

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 71st SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION
(2006-2009) OF THE NINTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 15TH JANUARY, 2009
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM

MEMBERS OF THE NATIONAL ASSEMBLY (70)

Speaker (1)

The Hon. Hari N. Ramkarran, S.C., M.P., Speaker of the National Assembly

MEMBERS OF THE GOVERNMENT (41)

(i) **People's Progressive Party/Civic (40)**

(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 – performing the functions of the Office of President)

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. 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 Foreign Affairs (Absent – on leave)

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

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

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***Non-elected Minister**

2.

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 (Absent - on Leave)

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

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 (Absent)

*The Hon. Pauline Sukhai, M.P., Minister of Amerindian Affairs

The Hon. Mohamed Irfaan Ali, M.P., Minister of Housing and Water

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)

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***Non-Elected Minister**

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

3.

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

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 – Pomeroron/Supernaam)

Mr. Odinga N. Lumumba, M.P. (Absent)

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 in the Ministry of Culture, Youth and Sport

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

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P., Parliamentary Secretary in the Ministry of Housing and Water

Mr. Dharamkumar Seeraj, M.P.

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

Dr. Vishwa Deva Budhram Mahadeo, M.P.

Rev. Kwame Gilbert, M.P.

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*****Non-elected Parliamentary Secretary**

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 – on leave)

Mr. Basil Williams, M.P.

Dr. George A. Norton, M.P.

Mrs. Volda A. Lawrence, M.P.

Mr. Keith Scott, M.P.

Ms Amna Ally, M.P.

Ms Cheryl Sampson, M.P.

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

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)

5.

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

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. (Absent)

Mrs. Sheila Holder, M.P.

Mrs. Latchmin Punalall, 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 (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 2.15 p.m.

PRAYERS

The Clerk read Prayers.

OATH OF A NEW MEMBER

(i) **Election of Ms Cheryl Sampson**

The Speaker informed the Assembly that following the recall of Mr. James McAllister and his subsequent call upon the representative of the People's National Congress Reform – One Guyana list of candidates, in which Mr. James McAllister's name was included, he was informed that the name of Ms Cheryl Sampson had been extracted from the said list and that Ms Cheryl Sampson was on the 13th January, 2009 declared to be elected a Member of the National Assembly to fill the vacancy.

The Speaker stated that before Ms Cheryl Sampson could take part in the proceedings of that sitting of the National Assembly, she would have, as required by Article 167 of the Constitution, to make and subscribe the oath of office.

As Ms Sampson was present, the oath was administered to her by the Clerk.

ANNOUNCEMENTS BY THE SPEAKER

Congratulations to Ms Cheryl Sampson

The Speaker, on behalf of Members of the Assembly and himself, congratulated Ms Cheryl Sampson on her election to the Assembly.

7.

Strangers Entering the MPs' Lounge

The Speaker informed Members that he had received several complaints from Members of the National Assembly about the presence of strangers in the M.Ps' Lounge during suspensions of sittings.

The Speaker reminded Members that the M.Ps' Lounge was for the use only by Members of the National Assembly and that the Speaker's permission must be obtained for strangers to visit the Lounge.

REPORTS FROM COMMITTEES-

By the Minister of Agriculture (Chairman of the Special Select Committee on the Forests Bill 2007):

Report of the Special Select Committee of the National Assembly on the Forests Bill 2007 – Bill No. 21 of 2007.

(Circulated)

QUESTIONS ON NOTICE-

For Written Reply

1, **NUMBER OF PERSONS DETAINED FOR 72 HOURS OR MORE**

Member Asking: Mrs. Deborah Backer, M.P.

Minister Answering: Minister of Home Affairs

Could the Honourable Minister of Home Affairs provide this National Assembly with a list of the number of persons detained for the year 2007, at each Police Station listed below, for 72 hours or more, who were subsequently released without any charges being preferred against them:-

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8.

- (i) Sparendaam Police Station
- (ii) Beterverwagting Police Station
- (iii) Vigilance Police Station
- (iv) Cove and John Police Station
- (v) Brickdam Police Station
- (vi) Providence Police Station

(Notice Paper No. 309 (Q225 Opp 220) published on 2008-11-05)

At the request of the Minister of Home Affairs, and with the approval of the Assembly, the answer to the above question was deferred.

