

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 23RD SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND
SESSION (2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 11TH DECEMBER, 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

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 (Absent - on leave)

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. 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 (Absent)

* 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) (Absent)

** 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.

Mrs. Indranie Chandarpal, M.P. (Absent)

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.

Mr. Neendkumar, 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 (Absent - on leave)

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

Mrs. Deborah J. Backer, M.P.

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

Mr. C. Stanley Ming, M.P.

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

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

Mr. Basil Williams, 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) (Absent - on leave)

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

Dr. Carl Max Hanoman, M.P.

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)

(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. (Absent - on leave)

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 2.15 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) **Defects in the Fourth Report of the Appointive Committee**

The Speaker made the following announcement:

“At the last sitting of the National Assembly on the 24th November, 2003, the Honourable Member Ms. Gail Tiexiera alleged that mischief was responsible for the defects in the Fourth Report of the Appointive Committee which was approved for presentation to the National Assembly. Substantial amendments were made to the Report in order to correct the errors.

My investigations revealed that instructions were given for the draft Report approved by the Appointive Committee with two minor amendments to be prepared for distribution to Members of the National Assembly. There appeared to be no necessity to check the Report upon completion as the final draft had already been closely perused and the amendments were minor. In addition the staff involved had other urgent responsibilities to discharge in relation to the business of the National Assembly.

Due to an error the two minor amendments were made to an earlier draft of the Report, rather than to the final draft. As a result, it was the earlier draft, amended as instructed, which was circulated to Members of Parliament.

The staff of the Parliament Office would like me to convey their regret at the error and the resulting inconvenience caused to Members of Parliament.

I have already ruled in the past that accusations of wrongdoing by Members of Parliament against persons, particularly those who are not in a position to answer, are unacceptable. In the circumstances I now direct the Clerk to expunge from the record the accusation of mischief made in the National Assembly by Hon. Member Ms Gail Tiexiera and adopted by Hon. Member Mr. James Mc Allister.

I wish to reiterate my fully confidence in the integrity of the staff of the Parliament Office which I expressed on the 24th November, 2003, and I take this opportunity to express my personal gratitude to these dedicated public servants who serve the National Assembly and the people of Guyana far, far beyond the normal call of duty particularly at this time when experienced staff are having to bear the main burden of the vastly expanded work of the recently elected Committees. ”

(ii) **Appointment of Research Staff**

The Speaker announced that the Parliament Office had recently established a Research and Documentation Unit which is located in the Parliamentary Library and is staffed by three Research Officers.

The Speaker stated that the Unit will be expanded in the near future with the appointment of a Research Librarian who will head the Unit.

The Speaker further stated that, until the Research Librarian is appointed, all requests to utilize the services of these Officers must be channeled through the Clerk of the National Assembly.

The Speaker urged Members to utilize the services of the officers.

(iii) **Resignation of Ms Maggie Beirne as a Members of the Disciplined Forces Commission**

The Speaker informed the Assembly that Ms Maggie Beirne had resigned as a Member of the Disciplined Forces Commission and that the People's National Congress/Reform had recommended Dr. Harold Lutchman to replace Ms Beirne.

(iv) **Sympathy to Ms Sandra Adams, M.P.**

The Speaker, on behalf of the Members of the Assembly and himself, extended condolences to Ms Sandra Adams on the death of her sister, Ms Coreen Cumberbatch.

(v) **Leave:**

The Speaker announced that leave had been granted to:

Mr. Deryck Bernard from 7th - 12th December, 2003

Mr. E. Lance Carberry from 11th - 31st December, 2003

Ms Myrna Peterkin and

Mr. Ravindra Dev for that day's sitting.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Speaker of the National Assembly:

Interim Report of the Disciplined Forces Commission.

(Circulated).

