

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 121st SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION
(2006-2010) OF THE NINTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 18TH MARCH, 2010
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

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. 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. 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.

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) (Absent – on leave)

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. (Absent – on leave)

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 – 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.

Mr. Lloyd J. Pereira, J.P., 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.

***Non-elected Parliamentary Secretary

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4.

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. Basil Williams, M.P.

Dr. George A. Norton, M.P.

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

Mr. Keith Scott, M.P. (Absent – on leave)

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)

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) (Absent)

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)

Ms Dawn Hastings, M.P.

(ii) Alliance for Change (5)

Mr. Raphael G.C. Trotman, M.P.

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 2.05p.m.

PRAYERS

The Clerk read Prayers.

REPORTS FROM COMMITTEES-

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

Minutes of Proceedings of the 19th Meeting of the Committee of Selection held on Thursday, 11th March, 2010.

(Circulated)

- (2) By the Minister of Agriculture (Chairman of the Special Select Committee on the Impact of Global Food Price Increases):

Report of the Special Select Committee on the Impact of Global Food Price Increases.

(Circulated)

ORAL QUESTIONS WITHOUT NOTICE

INTEGRITY COMMISSION

Mr. Raphael Trotman, M.P., asked the Prime Minister and Minister of Public Works and Communications the following question:

Would the Hon. Prime Minister state the name of the Chairman of the Integrity Commission and the date of the last meeting of the Integrity Commission he attended?

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

QUESTIONS ON NOTICE-

For Oral replies

1. **CAMERAS OPERATED BY THE STATE MEDIA IN THE NATIONAL ASSEMBLY**

Mrs. Sheila Holder, M.P. asked the Prime Minister and Minister of Public Works and Communications the following question:

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7.

*Will the Hon. Prime Minister say if he is satisfied that the cameras operated by the State media to video record the Parliamentary proceedings is positioned in such a way that they only capture frontal views of government Members and not Members of the opposition benches?

(Notice Paper No. 420 (Q302 Opp277) published on 2010-02-08)

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

2. **NOISE NUISANCE, DUST NUISANCE AND DEGRADATION TO RESIDENTS OF GANGES STREET, PRASHAD NAGAR**

Mrs. Sheila Holder, M.P. asked the Prime Minister and Minister of Public Works and Communications the following question:

*From 1997 to September 29, 2009 (13 years) there were several exchanges of correspondence, on behalf of residents of Ganges Street, Prashad Nagar on the one hand and the Guyana Power and Light Inc., (GPL) and the Environmental Protection Agency on the other complaining about the noise nuisance, dust nuisance and degradation of their community's scenic environment. A petition dated September 29, 2009 from Ganges Street residents stipulating the noise/dust/smoke nuisance and health hazards was sent to the Prime Minister, the Director of the Environmental Protection Agency, the Chairman of GPL, the Mayor of the Georgetown City Council and the Chairman of the Central Housing and Planning Authority. To date all promises made to these residents by GPL have not been fulfilled. Will the honourable Prime Minister indicate to the residents of Ganges Street who have complained about these environmental nuisances and health hazards whether their quest for mitigation measures will ever be forthcoming and if so, when and how?

(Notice Paper No. 422 (Q304 Opp279) published on 2010-02-08)

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

8.

Mrs. Sheila Holder asked the Prime Minister and Minister of Public Works and Communications supplementary questions.

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

For Written replies

3. **ADVISORS TO HIS EXCELLENCY THE PRESIDENT**

Member Asking: Mrs. Sheila Holder, M.P.

Minister Answering: The Prime Minister and Minister of Public Works and Communications

Will the Hon. Prime Minister list the names and salaries being paid to all advisors of His Excellency the President?

