

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 11TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2006-2007) OF THE NINTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON WEDNESDAY, 31ST JANUARY, 2007
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

The Hon. Hari. N. Ramkarran, S.C., M.P., Speaker of the National Assembly (Absent – on leave)

Members of the Government (42)

(i) People's Progressive Party/Civic (41)

(ii) The United Force (1)

The Hon. Samuel A.A. Hinds, M.P., (Region No. 10 – Upper Demerara/Upper Berbice),
Prime Minister and Minister of Public Works and Communications (Absent-on Leave performing the
functions of Office of the President)

The Hon. Clement J. Rohee, M.P., Minister of Home Affairs

The Hon. Shaik K.Z. Baksh, M.P., Minister of Education (Absent)

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Foreign Trade and International
Cooperation (Absent)

The Hon. Dr. Leslie S. Ramsammy, M.P., (Region No. 6 – East Berbice/Corentyne),
Minister of Health

The Hon. Carolyn Rodrigues-Birkett, M.P., (Region No. 9 – Upper Takutu/Upper Essequibo),
Minister of Amerindian Affairs

*The Hon. Dr. Ashni K. Singh, M.P., Minister of Finance

*The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P., Minister of Foreign Affairs (Absent – on leave)

The Hon. Harry Narine Nawbatt, M.P., Minister of Housing and Water

***Non-elected Minister**

The Hon. Robert M. Persaud, M.P., (Region No. 6 – East Berbice/Corentyne),
Minister of Agriculture

The Hon. Dr. Jennifer R.A. Westford, M.P., (Region No. 7 – Cuyuni/Mazaruni),
Minister of Public Service

The Hon. Kellawan Lall, M.P., Minister of Local Government and Regional Development

*The Hon. Doodnauth Singh, S.C., M.P., Attorney General and Minister of Legal Affairs

The Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture, Youth and Sport

The Hon. Brindley H.R. Benn, M.P., Minister of Transport and Hydraulics

**The Hon. Manzoor Nadir, M.P., Minister of Labour

The Hon. Priya D. Manickchand, M.P., (Region No. 5 – Mahaica/Berbice),
Minister of Human Services and Social Security

The Hon. Dr. Desrey Fox, M.P., Minister in the Ministry of Education

The Hon. Dr. Bheri S. Ramsaran, M.P., Minister in the Ministry of Health

The Hon. Jennifer I. Webster, M.P., Minister in the Ministry of Finance

The Hon. Manniram Prashad, M.P., Minister of Tourism, Industry and Commerce

Mr. Donald Ramotar, M.P.

Ms Gail Teixeira, M.P.

Mr. Harripersaud Nokta, M.P.

Mrs. Indranie Chandarpal, M.P., Chief Whip

Ms Bibi S. Shadick, M.P. (Region No. 3 – Essequibo Island/West Demerara)

Mr. Mohamed Irfaan Ali, M.P.

Mr. Albert Atkinson, J.P., M.P., (Region No. 8 – Potaro/Siparuni) (Absent)

***Non-Elected Minister**

****Elected Member from the United Force**

Mr. Komal Chand, C.C.H., J.P., M.P., (Region No. 3 – Essequibo Island/West Demerara)

Mr. Bernard C. DeSantos, S.C., M.P., (Region No. 4 – Demerara/Mahaica) (Absent – on leave)

Mrs. Shirley V. Edwards, J.P., M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Mohamed F. Khan, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

Mr. Odinga N. Lumumba, M.P.

Mr. Moses V. Nagamootoo, J.P., M.P.

Mr. Mohabir A. Nandlall, M.P.

Mr. Neendkumar, J.P., M.P., (Region No. 4 – Demerara/Mahaica)

***Mr. Steve P. Ninvalle, M.P., Parliamentary Secretary

Mr. Parmanand P. Persaud, J.P., M.P., (Region No. 2 – Pomeroon/Supernaam)

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P., Parliamentary Secretary

***Mrs. Pauline Sukhai, M.P., Parliamentary Secretary

Mr. Dharamkumar Seeraj, M.P.

Mr. Norman A. Whittaker, M.P., (Region No. 1 – Barima/Waini)

Members of the Opposition (28)

(i) Members of People's National Congress Reform-One Guyana (22)

Mr. Robert Corbin, M.P., Leader of the Opposition

Mr. Winston Murray, C.C.H., M.P. (Absent – on leave)

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker performing duties of Speaker of the National Assembly

Mr. E. Lance Carberry, M.P., Chief Whip (Absent – on leave)

Mrs. Deborah J. Backer, M.P.

Mr. Anthony Vieira, M.P.

Mr. Basil Williams, M.P.

Dr. George A. Norton, M.P.

Mrs. Volda A. Lawrence, M.P.

Mr. Keith Scott, M.P.

