

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 36<sup>TH</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, 6<sup>TH</sup> DECEMBER, 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), Prime Minister and Minister of Public Works and Communications

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

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

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Foreign Trade and International Co-operation (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 (Absent – on leave)

\*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 (Absent)

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 (Absent – on leave)

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 (Absent – on leave)

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

Mr. Donald R. 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 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) (Absent – on leave)

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.

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

Mrs. Deborah J. Backer, M.P.

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

\*\*\*Non-elected Member

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4.

Mr. Basil Williams, M.P.

Dr. George A. Norton, M.P.

Mrs. Volda A. Lawrence, M.P. (Absent – on leave)

Mr. Keith Scott, M.P.

Ms Amna Ally, M.P.

Mr. James K. Mc Allister, M.P. (Absent – on leave)

Mr. Dave 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.

Mr. Khemraj Ramjattan, M.P.

Mrs. Sheila Holder, M.P.

Ms Latchmin Budhan Punalall, M.P. (Absent – on leave)

Mr. David Patterson, M.P.

5.

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

Mr. Everall N. Franklin, M.P.

**OFFICERS (2)**

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

Mrs. Lilawtie Coonjah, Deputy Clerk of the National Assembly

**COMMENCEMENT OF SITTING**

The sitting commenced at 2.14 p.m.

**PRAYERS**

The Clerk read Prayers.

**PRESENTATION OF PETITIONS**

**Private Bill**

Mr. Harripersaud Nokta, M.P., presented a Petition on behalf of Guyana Presbyterian Church seeking to have introduced in the Assembly a Private Bill to amend the Guyana Presbyterian Church Act 1974 to replace the Presbytery with the Synod as the governing body of the Church in Guyana.

The Petition was read by the Clerk.

The question that the Promoters be allowed to proceed was put and carried.

**PRESENTATION OF PAPERS AND REPORTS-**

(1) By the Speaker of the National Assembly (Chairman of the Committee of Selection):

Minutes of Proceedings of the 6<sup>th</sup> Meeting of the Committee of Selection, held on Thursday, 29<sup>th</sup> November, 2007.

(Circulated)

(2) By the Minister of Foreign Trade and International Cooperation:

The Ministry of Foreign Trade and International Cooperation Annual Reports for the years 2004, 2005 and 2006.

(Circulated)

**STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-**

**Climate Change**

The Minister of Agriculture made a statement on why Guyanese should be rewarded through a market-based mechanism for sustainable forest management practices and environmental services to the world in responding to the effects of Climate Change.

**INTRODUCTION OF BILLS-**

**Presentation and First Readings**

1. **LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2007 – Bill No. 26/2007**

The Minister of Local Government and Regional Development, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to amend the Local Authorities (Elections) Act to provide for the postponement of elections of councillors of local democratic organs.

7.

2. **NATIONAL REGISTRATION (AMENDMENT) BILL 2007- Bill No. 27/ 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 amend the National Registration Act.

3. **IMMIGRATION (AMENDMENT) (NO. 2) BILL 2007 – Bill No. 28/2007**

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.

4. **VALUATION OF PROPERTY FOR RATING PURPOSES (VALIDATION) BILL 2007 – Bill No. 29/2007**

The Minister of Local Government and Regional Development, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to declare and validate the valuation of property in the City of Georgetown for rating purposes.

**PUBLIC BUSINESS-**

**(i) GOVERNMENT BUSINESS**

**BILL – Second Readings**

**HEALTH FACILITIES LICENSING BILL 2006 – Bill No. 29/2006 published on 2006-12-21**

The Minister of Health, moved the second reading of the following Bill which was referred to a Special Select Committee for consideration and report:

A BILL intituled AN ACT to provide for the licensing of Health Facilities and for related matters.

**(Read a first time on 2006-12-21)**

8.

The following Members spoke to the motion:

- Dr. George Norton
- The Minister of Culture, Youth and Sport
- Mr. Khemraj Ramjattan

**SUSPENSION OF SITTING**

At 4.02 p.m., the sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 4.49 p.m., the sitting was resumed.

The following Members also spoke to the motion:

- Mr. Everall Franklin
- The Minister in the Ministry of Health
- Mr. Basil Williams
- Mr. Anil Nandlall
- Mr. Winston Murray

Thereafter, the Minister of Health replied.

The Bill was then read a second time.

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



**In Committee**

**Marginal Notes**

The Minister of Health moved the following amendment which was put and carried:

For the words 'A.D. 2006' substitute the words 'A.D. 2007'.

**Clause 1**

The Minister of Health moved the following amendment which was put and carried:

Substitution of the word '2007' for the word '2006' in line 1.

Clause 1 was then passed as amended.

**Clause 2** was passed as printed.

**Clause 3**

The Minister of Health moved the following amendment which was put and carried:

“This Act applies to a health facility or class of health facilities that is prescribed.”

Clause 3 was then passed as amended.

