

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 8TH SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON FRIDAY, 2ND MAY, 2003
IN THE CONVENTION CENTRE, OCEAN VIEW INTERNATIONAL HOTEL,
LILIENDAAL, GREATER GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

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

Members of the Government (37)

(i) People's Progressive Party/Civic (34)

(ii) Non-elected Ministers (2)

(iii) The United Force (1)

The Hon. Samuel A.A. Hinds, M.P., Prime Minister and Minister of Public Works
and Communications

The Hon. Reepu Daman Persaud, O.R., J.P., M.P., Minister of Parliamentary Affairs(Absent)

The Hon. Clement J. Rohee, M.P., Minister of Foreign Trade and International Co-operation

The Hon. Harripersaud Nokta, M.P., Minister of Local Government and Regional Development

The Hon. Gail Teixeira, M.P., Minister of Culture, Youth and Sport

The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Education

The Hon. Saisnarine Kowlessar, M.P., Minister of Finance

The Hon. Shaik K.Z. Baksh, M.P., Minister of Housing and Water

The Hon. Navindranauth O. Chandarpal, M.P., Minister of Agriculture
(Region No. 4 - Demerara/Mahaica)

The Hon. J. Ronald Gajraj, M.P., Minister of Home Affairs
(Region No. 3 -Essequibo Islands/West Demerara)

The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P., Minister of Labour, Human Services and
Social Security

The Hon. Clinton C. Collymore, M.P., Minister in the Ministry of Local Government and
Regional Development

The Hon. Satyadeow Sawh, M.P., Minister of Fisheries, Other Crops and Livestock
(Region No. 5 - Mahaica/Berbice)

* The Hon. S. Rudolph Insanally, O.R., C.C.H., M.P., Minister in the Office of the
President with responsibility for Foreign Affairs

* The Hon. Doodnauth Singh, S.C., M.P., Attorney General and Minister of Legal Affairs

The Hon. Dr. Jennifer R.A. Westford, M.P., Minister of the Public Service

The Hon. C. Anthony Xavier, M.P., Minister of Transport and Hydraulics

The Hon. Bibi S. Shadick, M.P., Minister in the Ministry of Labour, Human Services and
Social Security (Region No. 3 - Essequibo Islands/West Demerara)

** The Hon. Manzoor Nadir, M.P., Minister of Tourism, Industry and Commerce

The Hon. Carolyn Rodrigues, M.P., Minister of Amerindian Affairs

The Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Health

Mr. S. Feroze Mohamed, M.P., Chief Whip

Mr. Cyril C.L. Belgrave, C.C.H., J.P., M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Donald R. Ramotar, M.P.

Mr. Husman Alli, J.P., M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Komal Chand, C.C.H., J.P., M.P. (Absent-on leave)

Mrs. Indranie Chandarpal, M.P.

Mr. Bernard C. DeSantos, S.C., M.P. (Region No. 4 - Demerara/Mahaica)

Mrs. Shirley V. Edwards, J.P., M.P.

Mr. Odinga N. Lumumba, M.P.

Mr. Heeralall Mohan, J.P., M.P. (Region No. 2 - Pomeroon/Supenaam)

Mr. Ramesh C. Rajkumar, M.P. (Region No. 6 - East Berbice/Corentyne)

Mr. Khemraj Ramjattan, M.P. (Region No. 6 - East Berbice/Corentyne)

Dr. Bheri S. Ramsaran, M.D., M.P.

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

Mrs. Pauline R. Sukhai, M.P. (Region No. 1 - Barima/Waini)

Mr. Zulfikar Mustapha, M.P.

*Non-Elected Minister

**Elected Member from The United Force

Members of the Opposition (30)**(i) People's National Congress/Reform (27)**

Mr. Robert H.O. Corbin, M.P.

Mr. Winston S. 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

Mr. Ivor Allen, M.P. (Region No. 2 - Pomeroon/Supenaam)

Mrs. Deborah J. Backer, M.P.

Mr. Deryck M.A. Bernard, M.P. (Absent-on leave)

Mr. C. Stanley Ming, M.P.

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

Mr. Vincent L. Alexander, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Andy Goveia, M.P.

Mrs. Volda A. Lawrence, M.P.

Dr. Dalglish Joseph, M.D., M.P.

Miss Amna Ally, M.P. (Region No. 5 - Mahaica/Berbice)

Miss Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Jerome Khan, M.P.

Dr. George A. Norton, M.P.

Miss Myrna E.N. Peterkin, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. James K. McAllister, M.P. (Region No. 3 - Essequibo Islands/West Demerara)

Miss Lurlene A. Nestor, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Abdul Kadir, J.P., M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Ricky Khan, M.P. (Region No. 1 - Barima/Waini)

Mrs. Rajcoomarie Bancroft, M.P. (Region No. 8 - Potaro/Siparuni)

Mr. Nasir Ally, J.P., M.P. (Region No. 6 - East Berbice/Corentyne)

Miss Judith David, M.P. (Region No. 7 - Cuyuni/Mazaruni)

Miss Genevieve Allen, M.P. (Region No. 4 - Demerara/Mahaica)

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(There is one vacancy)

(ii) **Guyana Action Party/Working People's Alliance (2)**

Mrs. Sheila V.A. Holder, M.P.

