

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 33<sup>RD</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**  
**(2006-2007) OF THE NINTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON THURSDAY, 8<sup>TH</sup> NOVEMBER, 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

**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) (Absent – on leave)

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

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

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Foreign Trade and International Co-operation

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

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

/...2

\*Non-elected Minister

2.

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. B. H. Robeson 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 (Absent)

The Hon. Dr. Bheri S. Ramsaran, M.D., 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 R. Ramotar, M.P. (Absent)

Ms Gail Teixeira, M.P.

Mr. Harripersaud Nokta, M.P. (Absent – on leave)

Mrs. Indranie Chandarpal, M.P.

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

Mr. Mohamed Irfaan Ali, M.P.

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

**\*Non-Elected Minister**

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

3.

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)

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. (Absent – on leave)

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

Mr. Mohabir A. Nandlall, M.P. (Absent)

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.

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

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

Mrs. Deborah J. Backer, M.P.

Mr. Anthony Vieira, M.P. (Absent)

\*\*\*Non-elected Member

/...4



4.

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 K. Mc Allister, M.P. (Absent)

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

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

Mr. Ernest Barnabas 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. (Absent)

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila Holder, M.P.

Ms Latchmin Budhan, M.P.

Mr. David Patterson, M.P.

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

Mr. Everall N. Franklin, M.P.

**OFFICERS (2)**

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

Ms Hermina Gilgeours, Assistant Clerk of the National Assembly

**COMMENCEMENT OF SITTING**

The sitting commenced at 2.31 p.m.

**PRAYERS**

The Deputy Clerk read Prayers.

**PRESENTATION OF PETITIONS-**

By Mr. Khemraj Ramjattan, M.P.:

Petition against the reading, consideration and passage of the Bill No. 21 of 2007: Forests Bill 2007 and its retraction and invalidation/withdrawal.

(Circulated)

The Petition was read by the Clerk.

The question that the promoters be allowed to proceed with the Petition was put and negatived on the following division:

**FOR**

Mr. Franklin  
 Ms Budhan  
 Mrs. Holder  
 Mr. Ramjattan  
 Mr. Fernandes  
 Ms Kissoon  
 Ms Wade  
 Ms Selman  
 Mr. Mervyn Williams  
 Mrs. David-Blair  
 Mr. Elliot  
 Mr. Danny  
 Miss Ally  
 Mr. Scott  
 Mrs. Lawrence  
 Dr. Norton  
 Mr. Basil Williams  
 Mrs. Backer  
 Mrs. Riehl  
 Mr. Murray  
 Mr. Corbin

**AGAINST**

Mr. Whittaker  
 Mr. Seeraj  
 Mrs. Sahoye-Shury  
 Mr. Permanand Persaud  
 Mr. Neendkumar  
 Mr. Nagamootoo  
 Mr. Khan  
 Mrs. Edwards  
 Mr. Chand  
 Mr. Atkinson  
 Mr. Ali  
 Ms Shadick  
 Mrs. Chandarpal  
 Ms Teixeira  
 Mr. Prashad  
 Ms Webster  
 Dr. Ramsaran  
 Ms Manickchand  
 Mr. Nadir  
 Mr. Benn  
 Dr. Anthony  
 Mr. Lall  
 Dr. Westford  
 Mr. Robert Persaud  
 Mr. Nawbatt

7.

Mrs. Rogrigues-Birkett

Mr. Baksh

Mr. Rohee

---

21

---

---

28

---

**PRESENTATION OF PAPERS AND REPORTS-**

By the Minister of Finance:

- (1) Financial Paper No. 1/2007 – Supplementary Estimates (Current and Capital) totalling \$1,668,232,435 for the period 2007-04-17 to 2007-11-07.

(Circulated)

- (2) Financial Paper No. 2/2007 – Supplementary Estimates (Current and Capital) totalling \$7,011,179,821 for the period ended 2007-12-31.