Ms Anna Ally, M.P.

Mr. James McAllister, M.P.

Mr. Dave D. Danny, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. Aubrey C. Norton, M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Ernest B. Elliot, M.P., (Region No. 4 – Demerara/Mahaica)

Mrs. Judith David-Blair, M.P., (Region No. 7 – Cuyuni/Mazaruni)

Mr. Mervyn Williams, M.P., (Region No. 3 – Essequibo Island/West Demerara)

Ms Africo Selman, M.P.

Dr. John Austin, M.P., (Region No. 6 – East Berbice/Corentyne)

Ms Jennifer Wade, M.P., (Region No. 5 – Mahaica/Berbice)

Ms Vanessa Kissoon, M.P., (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. Desmond Fernandes, M.P., (Region No. 1 – Barima/Waini)

(ii) **Alliance For Change (5)**

Mr. Raphael G.C. Trotman, M.P.

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila V.A. Holder, M.P.

Ms Chantalle L. Smith, M.P., (Region No. 4 – Demerara/Mahaica)

Mr. David Patterson, M.P.

(iii) **Guyana Action Party/Rise Organize and Rebuild (1)**

Mr. Everall N. Franklin, M.P.

OFFICERS

Mr. Sherlock E. Isaacs, Clerk of the National Assembly

Mrs. Lilawttie Coonjah, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The sitting commenced at 2.00 p.m.

ANNOUNCEMENT BY THE SPEAKER

1. **Availability of Internet Service**

The Speaker informed the Assembly that, as a result of a request by some Members of Parliament, Wireless Internet was installed in the Parliament Chamber and the M.P.'s Lounge on 30th January, 2007 and that any difficulties encountered with connection and signal should be reported to the Clerk of the National Assembly.

2. **Ruling on Standing Order No. 39**

The Speaker made the following announcement:

“At the last sitting of this National Assembly on Tuesday, 23rd January, 2007 during the debate on a motion brought by the Honourable Member Mr. James McAllister in the matter of the “construction of a bridge across the Berbice River” I made a ruling on Standing Order No. 39 to the effect that the motion brought by the Honourable Member did not qualify for the exceptions stated in paragraph 2 of Standing Order No. 39.

Standing Order No. 39

- (1) States that the mover of a motion may reply after all the other Members present have had an opportunity of addressing the Assembly and before the question is put and after such reply no other Member may speak except as provided in paragraph 2 of the Standing Order.
- (2) A Minister may conclude a debate on a motion which is critical of the Government or reflects adversely on or is calculated to bring discredit upon the Government or a Government Officer.

The motion in question contained 5 Whereas Clauses and 3 Resolve Clauses – none of which were in any way condemnatory or critical of the Government.

The Resolve Clauses merely asked this Assembly to call upon the Government:-

- (i) to review its decision to build a steel floating bridge across the Berbice River between D'Edward and Crab Island;
- (ii) for the matter to be investigated by the Economic Services Committee and a report made to the National Assembly within three months; and
- (iii) for the Minister of Public Works and Communications to instruct the Berbice River Bridge Co. Inc. to suspend all works pending the report from the Economic Services Committee. The mover of the motion and two other opposition Members spoke on the motion and four Government Ministers also spoke on the motion.

At the close of the debate by the mover of the motion the Leader of Government's business the Honourable Prime Minister sought to invoke the Right of Reply in paragraph 2 of Standing Order No. 39.

My ruling was premised on the reasoning that in accordance with the ordinary rules of English Language construction the qualifying phrases in paragraph 2 that trigger a Minister's Right of Reply go to the motion itself and not to the debate. And since nothing in the text of the motion was critical or adverse to the Government or to a specific Minister, that right to reply was not allowed. It was said, in the Press Release that Standing Order No. 39(2) was discussed in the context of the visit of two visiting British Members of Parliament. I was not present but I am informed that those gentlemen were asked about the usage of paragraph 2 not an interpretation of the language of paragraph 2

I have found no precedent that puts a different interpretation on paragraph 2 in Standing Order No. 39. And until such time I stand by my ruling.

Honourable Members my ruling should have been the end of the matter, but it was not. On Tuesday, 25th January, 2007 a press release emanating from the PPP/C and headed "PPP/C condemns the violation of the Right to Reply in Parliament" was sent to the media houses in Georgetown.

On the 19th January, 2007 when the Government sought to suspend Standing Order No. 54 to have the Value Added Tax Amendment Bill go through all its stages without the requisite notice, I did not permit.

That every night, two members of this Honourable House and a third person were on NCN Channel 11 discussing the Bill with the anchor of the program calling into question my impartiality in the presence of these Hon. Members.

These instances represent a flagrant disregard of the norms of this Assembly and if they are meant to intimidate let it be know that I shall not be intimidated.

