2012-08-09

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

MOTION

CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) ORDER 2012 – No. 179 of 2012

“BE IT RESOLVED:

That this National Assembly, in accordance with Section 8 of the Customs Act, Chapter 82:01, confirm the Customs Duties (Amendment) Order 2012 (No. 179 of 2012), which was made on 27th August, 2012, under Section 8 of the Customs Act, Chapter 82:01 and published in the Official Gazette dated 8th September, 2012.” [*Minister of Finance*]

Dr. Singh: Mr. Speaker, I rise to move the motion that this National Assembly, in accordance with Section 8 of the Customs Act Chapter 82:01 confirms the Customs Duty (Amendment) Order 2012 – Order No. 179 of 2012, which was made on the 27th August 2012 under Section 8 of the Customs Act Chapter 82:01 and published in the Official Gazette on the 8th of September 2012.

Mr. Speaker, if I may by way of brief remarks in introducing this motion recall that in the Budget Speech 2012 of which I had the honour of presenting in this National Assembly on the 30th March 2012. I announced, at that time, Government's intention to introduce certain measures as it relates to renewable energy sources. I said at that time as is reflected in paragraph 6.5 and paragraph 6.6 of the Budget Speech on page 66:

“Consistent with our Low Carbon Development Strategy which promotes clean and renewable sources of energy along with energy efficiency and recognising the rising cost of energy from traditional sources, it is our intention to promote greater reliance on renewable sources of energy and the use of more energy efficient devices.”

I went on to announce our intention to bring legislation to remove applicable taxes on equipment used for generating electricity from non-traditional or renewable sources for both household and commercial purposes. In the Budget Speech, I included a number of examples such as solar panels, lamps, solar generators, et cetera.

The making of this Order, that is to say the Order that I now seek to have confirmed and its companion order, the Value Added Tax (Amendment) of Schedule 1 – Order 2012, which has also been made and has been gazetted on the 1st September 2012, but does not statutorily require confirmation by the National Assembly. Both of those two instruments, that is to say, the Value Added Tax (Amendment) of Schedule 1 – Order 2012 and the Customs Duties (Amendment) Order 2012 which is now the subject of our consideration, those two Orders endeavour to make or indeed provide for the removal of the zero-rating of Value Added Tax (VAT) in the first instance and the removal of customs duty in the second instance on machinery and equipment for obtaining, generating and utilising energy from renewable energy sources including solar panels, solar lamps, deep-cycle batteries, solar generators, solar water heaters, solar cookers, direct current solar refrigerators, direct current solar freezers, direct current air conditioners, wind turbines, water turbines, power inverters and energy efficient lighting including compact florescent lamps and light emitting diode lamps.

I believe that the two orders, and certain the one which I said is the Customs Order that is now under consideration, are very straight forward and simple. They implement this measure, as I indicated which was the subject of consideration in Budget 2012, and I believe that the universal

support of this Hon. House, given firstly their consistency with the Low Carbon Development Strategy, which as it is well known has been the subject of national consultation and indeed debate in this National Assembly on more than one occasions.

Furthermore, given the principle underlying these Orders, not just to say the removal of taxes on these items which are so essential to our agenda on promoting energy efficiency and indeed, for encouraging behavioural changes as it relates to consumption of energy, we hope that by the removal of these taxes- the Value Added Tax and the Customs Duty- that more businesses and industrial and commercial enterprises and indeed more households will recognise the merit of migrating from less efficient devices to more efficient devices, both in terms of generation and in terms of the equipment they use with their operation for consuming electric energy. I commend this Bill against that background. I should make the point that the Customs Duties Amendment Order also discharges a second responsibility and that is to say the removal of duties on exports pursuant to our obligations under Article 14 of the EU/CARIFORUM Economic Partnership Agreement (EPA). It will therefore be noted in paragraph three of the Order, it inserts a proviso that no export duty shall apply to any export to a member of the European Union or the Dominican Republic, consistent with our EPA obligations. It will be recalled that Guyana was in fact the first amongst Caricom Parties to EPA to legislate the new tariff schedule, the transitioning of the tariff to reflect EPA's obligations. That function is also served by this Order and specifically by paragraph three of this Order.

As I indicated, I do not anticipate that this Order should attract any contention or stimulate any great excitement, except enthusiasm on the other side of the House. With those brief remarks, I commend the Order and I urge unanimous support for its confirmation. [*Applause*]

Mr. Nagamootoo: Mr. Speaker, the Order having been signed, I think, in August, we have no objections to this Order receiving the approval of this House. I hope the confirmation will be unanimous. We in the Alliance for Change (AFC) feel that this is one area in which we can find consensus and agreement. Any amount of relief that can be brought to the investors and even consumers to allow us to beat our growing energy problems in Guyana should be welcomed. I should feel that someday we can move beyond welcoming the machinery and equipment for obtaining, generating and utilising energy from renewable sources into, in fact, hastening the introduction of schemes and plans for the production of bio-fuels in Guyana so that we can help

in generating more capacity and bringing down the cost of energy in Guyana as well as in other areas for the use of wood. It may be surprising, but there are studies that show that you could have wood waste and rice waste all being used in the scheme of things to produce more energy.

This move is very welcomed, the Motion that was introduced today. We also feel that Guyana Power and Light Inc. (GPL) need a little breather. If the private investment can fill the void so that we can have fewer blackouts in places like Berbice and even in the city, then we encourage the private investors to come on board. It is an initiative that we welcome. If I may say this without even compromising what I am saying, because we are wholeheartedly in support of this, is that we also look forward to the day when we do as in the case of Trinidad, where they have recently zero-rated VAT on over 6,000 consumer food items. We will similarly have in a short while an additional list of food items to be zero rated in order to bring relief to our hard-pressed working people. Once again, the Alliance for Change supports this motion. [*Applause*]

Mr. Greenidge: Thank you very much Mr. Speaker. I rise to join our colleague in commending this motion in saying that in the two parts that the motion seeks to capture - we first of all have no difficulty recognising that the amendment of the Schedule's Export Duty table to which the Minister makes reference and to which is cited at the bottom of the Order - it is part of an obligation arising from the EPA agreement signed with the European Union (EU). Therefore, we must of necessity deal with that to satisfy our commitment to the EU and to the Dominican Republic, so that poses no problem.

On the first and the main part of the Order I would like to say again that we welcome the Bill. I would say that the Minister perhaps needs to be encouraged to look more widely at the tools that could be used to fashion a more comprehensive policy as regards energy efficiency, a policy that would take account of the different types of fuels, the relative burdens that the weight of the relative impost on those fuels and their effect and efficiency.

Mr. Nagamootoo has himself cited some of those, if you like, the need for that. I would really not want to hold you further to go into any detail on it. I hope that in the course of the year we will see some attention devoted to a more comprehensive ADC Policy in that regard. Thank you very much. [*Applause*]

Mr. Hinds: Mr. Speaker and Hon. Members, as Minister responsible for energy, I think we would like to welcome and in fact we would like to urge the Minister to take the steps. I think I need to speak for some clarification. The fact is that at this time, in ordinary and general circumstances, renewable energy is not competitive with energy utilising the commonly available fossil fuel. At this time, maybe only solar water heating is really economically competitive with per say heating with some fuels. The general understanding is that the prices for renewable energy equipment is falling and that as more and more use made of these equipment the prices will keep on falling.