(Circulated)

The Minister stated that the Financial Papers would be considered at the next sitting of the National Assembly.

8.

**QUESTIONS ON NOTICE-**

**For Oral Reply**

**GUYSUCO'S TENDER DOCUMENT**

Mrs. Sheila Holder, M.P., asked the Minister of Agriculture the following question:

\*Could the Hon. Minister say what action he has taken with respect to Guysuco's Tender Document, where Guysuco omitted to request NIS and PAYE compliance certificates, that was submitted to him by Mrs. Sheila Holder, M.P., on the 29<sup>th</sup> June, 2007 for the supply of seventy (70) Desktop computers and fifteen (15) Laptop computers.

**(Notice Paper No. 179 (Q135 Opp134) published on 2007-08-08)**

Thereafter, the Minister of Agriculture replied.

The Minister also replied to supplementary questions which were asked by Mrs. Sheila Holder.

**INTRODUCTION OF BILLS-**

**Presentation and First Reading**

**PROTOCOLS TO THE AGREEMENT ESTABLISHING THE CARIBBEAN COURT OF JUSTICE BILL 2007 – Bill No. 23/2007**

The Attorney General and Minister of Legal Affairs, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to give effect to Certain Protocols to the Agreement establishing the Caribbean Court of Justice and for matters connected therewith.



9.

**PUBLIC BUSINESS-****(i) GOVERNMENT BUSINESS****BILLS – Second Reading****ITEM 1 - THE FORESTS BILL 2007 – Bill No. 21 of 2007 published on 2007-07-24**

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

A BILL intituled AN ACT to consolidate and amend the law relating to forests.

*(Read a first time on 2007-08-02)*

The following Members spoke to the motion:

Mr. Winston Murray

Mr. Khemraj Ramjattan

The Bill was then read a second time.

Thereafter, the Bill was forthwith, without any question put, referred to a Special Select Committee.

**MOTIONS****ITEM 2 - COMPOSITION OF THE POLICE SERVICE COMMISSION**

The Minister of Home Affairs moved the following motion:

WHEREAS Article 210 of the 1980 Constitution provided for a Police Service Commission and its composition to be five Members, one of whom would be the Chairman of the Public Service Commission and one appointed by the President “after consultation with such body as appears to him to represent the majority of Members of the Police Force” and not more than three Members

/...10

exclusive of the Service Commissioners appointed by the President after consultation with the Leader of the Opposition including the chairperson being appointed from among these three by the President after consultation with the Leader of the Opposition;

AND WHEREAS Parliament agreed to the establishment of a Constitutional Reform Commission and the said Constitutional Commission presented its report to the National Assembly on July 17, 1999;

AND WHEREAS the Report of the Constitution Reform Commission recommended that the Service Commissions should be independent and that Parliament should play a more definitive role in the appointment of the Commissioners;

AND WHEREAS the National Assembly appointed an Oversight Committee on Constitutional Reform to examine these recommendations and to ensure that the amendments to the Constitution are drafted and presented to the National Assembly for its approval;

AND WHEREAS the Report of the Oversight Committee on Constitutional Reform on August, 2000, to the National Assembly on pages 285 – 286 attached, provided for amendments to Article 210 in relation to the composition of the Police Service Commission for a maximum of seven Members; four Members to be appointed by the President upon nomination by the National Assembly after it has consulted “such bodies as appear to it to represent the majority of the Members of the Police Force and any such body it deems fit”, and for a Chairman to be appointed by the President after meaningful consultation with the Leader of the Opposition from among the four Parliamentary nominees, the Chairman of the Public Service Commission and not more than three Members exclusive of the Service Commission who shall be appointed by the President after meaningful consultation with the Leader of the Opposition;