Mrs. Shirley J. Melville, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo)

(iii) **Rise, Organise and Rebuild Party (1)**

Mr. Ravindra Dev, M.P.

OFFICERS

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 2.07 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

Election of and Congratulations to Leader of the Opposition

The Speaker stated for the record of the National Assembly, that, at a Meeting which was held under his Chairmanship, on 2nd May, 2003, the Non Governmental Members of the National Assembly, in pursuance of article 184 of the Constitution of Guyana, as repealed and re-enacted by section 6 of the Constitution (Amendment) Act 2000 (Act No. 2 of 2000), elected Mr. Robert Corbin to be Leader of the Opposition.

On behalf of Members of the Assembly and himself, the Speaker extended congratulations and best wishes to Mr. Corbin.

The Minister of Culture, Youth and Sport and the Honourable Members Mr. Winston Murray, Mrs. Sheila Holder and Mr. Ravindra Dev joined the Speaker in extending congratulations and best wishes to Mr. Corbin.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Minister of Home Affairs:

Guyana Police Reform Programme - Strategic Report.

(Circulated)

PUBLIC BUSINESS

MOTIONS

ITEM 1 - ESTABLISHMENT OF A PARLIAMENTARY MANAGEMENT COMMITTEE

The Minister of Culture, Youth and Sport moved the following motion:

WHEREAS after discussions, arising from the agreement arrived at and recorded in paragraph 3H of the St. Lucia Statement of 2nd July 1998, the Political Parties represented in the National Assembly have agreed that a Parliamentary Management Committee shall be established by the National Assembly on certain terms and conditions.

BE IT RESOLVED:

1. That this National Assembly of the Parliament of Guyana approves of the establishment of a Parliamentary Management Committee (hereinafter referred to as "the Committee") which shall comprise representatives from the Parties represented in the National Assembly, to consider and decide on the matters relating to:
 - The business of the National Assembly;
 - Such other matters which the Committee may wish to consider; and
 - Such other matters referred to it by the National Assembly.
2. That the Committee shall report to the National Assembly from time to time on such matters which it considers necessary to bring to the attention of the National Assembly or as the National Assembly may require.
3. In the event that the Committee is unable to arrive at a decision on an issue, or it has not been possible to convene a meeting because of a lack of quorum as provided for in Clause 8, the Chairman of the Committee shall so inform all Members of the Committee and the Committee shall seek direction from the National Assembly on the resolution of that issue.
4. That the composition of the Committee shall be five (5) from the PPP/C, three (3) from the PNC/R, one (1) from the GAP/WPA and one (1) from ROAR.

5. That the Committee shall be chaired by the Speaker of the National Assembly and, in his or her absence, the Deputy Speaker of the National Assembly. The Chair of the Committee shall neither have an original nor a casting vote.
6. That the nomination of Members to the Parliamentary Management Committee and the subsequent filling of vacancies shall be made by the Committee of Selection.
7. That the National Assembly adopts and approves the decisions of the Committee of Selection at its meetings held on Friday, 4th April, 2003 and Wednesday, 9th April, 2003 relating to the composition, membership and other matters relating to the Parliamentary Management Committee.
8. A quorum shall be four (4) Members, two (2) Members representing the Government and two (2) Members representing the Opposition, one (1) of whom shall be a representative of the main Opposition Party, together with the Speaker or Deputy Speaker in the absence of the Speaker. If a meeting of the Committee is fixed and cannot be held for the lack of a quorum, the Members of the Committee shall be given forty eight (48) hours notice of the holding of another Meeting at which other Meeting the Members present shall comprise a quorum provided at least one member of the Opposition is present.
9. Except where the terms of this Motion provide otherwise the procedure relating to Standing Committees of the National Assembly, as provided for by Standing Order 70A, shall apply to this Committee. The terms herein shall apply where there is conflict with the Standing Orders.

The following members spoke to the motion:

Mr. Robert Corbin
Mrs. Sheila Holder
Mr. Manzoor Nadir
Mr. Ravindra Dev.

Thereafter, the Minister of Culture, Youth and Sport replied.

The motion was then put and carried.