On the other hand, the price of fossil fuels have been rising, and the general thinking is that at some time fossil fuels may be called upon to pay the price of having the issue to remove back from the atmosphere, for carbon fixation and so on. As such, at some time we may even see a doubling of the price of fossil fuels. In this situation, many countries that are more prosperous than us and better endowed, have taken positions mandating that certain amounts of renewable energy be introduced, whatever the price. In those countries, they have enough energy and so they pay premiums. They provide premiums for energy from renewable sources. We have not judged, but we are in that position to provide premiums, but we have taken the position that we will remove the imposts, the custom duties and VAT on the equipment that would be utilised using renewable energy sources and also equipment that would improve the efficiency in using energy from whatever sources. So that whether you use your lights, compact florescent lamps and your LED lamps, whether they come from renewable energy sources or fossil fuels at this time, a more efficient utilising of energy is desirable, whatever the source. So, we are also giving relief on equipment for more efficient use of energy. With that clarification, I am pleased to join with all the others in supporting this motion from the Minister. [*Applause*]

Dr. Singh (replying): Mr. Speaker, it is not my intention to say much except that I would like to thank my colleagues on all sides of the House for the support that they have expressed. I wish to assure them that these Orders, the one that have already been gazetted and the one that we are about to confirm represent but particular elements of a much broader agenda for promoting energy efficiency and promoting the migrating to cleaner and more renewable sources of energy. I simply want to assure them in that regard that I have taken note of their comments and I thank them for their support.

Mr. Speaker: Thank you very much.

Question put, and agreed to.

Motion carried.

PRIVATE MEMBERS' BUSINESS

MOTION

STEPS TO BE UNDERTAKEN TO ESTABLISH THE INDEPENDENCE AND AUTHORITY OF THE NATIONAL ASSEMBLY

WHEREAS the Needs Assessment of the Guyana National Assembly as contained in the Report of the Commonwealth Senior Parliamentary Staff Advisor (Sir Michael Davies Report) to the Guyana National Assembly, February, 2005, recommended, *inter alia*, that:

“The National Assembly should be given much greater independence in respect of its own budget. Systems should be established within the Parliament Office to undertake the estimating, monitoring, controlling and accounting for the Assembly’s expenditure; and

The Clerk of the National Assembly should become the employer of all staff of the Parliament Office. A larger Personnel Office should be established to carry out these additional responsibilities.”

AND WHEREAS the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report, Volume 2, has recommended at component 6 of its recommendation that, ‘Parliament should employ its own staff, and the Speaker should appoint the Clerk of the House after consultation with all parties’;

AND WHEREAS the Government signaled its acceptance of these recommendations in the 2005 Draft Poverty Reduction Report released on the 21st June, 2005;

AND WHEREAS the basis of these recommendations is the need for Parliament to be fully independent of the Executive,

“BE IT RESOLVED:

(1) That a Special Select Committee be appointed to examine these recommendations with a view to advising the National Assembly on the steps to be undertaken to establish the independence and authority of the National Assembly in respect of its own budget; and

(2) That this Special Select Committee examines these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable the Clerk to become the employing authority of the staff of the Parliament Office;

BE IT FURTHER RESOLVED:

That the Special Select Committee submit its final report one month after its appointment.”

[Mr. Ramjattan]

Mr. Ramjattan: Thank you very much Mr. Speaker. It has been some time now that this troublesome question of how independent of the Executive branch of Government this National Assembly should be. We have had a number of experts who have come into this country, lectured to us in seminars – I know you are also arranging one, commencing as of tomorrow – and we seem somehow not to be getting there as quickly as we ought to.

I want to make it very clear that we have moved forward, but I rather suspect that it would be a truism to state that we are not where we ought to be. It is in that context then that I proceed to seek support from this National Assembly for this motion standing in my name, namely ‘*Steps to be Undertaken to Establish the Independence and Authority of the National Assembly.*’

We only just now saw a little raucous here as to what authority we have as a National Assembly and what is the meaning that is supposed to be given to an approved motion that has no-confidence in relation to a Minister and so on. So, to give the independence and authority of this National Assembly meaning, to flesh it out as it were, (because we understand the skeletal aspects of the matter), is what this motion seeks to do. I wish to read the motion.

“WHEREAS the Needs Assessment of the Guyana National Assembly as contained in the Report of the Commonwealth Senior Parliamentary Staff Advisor (Sir Michael Davies Report) to the Guyana National Assembly, February, 2005, recommended, *inter alia*, that:

“The National Assembly should be given much greater independence in respect of its own budget. Systems should be established within the Parliament Office to undertake the estimating, monitoring, controlling and accounting for the Assembly’s expenditure; and

The Clerk of the National Assembly should become the employer of all staff of the Parliament Office. A larger Personnel Office should be established to carry out these additional responsibilities.”

AND WHEREAS the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report, Volume 2, has recommended at component 6 of its recommendation that, ‘Parliament should employ its own staff, and the Speaker should appoint the Clerk of the House after consultation with all parties’,

AND WHEREAS the Government signaled its acceptance of these recommendations in the 2005 Draft Poverty Reduction Report released on the 21st June, 2005;

AND WHEREAS the basis of these recommendations is the need for Parliament to be fully independent of the Executive,

BE IT RESOLVED:

(3) That a Special Select Committee be appointed to examine these recommendations with a view to advising the National Assembly on the steps to be undertaken to establish the independence and authority of the National Assembly in respect of its own budget; and

(4) That this Special Select Committee examines these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable the Clerk to become the employing authority of the staff of the Parliament Office;

BE IT FURTHER RESOLVED,

That the Special Select Committee submits its final report one month after its appointment.”

A National Assembly as was stated by Mr. Davies is a very important institution. It constitutes that very important component of what we call Parliament, of course Parliament being the National Assembly and the President. Because the National Assembly houses the genuine representatives, duly elected by the electorate, it is important that they be given a certain authority and independence also.

What we have seen in a couple of days in the recent past is that the President and the Office of the President feel that they have this total authority. And that the National Assembly, even if by a majority motion or a majority statement or producing a bill in a very cavalier fashion stating, “we will not be in any way supporting that! Unless, of course, the Government-bench members are going to be in support of it”!

We want this to be understood, that the independence and authority of this National Assembly is as equal, if not more equal, than the Office of the President. It is that fundamental, all because we house the 65 representatives duly elected.

I want it to be understood then that if that be the premise, we must have what is called “financial independence” so that we can manage our affairs without encroachment and interventions from the Ministry of Finance. The Ministry of Finance, when it sees our National Assembly’s budget, just as they are talking about the Ethnic Relations Budget – they want to talk about the Auditor General’s Budget, and we have had that – when we in this Parliament through our Parliamentary Management Committee decide that this shall be the budget say for 2013, we must not have a Minister of Finance coming and cutting this half or cutting that half of it to the extent...*[Interruption]* No, this is what it is... financial obligations to the National Assembly is what I am getting at here. It is important for them over there to understand that you get more authority and independence in an institution that represents the true representatives of the people by virtue of financial independence and autonomy. A very famous President, Dr. Jagan, has been asking for this, I have seen his selected writings, unfortunately I did not bring it, where he indicated that he has been a long-sufferer for the principle that the National Assembly must be financially independent.

