

SECOND PARLIAMENT OF GUYANA

FIRST SESSION

1969 - 1970

MINUTES of the Proceedings of the 72nd Sitting of the National Assembly under the Constitution of Guyana, held in the Parliament Chamber at the Public Buildings, Georgetown, Demerara,

AT 2.00 P.M.

ON

MONDAY, 16TH FEBRUARY, 1970

PRESENT:

His Honour the Speaker, Mr. R.B. Gajraj, C.B.E., J.P.

(a) Members of the Government

(i) Ministers

The Honourable L.F.S. Burnham, Q.C., Prime Minister
Dr. the Honourable P.A. Reid, Deputy Prime Minister
and Minister of Finance
The Honourable R.J. Jordan, Minister of Agriculture
and Natural Resources
The Honourable M. Kasim, Minister of Communications
The Honourable H.D. Hoyte, Q.C., Minister of Home
Affairs
The Honourable W.G. Carrington, Minister of Labour
and Social Security
The Honourable Miss S.M. Field-Ridley, Minister of
Education (Leader of the House)
The Honourable B. Ramsaroop, Minister of Trade
The Honourable D.A. Singh, Minister of Housing and
Reconstruction
The Honourable S.S. Ramphal, Kt., C.M.G., Q.C.,
Attorney-General and Minister of State
The Honourable H. Green, Minister of Works,
Hydraulics and Supply
The Honourable H.O. Jack, Minister without Portfolio
Dr. the Honourable Sylvia Talbot, Minister of Health

(ii) Parliamentary Secretaries

Mr. J.G. Joaquin, O.B.E., J.P.,
Parliamentary Secretary, Ministry of Finance
Mr. P. Duncan, Parliamentary Secretary,
Office of the Prime Minister
Mr. W. Haynes, Parliamentary Secretary,
Ministry of Works, Hydraulics and Supply
Mr. A. Salim, Parliamentary Secretary,
Ministry of Agriculture and Natural Resources
Mr. J.R. Thomas, Parliamentary Secretary,
Office of the Prime Minister
Mr. C.V. Mingo, Parliamentary Secretary,
Ministry of Local Government

(iii) Other Members

Mr. O.E. Clarke, Deputy Speaker
 Mr. J.N. Aaron
 Miss M.M. Ackman
 Mr. K. Bancroft
 Mr. N.J. Bissember
 Mr. J. Budhoo, J.P.
 Mr. L.I. Chan-A-Sue
 Mr. E.F. Correia
 Mr. M. Corrica
 Mr. E.H.A. Fowler
 Mrs. P.A. Limerick
 Mr. S.M. Saffee
 Mr. R.C. Van Sluytman
 Mr. C.E. Wrights

(b) Members of the Opposition

Dr. C.B. Jagan, Leader of the Opposition
 Mr. Ram Karran
 Mr. R. Chandisingh
 Dr. F.H.W. Ramsahoye
 Mr. D.C. Jagan
 Mr. E.M.G. Wilson
 Mr. A.M. Hamid, J.P.
 Mr. G.H. Lall
 Mr. M.Y. Ally
 Mr. R.D. Persaud, J.P.
 Mr. R. Ally
 Mr. E.L. Ambrose
 Mrs. L.M. Branco
 Mr. Balchand Persaud
 Mr. Bholu Persaud
 Mr. I.R. Remington, J.P.
 Mrs. R.P. Sahoye
 Mr. V. Teekah
 Mrs. E. DaSilva
 Mr. M.F. Singh
 Mr. J.A. Sutton

Clerk of the National Assembly - Mr. F.A. Narain
 Deputy Clerk of the National Assembly - Mr. M.B. Henry

Absent:

The Honourable M.W. Carter, Minister of
 Information and Culture
 Mr. M. Zaheeruddeen, J.P. - on leave
 Mr. E.M. Stoby
 Mr. R.E. Cheeks

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKERLeave

His Honour the Speaker announced that leave had been granted to Mr. Correia and Mr. Zaheeruddeen for that sitting.

QUESTIONS TO MINISTERSQUESTION NO. 12

Mr. R. Ally asked the Minister of Works, Hydraulics and Supply the following question:

Question: Will the Honourable Minister indicate how early the residents of Nos. 60 - 66 Villages may expect to obtain pure water and what is the position with respect to the artesian well at No. 63?

The Minister of Works, Hydraulics and Supply gave the following reply:

Answer: The well is complete and the residents are getting water.

QUESTION NO. 13

Mr. R. Ally asked the Minister of Works, Hydraulics and Supply the following question:

- Question:
- (i) Is the Honourable Minister aware that the residents of Crabwood Creek are forced to drink water from trenches, which is injurious to their health?
 - (ii) Will he indicate how early these residents may expect a supply of artesian well water?
 - (iii) Will he indicate the reason for the abandonment of the work on the artesian well at Crabwood Creek?

