

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 88TH 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, 7TH MAY, 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

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 (Absent – on leave)

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 (Absent)

*Non-elected Minister

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. Charles R. Ramson, 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 – on leave)

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

*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. (Absent – on leave)

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

Mr. Harripersaud Nokta, M.P.

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

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

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

Mr. Mohabir A. Nandlall, M.P.

Mr. Odinga N. Lumumba, 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 – Pomeroon/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. (Absent – on leave)

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 (Absent – on leave)

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

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

4.

Mrs. Deborah J. Backer, M.P. (Absent – on leave)

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)

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

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) (Absent – on leave)

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.

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 2.13 p.m.

PRAYERS

The Clerk read Prayers.

REPORTS FROM COMMITTEES

By the Minister of Human Services and Social Security (Chairperson of the Special Select Committee on the Adoption of Children Bill 2009):

Report of the Special Select Committee on the Adoption of Children Bill 2009 – Bill No. 6 of 2009.

(Circulated)

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PUBLIC BUSINESS -**(i) GOVERNMENT BUSINESS****BILLS – Second Readings****ITEM 1 - PUBLIC UTILITY UNDERTAKINGS AND PUBLIC HEALTH SERVICES****ARBITRATION (AMENDMENT) BILL 2009 – Bill No. 13/2009 published on 2009-04-23**

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

A BILL intituled AN ACT to amend the Public Utility Undertakings and Public Health Services Arbitration Act.

(Read a first time on 2009-04-23)

The following Members spoke to the motion:

Mr. Basil Williams

Mr. Norman Whittaker

Mr. Everall Franklin

The Minister of Transport and Hydraulics

Mr. Khemraj Ramjattan

Thereafter the Minister of Labour replied.

The Bill was then read a second time on the following division:

AGAINST

Mr. Franklin

Mr. Patterson

Mrs. Budhan

Mr. Fernandes

Ms Kissoon

FOR

Dr. Mahadeo

Mr. Whittaker

Mr. Seeraj

Mrs. Sahoye-Shury

Mr. Parmanand Persaud

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Ms Wade
 Dr. Austin
 Miss Selman
 Mrs. David-Blair
 Mr. Elliot
 Mr. Danny
 Mrs. Sampson
 Miss Ally
 Mr. Scott
 Mrs. Lawrence
 Dr. Norton
 Mr. Basil Williams
 Mr. Carberry
 Mrs. Riehl
 Mr. Murray

Mr. Neendkumar
 Mr. Lumumba
 Mr. Nandlall
 Mr. Nagamootoo
 Mr. Khan
 Mrs. Edwards
 Mr. DeSantos
 Mr. Chand
 Mr. Atkinson
 Miss Shadick
 Mr. Nokta
 Mrs. Chandarpal
 Mr. Ramotar
 Mr. Ali
 Mr. Prashad
 Ms Webster
 Dr. Ramsaran
 Ms Manickchand
 Mr. Nadir
 Mr. Benn
 Dr. Anthony
 Mr. Lall
 Dr. Westford
 Mr. Baksh
 Mr. Rohee
 Mr. Hinds

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

In Committee

Clause 1

The following amendments moved by Mr. Basil Williams and seconded by Mr. E. Lance Carberry were put and negatived:

Clause 1 be deleted and substitute for section 1 a new section 1 –

“The Principal Act is repealed and replaced by the Essential Services Act.”

Clause 1 was then passed as printed.

Clauses 2 to 4 were passed as printed.

Clause 5

Mr. Basil Williams moved the following amendments which were put and negatived:

Delete the entire subsections 1(a) and 1(b) and insert the following subsections –

- (a) In the case of an employer to a fine of thirty thousand dollars and to imprisonment for two months or;
- (b) In the case of a Trade Union to a fine ten thousand dollars and to imprisonment for one month or;
- (c) If the offence is a continuing one, in the case of an Employer or Trade Union a further fine of \$1,000.00 and in the case of a worker a fine of \$200.00 for every day or part of a day during which the offence continues.

Insert the following proviso to section 19:

“Provided that no prosecution for such a contravention shall be instituted without the consent of the Director of Public Prosecutions.”

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

Insert after subsection 1 the words “except the proviso”.

Clause 5 was then passed as amended.

Clause 6 was passed as printed.

The Schedule was passed as printed.

Assembly resumed

On a motion by the Minister of Labour, the Public Utility Undertakings and Public Health Services Arbitration (Amendment) Bill 2009 was read a third time and passed as amended.

SUSPENSION OF SITTING

At 5.17 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 6.33 p.m., the sitting was resumed.

ITEM 2 - SHOPS (CONSOLIDATION) (AMENDMENT) BILL 2009 – Bill No. 14/2009
published on 2009-04-23

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

A BILL intituled AN ACT to amend the Shops (Consolidation) Act.

(Read a first time on 2009-04-23)

10.