6.22 p.m.

He was also, since that time, 1992 to 1997, indicating that we must have some experts to help us. **[Interruption]** Yes... because this Parliament here is not in a position to deal with what the budget should be and that is why we are going to have problems. This Report of Sir Michael Davies - *Needs Assessment of the Guyana National Assembly* - done on 18th February, 2005, especially under the subhead of the Chapter *Independence of the Legislature*, made some telling statements as to the state of affairs in relation to that independence. He was indicating that throughout his investigation – he came here for a long while and did his investigation:

“I have identified areas where the separation of powers is not observed...”

This is page 9 of the report:

“...in respect of the National Assembly. Meetings of the Assembly are entirely at the whim of the Executive. Control of the Order Paper is entirely in hands of the Executive. The Assembly’s budget is too tightly controlled by the Executive. The staffing of the Assembly is not independent of the Executive and committee work is subject to frustration by the Executive.”

Very strong words.

Recently, in relation to the control of the Order Paper being entirely in the hands of the Executive that we talked about although we have a minority status government right now, Dr. Luncheon was saying that the Clerk could not put that which he put on the Order Paper. And he said it in a very cavalier way as if it was he who had to put the item on the Order Paper...

Mr. Speaker: Mr. Ramjattan, those are very generalised statements and I would prefer that you have specifics to accompany them. If not, I would not want you to go down that road. **[Mr. Nagamootoo:** You cannot talk about the “big man”.]

Mr. Ramjattan: Well, the “big man” indicated as much, Sir. I would like to state that is the independence we are talking about. I wish to make the analogy here that when we lawyers go to the court we have an absolute right to file whatever we want at the Court Registry. Whatever is brought, whether it is a motion or a bill the Government does not like, the Clerk has to put it on the Order Paper. When it comes here, we will decide whether we will disqualify it. The situation is just like the Court Registry official who will carry cases up to the Judges. If the Judge sees the

case is vexatious and unmeritorious, he will disqualify it. However, one must not say we must not... If I have in mind as a parliamentarian to bring a certain motion, I have to just put it to the Clerk and let him bring it up. He must not be gatekeeper, in a sense to exclude. He has to simply put it up. That is an important part that Sir Davies was talking about.

Additionally, what he said at paragraph 20 of page 9 is:

“An independent legislature requires information which is accurate, timely and usable. Only in this way can members of a legislature have the means of questioning public policy. If the Executive makes it difficult to obtain such information or provides it too late for the purpose for which it is sought the legislature is in the hands of the Executive and cannot assert its independence. “

That is a difficulty we have. I must add to that the fact that sometimes, because we are green horns in certain public-policy areas, we need expertise. The expertise has to be funded. So there is the necessity for financial arrangements for us to get a public policy education and capacity to get funding so we can get the experts to tell us how best to move forward. I also want to quote paragraph 21 of the same page 9. This is what Sir Michael Davies is saying again:

“It is constitutionally wrong for the Parliament Office, which serves the National Assembly, to be subject to the provisions of the Fiscal Management and Accountability Act 2003 in the same way as Ministries, and to be accountable to a Minister rather than to the Assembly.”

He said he shall return to this big topic. I do not want to go into it because I think we were all served with this Needs Assessment. I think we all, as parliamentarians, got copies. That is fundamentally the core rationale behind why we start moving forward to give financial independence to this institution.

The other report that was very important and significant had to do with I think Mr. Pender's Report. Both the recommendations from the Sir Michael Davies Report and Mr. Pender's Report were dealt with by a Special Select Committee chaired by Dr. Leslie Ramsammy. It is obvious that the Government was very supportive of these recommendations. However, it would appear the Government loves to support these recommendations because they are very qualitatively

different; they could transform this Parliament. However, because of wanting to keep control this Government is going to delay the implementation and the execution of these recommendations. That is the situation we have.

On page 6 of that Report it was agreed that there should be agreement to giving the National Assembly the authority to manage its own budget. A start should be made in establishing a finance office with the necessary expertise to manage the finances of the Assembly. All of this work was done since 2005/2006 and, of course, we shall go to the international committee to consider supporting this as part of capacity building.

“The budget should be submitted to the Ministry of Finance by the Speaker and the Minister of Parliamentary Affairs after it has been agreed to by a special committee of the Assembly for this purpose.

A new finance committee should be established to estimate for, control, monitor, and account for all expenditures and for the training of staff. The Clerk should be the accounting officer.”

I think the Report goes on to make other recommendations all to do, again, with having an independent parliamentary cadre with professional human resources offices to manage these new responsibilities and as the responsibilities grow with our development as a National Assembly.

What we have after all these recommendations is that they are not being implemented. Because we have this wealth of material, my motion is that we now place them in a parliamentary committee that is going to make the recommendations especially in relation to the two matters - financial independence, and giving the Clerk the power to employ staff so the staff does not have to be at the behest of the Executive through some Ministry. The Ministry can have its favourites and flatterers getting the jobs. We need professionals here and we believe the Clerk can be the best employer... *[Interruption]* No, no. *[Interruption]* Well, you can say what you want. You have a lot of flatterers in your Ministry so you do not talk.

Mr. Speaker: Let the debate go on.

Mr. Ramjattan: I am saying that we want more professionals here. That is what the motion is talking about. *[Interruption]* Oh, we are insulting the hardworking staff. Look at them how they

love to twist an argument. But that is alright. [*Interruption*] That is their “control-freekism”. From 2005, five/six years, they have not implemented but now they come and say ho, ho. [*Interruption*] Oh gosh, look at them, look at them! I am telling you that we need better personnel. [*Interruption*] Just like the ones you put at the Office of the President, who come from Freedom House, and give them salaries. That is what you do.

Mr. Speaker, it is important to note that the Bradford Study which is quoted on page 8 of the same report from Dr. Leslie Ramsammy’s chairmanship said Parliament must be in control of its own budget. We could see why the Minister of Finance is so wired up. He does not want Parliament to be released from his Ministry. He wants it under his Ministry. However, you Mr. Speaker, and your Clerk and your Staff must be the ones in control of the budget of this National Assembly. That is what Mr. Bradford – not Ramjattan – Mr. Pender and Sir Michael Davies are saying. And that is important for us. They want to have it all for themselves. Addendum No. 18 indicated that.

I knew that some of them are going to get loud because they want - as I have coined that term - a perpetuation of “control-freekism” with the finances of this country even from a branch that is separate.

We are going to have, just to bring this matter to an end at this stage, a Special Select Committee appointed to examine these recommendations. And there are lots of recommendations. But these two, it would appear, the Government does not want to touch in a way. They are backing away. Like a 40-foot pole they do not want to touch the employment and financial independence issues.

I am asking that this House be supportive of those two resolve clauses, and that we do not waste time. From 2005/2006 to 2012 it has been six or seven years. Let us get it done, and be it resolved that a final report as to how we are going to implement these recommendations is presented one month after the Special Select Committee’s appointment. And I hope its appointment will be shortly after this motion is supported.