(Notice Paper No. 421 (Q303 Opp278) published on 2010-02-08)

Answer:

Currently there are two Advisors to the President; their Official designations are Presidential Advisors.

a. Ms Gail Teixeira – Presidential Advisor on Governance

Salary: G\$800,692 per month.

b. Mr. Odinga Lumumba – Presidential Advisor on Empowerment

Salary: G\$516,457 per month

4. **ENFORCEMENT OF THE LAW AGAINST CERTAIN NOISE NUISANCES**

Member Asking: **Dr. John Austin, M.P.**

Minister Answering: **The Minister of Home Affairs**

Could the Honourable Minister of Home Affairs inform this National Assembly what specific policing action has been taken or is proposed to be taken to enforce the laws against the creation of a noise nuisance by:-

- (i) Private transport vehicles?
- (ii) Public transport vehicles?
- (iii) Residential premises?
- (iv) Night Clubs and other entertainment premises?

(Notice Paper No. 425 (Q305 Opp280) published on 2010-02-19)

Answer:

The Honourable Minister wishes to inform the National Assembly that under Section 174A(1) of the Summary Jurisdiction (Offences) (Amendment) Act No. 1 of 1989:

“No person shall, in any road, street, public place or land or in any building or premises, by operating or causing or suffering to be operated any stereo set, juke box, radio, wireless loud speaker, gramophone, amplifier, automatic piano or similar instrument of music, or by any other means whatsoever, make or cause or suffer to be made any noise which shall be so loud and so continuous or repetitive as to cause a nuisance to occupants of any premises in the neighbourhood.”

Subsection (2) of the said Section 174A as amended by the Summary Jurisdiction (Offences) (Amendment) Act No. 10 of 1998, states as follow:

“Any person who contravenes the provisions of subsection (1) shall be liable on summary conviction to a fine of not less than seven thousand, five hundred dollars nor more than fifteen thousand dollars and to imprisonment for six months and on a second or any subsequent conviction to a fine of not less than ten thousand dollars nor more than twenty thousand dollars and to imprisonment for twelve months.”

Further, Subsection 1 of Section 174B of the Summary Jurisdiction (Offences) (Amendment) Act as amended by Act No. 15 of 2008 states that:

“A driver of a motor bus or hire care shall not play or allow anyone to play any music in the motor bus or hire car whilst the motor bus or hire car is plying its route or parked in a public place.”

Subsection (2) of the said amendment states clearly that:

“A driver of a motor bus or hire car who contravenes subsection 91) commit an offence and is liable on summary conviction to a fine of not less than seven thousand, five hundred dollars nor more than fifteen thousand dollars and to imprisonment for six months and on a second or subsequent conviction to a fine of not less than ten thousand dollars nor more than twenty thousand dollars and to imprisonment for twelve months.”

(i) **Private Transport Vehicles**

Noise in private transportation can only occur where there is an annoyance to some persons as the vehicle is stopped and loud music is played at the particular area to the annoyance of residents in the area. There have been a number of such cases and action has been taken, particularly at a popular night spot in Georgetown where persons usually park their vehicles, open the trunk and play loud music.

Wherever there are incidents, the laws have been continually enforced throughout Guyana over the last year.

(ii) Public Transport Vehicles

The law as it relates to noise in public transportation has been continually enforced. A return of persons charged in 2009 is shown hereunder:

Cases made from the commencement of the 'law'

8 th June to 31 st December, 2009	-	494
Fined	-	52
Pending	-	442
1 st January to 4 th March, 2010	-	263
Fined	-	71
Pending	-	192
Total cases made to date	-	757

Return of Noise Nuisance in Public and Private Vehicles for 2009 and 2010 to date

Year	Public Vehicles	Private Vehicles	Total
2009	50	30	80
2010	15	10	25

Of the above cases for the year 2009/2010 the results are as follows:

	Fined	R&D	Warned	Music Removed	Total
Public Vehicles	30	30	10	10	80
Private Vehicles	10	6	2	7	25

Return of Noise Nuisance by Residence and Night Clubs and other Entertainment premises for the year 2009 and 2010 to date.

12.

	Reports	Conviction	Warned
Residence	194	43	151
Night Clubs/Entertainment Premises	6	5	1

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

The El Nino Phenomenon

The Minister of Agriculture made a statement on the on-going national response to the El Nino phenomenon.

