

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 20<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**  
**SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON THURSDAY, 10<sup>TH</sup> MAY, 2012**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,**  
**BRICKDAM, GEORGETOWN**

**MEMBERS OF THE NATIONAL ASSEMBLY (68)**

**Speaker (1)**

The Hon Raphael G.C. Trotman, M.P., Speaker of the National Assembly

**MEMBERS OF THE GOVERNMENT (34)**

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

Hon. Samuel A.A. Hinds, O.E., M.P., Prime Minister and Minister of Parliamentary Affairs

Hon. Clement J. Rohee, M.P., Minister of Home Affairs

Hon. Dr. Leslie S. Ramsammy, M.P., Minister of Agriculture

Hon. Mohabir A. Nandlall, M.P. (Region No. 4 – Demerara/Mahaica),  
Attorney General and Minister of Legal Affairs

Hon. Carolyn Rodrigues-Birkett, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo),  
Minister of Foreign Affairs

Hon. Dr. Ashni K. Singh, M.P., Minister of Finance

Hon. Robert M. Persaud, M.P. (Region No. 6 – East Berbice/Corentyne),  
Minister of Natural Resources and Environment

Hon. Dr. Jennifer Westford, M.P. (Region No. 7 – Cuyuni/Mazaruni),  
Minister of the Public Service

2.

Hon. Dr. Bheri S. Ramsarran, M.P., Minister of Health

Hon. Mohamed I. Alli, M.P., Minister of Housing and Water (Absent – on leave)

Hon. Dr. Frank C.S. Anthony, M.P., Minister of Culture, Youth and Sport

Hon. Brindley H.R. Benn, M.P., Minister of Public Works

Hon. Priya D. Manickchand, M.P. (Region No. 5 – Mahaica/Berbice),  
Minister of Education

Hon. Ganga Persaud, M.P., Minister of Local Government and Regional Development

Hon. Jennifer I.M. Webster, M.P., Minister of Human Services and Social Security

Hon. Pauline Campbell-Sukhai, M.P., Minister of Amerindian Affairs (Absent – on leave)

\*Hon. Dr. Nanda K. Gopaul, M.P., Minister of Labour

Hon. Alli Baksh, M.P. (Region No. 2 – Pomeroon/Supernaam),  
Minister in the Ministry of Agriculture

Hon. Norman A. Whittaker, J.P., M.P. (Region No. 1 – Barima/Waini),  
Minister in the Ministry of Local Government and Regional Development

Hon. Bishop Juan A. Edghill, M.S., J.P., M.P., Minister in the  
Ministry of Finance

Ms Gail Teixeira, M.P., Chief Whip

Mr. Manzoor Nadir, M.P.

Mrs. Indranie Chandarpal, M.P. (Region No. 4 – Demerara/Mahaica)

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

**\*Non-Elected Minister**

3.

Mr. Komal Chand, C.C.H., J.P., M.P. (Region No. 3 – Essequibo Islands/  
West Demerara)

Mr. Odinga Lumumba, M.P.

Mr. Neendkumar, J.P., M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Dharamkumar Seeraj, M.P.

Dr. Vishwa D.B. Mahadeo, M.P.

Rev. Dr. Kwame A. Gilbert, M.P.

\*\*Mr. Joseph Hamilton, M.P., Parliamentary Secretary in the Ministry of Health

Dr. Vindhya Vasini Persaud, M.S., M.P.

Mr. Cornel Damon, M.P. (Region No. 2 – Pomeroon/Supernaam)

Mr. Faizal M. Jafarally, M.P. (Region No. 6 – East Berbice/Corentyne)

**Members of the Opposition (33)**

**(ii) Members of A Partnership for National Unity(26)**

Brigadier (Ret'd) David A. Granger, M.S.S., M.P.

Dr. Rupert Roopnarine, M.P.

Ms Amna Ally, M.P.

Mr. Basil Williams, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Volda Lawrence, M.P. (Region No. 4 – Demerara/Mahaica)

Dr. George Norton, M.P.

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly

**\*\*Non-Elected Member**

4.

Mr. Carl B. Greenidge, M.P.

Mr. Joseph F. Harmon, M.S.M., M.P.

Mr. Keith Scott, M.P.

Ms Dawn Hastings, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Mr. Winston Felix, D.S.M., M.P.

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

Mr. Sydney Allicock, M.S., M.P.

Ms Africo Selman, M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Desmond Trotman, M.P.

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

Mr. James A. Bond, M.P.

Mr. Ronald A. Bulkhan, M.P.