Thank you very much Mr. Speaker. [*Applause*]

Motion proposed.

Ms. Selman: Mr. Speaker, I rise on behalf of A Partnership for National Unity (APNU) to support and second the motion standing in the name of the Hon. Member Mr. Khemraj Ramjattan under the caption *Steps to be Undertaken to Establish the Independence and Authority of the National Assembly*.

We in A Partnership for National Unity consider the separation of powers to be a cardinal element in any democratic society. It is a protection against dictatorship. The separation of powers presupposes that a democratic state is divided into branches, each with separate and independent powers and areas of responsibility, so that no branch has undue influence and power over other critical branches. The normal division of branches is into a Legislature, an Executive and a Judiciary. We believe that separation of powers is an indispensable means for ensuring responsibility and accountability. Sir, Michael Davies in the Needs Assessment of the Guyana National Assembly Report dated 18th February, 2005 found that one of the main weaknesses was the lack of independence of the Parliament and its management from the control of the Executive. We in the APNU believe that the National Assembly should be free from the interference of the Executive. As a consequence we in APNU wish to call on all Members of the National Assembly to support the motion that seeks to assert and protect that independence by way of rules to ensure its operational independence. The proposals are meant to ensure operational management, human resources and financial independence of the body. Further that a special select committee be appointed to examine the recommendations with a view to advising the National Assembly on steps to be undertaken to establish the independence and authority of the National Assembly in respect of its own budget; and that this special select committee examine these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable The Clerk to become the employing authority of the staff of the Parliament Office. Thirdly, that the special select committee submit its final report one month after its appointment.

Thank you, Mr. Speaker. [*Applause*]

Minister of Agriculture [Dr. Ramsammy]: Mr. Speaker, I rise to speak on this motion. I believe as we present this motion we should acknowledge that work done by all of us in this Parliament and in previous Parliaments have made us, at this time, a much better Parliament than we started out with. So if we go through the First Parliament to the Tenth Parliament we have to

acknowledge that we have a much stronger Parliament. And in terms of the principles of participation, in terms of the shared governance, this Parliament today stands much stronger than when we started out. I think we ought to take note of that. Therefore, the intention of this motion is to continue the trend we had throughout our history as an independent Parliament, as we made improvements on each round.

I think sometimes that what we have in our mind and the words that come out give the wrong impression. I sincerely hope that what Mr. Ramjattan said about the staff is not what was in his head. [*Interruption*] I am giving you a way out Mr. Ramjattan. What came out of his mouth was not something anyone of us wants to endorse. I do not know any that staff of this National Assembly that is here, in terms of their position, because of a favour. [**Mrs. Backer:** Why are we training them?] Please, as I said, in all of our endeavours we train people. But I do not know that anyone was appointed because he/she was somebody's favourite. That was clearly said by the Member. I am sure those were words he did not mean.

Having said that, this motion addresses two specific recommendations that were made through engagements of a number of persons including Mr. Bradford, Mr. Pender, Sir Michael Davies etcetera. I know this motion has good intention. [**Mr. Ramjattan:** Thank you] I would presume that. But sometimes the coordination is lacking. We have done a lot of work – at the select committee, at the Parliamentary Management Committee and through other dialogue which addressed these issues.

The recommendations made by these consultants and by others, and from our own select committees, have been debated over and over for a number of years. I have suggested some amendments, and these were not made with any kind of malice because I thought the Whereas clauses should capture the history of all the work we have done that lead us to these recommendations. I did not think the Whereas clauses capture our history so the recommendations are friendly amendments.

Mr. Speaker: Dr. Ramsammy, are they circulated?

Dr. Ramsammy: There were circulated. These amendments were circulated a while back. They just give the history of all the things that occurred. These two matters as the Hon. Member Ramjattan identified have been the subject of recommendations made by Sir Michael Davies.

The Eighth Parliament, through a Special Select Committee, which I chaired, had considered the recommendations of Sir Michael Davies who had done the needs assessment report during the Seventh Parliament after being invited by the PPP/C Government. In a report from the special select committee the budgetary matter was listed as Recommendation No. 18, and the staff management/human resources management was Recommendation No. 19 from the addendum report of Sir Michael Davies. The special select committee had considered also the Bradford Report, the Fiduciary Oversight Report. There were two parts to the report. In the first part Recommendation 31 addressed this matter, and in the second part they were addressed in more detail in Recommendation No. 3 and Recommendation No. 21. The Special Select Committee had already recommended the adoption of these recommendations and had referred these matters to the Parliamentary Management Committee, to the Speaker and to the Clerk, to establish how these matters could be implemented. What this motion is asking for, the consideration of these matters by a Special Select Committee, a previous special select committee had already referred this matter to the Parliamentary Management Committee, the Speaker and the Clerk to consider how it might be done.

The second select committee that was established in the Ninth Parliament never completed its work. The PNC/R therefore needs to Report to this House what it did with the recommendations before we go any further. Indeed, in the meanwhile the inter-parliamentary party dialogue had agreed that it wants to review these recommendations and determine what progress we have made in agreeing to and implementing the various recommendations. In this regard the inter-parliamentary party dialogue had requested myself and the Hon. Member Ms. Teixeira to prepare a report on these recommendations – a status report on what progress we might have made or not made. That report was prepared and submitted, and at the last meeting we did look briefly at the status report.

There were 87 recommendations in all when the Sir Michael Davies Report, the Pender Advisory and the Bradford Report are combined. The Davies Report with its Addendum had 38 Recommendations. Just to put things in perspective, of those 38, 29 have been fully implemented. Therefore, when Mr. Ramjattan nonchalantly says that we consider these and do nothing about them it does not seem this is true. In any circumstances 29 out of 38 are fully implemented, and most of these are already in the Standing Orders we have been using. Seven

more have been agreed to out of the 38. These seven have been agreed to and are being implemented. So whilst they might not be fully implemented they are being implemented. Only two recommendations are in the red, meaning that we have not yet agreed on how to implement them.

I can guarantee the Hon. Member that this select committee will end up at the same place. I am referring to how to implement, because we can only agree. We are not going to be able to determine the operational things. Those things have to be done at another level. That was done by the previous select committee. After having agreed, the matter was referred the Speaker, the Clerk and the Parliamentary Management Committee.

When we looked at the Fiduciary Oversight Report there were 41 Recommendations in two parts. There was a set of 20 Recommendations considered as PART I which were all agreed to by the Government and all came to the Parliament. In fact, it was agreed to by the Government at the time of the presentation of the report before it came to Parliament. In the first set there were 15 fifteen recommendations fully implemented out of the 20. Four are being implemented. One has not yet been implemented. Another one of these is one of the two that has been referred, as I said, to the Parliamentary Management Committee; it relates to the Budget matter.