STATEMENTS BY MINISTERS-**The FTAA 8th Ministerial Meeting held in Miami on November 20-21, 2003**

The Minister of Foreign Trade and International Co-operation made the following statement:

“The Eight Ministerial Meeting of the Free Trade Area of the Americas (FTAA) was convened from November 20 - 21 in Miami, USA. That meeting marked the commencement of the final year of the FTAA negotiations, scheduled to be completed in January, 2005.

At Miami, the Trade Ministers appraised the current state of play in the FTAA negotiations and agreed on modalities for the final phase of the negotiations toward January, 2005. In this regard the Ministers discussed the overall scope or vision of the negotiations in the context of the hemispheric SOA process (Vision of the FTAA); the integration of the smaller economies in the hemispheric arrangements (including technical assistance and financing mechanisms); and the location of the permanent site for the FTAA Secretariat.

In the run-up to the Miami Ministerial and especially following the failure of the WTO Cancun Ministerial Conference in September, the general sense among FTAA countries was that the FTAA process would not be able to sustain its original scope or ambition for the agreed January, 2005 completion date.

The major disagreements which erupted earlier between the US and Brazil had threatened the Miami Ministerial with a Cancun-like failure. The United States, backed by Chile, Canada, Mexico, Costa Rica and Central America, insisted on a comprehensive Agreement which maintains the original scope and coverage of each negotiating area in keeping with the mandates established by Ministers at the launch of the negotiating phase in San Jose in 1998. In the case of agriculture, however, the US and Canada, themselves major agricultural producers and exporters, have argued that unless the multilateral disciplines are first settled in the WTO regarding agricultural domestic supports etc., it would not be realistic to implement hemispheric rules.

The MERCOSUR group, led by Brazil, wanted a scaled down Vision of the FTAA and advocated a hemispheric trade accord to be comprised of or achieved through different components, namely: bilateral, plurilateral and multilateral arrangements. In this vein, countries which want to negotiate deeper or additional commitments could do so in the context of bilateral and plurilateral agreements, but within the framework of the FTAA. Concerning agriculture, however, MERCOSUR's position remains diametrically opposed to that of US/Canada.

Mr. Speaker, Guyana has always considered it to be in CARICOM's better interest to hold to the stated deadline with a trimmed agenda, common for all countries, since delaying the conclusion to the FTAA key market access issues well beyond 2005 could likely complicate matters for the region in the other external negotiations as well as delay any adjustment assistance (which is important for all negotiations) and which could likely accrue to the region under the hemispheric and sub-regional processes. In this particular sense, therefore, at the Miami Ministerial, CARICOM reaffirmed its

support for the January 2005 deadline but argued that “the agreement must have a balance of ambition, accommodating capabilities and need” and include a comprehensive package of special and differential measures in each negotiating area.

The Ministers agreed on a FTAA Vision which would be realized through a two-tiered approach. At the first level all countries will accede to a common set of rights and obligations. At the second level countries, on their own determination, may agree to additional rights and obligations on a plurilateral basis.

Mr. Speaker, Guyana remains committed to the FTAA Negotiations. In the context of CARICOM’s group approach, Guyana has reaffirmed its active participation in three of the existing ten groups and committees, namely: Consultative Group on Smaller Economies, Agriculture Negotiating Group (NGAG) and the Trade Negotiations Committee (TNC).”

**REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON
DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE-**

Uncontrollable Upward Spiraling Crime Wave

A request by Mrs. Deborah Backer to move the adjournment of the Assembly to discuss the uncontrollable upward spiraling crime wave, was disallowed.

INTRODUCTION OF BILLS-

Presentation and First Reading

ITEM 1 - FISCAL MANAGEMENT AND ACCOUNTABILITY BILL 2003 - Bill No. 21/2003 published on 2003-12-05

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

A BILL intituled AN ACT to provide for the regulation of the preparation and execution of the annual budget; the receipt, control and disbursement of public moneys; the accounting for public moneys; and such other matters connected with or incidental to the transparent and efficient management of the finances of Guyana.