Mr. Jaipaul Sharma, M.P. (Region No. 4 – Demerara/Mahaica)

Mrs. Mabel Baveghems, M.P.

Mr. John Adams, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Christopher A. Jones, M.P.

Mr. Richard Allen, M.P. (Region No. 1 – Barima/Waini)

Mr. Renis Morian, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Miss Annette N. Ferguson, M.P.

**(iii)Members of The Alliance For Change (7)**

Mr. Khemraj Ramjattan, M.P.

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

Mrs. Catherine Hughes, M.P.

Mrs. Valerie Garrido-Lowe, M.P.

Dr. Veersammy Ramayya, M.P. (Region No. 6 – East Berbice/Corentyne)

Ms June Eula Marcello, M.P. (Region No. 8 – Potaro/Siparuni)

Mr. Trevor Williams, 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 2.05 p.m.

**PRAYERS**

The Clerk read the prayers.

**PRESENTATION OF PAPERS AND REPORTS-**

By the Minister of Finance:

- (i) Financial Paper No. 9/2011 – Supplementary Estimates (Current and Capital) totalling \$79,619,478 for the period 2011-10-25 to 2011-12-31.

(Circulated)

The Minister of Finance named the 31<sup>st</sup> May, 2012 for the consideration of Financial Paper No. 9/2011.

6.

- (ii) Annual Report of the National Industrial and Commercial Investments Limited for the year ended 31<sup>st</sup> December, 2004.

(Circulated)

**QUESTIONS ON NOTICE-**

**For Written Replies**

1. **LEGAL AID IN REGION #10**

**Member Asking:** Ms Vanessa Kissoon, M.P.

**Minister Answering:** The Minister of Human Services and Social Security

- (i) Would the Hon. Minister inform this National Assembly if Legal Aid in Region # 10 receives funding from Government?
- (ii) If yes, provide details, and if no, say why?

**(Notice Paper No. 47 (Q 29 Opp 29) published on 2012-04-16)**

**Answers:**

- (i) “Legal Aid in Region # 10 does not currently receive funding from Government.
- (ii) Government commenced funding the operations of the Guyana Legal Aid Clinic (formerly the Georgetown Legal Aid Clinic) in December, 2007 based upon a commitment given to expand Legal Aid services.

7.

Prior to that, services throughout Guyana – the Georgetown Legal Aid Clinic had received funding from International Donor Partners. The provision of funding for the Guyana Legal Aid Clinic by Government had begun prior to the establishment of the Linden Legal Aid Clinic. When the Centre was established in June, 2009 an approach was made requesting Government’s support to fund the operations of the Centre. However, there was no available funding at that time.

Government then sought an alternative mechanism, so that support could be provided, and advocated at UNICEF that funding be provided from Country Funds to support the operations of the Linden Legal Aid Centre. Funding was provided from August, 2008 to August, 2009 to the tune of \$6,764,440 and from December, 2009 to December, 2010 - \$6M and during the period April, 2011 to December, 2011 the sum of \$9,060,070 was provided.

In the joint Government of Guyana/UNICEF Workplan resources have been allocated in 2012 for the continued operations of Linden Legal Aid Centre (LLAC). The Administration of the Ministry of Labour, Human Services and Social Security has since requested of the Directors of LLAC that a copy of the Budget proposal for the year 2012 be submitted along with a copy of the audited accounts for the year 2012.”

## **2. MORTUARY AT THE WISMAR HOSPITAL**

**Member Asking:** Ms Vanessa Kissoon, M.P.

**Minister Answering:** The Minister of Health

Would the Hon. Minister inform this National Assembly when his Ministry intends to buy/purchase a new unit for the mortuary at the Wismar Hospital?

**(Notice Paper No. 48 (Q 30 Opp 30) published on 2012-04-16)**

8.

**Answer:**

“There is no budgetary provision in the Budget for 2012 for the purchase of a Mortuary for the Wismar Hospital.

The Ministry of Health (MOH) is in the process of procuring parts for the repairs of both freezing Units at the Wismar Hospital Mortuary. Each unit has six (6) freezing chambers. One unit has been out of service for several months while the second stopped functioning two weeks ago. The Mortuary Units are serviced by a private contracted Refrigeration Technician on a weekly basis.

The repair works will commence on Monday, 7<sup>th</sup> May, 2012 by a Refrigeration Technician who is currently servicing the Bartica Hospital Mortuary on a MOH contract.”

**STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-**

**(1) Flooding Situation in Region # 9, Upper Takutu/Upper Essequibo**

The Minister of Local Government and Regional Development made a statement on the flooding situation in Region # 9, Upper Takutu/Upper Essequibo.