PUBLIC BUSINESS -

(i) GOVERNMENT BUSINESS

MOTIONS

ITEM 1 - STANDING COMMITTEE ON OVERSIGHT OF THE SECURITY SECTOR

The Prime Minister and Minister of Public Works and Communications moved the following motion:

WHEREAS Article 119D of the Constitution provides that there shall be a Parliamentary Standing Committee established by the National Assembly with responsibility for the oversight of the security sector, namely the Disciplined Forces of Guyana;

AND WHEREAS Article 119D establishes oversight by the Parliamentary Standing Committee as being scrutiny of areas of Government policy and administration of the entities in the Security Sector;

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BE IT RESOLVED:

That this Standing Committee shall be constituted as follows:

- (i) not less than six (6) and no more than ten (10) members;
- (ii) representation on this Standing Committee will be according to the proportionality of the seats held by political parties in the National Assembly;
- (iii) the Chairmanship will remain with the Government side of the House which will determine the location of the venue for meetings with the necessary secretarial support staff to allow the Committee to function in a more secure environment based on their mandate and responsibilities;

BE IT RESOLVED:

That due to the nature of this committee's responsibilities all Members will be required to take an oath of secrecy; a Member not desirous of doing so will not be entitled to sit on this Committee;

AND BE IT RESOLVED:

That the Standing Committee in the discharge of this functions shall examine the policies and administration of the entities in the Security Sector based on the Gazetted ministerial responsibilities for entities in the Security Sector under the purview of the Standing Committee, and, shall have the authority to:

- (i) define the areas of government policy and administration for its scrutiny;
- (ii) assess the performance of the Disciplined Forces vis 'a vis established targets/programmes;

14.

- (iii) request the provision of oral and written information, including documents and records about any specific area of policy and administration of entities in the security sector unless this would compromise public safety and national security;
- (iv) review existing legislation on government policy and administration within the security sector;
- (v) summon persons within the security sector at the level of the Heads of Services, as well as hold hearings as provided for in the Standing Orders;
- (vi) utilize the services of experts and specialists as the Committee determines;
- (vii) take into account other reports emanating from agencies and Parliamentary Committees relevant to the security sector;
- (viii) submit annual reports to the National Assembly and make recommendations to the National Assembly on legislation or any other action to be taken on matters falling within their purview;

BE IT FURTHER RESOLVED:

That the Committee's authority will not include an examination of on-going operational matters of the Disciplined Forces;

AND BE IT FURTHER RESOLVED:

That this National Assembly amends the Standing Orders of the Parliament to reflect the inclusion of this new Standing Committee on Oversight of the Security Sector and its terms of reference.

(Notice Paper No. 454 (M129 Govt 81) published on 2010-03-11)

The following Members spoke to the motion:

Mrs. Deborah Backer

Mr. Mohabir Nandlall

Mr. Raphael Trotman

SUSPENSION OF SITTING

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

RESUMPTION OF SITTING

At 4.50 p.m., the sitting was resumed.

The Minister of Home Affairs also spoke to the motion.

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

Mrs. Deborah Backer moved the following amendments which were put and negatived:

“In the first BE IT RESOLVED CLAUSE:

- delete the words in paragraph (i) and replace them with the words “ten members”
- delete the words in paragraph (iii) and replace them with the words

“the Chairmanship shall rotate between the government side of the House and the Opposition side of the House and the venue for all meetings shall be at the Parliament Buildings”.

In the third BE IT RESOLVED CLAUSE delete the words of the first paragraph and replace them with the words

“That the Standing Committee in the discharge of its functions shall examine the public security policies of the Government and the policies and administration of all the entities that comprise the Security Sector and shall have the authority to.”

Delete the fourth BE IT RESOLVED CLAUSE”

The Prime Minister and Minister of Public Works and Communications moved the following amendments which were put and carried:

“First BE IT RESOLVED CLAUSE:

Section (iii) – In the first sentence delete the words “which will determine” and insert the word “and”. In the third sentence delete the word “more” and insert the word “sufficiently”. In the last sentence after the word “responsibilities” insert the words “to be determined in accordance with the Standing Orders.”

The amended motion was then put and carried.