In the second part, 10 recommendations were made and seven were fully implemented. We reached agreements on the others. For the Pender Advisory there were eight of them; seven have been fully implemented and are in the Standing Orders. One more is being implemented. So of the 87 Recommendations 92% have been fully implemented or are being implemented and, whilst we may want to say not all have been implemented, I think under any circumstances that is not a bad record. That is something we should acknowledge. It is that we may want those that have not yet been implemented to be similarly implemented. I thought that we all got together and worked hard and for most of these things there was consensus. Most of these things we all agreed to unanimously sometimes, and these were placed in our Standing Orders or implemented in one form or another. Therefore, in presenting this motion I did not want it to come out in this House that recommendation were made by the people we hired and we talked by ourselves in the select committee and nothing is being done. A lot has been done; much has been done in fact. I think as a House we should acknowledge that. We have some accountability to our people.

When it comes to the two recommendations that have not been implemented as yet, a recommendation was made in the Eight Parliament for the Parliamentary Management Committee, the Speaker and the Clerk of the National Assembly to consider how they could be implemented and to make such a recommendation. That was never done. Those reports have never come to us. Sometimes we go into a territory and travel a road that makes things a lot more complicated. Knowing how a select committee works, Mr. Speaker, we are going to come back with the same recommendation for the Parliamentary Management Committee, the Clerk and the Speaker to make recommendations to us on how that might be done. In a select committee we cannot do that; we can agree that these things be done; we can consider how it might be done, but at the end of the day, we have to move it over to somebody or in this case a Parliamentary Management Committee to determine how that might be done.

6.52 p.m.

Since the Eight Parliament we agreed to that and here we are in the Tenth Parliament; we want to go back to how we got here. We got here looking at these recommendations and suggesting a way of how we could decide on the operational mechanism and come back and tell how that might be done and that was never done. We want to go and revisit exactly the same pathway and that is my problem. My problem is that we want to go back; travel the same road and therefore get no where.

Mr. Speaker: Dr. Ramsammy, maybe you could guide as to why the previous recommendations were not implemented then.

Dr. Ramsammy: That I can. That is what I am asking for. For the Parliamentary Management Committee, the Speaker and the Clerk, who received those reports since the Eight Parliament and we never got back any answers towards that. So we revisited the thing again in the Ninth Parliament and we are revisiting again in the Tenth Parliament and I could assure you that we are going to pass it back in the same way.

I had asked that the amendments that I proposed, which simply includes how we got here, be supported and that the RESOLVED clause ask the Parliamentary Management Committee what the Speaker just asked me, which is, “what happened at the Parliamentary Management Committee?” because I do not know. So that is what...

Mrs. Backer: To ask the Parliamentary Management Committee what happened?

Dr. Ramsammy: Well to give us a report. This House needs a report.

Mr. Speaker, that would be my contribution to this motion. Thank you very much. [*Applause*]

Mr. Speaker: Thank you. Just by way of information, the Clerk advises that in fact, coming out of the recommendations, a Committee was formed under the chairmanship of the then junior Minister of Finance. That Committee did not complete its work and therefore, by way of the way things go, we have to recommence at the point when that Committee was by fluxion of time or otherwise unable to complete its tasks.

I invite someone from the Opposition to speak. Is there anyone else? If not, Ms. Teixeira.

Ms. Teixeira: Mr. Speaker, I do not want to repeat what Dr. Ramsammy said, but when you read the Hon. Member, Mr. Ramjattan's motion and knowing that we had a sub-committee of the Inter-Parliamentary Political Parties Dialogue this year and the sub-committee dealing with Parliament and the Constitution, which was compromised of myself and Dr. Ramsammy, Mr. Moses Nagamootoo and Mr. Nigel Hughes, Dr. Rupert Roopnarine and Mr. Haslyn Parris, we met from March 21st, I think March 28th and decided to have a status report of the Davies Reports, which was prepared for the sub-committee and shared with them in May. This was based on the Special Select Committee of this House.

So whilst we may have had Davies' recommendations, Bradford's and Pinders's, these were recommendations, but the Guyana Parliament in 2005 had its Select Committee, as Dr. Ramsammy said, which went through the recommendation and eliminated and agreed to some of them. So between April 2006 when the select committee submitted its recommendations, I was asked by the Inter-Parliamentary sub-committee to go through the recommendations of the select committee and to provide for their members, some of whom who were not Members of Parliament, some were new members, what were the stages of all the recommendations that were approved in this House. Therefore, we did that and that was shared in May. We had meetings after that, on May 23rd and we agreed again that the sub-committee wanted a further revision and refining of the status report so that they could tell easily what was implemented, what was in what stages and what was not implemented.

That is what Dr. Ramsammy has been referring to and this is the document that we presented to the sub-committee. Regrettably, I guess, in fairness to the Members, that so many other things were going on – the Budget and then Linden and then everything else – and that for some reason the sub-committee itself was not reconvened. I was not the convener, but I took on the responsibility in the early period of checking with members. Subsequently, I did not and maybe that is why, but we did not meet. I must say that when one goes through the status report which we are prepared to share in the House, if it would be of use, we had not discussed it we just gave a report, Dr. Ramsammy and I, from our knowledge of the Parliament, what the Clerk had done and so on. What I am saying is I do not think we have to reinvent the wheel. There were matters that were recommended in 2006 that were part of the constitutional reform process and the report shows you where in the recommendations of Davies, Pender and Bradford what were put into the Constitution; what were captured in the Standing Orders and those where there were differences of views in the Select Committee of 2006 that had to go to the Parliamentary Management Committee.

I agree with Dr. Ramsammy that a lot has been done and if you do look at what were the actual recommendations instead of mystifying Mr. Davies, Mr. Pender and Mr. Bradford's reports, that I think you are ardent to, that really some of them were very basic, to improve it and certainly in terms of accountability and transparency, all those issues that were reported and recommended. Ministers must answer questions within a certain time that was put in the Standing Orders, it was not there before. Ministers coming before the Sectoral Committees, these are things that were enshrined in the Standing Orders to reflect the constitutional reform process, but to more so ensure that these were done. If you go through them you can see these clearly.

The other thing though is the issues that were referred to the PMC. In fairness to the PMC Members, which were five-five – five Government and five Opposition Members – as today and the Speaker of the day, Mr. Ramkarran that having come into Parliament in the Ninth Parliament, Mr. Franklyn as a Member of Parliament for Guyana Action party (GAP) brought a motion for Select Committees to discuss these issues. It did go to that Committee. It was headed by Minister Webster who was elected as the Chairperson of that Committee. Many times she came to this House asking for more time and one of the problems she was having was non-attendance by

Members. If we want to go through all that you will find that a number of meetings were sometimes called off because of lack of attendance.

So we cannot say well, why did the Parliamentary Management Committee (PMC) not do what they were supposed to do. The PMC – once the motion had passed the House – the view was, let the Select Committee do what it was supposed to do, regrettably the work was incomplete, but that does not mean that nothing was done. I was not a Member of that Committee, but I remember that I was advised that a number of presentations were made to that Committee on the employment issues of staff, on the Public Service Ministry appointments as well as other issues to that and the discussions were, as I said, inconclusive.

It is important too that I regret that Mr. Nagamootoo, being a member of the IPPD does not appear to have brought his colleague up-to-date because this motion was tabled while we were in the sub-committee of the inter-parliamentary Party Dialogue. This was put in April and we started meeting in March and it caused a lot of confusion in the sub-committee and Dr. Roopnarine can say if I am telling the truth or not that we were not sure whether this was now pre-empting the work of the IPPD sub-committee or whether it was left hand and right hand not knowing what it was doing in the AFC and that was not clarified, so that at a certain point we come to this House to look at this issue.