**(2) May-June Rainy Season**

The Minister of Agriculture made a statement on the May-June rainy season.

**PUBLIC BUSINESS -**

**(i) GOVERNMENT BUSINESS**

**MOTIONS**

**ITEM 1 - GUYANA’S RATIFICATION OF THE CARIFORUM-EUROPEAN UNION  
ECONOMIC PARTNERSHIP AGREEMENT (EPA)**

The Minister of Foreign Affairs moved the following motion:

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WHEREAS the ACP-EU Partnership Agreement (the Cotonou Partnership Agreement) signed in June 2000 between the ACP Group of States of the one part and the European Union (EU) Member States of the other part, required the two sides to negotiate Regional WTO-compatible trade agreements to replace the non-reciprocal preferential trade arrangements under the Cotonou Partnership Agreement, with effect from January 1, 2008;

AND WHEREAS the CARIFORUM States of the one part (CARIFORUM) and the European Union and its Member States of the other part (EU), pursuant to the provisions of the Cotonou Partnership Agreement, negotiated the CARIFORUM-EU Economic Partnership Agreement (the Agreement) between April, 2004 and December, 2007;

AND WHEREAS the Cooperative Republic of Guyana, a CARIFORUM Member State and a Party to the Agreement, signed onto the Agreement on October 20, 2008;

AND WHEREAS the Government of Guyana, in accordance with Article 243 of the Agreement, formally notified the General Secretariat of the EU Council on October 22, 2008 of its provisional application of the Agreement, pending entry into force;

AND WHEREAS the Government of Guyana, pursuant to its provisional application of the Agreement, implemented the agreed Schedule of Tariff Liberalization with effect from January, 2011, following its presentation to the National Assembly in January, 2011;

AND WHEREAS the Government of Guyana is desirous of taking the further step to ratify the Agreement, pursuant to its laws and in accordance with the aforementioned Article 243,

10.

BE IT RESOLVED:

That the National Assembly hereby agrees for the General Secretariat of the European Union Council being informed of Guyana's intention to ratify the Agreement and for Guyana to formally ratify the said agreement.

**(Notice Paper No. 45 (M17 Govt 7) published on 2012-04-05)**

The following Members spoke to the motion:

Mrs. Deborah Backer

Mr. Khemraj Ramjattan

The Minister of Agriculture

Mr. Carl Greenidge

Thereafter the Minister of Foreign Affairs replied.

The motion was then put and carried.

### **SUSPENSION OF SITTING**

At 3.55 p.m., the sitting was suspended for refreshments.

### **RESUMPTION OF SITTING**

At 5.04 p.m., the sitting was resumed.

### **PRIVATE MEMBERS' BUSINESS**

#### **MOTIONS**

#### **ITEM 2 - HANSARD FOR THE PERIOD JANUARY, 1985 TO DECEMBER, 1992**

Mr. Carl Greenidge, M.P. moved the following motion:

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11.

WHEREAS being cognisant of the importance of having the records of the National Assembly including debates, carefully maintained, secure and always available in the form of the Hansard, the official documents of the Parliament of Guyana;

AND WHEREAS being conscious that the Official Reports (Hansard) for the period January, 1985 to December, 1992 are the records of the decisions pertaining to the management and debates over the Economic Recovery Programme and other critical decisions in the management of the political economy of Guyana;

AND WHEREAS being concerned that the Official Reports (Hansard) covering the abovementioned period are not available,

BE IT RESOLVED:

That action be taken by this House to submit the full records of the National Assembly for the period January, 1985 to December, 1992 as early as possible or within two (2) months of this motion being published on Notice Paper; and

BE IT FURTHER RESOLVED:

That if these documents cannot be found or have been destroyed that the Speaker is to institute an enquiry into the said disappearance or destruction of those records and report the findings to the National Assembly within one month after the tabling of this motion.

**(Notice Paper No. 38 (M10 Opp 4) published on 2012-04-05)**

The following Members spoke to the motion:

The Minister of Culture, Youth and Sport

Mr. Moses Nagamootoo

Ms Amna Ally

12.

Ms Gail Teixeira  
Mr. Keith Scott

Thereafter Mr. Carl Greenidge replied.