For Oral Replies

2. BARBARA STOEN'S APPEAL

At the request of Mr. Moses Nagamootoo, M.P., and with the approval of the Assembly, the following question was withdrawn:

*Would the Attorney General and Minister of Legal Affairs inform this National Assembly on what grounds the Guyanese judiciary denied Barbara Stoen's appeal to gain custody of her child and remove the child from Jonestown?

(Notice Paper No. 332(Q247 PPP/C No. 12) published on 2008-11-28)

3. **PREVAILING SANITARY CONDITIONS AT THE BRICKDAM AND ALBERTTOWN LOCKUPS**

Mr. Everall Franklin, M.P. asked the Minister of Health the following questions:

- (i) *Can the Hon. Minister assure this Assembly that the prevailing sanitary conditions at the Brickdam and Alberttown lockups pose no threat to the public health safety of Citizens?
- (ii) *Is the Minister satisfied with the prevailing sanitary conditions at these lockups?

Notice Paper No. 347 (Q261 Opp246) published on 2008-12-18)

Thereafter the Minister of Health replied.

Mr. Everall Franklin, M.P., asked the Minister of Health a supplementary question.

Thereafter the Minister of Health replied.

Mrs. Sheila Holder, M.P., asked the Minister of Health a supplementary question.

Thereafter the Minister of Health replied.

4. **PERIODIC FLOODING OF THE CITY'S SEWERAGE SYSTEM**

Mr. Everall Franklin, M.P., asked the Minister of Health the following question:

*Since sections of Old Georgetown have experienced periodic flooding and the City's sewerage system is severely compromised when this occurs, can the Minister tell this House, what measures are being undertaken by the Ministry to prevent the spread of infectious diseases in Georgetown?

Notice Paper No. 348 (Q262 Opp247) published on 2008-12-18)

Thereafter the Minister of Health replied.

Mrs. Sheila Holder, M.P., asked the Minister of Health a supplementary question.

Thereafter the Minister replied.

PERSONAL EXPLANATIONS-

The Minister of Home Affairs made a personal explanation re: the non-submission of copies of his answer to Question No. 225 to the Clerk of the National Assembly for circulation to Members of Parliament.

INTRODUCTION OF BILLS-

Presentation and First Readings

1. **MEDICAL PRACTITIONERS (AMENDMENT) BILL 2009 – Bill No. 2 of 2009**

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

A BILL intituled AN ACT to amend the Medical Practitioners Act.

2. **PROTECTION OF CHILDREN BILL 2009 – Bill No. 3 of 2009**

The Minister of Human Services and Social Security, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to provide for the protection of children at risk, children in difficult circumstances and children in general and for related matters.

PUBLIC BUSINESS-

(i) GOVERNMENT BUSINESS

MOTIONS

ITEM 1 - CONSIDERATION OF FINANCIAL PAPER NO. 5/2008

The Minister of Finance moved the following motion:

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation or consent of the Cabinet and moved the following motion:

BE IT RESOLVED:

That this National Assembly approve of the proposals set out in Financial Paper No. 5/2008 – Supplementary Estimates (Current and Capital) totalling \$1,573,421,169 for the period 2008-10-23 to 2008-12-31.

(Notice Paper No. 355 (M85 Govt 51) published on 2009-01-08)

(Paper presented on 2009-01-08)

After consideration of the Schedule, the motion was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

12.

RESOLVED,

That this National Assembly approve of the proposals set out in Financial Paper No. 5/2008 – Supplementary Estimates (Current and Capital) totalling \$1,573,421,169 for the period 2008-10-23 to 2008-12-31.

ITME 2 - CONSIDERATION OF FINANCIAL PAPER NO. 6/2008

The Minister of Finance moved the following motion:

Assembly resolved itself into Committee of Supply.

In Committee of Supply

The Minister of Finance signified the recommendation or consent of the Cabinet and moved the following motion:

BE IT RESOLVED:

That this National Assembly approve of the proposals set out in Financial Paper No. 6/2008 – Supplementary Estimates (Current and Capital) totalling \$2,484,483,876 for the period ended 2008-12-31.

(Notice Paper No. 356 (M86 Govt 52) published on 2009-01-08)

(Paper presented on 2009-01-08)

After consideration of the Schedule, the motion was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly agree with the Committee of Supply in the following Resolution:

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RESOLVED,

That this National Assembly approve of the proposals set out in Financial Paper No. 6/2008 – Supplementary Estimates (Current and Capital) totalling \$2,484,483,876 for the period ended 2008-12-31.

