

THIRD PARLIAMENT OF GUYANA

FIRST SESSION

1973 - 1978

MINUTES of the Proceedings of the 161st Sitting of the National Assembly held in the Parliament Chamber at the Public Buildings, Georgetown, Demerara,

AT 2.00 P.M.

ON

FRIDAY, 21ST JULY, 1978

MEMBERS OF THE NATIONAL ASSEMBLY (65)

Speaker

Cde. Sase Narain, O.R., J.P., M.P., Speaker of the National Assembly

Members of the Government - People's National Congress (48)

Prime Minister (1)

Cde. L.F.S. Burnham, O.E., S.C., M.P., Prime Minister

Deputy Prime Minister (1)

Cde. P.A. Reid, M.P., Deputy Prime Minister and Minister of National Development

Senior Ministers (8)

Cde. H.D. Hoyte, S.C., M.P., Minister of Economic Development and Co-operatives

Cde. S.S. Naraine, A.A., M.P., Minister of Works and Transport

* Cde. H. Green, M.P., Minister of Health, Housing and Labour (Absent)

* Cde. H.O. Jack, M.P., Minister of Energy and Natural Resources

* Cde. F.E. Hope, M.P., Minister of Finance

* Cde. G.A. King, M.P., Minister of Trade and Consumer Protection

* Cde. G.B. Kennard, C.C.H., M.P., Minister of Agriculture

* Cde. M. Shahabuddeen, C.C.H., S.C., M.P., Attorney General and Minister of Justice

Ministers (5)

Cde. S.M. Field-Ridley, M.P., Minister of Information

Cde. B. Ramaroop, M.P., Minister of Parliamentary Affairs and Leader of the House

* Cde. C.V. Mingo, M.P., Minister of Home Affairs

* Cde. V.R. Teekah, M.P., Minister of Education, Social Development and Culture

* Cde. R.E. Jackson, M.P., Minister of Foreign Affairs

Ministers of State (9)

Cde. D.E. Clarke, M.P., Minister of State - Regional (East Berbice/Corentyne)

Cde. P. Duncan, J.P., M.P., Minister of State, Ministry of Economic Development and Co-operatives

* Non elected Minister

- Cde. C.A. Nascimento, M.P., Minister of State, Office of the Prime Minister
 Cde. K.B. Bancroft, J.P., M.P., Minister of State - Regional (Mazaruni/Potaro)
 Cde. J.P. Chowritmootoo, J.P., M.P., Minister of State - Regional (Essequibo Coast/West Demerara)
 Cde. J.R. Thomas, M.P., Minister of State, Ministry of Health, Housing and Labour
 Cde. R.H.O. Corbin, M.P., Minister of State, Ministry of National Development
 * Cde. A. Salim, M.P., Minister of State - Regional (East Demerara/West Coast Berbice)
 * Cde. F.U.A. Carmichael, M.P., Minister of State - Regional (North West)

Parliamentary Secretaries (4)

- Cde. M.M. Ackman, C.C.H., M.P., Parliamentary Secretary, Office of the Prime Minister, and Government Chief Whip
 Cde. E.L. Ambrose, M.P., Parliamentary Secretary, Ministry of Agriculture
 Cde. S. Prashad, M.P., Parliamentary Secretary, Ministry of Economic Development and Co-operatives
 Cde. M. Corrice, M.P., Parliamentary Secretary, Ministry of Education, Social Development and Culture

Other Members (20)

- Cde. E.M. Bynoe, M.P.,
 Cde. W.G. Carrington, M.P.
 Cde. L.A. Durant, M.P.
 Cde. E.H.A. Fowler, M.P.
 Cde. J. Gill, M.P.
 Cde. W. Hussain, M.P.
 Cde. K.M.E. Jonas, M.P.
 Cde. M. Kasim, A.A., M.P.
 Cde. M. Nissar, M.P.
 Cde. L.E. Ramsahoye, M.P.
 Cde. J.G. Ramson, M.P.
 Cde. P.A. Rayman, M.P.
 Cde. E.M. Stoby, J.P., M.P.
 Cde. S.H. Sukhu, M.S., M.P.
 Cde. C. Sukul, J.P., M.P.
 Cde. H.A. Taylor, M.P.
 Cde. R.C. Van Sluytman, J.P., M.P.
 Cde. L.E. Willems, M.P.
 Cde. C.E. Wrights, J.P., M.P.
 Cde. M. Zaheeruddeen, M.P.