8.

And if a decision is given that does not find favour with any side of this National Assembly let it be know that the characteristics attaching to the Office of the Speaker in this Assembly are authority and impartiality and any reflections upon the character or actions of the Speaker may be punished as contempt. His/her actions cannot be criticized incidentally in debate or upon any form of proceeding except a substantive motion.

In the same way reflections on the character of the Speaker or accusations of partiality in the discharge of his duties has attracted the penal powers of the Commission.

PRESENTATION OF PAPERS AND REPORTS-

By the Minister of Finance:

The Value-Added Tax Order 2007 – Order No. 3 of 2007.

(Circulated)

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY AND MOVED BY A MINISTER-

(1) **SUSPENSION OF STANDING ORDER NO. 28(1)**

The Minister of Home Affairs moved the following motion:

WHEREAS it is provided by Standing Order No. 28(1) that a Government motion shall not be placed upon the Order Paper for a day earlier than seven (7) days from the day on which the notice was given to the Clerk;

AND WHEREAS a notice of a motion has been given this day, 24th January, 2007 to be moved on Wednesday, 31st January, 2007, for the suspension of Standing Order No. 54 to enable the Assembly to proceed with the second and third readings of the Immigration (Amendment) Bill 2007 – Bill No. 5/2007, the Caribbean Community Special Visa Agreement Bill 2007 – Bill No. 6/2007 and the Pre-Clearance (ICC Cricket World Cup West Indies 2007) Bill 2007 – No. 7/2007,

BE IT RESOLVED:

That Standing Order No. 28 (1) be suspended to enable the Assembly to proceed with the motion to suspend Standing Order No. 54.

(Notice Paper No. 88 (M19 Govt 14) published on 2007-01-24)

(2) SUSPENSION OF STANDING ORDER NO. 28(1)

The Minister of Home Affairs moved the following motion:

WHEREAS it is provided by Standing Order No. 28(1) that a Government motion shall not be placed upon the Order Paper for a day earlier than seven (7) days from the day on which the notice was given to the Clerk;

AND WHEREAS a notice of a motion has been given this day, 24th January, 2007 to be moved on Wednesday, 31st January, 2007, for the suspension of Standing Order No. 54 to enable the Assembly to proceed with the second and third readings of the Customs (Amendment) Bill 2007 – Bill No. 8/2007,

BE IT RESOLVED:

That Standing Order No. 28 (1) be suspended to enable the Assembly to proceed with the motion to suspend Standing Order No. 54.

(Notice Paper No. 90 (M21 Govt 16) published on 2007-01-29)

(3) SUSPENSION OF STANDING ORDER NO. 54

The Minister of Home Affairs moved the following motion:

BE IT RESOLVED:

That Standing Order No. 54 be suspended to enable the Assembly to proceed at its sitting on Wednesday, 31st January, 2007, with the second readings and the remaining stages of the Immigration (Amendment) Bill 2007 – Bill No. 5/2007, Caribbean Community Special Visa Agreement bill 2007 – Bill No. 6/2007 and the Pre-Clearance (ICC Cricket World Cup West Indies 2007) Bill 2007 – Bill No. 7/2007.

(Notice Paper No. 89 (M20 Govt 15) published on 2007-01-19)

(4) **SUSPENSION OF STANDING ORDER NO. 54**

The Minister of Home Affairs moved the following motion:

BE IT RESOLVED:

That Standing Order No. 54 be suspended to enable the Assembly to proceed at its sitting on Wednesday, 31st January, 2007, with the second reading and the remaining stages of the Customs (Amendment) Bill 2007 – Bill No. 8/2007.

(Notice Paper No. 91 (M22 Govt 17) published on 2007-01-29)

INTRODUCTION OF BILLS-

Presentation and First Readings

1. **PESTICIDES AND TOXIC CHEMICALS CONTROL (AMENDMENT) BILL 2007 – Bill No. 4/2007**

The Minister of Agriculture, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Pesticides and Toxic Chemicals Control Act 2000.

2. **IMMIGRATION (AMENDMENT) BILL 2007 – Bill No. 5/2007 published on 2007-01-25**

The Minister of Home Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Immigration Act.

3. **CARIBBEAN COMMUNITY SPECIAL VISA AGREEMENT BILL 2007 – Bill No. 6/2007 published on 2007-01-25**

The Minister of Home Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to provide for the implementation in Guyana of the Caribbean Community Special Visa Agreement and for matters connected therewith.

4. **PRE-CLEARANCE (ICC CRICKET WORLD CUP WEST INDIES 2007) BILL 2007 – Bill No. 7/2007 published on 2007-01-25**

The Minister of Home Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to make provision for a Specified State to pre-clear certain passengers and goods in Guyana for entry into that Specified State for the purposes of immigration, customs, public health, food inspection and plant and animal health.