I just want to bring the attention of this House - in the Inter-American Convention Against Corruption, in the second review of countries which was done in 2008, a number of the Caribbean countries, not a lot, but a few, had reported that they had set up mechanism where the Clerk was the employer of the Parliament staff. In the Inter-American Commission against Corruption and it can be found on the website and in a number of countries who have implemented this, that there were a number of questions raised and in the answers it showed that there was also a problem of subjectivism, of lack of procedures that would ensure that there were checks and balances. Therefore, there was less of openness in relation to this approach. As such, when we talk in this very sweeping way that Mr. Ramjattan has – a style he had in the People's Progressive Party (PPP) too, I see he has not changed it since he changed parties.

Mr. Speaker: Was it cultivated there?

Mr. Teixeira: We tried Mr. Speaker, we tried to change his approach but we failed abysmally and he has continued on in the same way.

Mr. Nadir: He was trained by Mr. Nagamootoo.

Ms. Teixeira: It was Mr. Nagamootoo, right?

Mr. Nadir: So they both ended up at the same place. *[Interruption]*

Ms. Teixeira: Mr. Speaker, the issue though is that what is important even when one goes by some of the conventions, it is protocol, procedures, laws, systems, etc. that are watched. Whilst the colleague on the other side, Mr. Ramjattan, made, I think, some very sweeping and unkind and unwarranted comments about the Parliament staff, I will say this, that having been in Parliament for a while, I think the Parliament staff has improved amazingly in terms of their competence; in terms of their skills; in their objectivity and professionalism. I do not understand where Mr. Ramjattan is coming from personally. I remember the days when you came in here – long years ago – I am seeing now a wealth of younger people, they are well educated and I do not think that they show preference to one of us over another and that is the issue of professionalism. I do not believe that there are more accommodating to the Government than to the Opposition. I think that they do their work accordingly as they are supposed to. They are professionals. I believe that the issue of criteria and procedures; the issue of the Public Service Ministry and the advertisements and the hiring mechanisms... *[Interruption]*

[Mrs. Backer: Who sent them to demonstrate?] Mr. Speaker, I hear a noise over there as usual, the Deputy Madam Speaker has a habit.

There was a question in the last Parliament to the Hon. Minister, Dr. Westford about the hiring practices and the appointment practices of Parliament staff. Am I correct Dr. Westford? Dr. Westford answered on the floor, because it is the Parliament that chooses from the applications who it wants and that goes to the PSM (Public Service Ministry). Am I wrong Dr. Westford? It is the PSM and the PSC (Public Service Commission) who does the appointments. It is not the PSC that says do not worry about who applied for the job, you have to take this person.

One must be careful that when one *throws out the baby with the bath water* that what you are putting in its stead is of a higher standard and scrutiny than what it is now. Because if we

advertise and there is a panel that evaluates and in this Parliament it is done, then what is wrong with that?

I believe and I also say to this Parliament that ... *[Interruption]* Mr. Speaker, Mr. Davies was invited to this Parliament to give us advice. It does not mean that who gives you advice is always what you take. It is our choice and I am not going to be beholden to anyone who comes to give a consultant report. Because we have had consultants, I remind this House that there have been consultants who had made many recommendations too. When the People's National Congress (PNC) was in Government and while we were in Government, were we to go with all those rules we would have been in serious trouble today. I remember the World Bank and the International Monetary Fund (IMF) saying to this Government in 1994 that we must have cost recovery in health and education; we must not have free health and education in this country. It was this Government under Dr. Cheddi Jagan that said no, we will not do what you are saying.

Comrades, I do not mind, I am happy that we have advice, but we have a right to be our own people and I stand by it. I have nothing more to say about Mr. Davies.

Mr. Speaker, there are a number of amendments that have been put in my colleague's name ... *[Interruption]* Mr. Speaker, I hear a little thing over there calling me a control freak.

Mr. Speaker: I did not hear that.

Ms. Teixeira: I would appreciate...

Mr. Speaker: It is 7.10 p.m. and we are due for the break at 7.00 p.m.

Ms. Teixeira: Yes, I am closing off Mr. Speaker. I do not want to delay you too much further.

Mr. Speaker: I am saying to the entire House and some Members have indicated to me that there is an event at 9.00 p.m. in another jurisdiction that they want to observe, so it is up to us.

Ms. Teixeira: Mr. Speaker, there are amendments put in my colleague's name that tries to, and, it is today that it was tabled since June 13th when we realised that Mr. Ramjattan, despite the work of the sub-committee, at some point was going to proceed with this. I also see an amendment tabled by Mrs. Volda Lawrence as well, it was also date June 8th.

We stand by the amendments we have made. The recommendation of the first BE IT RESOLVED clause, in the original motion we are asking for it to be amended. And particularly that we are calling for the Parliamentary Management Committee to review the Parliamentary Special Select Committee's final report, with a view to assessing the status of the implementation of the agreed on recommendations with a view to following up on the implementation.

This is a process and we have started it and we have gone a long way. The issues that are outstanding that go to the PMC, have to go there. Therefore, this is a new Parliament and therefore we feel that the sub-committee has lapsed and that also it seems as if the IPPD has also lapsed, so I would suggest that we support Minister Ramsammy's proposal that the PMC look at the status of implementation and work towards addressing those that we have not and also, that we should then submit a report to the House in a timely manner.

So those are the recommendations from our side I would like to support Mr. Speaker. Thank you.
[Applause]

Mr. Ramjattan (Replying): Mr. Speaker, it is quite clear what is happening here after seven years. Very important recommendations have not been implemented. We are hearing the argument as if we have not appreciated that we have come a far way. I think that I preamble my address by making clear that we are not where we ought to be and that is quite the position. If we could have just implemented these two first, we would have gone real far. But we know why the Government did not want to do this.

We can go around the mulberry bush, giving the impression that we have done wonderful with the other 87 recommendations, but the 88th and 89th, they just do not want to implement. It is long overdue and so many of the experts... one now being sent to hell by the Member over there. It is abominable what I just heard. But in any event I am urging that Members of this House support what I have there in the motion and let us get on with the business of implementing those two.

Thank you very much.

Mr. Speaker: Thank you. Hon. Members I wish to put the question, but there are amendments tabled. One set in the name of Dr. Leslie Ramsammy referred to by Dr. Ramsammy and Ms. Teixeira and another in the name of Mrs. Volda Lawrence.