Members of the Opposition (16)

(1) People's Progressive Party (14)

Leader of the Opposition (1)

- Cde. C. Jagan, M.P., Leader of the Opposition

Deputy Speaker (1)

- Cde. Ram Karran, M.P., Deputy Speaker of the National Assembly

* Non elected Minister

Other Members (12)

Cde. J. Jagan, M.P. (Absent)
Cde. Reepu Daman Persaud, J.P., M.P., Opposition Chief
Whip (Absent - on leave)
Cde. N. Persaud, M.P. (Absent - on leave)
Cde. C. Collymore, M.P.
Cde. S.F. Mohamed, M.P. (Absent - on leave)
Cde. I. Basir, M.P.
Cde. C.C. Belgrave, M.P.
Cde. R. Ally, M.P.
Cde. Dalchand, J.P., M.P.
Cde. Dindayal, M.P.
Cde. H. Nokta, M.P.
Cde. P. Sukhai, M.P.

(ii) Liberator Party (2)

Mr. M.F. Singh, J.P., M.P.
Mr. M.A. Abraham, M.P.

OFFICERS

Clerk of the National Assembly (F.A. Narain, A.A.)
Acting Deputy Clerk of the National Assembly (A. Knight)

PRAYERS

The Clerk read Prayers.

OATH - Cde. S.S. Naraine, A.A.

The Oath of Office was made and subscribed by Cde. Shiw Sahai Naraine, A.A., Minister of Works and Transport.

ANNOUNCEMENTS BY THE SPEAKER

(i) Election of Cde. S.S. Naraine, A.A.

The Speaker informed the Assembly that, following the resignation of Cde. Jaiserrisingh the name of Cde. Shiw Sahai Naraine, A.A., who was the Minister of Works and Transport, was extracted from the People's National Congress List of Candidates and Cde. Naraine had been declared elected to fill the vacancy in the Assembly.

On behalf of Members of the Assembly and himself, the Speaker congratulated Cde. Naraine on his being declared an elected Member of the National Assembly.

(ii) Leave

The Speaker announced that leave had been granted to Cdes. Reepu Daman Persaud, N. Persaud and S.F. Mohamed for that sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Minister of Agriculture:

Report and Accounts of the Guyana Sugar Corporation for the year 1977.

(A: 5/11)(Circulated)

PUBLIC BUSINESS

BILL - Second Reading, Committee and Third Reading

ITEM 1 - CONSTITUTION (AMENDMENT) (NO. 2) BILL 1978 - Bill No.15/1978
published 13.7.78

Correction of Typographical Error

The Speaker informed Members that the figure 3 in the fifth line of clause 2 should be in brackets.

Second Reading

The Prime Minister moved the second reading of the following Bill:

A BILL intituled AN ACT TO EFFECT AN ALTERATION TO ARTICLE 82 OF THE CONSTITUTION IN ACCORDANCE WITH ARTICLE 73 THEREOF.

The Deputy Speaker, Cdes. Nokta and Ally, and Mr. Singh spoke to the motion

Cde. Belgrave was speaking to the motion when the time for the suspension of the sitting was reached.

SUSPENSION OF STANDING ORDER NO. 9(2)

On a motion by the Minister of Parliamentary Affairs and Leader of the House, Standing Order No. 9(2) was suspended to permit the sitting to continue without being suspended at 4.00 p.m.

Cde. Belgrave concluded his speech

SUSPENSION OF SITTING

At 4.15 p.m. the sitting was suspended ~~for refreshments~~

RESUMPTION OF SITTING

At 4.39 p.m. the sitting was resumed.