The Minister of Works, Hydraulics and Supply gave the following reply:

Answer: The residents, as far as I know, are not forced to drink water from trenches. It is not injurious to their health and we have not received such a report.

With respect to the second part of the question, we are mobilising our forces to do the drilling. In fact they have already erected a stand pipe.

PUBLIC BUSINESSSUSPENSION OF STANDING ORDER NO. 46(2) and (3)

On a motion by the Minister of Education (Leader of the House) Standing Order No. 46, paragraphs (2) and (3), was suspended to enable the Assembly to proceed with items 1 and 2 on the Order Paper.

BILLS - Second and Third ReadingsITEM 2 - INTERPRETATION AND GENERAL CLAUSES BILL, 1970 -
Bill No. 7/1970 published 13.2.70

The Attorney-General and Minister of State moved the second reading of the following Bill:

A BILL intituled AN ACT TO CONSOLIDATE THE LAW RELATING TO THE CONSTRUCTION AND INTERPRETATION OF ACTS OF PARLIAMENT, SUBSIDIARY LEGISLATION, APPLIED LAWS AND PUBLIC DOCUMENTS AND TO MAKE GENERAL PROVISION FOR MATTERS CONNECTED WITH OR SIMILAR TO THE PURPOSE AFORESAID.

Dr. Ramsahoye and Mr. D.C. Jagan spoke to the motion.

Thereafter, the motion was put and carried.

The Bill was read a second time.

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

In Committee

Clauses 1 to 3 were passed as printed.

Clause 4 - The following amendments by the Attorney-General and Minister of State were put and carried:

Subsection (1):

- (a) Deletion of the words "and any dependency of a Commonwealth country" in the definition of a "Commonwealth Country".
- (b) Insertion of the following definition immediately after the definition of "Commonwealth country" -
 - ' "Commonwealth territory" means a Commonwealth country or a dependency of a Commonwealth country; '
- (c) In the definition of "public account" -
 - (i) Substitution of the words "the Government" for the word "Guyana".
 - (ii) Substitution of the words "a written law" for the words "an Act".

- (d) Deletion of the words ", or made under or by virtue of any applied Act by an authority in Guyana and having legislative effect" in the definition of "subsidiary legislation".
- (e) Substitution of the word "Commission" for the word "Commissioner" in the definition of "Service Commissioner".

Clause 4 was then passed as amended.

Clauses 5 to 7 were passed as printed.

Clause 8 - The following amendment by the Attorney-General and Minister of State was put and carried:

Substitution of the word "may" for the word "shall" where it appears for the first time in subsection (3)

Clause 8 was then passed as amended.

Clauses 9 to 11 were passed as printed.

Clause 12 - The following amendment by the Attorney-General and Minister of State was put and carried:

Insertion of the word "for" immediately before the words "all purposes".

Clause 12 was then passed as amended.

Clauses 13 and 14 were passed as printed

Clause 15 - The following amendment by the Attorney-General and Minister of State was put and carried:

Substitution of the word "substituted" in the proviso to paragraph (d) for the word "replacing" in the fifth line of subsection (1).

Clause 15 was then passed as amended.

Clause 16 - The following amendments by the Attorney-General and Minister of State were put and carried:

- (a) Deletion of the words "including rules of court" and insertion of a comma after the word "rules" of subsection (1);
- (b) Deletion of the word "made" in the last line of subsection (2).

Clause 16 was then passed as amended.

Clauses 17 and 18 were passed as printed.

Clause 19 - The following amendment by the Attorney-General and Minister of State was put and carried:

Substitution of the words and figures "Sections 9, 11 and 12" for the words and figures "Sections 9, 11, 12 and 52".

Clause 19 was then passed as amended.

Clause 20 was passed as printed.

Clause 21 - The following amendment by the Attorney-General and Minister of State was put and carried:

Insertion of the words "appointing a person by name or by" immediately after the words "either by" in the eighth line of subsection (3).

Clause 21 was then passed as amended.

Clause 22 was passed as printed.

Clause 23 - The following amendment by the Attorney-General and Minister of State was put and carried:

Insertion of the word "on" immediately after the word "power" in the first line of subsection (1).

Clause 23 was then passed as amended.

Clauses 24 to 27 were passed as printed.

Clause 28 - The following amendment by the Attorney-General and Minister of State was put and carried:

Deletion of the words "written law to be" in the sixth line of subsection (2) and substitution therefor of the words "done to, on or against the Attorney General, may be".

Clause 28 was then passed as amended.

Clauses 29 to 35 were passed as printed.

Clause 36 - The following amendment by the Attorney-General and Minister of State was put and carried:

Substitution of the words "written law" for the word "Act".

