

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 103RD 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, 26TH NOVEMBER, 2009
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

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 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 (Absent – on leave)

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. 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 (Absent – on leave)

**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

*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. (Absent – on leave)

Ms Gail Teixeira, M.P.

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 – Pomereroon/Supernaam)

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

Mr. Mohabir A. Nandlall, M.P.

Mr. Odinga N. Lumumba, M.P. (Absent – on leave)

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 – Pomereroon/Supernaam)

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P., Parliamentary Secretary in the Ministry of Housing and Water (Absent – on leave)

Mr. Dharamkumar Seeraj, M.P.

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

Dr. Vishwa Deva Budhram Mahadeo, M.P.

Rev. Kwame Gilbert, M.P.

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)

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

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

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

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

4.

Mrs. Deborah J. Backer, M.P. (Absent)

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

Mr. Basil Williams, M.P. (Absent)

Dr. George A. Norton, M.P. (Absent)

Mrs. Volda A. Lawrence, M.P. (Absent)

Mr. Keith Scott, M.P. (Absent)

Ms Amna Ally, M.P. (Absent)

Ms Cheryl Sampson, M.P. (Absent)

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

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

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

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

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

Ms Africo Selman, M.P. (Absent)

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

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

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

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

(ii) **Alliance for Change (5)**

Mr. Raphael G.C. Trotman, M.P. (Absent – on leave)

Mr. Khemraj Ramjattan, M.P. (Absent – on leave)

5.

Mrs. Sheila Holder, M.P. (Absent – on leave)

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 2.17p.m.

PRAYERS

The Clerk read Prayers.

PRESENTATION OF PAPERS AND REPORTS-

The Minister of Home Affairs, on behalf of the Prime Minister and Minister of Public Works and Communications, presented the Public Service Commission Annual Report for the year 2008.

(Circulated)

REPORTS FROM COMMITTEES

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

Minutes of Proceedings of the 17th Meeting of the Committee of Selection, held on Thursday, 19th November, 2009.

(Circulated)

INTRODUCTION OF BILLS

Presentation and First Readings

1. **LEGAL PRACTITIONERS (AMENDMENT) BILL 2009 – Bill No. 45/2009**

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 Legal Practitioners Act.

2. **THE MUTUAL ASSISTANCE IN CRIMINAL MATTERS BILL 2009 – Bill No. 46/2009**

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 give effect to the scheme relating to Mutual Assistance in Criminal Matters within the Commonwealth; and to provide for mutual assistance in criminal matters between Guyana and countries that have a treaty with Guyana concerning such assistance.

PUBLIC BUSINESS-

(i) **GOVERNMENT BUSINESS**

BILLS – Second Readings

ITEM 1 - FIRE PREVENTION (AMENDMENT) BILL 2009 – Bill No. 40/2009 published on 2009-11-17

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

A BILL intituled AN ACT to amend the Fire Prevention Act.

(Read a first time on 2009-11-19)

7.

The Bill was read a second time.

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 Fire Prevention (Amendment) Bill 2009 was read a third time and passed as printed.

ITEM 2 - FIRE SERVICE (AMENDMENT) BILL 2009 – Bill No. 41/2009 published on 2009-11-17

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

A BILL intituled AN ACT to amend the Fire Service Act.

(Read a first time on 2009-11-19)

The Bill was 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.

Assembly resumed

On a motion by the Minister of Home Affairs, the Fire Service (Amendment) Bill 2009 was read a third time and passed as printed.

8.

ITEM 3 - FIRES AND CASUALTIES INQUIRY (AMENDMENT) BILL 2009 – Bill No. 42/2009 published on 2009-11-17

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

A BILL intituled AN ACT to amend the Fires and Casualties Inquiry Act.

(Read a first time on 2009-11-19)

The Bill was read a second time.

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 Home Affairs, the Fires and Casualties Inquiry (Amendment) Bill 2009 was read a third time and passed as printed.

ITEM 4 - THE PRISON (AMENDMENT) BILL 2009 – Bill No. 43/2009 published on 2009-11-19

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

A BILL intituled AN ACT to amend the Prison Act.

(Read a first time on 2009-11-19)

Presiding by Mr. Albert Atkinson, M.P.

At 3.25 p.m., the Speaker withdrew from the Chamber and Mr. Albert Atkinson, M.P., took the Chair.

Return of Speaker

At 3.28 p.m., the Speaker returned to the Chamber.

SUSPENSION OF SITTING

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

RESUMPTION OF SITTING

At 5.07 p.m., the sitting was resumed.

The following Members spoke to the motion:

Ms Gail Teixeira

Mr. Everall Franklin

Thereafter the Minister of Home Affairs 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 12 were passed as printed.

Assembly resumed

On a motion by the Minister of Home Affairs, the Prison (Amendment) Bill 2009 was read a third time and passed as printed.