Cde. Collymore, the Attorney General and Minister of Justice and Cde. Basir spoke to the motion.

SUSPENSION OF STANDING ORDER NO. 9(2)

On a motion by the Minister of Parliamentary Affairs and Leader of the House, Standing Order No. 9(2) was suspended to enable consideration of the Constitution (Amendment)(No. 2) Bill 1978 to be completed before taking the suspension of the sitting.

The Leader of the Opposition spoke to the motion.

The Prime Minister replied.

5.

The motion was then put and carried on the following division:

FOR	<u>AGAINST</u>
Cde. Zaheeruddeen	Mr. Abraham
Cde. Wrights	Mr. Singh
Cde. Willems	Cde. Sukhai
Cde. Van Sluytman	Cde. Dindayal
Cde. Taylor	Cde. Dalchand
Cde. Sukul	Cde. Ally
Cde. Sukhu	Cde. Baeir
Cde. Stoby	Cde. Collymore
Cde. Rayman	Cde. Ram Karran
Cde. Ramsom	Cde. C. Jagan
Cde. Ramsahnye	
Cde. Nissar	
Cde. Kasim	
Cde. Jonas	
Cde. Hussain	
Cde. Gill	
Cde. Fowler	
Cde. Durant	
Cde. Carrington	
Cde. Bynoe	
Cde. Corrica	
Cde. Prashad	
Cde. Ambrose	
Cde. Ackman	
Cde. Corbin	
Cde. Thomas	
Cde. Chowritmootoo	
Cde. Bancroft	
Cde. Nascimento	
Cde. Duncan	
Cde. Clarke	
Cde. Ramsaroop	
Cde. Field-Ridley	
Cde. Naraine	
Cde. Hoyte	
Cde. Reid	
Cde. Burnham	

37

10

The Bill was read a second time.

Committee

Assembly resolved itself into Committee to consider the Bill clause by clause.

Clause 1 was put and carried on the following division:

<u>FOR</u>	<u>AGAINST</u>
Cde. Zaheeruddeen	Mr. Abraham
Cde. Wrights	Mr. Singh
Cde. Willems	Cde. Sukhai
Cde. Van Sluytman	Cde. Dindayal
Cde. Taylor	Cde. Dalchand
Cde. Sukul	Cde. Ally

Carried 6
Forward: 6.

Brought
Forward:

FOR.

6

Cde. Sukhu
Cde. Stoby
Cde. Rayman
Cde. Ramson
Cde. Ramsahoye
Cde. Nissar
Cde. Kasim
Cde. Jonas
Cde. Hussain
Cde. Gill
Cde. Fowler
Cde. Durant
Cde. Carrington
Cde. Bynoe
Cde. Corrica
Cde. Prashad
Cde. Ambrose
Cde. Ackman
Cde. Corbin
Cde. Thomas
Cde. Chowritmoatao
Cde. Bancroft
Cde. Nascimento
Cde. Duncan
Cde. Clarke
Cde. Ramsaroop
Cde. Field-Ridley
Cde. Naraine
Cde. Hoyte
Cde. Reid
Cde. Burnham

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AGAINST

6

Cde. Basir
Cde. Collymore
Cde. C. Jagan

Clause 2 was put and carried on the following division:

FOR.

Cde. Zahæeruddeen
Cde. Wrights
Cde. Willems
Cde. Van Sluytman
Cde. Taylor
Cde. Sukul
Cde. Sukhu
Cde. Stoby
Cde. Rayman
Cde. Ramsor
Cde. Ramsahoye
Cde. Nissar
Cde. Kasim
Cde. Jonas
Cde. Hussain
Cde. Gill
Cde. Fowler
Cde. Durant
Cde. Carrington
Cde. Bynoe
Cde. Corrica
Cde. Prashad
Cde. Ambrose
Cde. Ackman

Carried
Forward :

24

AGAINST

Mr. Abraham
Mr. Singh
Cde. Sukhai
Cde. Dindyal
Cde. Dalchand
Cde. Ally
Cde. Basir
Cde. Collymore
Cde. C. Jagan