5. **CUSTOMS (AMENDMENT) BILL 2007 – Bill No. 8/2007**

The Minister of Finance, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend the Customs Act.

PUBLIC BUSINESS-

(i) GOVERNMENT BUSINESS

BILLS – Second Readings

ITEM 1 - IMMIGRATION (AMENDMENT) BILL 2007 – Bill No. 5/2007 published on 2007-01-25

The Minister of Home Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Immigration Act.

(Read a first time on 2007-01-31)

The following Members spoke to the motion:

The Minister of Transport and Hydraulics

Mr. Basil Williams

Thereafter, the Minister of Home Affairs replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 5 were passed as printed.

Clause 6

The following amendments moved by the Minister of Home Affairs were put and carried:

“Clause 6

Part 2 (B) (i) - after the words “Guyanese Visa Number” insert the words”/Caricom Special Visa Number”

Clause 6 was then passed as amended.

Assembly Resumed

On motion by the Minister of Home Affairs, the Immigration (Amendment) Bill 2007 – Bill No. 8/2007 was read a third time and passed as amended.

ITEM 2 - CARIBBEAN COMMUNITY SPECIAL VISA AGREEMENT BILL 2007 – Bill No. 6/2007 published on 2007-01-25

The Minister of Home Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the implementation in Guyana of the Caribbean Community Special Visa Agreement and for matters connected therewith.

(Read a first time on 2007-01-31)

The following Members spoke to the motion:

Mr. Aubrey Norton

The Minister of Culture, Youth and Sport

Mr. Raphael Trotman

Mr. Basil Williams

Thereafter the Minister of Home Affairs replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 4 were passed as printed.

Assembly Resumed

On a motion by the Minister of Home Affairs, the Caribbean Community Special Visa Agreement Bill 2007 – Bill No. 6/2007 was read a third time and passed as printed.

SUSPENSION OF SITTING

At 3.56 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 4.35 p.m., the sitting was resumed.

ITEM 3 - PRE-CLEARANCE (ICC CRICKET WORLD CUP WEST INDIES 2007) BILL

2007 – Bill No. 7/2007 published on 2007-01-25

The Minister of Home Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to make provision for a Specified State to pre-clear certain passengers and goods in Guyana for entry into that Specified State for the purposes of immigration, customs, public health, food inspection and plant and animal health.

(Read a first time on 2007-01-31)

The following Members spoke to the motion:

Mr. Basil Williams

The Minister of Labour

Mr. Aubrey Norton

Thereafter the Minister of Home Affairs replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 19 were passed as printed.

Schedules were passed as printed.

Assembly Resumed

On a motion by the Minister of Home Affairs, the Pre-clearance (ICC Cricket World Cup West Indies 2007) Bill 2007 – Bill No. 7/2007 was read a third time and passed as printed.

ITEM 5 - CUSTOMS (AMENDMENT) BILL 2007 – Bill No. 8/2007 published on 2007-01-29

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

A BILL intituled AN ACT to amend the Customs Act.

(Read a first time on 2007-01-31)

The following Members spoke to the motion.

Mr. Basil Williams

Minister of Culture, Youth and Sport

Mr. Khemraj Ramjattan

Thereafter the Minister of Finance replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 and 2 were passed as printed

Assembly Resumed

On a motion by the Minister of Finance, the Custom (Amendment) Bill 2007 – Bill No. 8/2007 was read a third time and passed as printed.

MOTION

ITEM 6 - AMENDMENT TO STANDING ORDER NO. 54

The Minister of Home Affairs moved the following motion:

WHEREAS Standing Order No. 54 provides that an interval of not less than seven (7) days must elapse between the first and second reading of a Bill;

AND WHEREAS a sitting of the National Assembly is generally held on a Thursday;

AND WHEREAS the stipulation of seven (7) days does not allow for the second reading of the Bill on the following Thursday;

AND WHEREAS it is desirable that Standing Order 54 be amended to allow for a Bill, read a first time on a Thursday to be read a second time on the following Thursday;

BE IT RESOLVED:

That in accordance with Standing Order 110 this National Assembly refers this motion to amend Standing Order No. 54 to the Standing Orders Committee for further consideration with a view to effect the desired amendment.

(Notice Paper No. 57(M15 Govt 11) published on 2007-01-18)

The motion was forthwith, without any question being put thereon, referred to the Standing Orders Committee.

ADJOURNMENT

At 5.55 p.m. on a motion by the Minister of Home Affairs, the Assembly was adjourned to 2.00 p.m., on Friday, 2nd February, 2007.



.....
MRS. CLARISSA RIEHL, M.P.,
Acting Speaker of the National Assembly

PARLIAMENT OFFICE

Public Buildings,

Brickdam.

31st January, 2007.