ITEM 5 - PERSONS WITH DISABILITIES BILL 2009 – Bill No. 44/2009 published on 2009-11-19

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

A BILL intituled AN ACT to provide certain rights to persons with disabilities; to provide for the promotion and protection and full and equal enjoyment of the rights; to facilitate the enforcement of the rights; to eliminate discrimination on the basis of disability; to provide for the welfare and rehabilitation of persons with disabilities; to provide for the registration of persons with disabilities; to establish the National Commission on Disabilities; and for connected purposes.

(Read a first time on 2009-11-19)

The following Members spoke to the motion:

Mr. Latchmin Punalall

The Minister in the Ministry of Education

Mrs. Indranie Chandarpal

Presiding by Mr. Mohamed F. Khan, M.P.

At 7.00 p.m., while Mrs. Indranie Chandarpal was speaking to the motion the Speaker withdrew from the Chamber and Mr. Mohamed F. Khan, M.P., took the Chair.

Return of Speaker

At 7.05p.m., the Speaker returned to the Chamber.

The Minister of Labour also spoke to the motion.

Thereafter the Minister of Health replied.

The Bill was then read a second time.

Thereafter the Bill was referred to a Special Select Committee.

SUSPENSION OF SITTING

At 7.25 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 8.01 p.m., the sitting was resumed.

(ii) **PRIVATE MEMBERS' BUSINESS**

MOTION

ITEM 6 - NON-LETHAL WEAPONS

Mr. Everall Franklin, M.P. moved the following motion:

WHEREAS the Members of the Guyana Police Force are equipped with weapons such as firearms in the form of handguns, shotguns, rifles and machine guns as well as batons;

AND WHEREAS in the execution of their duties they may have to use force to protect themselves, prevent the commission of a crime or protect property;

AND WHEREAS these weapons, in particular firearms, without exception are designed to inflict severe injury to a person or persons:

AND WHEREAS these injuries may often result in the unwanted death of the targeted person or persons due to the very nature of the weapon's design;

AND WHEREAS without the required training, capability, marksmanship and judgment of the user severe injury or death may be the result of such use;

AND WHEREAS the Members of the Guyana Police Force in executing their duty often have no alternative but to use the issued weapons and from time to time bemoan the fact that non-lethal weapons could have been used if available,

BE IT RESOLVED:

- (i) That hand to hand combat training be intensified and expanded within the Guyana Police Force;
- (ii) That a psychological evaluation of all ranks carrying firearms be conducted annually;
- (iii) That counseling be made mandatory for ranks who have used force resulting in death;
- (iv) That the Guyana Police Force design and conduct within six (6) months marksmanship training for all ranks authorized to use firearms; and
- (v) That non-lethal weapons such as pepper spray, tasers and non and less lethal ammunition such as rubber projectiles be acquired and police ranks trained in their use.

(Notice Paper No. 408 (M111 Opp 31) published on 2009-11-13)

The following Members spoke to the motion:

The Minister of Agriculture

Ms Gail Teixeira

The Minister of Home Affairs

Thereafter Mr. Everall Franklin replied.

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

“In the 4th AND WHEREAS clause delete the phrase ‘due to the very nature of the weapon’s design’;

In the 6th AND WHEREAS clause delete the entire paragraph and replace with a new clause which will now read:

‘AND WHEREAS the use of legitimate and appropriate force is the basis of all law enforcement agencies globally;

AND WHEREAS that the Guyana Police Force in recent years have been challenged by heavily armed and equipped criminals using high powered rapid fire weapons such as AK47s, and hand grenades;’

Insert a new BE IT RESOLVED clause which will read as follows:

‘That this National Assembly recognizes the right of the Guyana Police Force to use legitimate force within which the use of non-lethal weapons is an integral component of the standard operational procedures and that in certain recent incidences the police have had little choices but to respond appropriately to protect their ranks and citizens;’

That Clause 1 of the original motion will become Clause 2.

Clauses 2 and 3 of the original motion be deleted and replaced by the following clause:

‘3. That the Guyana Police Force reviews its training programmes and assessments of ranks before issuing them with firearms taking into account the need for counseling and psychological programmes;’

Delete Clause 4 of the original motion and insert the following:

‘4. That the Guyana Police Force intensifies its training programme in marksmanship for all ranks authorized to use firearms;’

Delete Clause 5 of the original motion and replace it with the following:

‘5. That the use of non-lethal weapons such as pepper spray, water cannons, and non and less lethal ammunition, such as rubber projectiles, be extended and training intensified.’”

The motion as amended was then put and carried.

EID-UL-AZAH GREETINGS

The Minister of Home Affairs expressed Eid Mubarak greetings to all Guyanese on behalf of the Government.

ADJOURNMENT

At 9.07 p.m., on a motion by the Minister of Home Affairs, the Assembly as adjourned to 2.00 p.m., on Thursday, 3rd December, 2009.



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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam.

26th November, 2009.