9

	<u>FOR</u>	AGAINST
Brought Forward:	24	9
	Cde. Corbin	
	Cde. Thomas	
	Cde. Chowritmootoo	
	Cde. Bancroft	
	Cde. Nascimento	
	Cde. Duncan	
	Cde. Clarke	
	Cde. Ramsaroop	
	Cde. Field-Ridley	
	Cde. Naraine	
	Cde. Hoyte	
	Cde. Reid	
	Cde. Burnham	
	37	9

Assembly resumed

Third Reading

On a motion by the Prime Minister, the Bill was read the third time and passed as printed on the following division:

FOR	AGAINST
Cde. Zaheeruddeen	Mr. Abraham
Cde. Wrights	Mr. Singh
Cde. Willems	Cde. Sukhai
Cde. Van Sluytman	Cde. Dindayal
Cde. Taylor	Cde. Dalchand
Cde. Sukul	Cde. Ally
Cde. Sukhu	Cde. Basir
Cde. Stoby	Cde. Collymore
Cde. Rayman	Cde. C. Jagan
Cde. Ramson	
Cde. Ramsahoye	
Cde. Nissar	
Cde. Kasim	
Cde. Jonas	
Cde. Hussain	
Cde. Gill	
Cde. Fowler	
Cde. Durant	
Cde. Carrington	
Cde. Bynoe	
Cde. Corrica	
Cde. Prashad	
Cde. Ambrose	
Cde. Ackman	
Cde. Corbin	
Cde. Thomas	
Cde. Chowritmootoo	
Cde. Bancroft	
Cde. Nascimento	
Cde. Duncan	
Cde. Clarke	
Cde. Ramsaroop	
Cde. Field-Ridley	
Cde. Naraine	
Cde. Hoyte	
Cde. Reid	
Cde. Burnham	
37	9

SUSPENSION OF SITTING

At 8.52 p.m. the sitting was suspended.

RESUMPTION OF SITTING

At 9.25 p.m. the sitting was resumed.

MOTION

ITEM 2 - ESTABLISHMENT OF CONSTITUENT ASSEMBLY

The Prime Minister moved the following motion:

WHEREAS the people of Guyana are entitled as of right to enjoy the highest possible standard of living and quality of life consistent with their work and the development of the country's resources;

AND WHEREAS the aforesaid right cannot be assured unless the society and the economy are reconstructed on socialist principles;

AND WHEREAS the existing Constitution is not a suitable vehicle for effecting the necessary reconstruction of the society and the economy of the State;

AND WHEREAS it is necessary to adopt a new Constitution designed to ensure social and economic justice for all of the people of Guyana:

NOW, THEREFORE, BE IT RESOLVED:

That this National Assembly resolves itself into a Committee consisting of all the members of the Assembly (including the Speaker) to be known as a Constituent Assembly for the purpose of preparing a new Constitution for the Republic of Guyana, provided that members of the National Assembly who are not elected members of the National Assembly shall be entitled to participate in the proceedings of the Constituent Assembly but without the right to vote thereat;

AND BE IT FURTHER RESOLVED:

That the Constituent Assembly shall have power -

- (a) to elect its Chairman and a Deputy Chairman from among persons who are members of the Constituent Assembly;
- (b) to appoint the Secretary of the Constituent Assembly and such other staff which may be considered requisite by the Constituent Assembly for the carrying out of its functions;
- (c) to delegate to the chairman the powers conferred by paragraph (b), other than the power to appoint the Secretary;
- (d) to co-opt permanent advisory delegations representing other groups of persons in the society, in particular, the Guyana Association of Local Authorities, the Trades Union Congress and religious organisations, to assist the Constituent Assembly in its deliberations in the preparation of the new Constitution for the Republic of Guyana;

- (e) to invite and receive memoranda from members of the public or from organisations and to take evidence from persons desiring to testify before it;
- (f) to hold meetings in any part of Guyana; and
- (g) to regulate its own procedure.