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

“Amend the first BE IT RESOLVED clause as follows:

After the word “House” delete the words “to submit the full” and insert the words “to search for and compile the””

**AGAINST**

Mr. T. Williams  
Ms Marcello  
Dr. Ramayya  
Mrs. Garrido-Lowe  
Mrs. Hughes  
Mr. Nagamootoo  
Mr. Ramjattan  
Ms Ferguson  
Mr. Morian  
Mr. Allen  
Mr. Jones  
Mr. Adams  
Ms Baveghems  
Mr. Sharma  
Mr. Bulkan

**FOR**

Mr. Jafarally  
Mr. Damon  
Dr. Persaud  
Rev. Gilbert  
Dr. Mahadeo  
Mr. Seeraj  
Mr. Neendkumar  
Mr. Lumumba  
Mr. Chand  
Ms Shadick  
Mrs. Chandarpal  
Mr. Nadir  
Ms Teixeira  
Bishop Edghill  
Mr. Whittaker

13.

Mr. Bond  
Ms Kissoon  
Mr. Trotman  
Ms Selman  
Mr. Allicock  
Ms Wade  
Mr. Felix  
Ms Hastings  
Mr. Scott  
Mr. Harmon  
Mr. Greenidge  
Mrs. Backer  
Dr. Norton  
Mrs. Lawrence  
Mr. B. Williams  
Ms Ally  
Dr. Roopnarine  
Brig. (Ret'd) Granger

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Mr. Baksh  
Ms Webster  
Mr. G. Persaud  
Ms Manickchand  
Mr. Benn  
Dr. Anthony  
Dr. Ramsarran  
Mr. R. Persaud  
Dr. Singh  
Mrs. Rodrigues-Birkett  
Mr. Nandlall  
Dr. Ramsammy  
Mr. Rohee  
Mr. Hinds

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The motion was then put and carried.

**SUSPENSION OF SITTING**

At 6.56 p.m., the sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 7.32 p.m., the sitting was resumed.

**ITEM 3 - THE COURTS OF GUYANA**

Mr. Carl Greenidge, M.P. moved the following motion:

WHEREAS under Article 122A of the Constitution all Courts and all persons presiding over courts shall exercise their function independently of the control and direction of any other person or authority and shall be free and independent from political, executive and any other form of direction and control;

AND WHEREAS in accordance with Article 122A of the Constitution all courts shall be administratively autonomous and shall be funded by a direct charge upon the Consolidated Fund and such courts shall operate in accordance with the principles of sound financial and administrative management;

AND WHEREAS the Supreme Court of Guyana and all other Courts are being treated as a Budget Agency, a practice which seriously calls into question the independence and autonomy of the Courts,

BE IT RESOLVED:

That the National Assembly takes steps to amend the Schedule to the Financial Management and Accountability Act 2003 so as to remove the Supreme

Court from the Schedule of Budget Agencies and restore it to its rightful place as an autonomous body drawing directly from the Consolidated Fund and that the changes should be reflected in the Annual Estimates to be submitted by the Minister of Finance for the approval of the National Assembly.

**(Notice Paper No. 39 (M11 Opp 5) published on 2012-04-05)**

15.

The following Members spoke to the motion:

The Minister of Finance

Mr. Basil Williams

Mr. Khemraj Ramjattan

The Attorney General and Minister of Legal Affairs

Thereafter Mr. Carl Greenidge replied.

The Attorney General and Minister of Legal Affairs moved the following amendments which were put and negatived:

“Amend the first AND WHEREAS clause as follows:

After the words “Article 122 A” insert “(2) subject to provisions of articles 199 and 201, all courts shall be administratively autonomous and shall be funded by a direct charge upon the Consolidated Fund: and such courts shall operate in accordance with the principles of sound financial and administrative management”:

Amend the second AND WHEREAS clause as follows:

Delete all the words after the words “a Budget agency” and insert a semi-colon

Delete the BE IT RESOLVED clause and replace it with the following:

“That the National Assembly notes that the inclusion of the Supreme Court in the Schedule to the Fiscal Management and Accountability Act 2003 is not inconsistent with the provisions of Article 222A of the Constitution.”

The motion was the put and carried.

**Mothers' Day Greetings**

Brigadier (Ret'd) David Granger wished all mothers in Guyana a Happy Mothers' Day. The Prime Minister also extended greetings and best wishes to all mothers in Guyana.

**ADJOURNMENT**

At 10.05 p.m., the sitting was adjourned to 2.00 p.m., on Wednesday, 30<sup>th</sup> May, 2012.

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**HON. RAPHAEL G.C. TROTMAN, M.P.,**

**Speaker of the National Assembly**

**PARLIAMENT OFFICE,**

**Public Buildings,**

**Brickdam,**

**Georgetown.**

**10<sup>th</sup> May, 2012.**