(Read a first time on 2003-12-11)

ITEM2 - GUYANA ENERGY AGENCY (AMENDMENT) BILL 2003 - Bill No. 22/2003 published on 2003-12-08

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

A BILL intituled AN ACT to amend the Guyana Energy Act 1997 to increase the powers of the Agency to grant petroleum and petroleum products import, wholesale, retail and other licences; to empower the Agency to mark petroleum and petroleum products and to apply an approved standard or specification thereto; to increase the Agency's regulation making powers and to increase penalties.

(Read a first time on 2003-12-11)

PUBLIC BUSINESS

MOTIONS

ITEM 3 - CONSIDERATION OF FINANCIAL PAPER NO. 4/2003

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 Assembly approve of the proposals set out in Financial Paper No. 4/2003 - Supplementary Provision on the (Current and Capital) estimates totaling \$718,756,467 for the period 2003-07-31 to 2003-11-17.

(Paper presented on 2003-11-24)

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 Assembly agree with the Committee of Supply in the following Resolution:

“RESOLVED,

That this Assembly approve of the proposals set out in Financial Paper No. 4/2003 - Supplementary Provision on the (Current and Capital) estimates totaling \$718,756,467 for the period 2003-07-31 to 2003-11-17.”

ITEM 4 - CONSIDERATION OF FINANCIAL PAPER NO. 5/2003

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 Assembly approve of the proposals set out in Financial Paper No. 5/2003 - Supplementary Provision on the (Capital) estimates totaling \$3,663,286,870 for the period ended 31st December, 2003.

(Paper presented on 2003-11-24)

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 Assembly agree with the Committee of Supply in the following Resolution:

“RESOLVED,

That this Assembly approve of the proposals set out in Financial Paper No. 5/2003 - Supplementary Provision on the (Capital) estimates totaling \$3,663,286,870 for the period ended 31st December, 2003.”

BILL - Second and Third Reading

ITEM 5- LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 2003 -
Bill No. 20/2003 published on 2003-11-04

The Minister of Local Government and Regional Development, moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the Local Authorities (Elections) Act to provide for the postponement of elections of councillors of local democratic organs.

(Read a first time on 2003-11-24)

The following Members spoke to the motion:

Mr. Vincent Alexander

Mrs. Sheila Holder

The Minister within the Ministry of Local Government and Regional Development

SUSPENSION OF SITTING

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

RESUMPTION OF SITTING

At 5.45 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Mr. Basil Williams

Mrs. Shirley Melville

Mr. Robert Corbin

14.

Thereafter, the Minister of Local Government and Regional Development replied.

In Committee

Clause 1 was passed as printed.

Clause 2

Mr. Vincent Alexander moved the following amendment:

That clause 2 be amended to include the following:

Provided that nothing in this amendment shall be deemed to prohibit the holding of elections for Mayors and Deputy Mayors and Chairmen and Vice-Chairmen for the various local government organs in accordance with existing law.

The amendment was then put and negatived on the following division:

FOR

Mrs. Melville

Mrs. Holder

Miss David

AGAINST

Mr. Neendkumar

Mr. Mustapha

Mrs. Sukhai

Mrs. Sahoye-Shury

Dr. Ramsarran

Mr. Ramjattan

Mr. Rajkumar

Mr. Mohan

Mr. Lumumba

Mrs. Edwards

Mr. DeSantos

Mr. Ally
Mrs. Bancroft
Mr. R. Khan

Miss Nestor
Dr. Hanoman
Mr. McAllister

Dr. Norton
Mr. J. Khan

Miss Ally
Dr. Joseph
Mrs. Lawrence
Mr. Williams

Mr. Alexander
Mr. Ming

Mrs. Backer
Mr. Allen

Mrs. Riehl
Mr. Murray
Mr. Corbin

Mr. Chand
Mr. Alli
Mr. Ramotar
Mr. Belgrave
Mr. Mohamed
Dr. Ramsammy
Miss Rodrigues
Mr. Nadir

Mr. Xavier
Dr. Westford

Mr. Sawh
Mr. Collymore
Dr. Bisnauth
Mr. Gajraj

Mr. Kowlessar

Mr. Nokta
Mr. Rohee
Mr. Persaud
Mr. Hinds

Clause 2 was then passed as printed.