The Prime Minister was speaking to the motion when the time for the adjournment of the sitting was reached.

SUSPENSION OF STANDING ORDER NO. 9(1)

On a motion by the Minister of Parliamentary Affairs and Leader of the House Standing Order No. 9(1) was suspended to permit the sitting to continue beyond 10 o'clock.

The Prime Minister concluded his speech.

The Leader of the Opposition spoke to the motion and moved the following amendments:-

(i) To the original motion:

Addition of the following after paragraph (g):

"AND BE IT FURTHER RESOLVED:

That the draft Constitution prepared by the Constituent Assembly be approved not by the National Assembly but on a referendum to be conducted under the following conditions:

- (a) that the Elections Commission be in full charge of the conduct and administrative arrangement of the referendum including preparation of a new Voters Register;
- (b) that the United Nations Human Rights Committee be invited to observe the referendum;
- (c) that the results of the referendum be subject to judicial review by the Supreme Court."

(ii) To his amendment at (i) above:

Insertion of the words "or an election" between the words "referendum" and "to".

The Prime Minister replied.

The amendments by the Leader of the Opposition were put and negatived on the following division:

FOR	AGAINST	DECLINED TO VOTE
Cde. Sukhai	Cde. Zaheeruddeen	Mr. Abraham
Cde. Dindayal	Cde. Wrights	Mr. Singh
Cde. Dalchand	Cde. Willems	
Cde. Ally	Cde. Van Sluytman	
Cde. Basir	Cde. Taylor	
Cde. Collymore	Cde. Sukul	
Cde. C. Jagan	Cde. Sukhu	
	Cde. Stoby	
	Cde. Rayman	
	Cde. Ramson	
	Cde. Ramsahoye	
	Cde. Nissar	
	Cde. Jonas	
	Cde. Hussain	
	Cde. Gill	
	Cde. Fowler	
	Cde. Durant	
	Cde. Carrington	
	Cde. Bynoe	
	Cde. Corrica	
	Cde. Prashad	
	Cde. Ambrose	
	Cde. Ackman	
	Cde. Corbin	
	Cde. Thomas	
	Cde. Chowritmootoo	
	Cde. Bancroft	
	Cde. Nascimento	
	Cde. Duncan	
	Cde. Clarke	
	Cde. Ramsaroop	
	Cde. Burnham	
7	32	2

The motion by the Prime Minister was then put and carried on the following division:

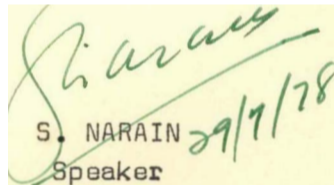
FOR	<u>AGAINST</u>
Cde. Zaheeruddeen	Mr. Abraham
Cde. Wrights	Mr. Singh
Cde. Willems	Cde. Sukhai
Cde. Van Sluytman	Cde. Dindayal
Cde. Taylor	Cde. Dalchand
Cde. Sukul	Cde. Ally
Cde. Sukhu	Cde. Basir
Cde. Stoby	Cde. Collymore
Cde. Rayman	Cde. C. Jagan
Cde. Ramson	
Cde. Ramsahoye	
Cde. Nissar	
Cde. Jonas	
Cde. Hussain	
Cde. Gill	
Carried Forward: 15	9

11.

	FOR	AGAINST
Brought Forward:	15	9
Cde. Fowler		
Cde. Durant		
Cde. Carrington		
Cde. Bynoe		
Cde. Corrica		
Cde. Prashad		
Cde. Ambrose		
Cde. Ackman		
Cde. Corbin		
Cde. Thomas		
Cde. Chowritmootoo		
Cde. Bancroft		
Cde. Nascimento		
Cde. Duncan		
Cde. Clarke		
Cde. Ramseoop		
Cde. Burnham		
	32	9

ADJOURNMENT

At 11.53 p.m., on a motion by the Minister of Parliamentary Affairs and Leader of the House, the Assembly was adjourned to a date to be fixed.


S. NARAIN 29/7/78
Speaker

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
29th July, 1978