The following Members spoke to the motion:

Mr. Basil Williams

The Minister of Tourism, Industry and Commerce

Thereafter the Minister of Labour replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 5 were passed as printed.

The Schedule was passed as printed.

Assembly resumed

On a motion by the Minister of Labour, the Shops (Consolidation) (Amendment) Bill 2009 was read a third time and passed as printed.

ITEM 3 - PROTECTION OF CHILDREN BILL 2009 – Bill No. 3 of 2009 published on 2009-01-14

The Minister of Human Services and Social Security 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 protection of children at risk, children in difficult circumstances and children in general and for related matters.

(Read a first time on 2009-01-15)

(Committed to the Special Select Committee on 2009-01-22)

The following Members spoke to the motion:

Mrs. Volda Lawrence

The Minister of Culture, Youth and Sport

Mrs. Latchmin Punalall

Ms Bibi Shadick

Thereafter the Minister of Human Services and Social Security replied.

The Bill was then read a second time.

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

In Committee

Clauses 1 to 6 were passed as printed.

Clause 7

The Minister of Culture, Youth and Sport moved the following amendments which were put and carried:

Subsection 5 inclusion of "(h) a coroner"

Clause 7 was then passed as amended.

Clauses 8 to 64 were passed as printed.

Assembly resumed

On a motion by the Minister of Human Services and Social Security, the Protection of Children Bill 2009 was read a third time and passed as amended.

SUSPENSION OF SITTING

At 7.59 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 8.33 p.m., the sitting was resumed.

ITEM 4 - STATUS OF CHILDREN BILL 2009 – Bill No. 5/2009 published on 2009-01-27

At the request of the Minister of Human Services and Social Security the second reading of the following Bill was deferred:

A BILL intituled AN ACT to repeal and re-enact the provisions of the Children Born Out of Wedlock (Removal of Discrimination) Act 1983; to provide for presumptions of parentage and parentage testing procedures; to effect reform of the law generally and for related purposes.

(Read a first time on 2009-01-29)

(Committed to the Special Select Committee on 2009-01-29)

ITEM 5 - LEADER OF THE OPPOSITION (BENEFITS AND OTHER FACILITIES) BILL 2009 – Bill No. 16/2009 published on 2009-04-30

At the request of the Minister of Finance the second reading of the following Bill was deferred:

A BILL intituled AN ACT to provide for benefits and other facilities to the Leader of the Opposition.

(Read a first time on 2009-04-30)

ITEM 6 - INSURANCE (SUPPLEMENTARY PROVISIONS) BILL 2009 – Bill No. 17/2009 published on 2009-04-30

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

A BILL intituled AN ACT to make supplementary provisions to the Insurance Act 1998.

(Read a first time on 2009-04-30)

The following Members spoke to the motion:

Mr. Winston Murray

The Minister of Tourism, Industry and Commerce

Mr. Khemraj Ramjattan

The Minister of Housing and Water

Thereafter the Minister of Finance replied.

The Bill was then read a second time.

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

In Committee

Clause 1

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

Section 1

Marginal note

Short title

Substitute –

“Short title and commencement.”

Section 1

Insert at the end before the full stop the following words –

“and shall come into operation on a date to be appointed by order by the Minister.”

Clause 1 was then passed as amended.

Clauses 2 and 3 were passed as printed.

Assembly resumed

On a motion by the Minister of Finance, the Insurance (Supplementary Provisions) Bill 2009 was read a third time and passed as amended.

COMMITTEES BUSINESS

MOTION

ITEM 7 - GUYANA FIDUCIARY OVERSIGHT PROJECT

The Minister in the Ministry of Finance (Chairperson of the Special Select Committee on the Guyana Fiduciary Oversight Project) moved the following motion:

WHEREAS by Resolution No. 9 dated 11th January, 2007 the National Assembly appointed a Special Select Committee to examine the recommendation at component 6 of the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report Volume 2 with a view to advising the National Assembly on the steps to be undertaken by the Government to enable the Clerk to become the employing authority of the Staff of the Parliament Office;

AND WHEREAS, the National Assembly stipulated that the Special Select Committee examine the present constitutional arrangement for the appointment of the Clerk and advise the National Assembly whether there is need for a change and what change that should be;

AND WHEREAS the Special Select Committee was required to present its Final Report to the National Assembly three months after its appointment;

AND WHEREAS the Special Select Committee had requested an extension of the deadline for the submission of its Final Report to 30th August, 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 of an extension of the deadline for the submission of its Report to 31st July, 2009.

(Notice Paper No. 384 (M95 Govt 56) published on 2009-04-21)

Mr. Winston Murray spoke to the motion.

Thereafter the Minister in the Ministry of Finance replied.

Thereafter the motion was then put and carried.

ADJOURNMENT

At 10.40 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the Assembly was adjourned to 2.00 p.m. on Thursday, 21st May, 2009.



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

Speaker of the National Assembly

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

7th May, 2009.