First Amendment

“Delete the second ‘AND WHEREAS’ clause

Add a new second and new third, fourth, five, sixth, seventh, eighth, ninth and tenth, ‘AND WHEREAS’ clauses

That read as follows after the words “AND WHEREAS “Improving Political Governance”, pages 80-81, stated, that “The government, in consultation with the Parliament and the major political parties will carry out comprehensive reforms...these reforms will involve the Parliament, the Parliamentary Committees and the Executive Branch...and in particular the National Assembly. The comprehensive study undertaken in the Fiduciary Oversight and the Davies Report will form the basis of this;”

AND WHEREAS the Needs Assessment of the Guyana National Assembly of Commonwealth Senior Parliamentary Advisor and the Addendum of the Needs Assessment dated February 18 and May 18, 2005 were tabled in the National Assembly and sent to a Parliamentary Special Select Committee on October 27, 2005 by way of Resolution No. 80 of 2005;

AND WHEREAS the Guyana Fiduciary Oversight Project Report (the Bradford Report) and the Advisory Papers of Mr. Pinder were also tabled in the National Assembly on December 15, 2005 and sent to the same Parliamentary Special Select Committee by way of Resolution No. 85 of 2005;

AND WHEREAS this Committee met and presented interim reports and then its Final Report on April 10, 2006 with 79 recommendations which were adopted;

AND WHEREAS the majority of the Parliamentary Special Select Committee’s recommendations were reflected in the revised 2006 Standing Orders.

AND WHEREAS Davies Recommendation # 18 (page 6) in the Committee's Final Report with regard to "Parliament managing its own budget" and Bradford recommendation #1 (page 8) stated therein referred this to the Parliamentary Management Committee and the Speaker and the Clerk for implementation;

AND WHEREAS Davies Recommendation # 19 (page 7) with regard to the Clerk as the employer was also referred to the PMC, the Speaker and the Clerk for implementation;

AND WHEREAS Bradford's Recommendation #3 (6) (page 12) did not have the support of the Committee and it made no recommendation."

Amend the original third now eleventh AND WHEREAS clause as follows:

Delete the words after the words "need for the" "Parliament to be fully independent of the executive"

And substitute the words "the Separation of powers between the Executive and the Legislative branches of government"

Amend the First BE IT RESOLVED clause

Delete original (1) and replace with new (1) as follows:

That the Parliamentary Management Committee review the Parliamentary Special Select Committee's Final Report with a view to assessing the status of the implementation of the agreed on recommendation with a view to following up on their implementation.

Delete original (2)

Amend the BE IT FURTHER RESOLVED as follows:

Delete the words "that the Special...appointment" and replace with words "that the Parliamentary Management Committee submit a report to the National Assembly"

Question put.

Mr. Speaker: The *noes* seem to have it.

[Division]

Mr. Speaker: Division is called. Ring the bell.

7.18 p.m.

Assembly divided: Ayes 31, Noes 31, as follows:

Noes

Mr. T. Williams

Ms. Marcello

Dr. Ramayya

Mrs. Garrido-Lowe

Mr. Nagamootoo

Mr. Ramjattan

Ms. Ferguson

Mr. Morian

Mr. Allen

Mr. Jones

Mr. Adams

Ms. Baveghems

Mr. Sharma

Mr. Bulkan

Mr. Bond

Ms. Kissoon

Ayes

Mr. Jaffarally

Mr. Damon

Dr. Persaud

Rev. Dr. Gilbert

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

Mr. Lumumba

Mr. Chand

Ms. Shadick

Mrs. Chandarpal

Mr. Nadir

Ms. Teixeira

Bishop Edghill

Mr. Whittaker

Mr. Baksh

Mr. Trotman

Ms. Selman

Mr. Allicock

Ms. Wade

Mr. Felix

Mr. Scott

Lt. Col. Harmon

Mr. Greenidge

Mrs. Backer

Dr. Norton

Mrs. Lawrence

Mr. B. Williams

Ms. Ally

Dr. Roopnarine

Brigadier (Ret'd) Granger

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Mrs. Campbell-Sukhai

Ms. Webster

Mr. G. Persaud

Ms. Manickchand

Mr. Benn

Dr. Anthony

Mr. Ali

Dr. Ramsaran

Dr. Westford

Mr. R. Persaud

Dr. Singh

Mr. Nandlall

Dr. Ramsammy

Mr. Rohee

Mr. Hinds

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Mr. Speaker: Hon. Members the Clerk, having taken the votes on the division being called, we have a very unique and unprecedented situation of 31 Members voting against the amendment and 31 Members voting for the amendment. It therefore means that the motion for the amendment is not carried.

Amendment negatived.

Second Amendment

“Amend Resolved Clause 2 (para. 1) which reads:

BE IT RESOVLED:

(2) That this Special Select Committee examines these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable the Clerk to become the employing authority of the staff of the Parliament Office;

AMENDED TO READ

BE IT RESOVLED:

(2) That this Special Select Committee examines Bill entitled Clerk of the National Assembly Bill 2012 with a view to enable the Clerk to become the employing authority of the staff of the Parliament Office;

Question put.

[Division]

Mr. Speaker: Mr. Isaacs a division has been requested.

7.20 p.m.

Assembly divided: Noes 31, Ayes 31, as follows:

Clerk of the National Assembly [Mr. Isaacs]: Mr. Speaker I cannot hear.

Mr. Speaker: The Clerk is indicating that he is unable to hear. There is a din. Please let us settle down.

Ayes

Noes

Mr. T. Williams

Mr. Jaffarally

Ms. Marcello

Mr. Damon

Dr. Ramayya

Dr. Persaud

Mrs. Garrido-Lowe

Mr. Nagamootoo

Mr. Ramjattan

Ms. Ferguson

Mr. Morian

Mr. Allen

Mr. Jones

Mr. Adams

Ms. Baveghems

Mr. Sharma

Mr. Bulkan

Mr. Bond

Ms. Kissoon

Mr. Trotman

Ms. Selman

Mr. Allicock

Ms. Wade

Mr. Felix

Mr. Scott

Lt. Col. Harmon

Mr. Greenidge

Rev. Dr. Gilbert

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

Mr. Lumumba

Mr. Chand

Ms. Shadick

Mrs. Chandarpal

Mr. Nadir

Ms. Teixeira

Bishop Edghill

Mr. Whittaker

Mr. Baksh

Mrs. Campbell-Sukhai

Ms. Webster

Mr. G. Persaud

Ms. Manickchand

Mr. Benn

Dr. Anthony

Mr. Ali

Dr. Ramsaran

Mrs. Backer

Dr. Westford

Dr. Norton

Mr. R. Persaud

Mrs. Lawrence

Dr. Singh

Mr. B. Williams

Mr. Nandlall

Ms. Ally

Dr. Ramsammy

Dr. Roopnarine

Mr. Rohee

Brigadier (Ret'd) Granger

Mr. Hinds

31

31

7.22 p.m.

Amendment negatived.

Mr. Speaker: I now put the question that the motion standing in the name of Mr. Khemraj Ramjattan, without any amendment, be adopted.

Question put.

Ms. Teixeira: Division.

Mr. Speaker: A division is sought.

Noes

Mr. T. Williams

Ms. Marcello

Dr. Ramayya

Mrs. Garrido-Lowe [*Interruption*]

Ms. Ally: He voted in error.

Mr. Speaker: Hon. Members, Standing Order 50 (3) states, “If a Member states that he or she voted in error or that his or her vote has been counted wrongly, he or she may claim to have his or her vote altered...”

The Clerk said that he cannot hear. Yes, Mr. Williams, Sir.

Mr. T. Williams: Mr. Speaker, my intended vote on this is ‘yes’.

Mr. Speaker: I see.