(iii) **COMMITTEES BUSINESS**

MOTIONS

The Speaker’s consent was given in accordance with Standing Orders No. 28(2) to move the following motion:

ITEM 2 - THE CONCLUSION OF THE CONSIDERATION OF THE 2004 REPORT OF THE DISCIPLINED FORCES COMMISSION

The Prime Minister and Minister of Public Works and Communications 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;

17.

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 present its Final Report to the National Assembly six months from the date of establishment;

AND WHEREAS the Special Select Committee has requested three extensions of the deadline for the submission of its final Report to 31st January, 2010;

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 14th May, 2010.

(Notice Paper No. 449 (M124 Govt 78) published on 2010-03-10)

The following Members spoke to the motion:

Mr. E. Lance Carberry

The Minister in the Ministry of Health

Thereafter the Prime Minister and Minister of Public Works and Communications replied.

The motion was then put and carried.

ITEM 3 - ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE ON THE COURT OF APPEAL (AMENDMENT) BILL 2008

The Attorney General and Minister of Legal Affairs moved the following motion:

BE IT RESOLVED:

That the Report of the Special Select Committee on the Court of Appeal (Amendment) Bill 2008 – Bill No. 12 of 2008 be adopted.

(Notice Paper No. 450 (M125 Govt 79) published on 2010-03-10)

The following Members spoke to the motion:

Mrs. Clarissa Riehl

The Minister of Human Service and Social Security

Mr. Basil Williams

Ms Bibi Shadick

Mr. Khemraj Ramjattan

Thereafter the Attorney General and Minister of Legal Affairs replied.

The motion was then put and carried.

BILL – Third Reading

ITEM 4 - COURT OF APPEAL (AMENDMENT) BILL 2008 – Bill No. 12 of 2008 published on 2008-07-11

The Attorney General and Minister of Legal Affairs (Chairman of the Special Select Committee on the Court of Appeal (Amendment) Bill 2008) moved the third reading of the following Bill:

A BILL intituled AN ACT to amend the Court of Appeal Act to provide for appeals by the Director of Public Prosecutions to the Court of Appeal and the Caribbean Court of Justice and for connected matters.

(Read a first time on 2008-07-17)

(Read a second time and committed to the Special Select Committee on 2008-07-24)

The Bill was then passed as amended.

MOTION

ITEM 5 - NOMINATION OF MEMBERS TO THE INDIGENOUS PEOPLES' COMMISSION

Ms Gail Teixeira, M.P., (Chairperson of the Committee on Appointments), moved the following motion:

WHEREAS, Article 212S of the Constitution provides for the establishment of an Indigenous Peoples' Commission;

AND WHEREAS, in accordance with Article 212S(2) (a)(b)(c) of the Constitution, the Indigenous Peoples' Commission shall consist of –

- (a) not more than ten members, nominated by entities, by a consensual mechanism determined by the National Assembly, after the entities are determined by the votes of not less than two-thirds of all elected members of the National Assembly;*
- (b) three persons, at least one being a woman nominated by the Toushaos Council and two persons including one woman nominated by Amerindian organizations determined by the votes of not less than two-thirds of all elected members of the National Assembly; and*
- (c) a member who shall be a nominee, without the right to vote, chosen by and from each of the following Commissions: the Human Rights Commission, Ethnic Relations Commission, Women and Gender Equality Commission and the Rights of the Child Commission.”*

20.

AND WHEREAS, in keeping with article 212S(2)(a), the Committee on Appointments, having deliberated on the identification of the entities for nomination to the Indigenous Peoples' Commission unanimously agreed on the following entities to nominate one person each as members of the Indigenous Peoples' Commission:

- The Amerindian Research Unit, University of Guyana
- Environmental Protection Agency
- Ministry of Amerindian Affairs
- Private Sector Commission
- Ministry of Labour, Human Services and Social Security
- Ministry of Health; and
- Guyana Council of Churches

AND WHEREAS, the Committee also unanimously agreed on the consensual mechanism, to guide the process for consultation and nomination of Members to the said Indigenous Peoples' Commission with reference to *article 212 S(2) (a)* herein at the First Schedule;

AND WHEREAS, the Committee invited the National Tousehaos Council and the four(4) Amerindian organizations namely, the Guyana Organisation of Indigenous People (GOIP), the Amerindian Peoples' Association (APA), the Amerindian Action Movement (TAAMOG), and the National Amerindian Development Foundation (NADF) to submit their nominees.