Assembly resumed.

On a motion by the Minister of Local Government and Regional Development the Local Authorities (Elections) (Amendment) Bill 2003 was read the third time and passed as printed.

MOTION

ITEM 6 - PROTOCOL AND RECOMMENDATIONS ADOPTED AT THE 90TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE HELD IN JUNE, 2002

At the request of the Minister of Labour, Human Services and Social Security, on behalf of the Government, consideration of the following motion was deferred.

The Minister of Labour, Human Services and Social Security to move the following motion:

WHEREAS as a member state of the International Labour Organisation, Guyana is obligated to examine Conventions, Recommendations and other Instruments adopted by the International Labour Conference in accordance with Article 19 of the Constitution of the International Labour Organisation;

AND WHEREAS Article 19 states that all Conventions, Recommendations and other Instruments adopted by the International Labour Conference must be submitted to the Competent Authority of members' states whether ratification of such Conventions is contemplated or not;

AND WHEREAS the submission of Conventions, Recommendations and other Instruments adopted at sessions of that Conference should always be accompanied or followed by a statement or proposal setting out the Government's view as to the action to be taken on the instruments;

AND WHEREAS the Government of Guyana, proposes to use the provisions of the Conventions, Recommendations and other Instruments adopted from time to time by the International Labour Conference as aims of policy and to ratify those Conventions which are in keeping with the social philosophy of the Guyanese society.

BE IT RESOLVED:

That the National Assembly approve the conclusion set out in the State Paper on the undermentioned Protocol and Recommendations adopted at the 90th Session of the International Labour Conference held in June, 2002;

BE IT FURTHER RESOLVED:

That the decision of this National Assembly be conveyed to the Director General of the International Labour Organisation:

- (i) Protocol of 2002 to the Occupational Safety and Health Convention 1981.
- (ii) Promotion of Cooperatives Recommendation, 2002, No. 193.
- (iii) The List of Occupational Diseases Recommendation, 2002, No. 194.

(Notice Paper No. 79 (M28 Govt26) published on 2003-11-19)

BILLS- Second and Third Readings

ITEM 7 - DEMERARA MUTUAL LIFE ASSURANCE SOCIETY (AMENDMENT)

BILL 2003 - Bill No. 12/2003 published on 2003-08-23

Mr. Cyril Belgrave moved the second reading of the following Private Bill:

A BILL intituled AN ACT to amend the Demerara Mutual Life Assurance Society Ordinance.

(Read a first time on 2003-11-24)

Mrs. Volda Lawrence spoke to the motion.

Thereafter, Mr. Cyril Belgrave replied.

In Committee

Clauses 1 to 3 were passed as printed.

Assembly resumed.

On a motion by Mr. Cyril Belgrave the Demerara Mutual Life Assurance Society (Amendment) Bill, 2003 was read the third time as passed as printed.

ITEM 8- GUYANA FREE PROTESTANT EPISCOPAL CHURCH BILL 2003 -

Bill No. 13/2003 published on 2003-09-06

Mr. Cyril Belgrave moved the second reading of the following Private Bill:

A BILL intituled AN ACT for the incorporation of the Church known as the Guyana Free Protestant Episcopal Church.

(Read a first time on 2003-11-24)

In Committee

Clauses 1 to 10 were passed as printed.

Assembly resumed.

On a motion by Mr. Cyril Belgrave the Guyana Free Protestant Episcopal Church Bill 2003 was read the third time and passed as printed.

ADJOURNMENT

At 6.00 p.m., on a motion by the Minister of Parliamentary Affairs, the sitting was adjourned to Monday, 15th December, 2003.



HARI N. RAMKARRAN

Speaker of the National Assembly

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

11th December, 2003.