ITEM 2 - MODALITIES TO GIVE EFFECT TO PROVISIONS OF ARTICLE 119C

The Minister of Culture, Youth and Sport moved the following motion:

WHEREAS in respect of each Commission in Column 1 of the TABLE the National Assembly has in relation to the corresponding article in Column 2 of the TABLE the power mentioned in Column 3 of the TABLE;

TABLE

COMMISSION	ARTICLE	POWERS
Judicial Service Commission	198 (2) (b)	the meaningful consultation with such bodies as appear to it to represent attorneys-at-law in Guyana to be done by the National Assembly and the signification of its choice of members to be made to the President
Public Service Commission	200 (1) (b)	two members appointed by the President upon nomination by the National Assembly after it has consulted such bodies as appear to represent public officers or classes of public officers
Police Service Commission	210 (1) (c)	four members appointed by the President upon nomination by the National Assembly after it has consulted such bodies as appear to it to represent the majority of the members of the Police Force and any other such body it deems fit
Ethnic Relations Commission	212B. (1) (a)	the determination of the consensual mechanism entrusted to the National Assembly and the determination of the entities to make nominations entrusted to the National Assembly

COMMISSION	ARTICLE	POWERS
Women and Gender Equality Commission	212Q.(2) (a)	the determination of consensual mechanism entrusted to the National Assembly and the determination of the entities to make nominations entrusted to the National Assembly
Indigenous Peoples' Commission	212S.(2) (a) (b)	the determination of consensual mechanism entrusted to the National Assembly and the determination of the entities to make nominations entrusted to the National Assembly three persons, at least one being a woman nominated by the Tushaos Council and two persons including one woman nominated by the Amerindian organizations determined by the votes of not less than two-thirds of all elected members of the National Assembly
Rights of the Child Commission	212U.(2) (a)	the determination of consensual mechanism entrusted to the National Assembly and the determination of the entities to make nominations entrusted to the National Assembly

COMMISSION	ARTICLE	POWERS
Public Procurement Commission	212X.(1) and (2)	the five members of the Public Procurement Commission should have expertise and experience in procurement, legal, financial and administrative matters and be nominated by the Public Accounts Committee and approved by not less than two-thirds of the elected members of the National Assembly.

AND WHEREAS article 119C reads -

“There shall be a Standing Committee of the National Assembly which shall have the responsibility for initiating or otherwise taking such action or addressing such matters as may be entrusted to the Committee by the National Assembly in respect of functions required to be discharged by the Assembly under the Constitution in relation to the appointment of a member of a Commission established under the Constitution.”

NOW, THEREFORE, BE IT RESOLVED that “the Standing Committee, to address matters relating to the appointment of members of Commissions established under the Constitution”, appointed by the Committee of Selection on April 4, 2003, as provided for by and pursuant to article 119C of the Constitution and under the provisions of Standing Order 70A:

- (a) shall identify the appropriate bodies for consultation in the appointment of the relevant members of the Commission, conduct the necessary consultations with them and, where necessary, receive nominations from appropriate bodies;
- (b) shall make recommendations to the National Assembly:
 - (i) for a Consensual Mechanism for the Ethnic Relations Commission, the Women and Gender Equality Commission, the Indigenous Peoples' Commission and the Rights of the Child Commission;
 - (ii) for the appointment of members of the Commissions with the exception of the Public Procurement Commission; and
 - (iii) in connection with any other matter referred to it by the National Assembly from time to time.
- (c) shall report to the National Assembly in relation to each Commission as soon as possible upon the discharge[d] of its function in relation thereto.

BE IT FURTHER RESOLVED that this National Assembly approves that the under-mentioned entities shall be included among the entities to be consulted in respect of the appointment of the Service Commissions mentioned below:

i the Guyana Bar Association and the Guyana Association of Women Lawyers; with respect to the Judicial Service Commission

ii the Guyana Public Service Union and the Senior Staff Association with respect to the Public Service Commission; and

iii the Guyana Police Association, the Association of former members of the Guyana Police Force and the National Community Policing Executive with respect to the Police Service Commission.

Mr. Carberry spoke to the motion and following a request by him, and with the leave of the Assembly, further consideration of the motion was deferred.

BILLS - Second Reading - Deferred

ITEM 3 - FISCAL ENACTMENTS (AMENDMENT) BILL, 2003 - Bill No. 3/2003

published on 2003-04-14

At the request of Mr. Lance Carberry, Chief Whip, and with the leave of the Assembly, the second reading of the following Bill was deferred:

A BILL intituled AN ACT to amend the Tax Act and the
Income Tax Act.

ITEM 4 - LAND REGISTRY (AMENDMENT) BILL 2002 - Bill No. 14/2002**published 2002/12/05**

At the request of Mr. Lance Carberry, Chief Whip, and with the leave of the Assembly, the second reading of the following Bill was deferred:

A BILL Intituled AN ACT to amend the Land Registry Act.

ITEM 5 - KIDNAPPING BILL 2002 - Bill No. 15/2002 published 2002/12/05

At the request of Mr. Lance Carberry, Chief Whip, and with the leave of the Assembly, the second reading of the following Bill was deferred:

A BILL Intituled AN ACT to provide for the punishment of the offences of abduction, wrongful restraint and wrongful confinement for ransom and other related offences and for matters incidental thereto.

ADJOURNMENT

At 3. 02 p.m., on a motion by the Prime Minister, the Assembly was adjourned to a date to be fixed.

HARIN. RAMKARRAN

Speaker of the National Assembly

PARLIAMENT OFFICE,

Public Buildings,

Georgetown.

2nd May, 2003.