Assembly divided: Ayes 31, Noes 31, as follows:

Ayes

Mr. T. Williams

Ms. Marcello

Dr. Ramayya

Mrs. Garrido-Lowe

Mr. Nagamootoo

Mr. Ramjattan

Ms. Ferguson

Mr. Morian

Mr. Allen

Mr. Jones

Mr. Adams

Ms. Baveghems

Mr. Sharma

Noes

Mr. Jaffarally

Mr. Damon

Dr. Persaud

Rev. Dr. Gilbert

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

Mr. Lumumba

Mr. Chand

Ms. Shadick

Mrs. Chandarpal

Mr. Nadir

Ms. Teixeira

Mr. Bulkan

Bishop Edghill

Mr. Bond

Mr. Whittaker

Ms. Kissoon

Mr. Baksh

Mr. Trotman

Mrs. Campbell-Sukhai

Ms. Selman

Ms. Webster

Mr. Allicock

Mr. G. Persaud

Ms. Wade

Ms. Manickchand

Mr. Felix

Mr. Benn

Mr. Scott

Dr. Anthony

Lt. Col. Harmon

Mr. Ali

Mr. Greenidge

Dr. Ramsaran

Mrs. Backer

Dr. Westford

Dr. Norton

Mr. R. Persaud

Mrs. Lawrence

Dr. Singh

Mr. B. Williams

Mr. Nandlall

Ms. Ally

Dr. Ramsammy

Dr. Roopnarine

Mr. Rohee

Brigadier (Ret'd) Granger

Mr. Hinds

Motion negatived.

Mr. Speaker: Members, I believe that this is more than an appropriate time to take a very short recess. We have some Bills to consider on our return. The Whips are urged to consider the realities of the evening. Thank you very much.

Sitting suspended at 7.30 p.m.

Sitting resumed at 8.00 p.m.

BILL - SECOND READING

OFFICE OF THE CLERK OF THE NATIONAL ASSEMBLY BILL 2012

A BILL intituled:

AN ACT to set out the responsibilities and authority of the Clerk and Deputy Clerk of the National Assembly of Guyana and to provide for the establishment and administration of an independent Office of the Clerk of the National Assembly. [*Mrs. Lawrence*]

Mr. Speaker: The sitting has resumed. Hon. Members, the mood does seem to have lightened in here, somewhat, since we last were here. We have, as I had indicated, a series of Bills for second reading, the first being the Office of the Clerk of the National Assembly Bill, standing in the name of the Member Mrs. Volda Lawrence.

Ms. Ally: Mr. Speaker, Mrs. Lawrence is unwell. I want, on behalf of Mrs. Volda Lawrence, the mover of the Bill, to request that this Bill be deferred to the next sitting of the National Assembly.

Mr. Speaker: Hon. Members, I am personally aware the Ms. Lawrence is not at all well. I, myself, advised her to at least get rest, if not medical attention.

Second reading of Bill deferred.

MOTIONS

PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – No. 15/2012

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Public Utilities Commission (Amendment) Bill 2012 – Bill No. 15/2012 –

A BILL intituled AN ACT to amend the Public Utilities Commission Act.
[*Mr. Ramjattan*]

TELECOMMUNICATIONS BILL 2012 – Bill No. 16/2012

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Telecommunications Bill 2012 – Bill No. 16/2012 –

A BILL intituled AN ACT to provide for the establishment of the Telecommunication Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith. [*Mr. Ramjattan*]

Mr. Speaker: Hon. Members, there is the Public Utilities Commission Bill and its accompanying Bill, the Telecommunication Bill, Bills Nos. 15 and 16 of 2012, in the name of Mr. Ramjattan.

Mr. Ramjattan: Sir, my application for this afternoon was for leave, but in view of my conversation with the Prime Minister and the learned Attorney General, I will be deferring that leave to a later date.

Motions deferred.

FISCAL MANAGEMENT AND ACCOUNTABILITY (AMENDMENT) BILL 2012 – No. 24/2012

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Fiscal Management and Accountability (Amendment) Bill 2012 – Bill No. 24/2012 –

A BILL intituled AN ACT to amend the Fiscal Management and Accountability Act 2003. [*Mr. Greenidge*]

FORMER PRESIDENTS (BENEFITS AND OTHER FACILITIES) (AMENDMENT) BILL 2012 – No. 25/2012

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Former Presidents (Benefits and Other Facilities) (Amendment) Bill 2012 – Bill No. 25/2012 –

A BILL intituled AN ACT to amend the Former Presidents (Benefits and Other Facilities) Act 2009. [*Mr. Greenidge*]

Mr. Speaker: Moving rather rapidly, Hon. Members, this brings us to a Bill in the name of the Hon. Member Mr. Carl Greenidge, Fiscal Management and Accountability Bill, No. 24 of 2012. I do not know what Mr. Greenidge's proposition is, but I have some opinions which I wish to share on this Bill.

Mr. Greenidge: Mr. Speaker, I would ask that both the opinion and consideration of the Bill, itself, be deferred so as to give us time to reflect on that opinion as well as the other matters.

Mr. Speaker: At the request of Mr. Greenidge, both Bills are deferred. I believe, Sir, that the Former Presidents (Benefits and other Facilities) (Amendment) Bill is deferred as well.

Motions deferred.

ADJOURNMENT

Mr. Speaker: Hon. Members, I do believe that we have come to the end of our business for today. Mr. Prime Minister, I invite you to move the motion.

Mr. Hinds: Mr. Speaker, Hon. Members, I guess that we might have accelerated so that some Members, who wish, could get to their televisions to look at a debate which is said to be for Americans, but which matters to all of us. I would not want to be a spoilsport. I am glad that we are not being spoiled sports. It gives me great pleasure therefore to move that the House stand adjourned until Thursday, 8th November.

Mr. Speaker: Thank you, Hon. Members. We are adjourned until Thursday...

Mr. Hinds: I am reminded, Mr. Speaker, that we should extend Eid greetings to all Guyanese, in particular, those Guyanese who are of the Islamic faith - Eid Mubarak.

Brigadier (Ret'd) Granger: Mr. Speaker, on behalf of the Opposition, I would like to join in extending Eid greetings on this sacred festival of the Eid of the sacrifice; a festival that is also celebrated in Christianity and Judaism. We would like to extend greetings to all of our Muslim brothers on this sacred festival...

Mr. Speaker: Thank you for those words.

Brigadier (Ret'd) Granger: ...and to Guyanese in the whole.

Mr. Nagamootoo: If it pleases you, Your Honour, I would like, on behalf of the Alliance For Change, to extend Eid greetings to all our Muslim brothers and sisters on the auspicious occasion. I know that we are a bit precipitated but this is just in case we do not meet before that gracious occasion.

Mr. Speaker: Hon. Members, you would notice that on our Chamber Notes we recognise the birthdays of five of our Members, beginning with Dr. Persaud on the 1st, continuing with Mr. Komal Chand on the 9th, Mrs. Pauline Campbell-Sukhai on the 11th, Mr. Ramjattan on the 12th and Mr. Felix on the 15th. We wish to extend heartiest birthday greetings to all of you. I am also reminded that today is the birth date of His Excellency the President so the National Assembly extends birthday greetings to him and successes for long life. Thank you very much, all. Happy Eid.

Adjourned accordingly at 8.06 p.m.