AND WHEREAS, the Tousehaos Council on December 10, 2009, submitted their three (3) nominees to the IPC namely: **Tousehao Yvonne Pearson; Tousehao Doreen Jacobis and Tousehao Marco J. De Souza.**

AND WHEREAS, the four Amerindian organizations submitted five (5) nominees and the Committee on Appointments, on 4th December, 2007, through a process of selection, recommends the following two (2) names: **Mr. David James and Ms. Matilda Saigo.**

BE IT RESOLVED:

That this National Assembly approves the list of entities proposed in the second “*And Whereas*” clause, to be consulted to nominate members of the Indigenous Peoples’ Commission in keeping with article 212 S(2) (a);

BE IT FURTHER RESOLVED:

That this National Assembly approves the names of the nominees from the National Tushos Council and Amerindian organizations namely:

Tushao Yvonne Pearson;

Tushao Doreen Jacobis;

Tushao Marco J. De Souza;

Mr. David James; and

Ms. Matilda Saigo

to be appointed Members on the Indigenous Peoples’ Commission.

BE IT FURTHER RESOLVED:

That this National Assembly approves the consensual mechanism, outlined in the First Schedule attached.

(Notice Paper No. 451 (M126 PPP/C 14) published on 2010-03-10)

FIRST SCHEDULE**Consensual Mechanism for the Nomination by Entities for
Members of the Indigenous People's Commission**

Each entity, immediately on the passage of this motion, shall be written to by the Clerk of the National Assembly inviting it to meet and select their nominee and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to Appoint Members of Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Indigenous People's Commission.

A deadline shall be set by the Clerk of the National Assembly on the advice of the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity.

The Nominee/s chosen to represent the Group must be person/s who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity.

Where there is a recognized "*umbrella organization*" in the list of entities for that Group, the Clerk shall write to that organization and copy his letter to each of the "*constituent entities*" within the Group.

The following Members spoke to the motion:

Dr. George Norton

The Minister of Amerindian Affairs

Mrs. Sheila Holder

Thereafter Ms Gail Teixeira replied

The motion was then put and carried.

(ii) **GOVERNMENT BUSINESS**

MOTION

ITEM 6 - COMPLIANCE WITH THE INTEGRITY COMMISSION ACT

At the request of the Prime Minister and Minister of Public Works and Communications the following motion was deferred:

WHEREAS the extant Integrity Commission Act was passed in this House in 1997 and made into law on September 24, 1997 as the Integrity Commission Act 1997, Chapter 19:12, Act No. 20 of 1997;

AND WHEREAS the Commission and support staff were established shortly thereafter and all persons in public life listed in Schedule 1 being persons of high office are expected to be in compliance with this law;

AND WHEREAS Section 19 of the Act empowers the Commission and the President to publish the names of persons who are not in compliance with this Act in the Gazette and in a daily newspaper;

AND WHEREAS Section 22 addresses the offences and penalties for failure to comply which include fines and imprisonment;

AND WHEREAS all elected officials, and more so, Members of Parliament in particular, identified in Schedule 1, are expected to be standard bearers of ethics in public office and uphold the Code of Conduct outlined in the Act and in Schedule II,

BE IT RESOLVED:

That this House recognizes the lawful and legal obligation of Members of Parliament to submit declarations and call on all Members of this National Assembly to submit forthwith;

BE IT ALSO RESOLVED:

That this House conducts an annual voluntary monitoring exercise of compliance by Members of Parliament;

BE IT FURTHER RESOLVED:

That this House declares that failure or refusal of Members of Parliament to submit annual declarations is a violation of the law and a gross indictment of those Members.

(Notice Paper No. 453 (M128 Govt 80) published on 2010-03-17)

ADJOURNMENT

At 7.00 p.m., on a motion by the Prime Minister and Minister of Public Works and Communications, the Assembly was adjourned to a date to be fixed.

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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

18th March, 2010.