**Clause 4** was passed as printed.

**Clause 5**

The Minister of Health moved the following amendment which was put and carried:

Clause 5(5):-

Delete the remaining words in the sentence after “Minister” in the third line and insert “shall so inform the person who operates the health facility.”

10.

Clause 5(6):-

Renumber as Clause 5(9).

Clause 5(7):-

Renumber as Clause 5(10).

Insert as new subsections (6), (7), (8):-

“(6) The Minister shall give notice to the person who operates the facility on the grounds on which he believes under subsection (5) that the facility is being operated in a manner that is prejudicial to the health, safety or welfare of any person.”

“(7)The Minister shall afford the person who operates the health facility an opportunity of making representations on his behalf and of advancing reasons producing evidence to show that the health facility is being operated in a manner conducive to the health, safety and welfare of persons.”

“(8)The Minister shall, in consultation with the Central Board of Health (the views of which body he is not obligated to accept), consider the representations, reason and evidence advanced under subsection (7) in deciding whether he shall permit the health facility to continue to operate under this section or by notice direct that subsection (3) does not apply to the health facility effective on the date specified in the notice and accordingly communicate his decision to the person who operated the health facility.”

New Subsection 9:-

A direction under subsection (5) is final.

11.

New Subsection 10:-

Between the words "apply" and "shall" in line 1 insert the words "to the health facility" .

Clause 5 was then passed as amended.

Clauses 6 and 7 were passed as printed.

**Clause 8**

The Minister of Health moved the following amendment which was put and carried:

Clause 8(1):-

Where the Minister proposes to refuse to issue a licence to any person, the Minister shall serve notice of the proposed action on the person who submitted the proposal for a licence.

Insert as a New Subsection (3):-

"Upon receipt and examination of the written reasons for the refusal the person on whom it is served may ask the Minister to review his decision."

Clause 8 was then passed as amended.

Clauses 9 and 10 were passed as printed.

**Clause 11**

The Minister of Health moved the following amendment which was put and carried:

Between the words "is" and "or" in line 2 insert the words "revoked by"

Clause 11 was then passed as amended.

12.

**Clause 12**

The Minister of Health moved the following amendment which was put and carried:

Between the words “and” and “transaction” insert the words “there shall be no” and delete the word “void” in the third line.

Clause 12 was then passed as amended.

**Clause 13** was passed as printed.

**Clause 14**

The Minister of Health moved the following amendment which was put and carried:

After the word “Minister” in the third line insert the words “may by order direct that control and operation of the facility be vested in the Minister not exceeding one (1) year.

Clause 14 was then passed as amended.

**Clause 15**

The Minister of Health moved the following amendment which was put and carried:

Delete paragraph (g) and re-letter “h”, “i” and “j” as “g”, “h” and “i”

Clause 15 was then passed as amended.

**Clauses 16 to 18** were passed as printed.

13.

**Clause 19**

The Minister of Health moved the following amendment which was put and carried:

Subsection (2) (b):

Delete the "s" on the word "inspections" in line 4 and between the words "that" and "not in line 7 delete the word "in" and insert the word "is"

Clause 19 was then passed as amended.

**Clauses 20 to 24** were passed as printed.

**Clause 25**

The Minister of Health moved the following amendment which was put and carried:

Subsection (4):-

Between the words "inspector" and "or" delete the words "under this act" in line 2.

Clause 25 was then passed as amended.

**Clause 26** was passed as printed.

**Clause 27**

The Minister of Health moved the following amendment which was put and carried:

Subsection (1):-

Between numbers "20 and "25" in line 1 delete the word "and" and insert the word "or"

Clause 27 was then passed as amended.

14.

**Clause 28**

The Minister of Health moved the following amendment which was put and carried:

Between the words "report" and "and" insert the words "on the administration of this Act" in line 1.

Clause 28 was then passed as amended.

**Clause 29**

The Minister of Health moved the following amendment which was put and carried:

Paragraph (r):-

After the word "inspections" delete the words "under this Act" in line 2.

Paragraph (v):-

Between the words "health" and "and" delete the word "facility" and insert the word "facilities" in line 2 and between the words "health" and "," delete the word "facility" and insert the word "facilities" in line 3.

Subsection (3):-

After the word "facilities" delete the words "or different classes of services" in line 2.

Clause 29 was then passed as amended.

**Clause 30**

The Minister of Health moved the following amendment which was put and carried:

Between the words "other" and "conflict" delete the words "Act or regulations" and insert the word "law" in line 1.

Clause 30 was then passed as amended.

**Clause 31** was passed as printed.

**Assembly resumed**

On a motion by the Minister of Health, the Health Facilities Licensing Bill 2006, was read a third time and passed as amended.

**ADJOURNMENT**

At 7.12 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the sitting was adjourned to 2.00 p.m., on Friday, 14<sup>th</sup> December, 2007.



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

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

**6<sup>th</sup> December, 2007.**