Clause 36 was then passed as amended.

Clause 37 - The following amendment by the Attorney-General and Minister of State was put and carried:

Insertion of the word "is" immediately before the word "substantially" in the seventh line.

Clause 37 was then passed as amended.

Clauses 38 to 43 were passed as printed.

Clause 44 - The following amendments by the Attorney-General and Minister of State were put and carried:

- (a) Deletion of the words "substitute - for" and insertion of a hyphen;

- (b) Insertion of the following words "privilege, obligation, liability, penalty, forfeiture, or punishment aforesaid" immediately after the word "right" in paragraph (e).

Clause 44 was then passed as amended.

Clause 45 was passed as printed.

Clause 46 - The following amendment by the Attorney-General and Minister of State was put and carried:

Deletion of the word "other" in the fourth line of subsection (1).

Clause 46 was then passed as amended.

Clauses 47 and 48 were passed as printed.

Clause 49 - The following amendment by the Attorney-General and Minister of State was put and carried:

Substitution of the words "written law" for the word "Act" in the first and last lines.

Clause 49 was then passed as amended.

Clauses 50 to 53 were passed as printed.

Assembly resumed.

On a motion by the Attorney-General and Minister of State the Bill was read a third time and passed as amended in Committee.

ITEM 1 - REPUBLIC BILL, 1970 - Bill No. 6/1970 published 11.2.70

The Attorney-General and Minister of State moved the second reading of the following Bill:

A BILL intituled AN ACT TO MAKE PROVISION
CONSEQUENTIAL UPON GUYANA BECOMING A
REPUBLIC.

Dr. Ramdahoye was speaking to the motion when the time for the suspension of the sitting was reached.

SUSPENSION OF SITTING

At 4.00 p.m. the sitting was suspended for tea.

RESUMPTION OF SITTING

At 4.39 p.m. the sitting was resumed.

Dr. Ramsahoye concluded his speech.

Mr. M.F. Singh, Mr. R.D. Persaud and Mr. Sutton spoke to the motion.

Dr. Jagan was speaking to the motion when the time for the suspension of the sitting was reached.

SUSPENSION OF SITTING

At 6.30 p.m. the sitting was **suspended**.

RESUMPTION OF SITTING

At 8.07 p.m. the sitting was resumed.

Dr. Jagan concluded his speech.

The Prime Minister replied to the motion.

Thereafter the motion was put and carried on the following division:

<u>FOR</u>	<u>AGAINST</u>
Mr. Wrights	Mr. Sutton
Mr. Van Sluytman	Mr. M.F. Singh
Mr. Saffee	Mrs. DaSilva
Mrs. Limerick	Mr. Teekah
Mr. Fowler	Mr. Bhola Persaud
Mr. Corrica	Mr. Balchand Persaud
Mr. Correia	Mrs. Branco
Mr. Chan-A-Sue	Mr. Ambrose
Mr. Budhoo	Mr. R. Ally
Mr. Bissember	Mr. R.D. Persaud
Mr. Bancroft	Mr. M.Y. Ally
Mr. Aaron	Mr. Lall
Mr. Clarke	Mr. Hamid
Mr. Mingo	Mr. D. Jagan
Mr. Thomas	Dr. Ramsahoye
Mr. Salim	Mr. Chandisingh
Mr. Haynes	Mr. Ram Karran
Mr. Duncan	Dr. Jagan
Mr. Joaquin	
Mr. D.A. Singh	
Miss Field-Ridley	
Mr. Carrington	
Mr. Hoyte	
Mr. Kasim	
Mr. Jordan	
Dr. Reid	
Mr. Burnham	

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

In Committee

Clauses 1 to 7 were passed as printed.

9 Clause 8

The following amendment by Dr. Ramsahoye was put and negatived:

Deletion of Clause 8 and substitution of the following therefor:

Amendment of section 10 of the Guyana Independence Order, 1966 S.I. 1966/575	8. Section 10 of the Guyana Independence Order 1966 (which makes provision for certain appeals to Her Majesty in Council) is hereby amended by the sub- stitution of the expression "Judicial Committee of the Privy Council" for the expression "Her Majesty in Council".
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Clause 8 was then passed as printed on the following division:

<u>FOR</u>	<u>AGAINST</u>
Mr. Wrights	Mr. Sutton
Mr. Van Sluytman	Mr. M.F. Singh
Mr. Saffee	Mrs. DaSilva
Mrs. Limerick	Mr. Teekah
Mr. Fowler	Mr. Bhola Persaud
Mr. Corrica	Mr. Balchand Persaud
Mr. Correia	Mrs. Branco
Mr. Chan-A-Sue	Mr. Ambrose
Mr. Budhoo	Mr. R. Ally
Mr. Bissember	Mr. R.D. Persaud
Mr. Bancroft	Mr. M.Y. Ally
Mr. Aaron	Mr. Lall
Mr. Clarke	Mr. Hamid
Mr. Mingo	Mr. D. Jagan
Mr. Thomas	Dr. Ramsahoye
Mr. Salim	Mr. Chandisingh
Mr. Haynes	Mr. Ram Karran
Mr. Duncan	Dr. Jagan
Mr. Joaquin	
Mr. D.A. Singh	
Miss Field-Ridley	
Mr. Carrington	
Mr. Hoyte	
Mr. Kasim	
Mr. Jordan	
Dr. Reid	
Mr. Burnham	

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The following amendment by Dr. Ramsahoye was put and negatived:

Insertion of the following as Clause 9:

" Determination of questions of law by the Court of Appeal.	9. The Court of Appeal shall upon the hearing of any appeal involving a question of law be constituted by not less than five judges. "
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Assembly resumed.

The Attorney-General and Minister of State moved the third reading of the Bill.

The motion was put and carried on the following division:

<u>FOR</u>	<u>AGAINST</u>
Mr. Wrights	Mr. Sutton
Mr. Van Sluytman	Mr. M.F. Singh
Mr. Saffee	Mrs. DaSilva
Mrs. Limerick	Mr. Teekah
Mr. Fowler	Mr. Bhola Persaud
Mr. Corrica	Mr. Balchand Persaud
Mr. Correia	Mrs. Branco
Mr. Chan-A-Sue	Mr. Ambrose
Mr. Budhoo	Mr. R. Ally
Mr. Bissember	Mr. R.D. Persaud
Mr. Bancroft	Mr. M.Y. Ally
Mr. Aaron	Mr. Lall
Mr. Clarke	Mr. Hamid
Mr. Mingo	Dr. Ramsahoye
Mr. Thomas	Mr. Chandisingh
Mr. Salim	Mr. Ram Karran
Mr. Haynes	Dr. Jagan
Mr. Duncan	
Mr. Joaquin	
Mr. D.A. Singh	
Miss Field-Ridley	
Mr. Carrington	
Mr. Hoyte	
Mr. Kasim	
Mr. Jordan	
Dr. Reid	
Mr. Burnham	

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Thereafter, the Bill was read the third time and passed as printed.

ADJOURNMENT

At 9.55 p.m., the Minister of Education (Leader of the House), moved the adjournment of the Assembly to 2.00 p.m. on Wednesday, 18th February, 1970.

The motion was put and carried on the following division:

/...

FOR

Mr. Wrights
 Mr. Van Sluytman
 Mr. Saffee
 Mrs. Limerick
 Mr. Fowler
 Mr. Corrica
 Mr. Correia
 Mr. Chan-A-Sue
 Mr. Budhoo
 Mr. Bissember
 Mr. Bancroft
 Mr. Aaron
 Mr. Clarke
 Mr. Mingo
 Mr. Thomas
 Mr. Salim
 Mr. Haynes
 Mr. Duncan
 Mr. Joaquin
 Mr. D.A. Singh
 Miss Field-Ridley
 Mr. Carrington
 Mr. Hoyte
 Mr. Kasim
 Mr. Jordan
 Dr. Reid
 Mr. Burnham

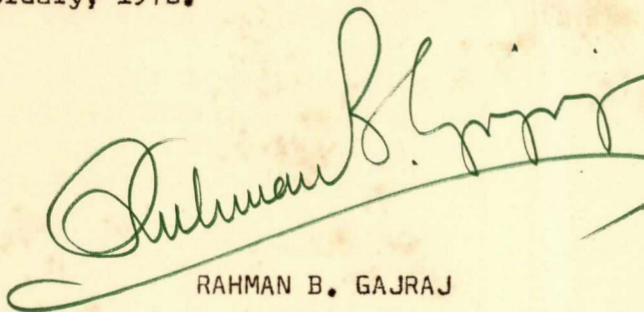
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AGAINST

Mr. Sutton
 Mr. M.F. Singh
 Mrs. DaSilva
 Mr. Teekah
 Mr. Bhola Persaud
 Mr. Balchand Persaud
 Mrs. Branco
 Mr. Ambrose
 Mr. R. Ally
 Mr. R.D. Persaud
 Mr. M.Y. Ally
 Mr. Lall
 Mr. Hamid
 Dr. Ramsahoye
 Mr. Chandisingh
 Mr. Ram Karran
 Dr. Jagan

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At 10.02 p.m. the Assembly was adjourned to 2.00 p.m. on Wednesday, 18th February, 1970.



RAHMAN B. GAJRAJ

Speaker

PARLIAMENT OFFICE,
 Public Buildings,
 Georgetown.

18th February, 1970.