BILL – FIRST, SECOND AND THIRD READINGS

ITEM 3 - SUPPLEMENTARY APPROPRIATION (NO. 3 FOR 2008) BILL 2009 –

Bill No. 1 of 2009

With the leave of the Speaker, and on a motion by the Minister of Home Affairs, Standing Orders Nos. 13 and 54 were suspended to enable the Supplementary Appropriation (No. 3 for 2008) Bill No. 1 of 2009 to be introduced at that stage.

The Minister of Finance, in accordance with paragraph (2) of Article 171 of the Constitution, signified Cabinet's recommendation for the Supplementary Appropriation (No. 3 for 2008) Bill No. 1 of 2009 for consideration by the National Assembly.

Thereafter, on motions by the Minister of Finance, the following Bill was introduced and was read the first, second and third times and passed as printed:

A BILL intituled AN ACT to provide for the issue from the Consolidated Fund of the sums necessary to meet the expenditure (not otherwise lawfully charged on the Consolidated Fund) of Guyana for the fiscal year ending 31st December, 2008, estimates whereof have been approved by the National Assembly, and for the appropriation of those sums for the specified purposes, in conformity with the Constitution.

(ii) **PRIVATE MEMBERS' BUSINESS**

MOTIONS

ITEM 4 - LIVE AND UNEDITED BROADCAST OF THE SITTINGS OF THE NATIONAL ASSEMBLY

The Assembly resumed the debate on the following motion:

WHEREAS the Constitution of the Cooperative Republic of Guyana enshrines the protection of Freedom of Expression in Article 146 (1) and guarantees the Guyanese citizen the "freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference";

AND WHEREAS the people of Guyana are entitled to hear and/or see the presentations and representations made on their behalf in the National Assembly and be able to assess the contributions of all and make their own judgment;

AND WHEREAS the National Communication Network (NCN) is owned by the People of Guyana and has the widest coverage and is in a position to broadcast live and uninterrupted the proceedings of the National Assembly;

AND WHEREAS the Opposition Members of Parliament are entitled to have their views heard in an unedited way by the people of Guyana;

BE IT RESOLVED:

That this National Assembly agrees that the sittings of the National Assembly be broadcast live and unedited to the people of Guyana by the National Communication Network and that the cost of the broadcast be borne by the State;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to allocate a broadcast frequency for a parliamentary channel as happens in most democratic countries;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government to begin the live and unedited broadcast of the sittings of the National Assembly no later than one month after the adoption of this Motion.

(Notice Paper No. 320 (M82 Opp23) published on 2008-11-27)

While Ms Gail Teixeira was speaking to the motion the time for the suspension of the sitting was reached.

SUSPENSION OF SITTING

At 4.00 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5.15 p.m., the sitting was resumed.

Ms Gail Teixeira continued and concluded her speech.

The following Members also spoke to the motion:

Mrs. Sheila Holder

Mr. Donald Ramotar

Mr. Mervyn Williams

16.

The Minister of Home Affairs

Thereafter Mr. Aubrey Norton replied.

The motion was put and negatived.

ITEM 5 - FORT CANJE HOSPITAL

Dr. John Austin, M.P., moved the following motion:

WHEREAS the Fort Canje Hospital is the only Psychiatric Hospital in Guyana, administered by the Government of Guyana;

AND WHEREAS the standard of sanitation and hygiene at the Fort Canje Hospital is below internationally acceptable practices;

AND WHEREAS there is a severe shortage of all categories of trained staff at the Fort Canje Hospital;

AND WHEREAS there is inadequate security at the Fort Canje Hospital for members of staff, inmates and visiting members of the public;

AND WHEREAS the living and working conditions for staff and inmates of the Fort Canje Hospital are inadequate;

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BE IT RESOLVED:

That this National Assembly urges the Ministry of Health to take immediate action to correct the unsatisfactory level of sanitation and hygiene, the severe staff shortages, the lack of adequate security and the lack of adequate working and living conditions for staff and inmates at the Fort Canje Hospital;

AND BE IT FURTHER RESOLVED:

That this National Assembly requests the Honourable Minister of Health to provide to this Honourable House, within six months of the passing of this Motion, a written report on the actions taken by his Ministry to improve the aforesaid conditions that presently exist at the Fort Canje Hospital.