AND WHEREAS in the process of drafting Constitution (Amendment) (No. 3) Bill No. 6/2001, provision was made for four Members to be appointed by the President upon nomination by the National Assembly and the appointment of the Chairperson by the President acting after meaningful consultation with the Leader of the Opposition from among Members appointed from the Parliamentary nominees, and the Chairman of the Public Service Commission, it omitted to include the clause “not more than three Members exclusive of the Service Commission who shall be appointed by the President after consultation with the Leader of the Opposition”;

AND WHEREAS Constitution (Amendment) (No. 3) Bill No. 6/2001 was passed in the National Assembly on May 31, 2001 and assented to by the President on June 1, 2001;

BE IT RESOLVED:

That the National Assembly recognizes the error made in drafting Constitution (Amendment) (No. 3) Bill No. 6/2001 and approves of steps being taken to rectify this oversight;

BE IT FURTHER RESOLVED:

That this National Assembly refers this matter to the Parliamentary Standing Committee for Constitutional Reform to examine and make specific recommendations to this House on how to effect rectification.

*(Notice Paper No. 182 (M46 Govt28) published on 2007-10-26)*

The following Members spoke to the motion:

Mr. Winston Murray

The Attorney General and Minister of Legal Affairs

Mrs. Sheila Holder

Mr. Moses Nagamootoo



**SUSPENSION OF SITTING**

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

**RESUMPTION OF SITTING**

At 5.02 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Mr. Basil Williams

Ms Gail Teixeira

Mr. Khemraj Ramjattan

Thereafter, the Minister of Home Affairs replied.

The motion was then put and carried.

**ITEM 3 - REPORT ON DRAFT STANDING ORDERS**

The Minister of Labour, on behalf of the Prime Minister and Minister of Public Works and Communications, moved the following motion:

WHEREAS on the 15<sup>th</sup> December, 2005 a Special Select Committee of the National Assembly was elected pursuant to Resolution No. 85 of 2005 to consider and report on the adoption of the proposed draft revised Standing Orders;

AND WHEREAS that Special Select Committee submitted its Report on 13<sup>th</sup> April, 2006 which was adopted by the National Assembly;



13.

AND WHEREAS by Resolution No. 108 dated 2<sup>nd</sup> May, 2006 the said draft Standing Orders were adopted and came into force on the 2<sup>nd</sup> May, 2006;

AND WHEREAS the Special Select Committee, prior to making its Report to the National Assembly, had sought certain advice in relation to specific clauses of the proposed draft revised Standing Orders from the Attorney General and Minister of Legal Affairs;

AND WHEREAS the advice of the Attorney General and Minister of Legal Affairs, by letter dated 9<sup>th</sup> June, 2006, a copy of which is attached hereto, was received after the revised Standing Orders had been adopted by the National Assembly;

AND WHEREAS this National Assembly as a result may wish to consider a consolidated inventory of the revised Standing Orders that may require further examination in relation to whether there are inconsistencies with present day laws and Constitution be sent to a Special Select Committee;

**BE IT RESOLVED:**

That this National Assembly appoints a Special Select Committee to carry out a final review and re-examination of the revised Standing Orders and to submit a report on their findings and recommendations where required for the consideration of this House within three months.

*(Notice Paper No. 183 (M47 Govt29) published on 2007-10-26)*

The following Members spoke to the motion:

- Mr. Basil Williams
- Mr. Khemraj Ramjattan
- Mrs. Pauline Sukhai
- Mr. Winston Murray
- Ms Gail Teixeira

14.

Thereafter, the Minister of Labour replied.

The motion was then put and carried.

**ADJOURNMENT**

At 6.45 p.m., on a motion by the Minister of Home Affairs, the Assembly was adjourned to 2.00 p.m., on Thursday, 15<sup>th</sup> November, 2007.

  
.....

**HON. HARI N. RAMKARRAN, S.C., M.P.,**  
**Speaker of the National Assembly**

**PARLIAMENT OFFICE,**  
**Public Buildings,**  
**Brickdam.**

**8<sup>th</sup> November, 2007.**