(Notice Paper No. 350 (M85 Opp 24) published on 2008-12-30)

Dr. Vishwa Mahadeo spoke to the motion.

SUSPENSION OF SITTING

At 7.43 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 8.15 p.m., the sitting was resumed.

The following Members also spoke to the motion:

The Minister in the Ministry of Health

Dr. George Norton

18.

The Minister of Health

Thereafter Dr. John Austin replied.

The Minister of Health moved the following amendments which were put and carried:

“Title: Replace words “Fort Canje” with the words “National Psychiatric”

In the 1st WHEREAS clause , replace words “Fort Canje” with the words “National Psychiatric” and insert a comma after the word “Hospital” where it occurs for the 1st time. Also insert the word “Canje” after the comma.

Insert a new WHEREAS clause immediately after the 1st WHEREAS clause as follows:

“AND WHEREAS the Government of Guyana has made mental health a priority health program and has significantly increased the budgetary allocation for mental health;”

In the 2nd WHEREAS clause delete the words “is below internationally acceptable practices” and replace the words “require further improvement;”

Delete the word “severe” in the 3rd WHEREAS clause.

In the 4th WHEREAS clause, delete the words “there is inadequate” delete the word “inmates” and replace with the word “patients”. Delete the semi colon at the end of the clause. Insert the words “is still inadequate”

In the 5th WHEREAS clause, delete the word "inmates" and replace with the word "patients". Delete the words "are inadequate" and replace with the words "requires further enhancement;"

Before the 1st BE IT RESOLVED insert the following:

"BE IT RESOLVED:

That this National Assembly notes the efforts of the Government of Guyana to improve the conditions at the National Psychiatric Hospital;"

In the 2nd BE IT RESOLVED insert the word "FURTHER " after "IT". Delete the words "take immediate action" and replace with the words "accelerate its efforts". Delete the words "correct the unsatisfactory level of " and replace with the words "further improve" after the word "to" in the second line.

Delete the word "severe" in the second line. Delete the words "shortages, the lack of adequate" and replace with the word "complement" in the third line. Also delete the words "the lack of adequate" as it repeats. Delete the word "inmates" and replace with the word "patients" in the fourth line.

In the 3rd AND BE IT FURTHER RESOLVED, delete the words "that presently exist" in the 4th line.

At the request of Dr. John Austin, and with the approval of the Assembly, the motion was withdrawn.

(iii) **COMMITTEE BUSINESS**

MOTION

ITEM 6 - THE CONCLUSION OF THE CONSIDERATION OF THE 2004 REPORT OF THE DISCIPLINED FORCES COMMISSION

The Minister of Home Affairs, on behalf of the Hon. Prime Minister and Minister of Public Works and Communication (Chairman of Special Select Committee on the Conclusion of the Consideration of the 2004 Report of the Disciplined Forces Commission), moved the following motion:

WHEREAS by Resolution No. 33 dated 26th July, 2007 the National Assembly appointed a Special Select Committee to conclude the examination of the Report and recommendations of the Disciplined Forces Commission and report to the National Assembly six months from its establishment;

AND WHEREAS the National Assembly stipulated that the Special Select Committee of the Ninth Parliament takes cognizance of the work done by the Special Select Committee of the Eighth Parliament that considered the Report and its recommendations;

AND WHEREAS the Special Select Committee was required to presents its Final Report to the National Assembly six months from the date of establishment;

AND WHEREAS the Special Select Committee had requested an extension of the deadline for the submission of its final Report to 15th December, 2008;

AND WHEREAS the Special Select Committee was unable to complete its work by the deadline stipulated;

BE IT RESOLVED:

That this National Assembly approves a further extension of the deadline for the submission of its Report to 6th August, 2009.

(Notice Paper No. 349 (M84 Gov 50) published on 2008-12-23)

The motion was put and carried.

ADJOURNMENT

At 10.13 p.m., on a motion by the Minister of Home Affairs, the Assembly was adjourned to 2.00 p.m., on Thursday, 22nd January, 2009.



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HON. HARI N. RAMKARRAN, S.C., M.P.,

Speaker of the National Assembly

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

15th January, 2009.