

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 21ST SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON WEDNESDAY, 13TH JUNE, 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 (Absent)

Hon. Mohamed I. Alli, M.P., Minister of Housing and Water

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

*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 2.15 p.m.

PRAYERS

The Clerk read the prayers.

ORAL QUESTIONS WITHOUT NOTICE

Repairs to the road at Burma

Mr. Winston Felix, M.P., asked the Minister of Public Works the following question:

Would the Honourable Minister of Works inform this House what plans his Ministry has to repair the road at Burma so as to bring relief to an intolerable situation causing suffering to residents in the area?

6.

Thereafter the Minister of Public Works replied.

PUBLIC BUSINESS-

(i) PRIVATE MEMBERS' BUSINESS

MOTIONS

ITEM 1 - THE SERVICE COMMISSIONS

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

WHEREAS Article 198 of the Constitution establishes the Judicial Service Commission;

AND WHEREAS Article 200 of the Constitution establishes the Public Service Commission;

AND WHEREAS Article 207 of the Constitution establishes the Teaching Service Commission;

AND WHEREAS Article 210 of the Constitution establishes the Police Service Commission;

AND WHEREAS the functions of the abovementioned Service Commissions include appointments to the offices falling under their jurisdiction, the exercise of disciplinary control over the removal from office of appointees to those offices;

AND WHEREAS the ability to act independently is an indispensable requirement in ensuring public confidence in our national institutions in general and the aforesaid Service Commissions in particular;

7.

AND WHEREAS the continued maintenance of the aforesaid Service Commissions in the Schedule of the Budget Agencies seriously compromises their independence in the discharge of their functions,

BE IT RESOLVED:

That the National Assembly takes steps as early as possible to replace the Schedule with one that does not list the Judicial Service Commission, the Public Service Commission, the Police Service Commission and the Teaching Service Commission as Budget Agencies; and

BE IT FURTHER RESOLVED:

That the National Assembly henceforth treats the Judicial Service Commission, the Public Service Commission, the Police Service Commission and the Teaching Service Commission as autonomous bodies drawing directly from the Consolidated Fund and that this change must be reflected in the Annual Estimates to be submitted by the Minister of Finance for the approval of the National Assembly.

(Notice Paper No. 40 (M12 Opp 6) published on 2012-04-05)

The following Members spoke to the motion:

The Prime Minister and Minister of Parliamentary Affairs

Mr. Khemraj Ramjattan

Dr. Rupert Roopnarine

The Minister of Local Government and Regional Development

Brigadier (Ret'd) David Granger

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SUSPENSION OF SITTING

At 4.10 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5.15p.m., the sitting was resumed.

Ms Gail Teixeira also spoke to the motion.

Thereafter Mr. Carl Greenidge replied.

The Prime Minister and Minister of Parliamentary Affairs moved the following amendments which were put and negatived:

“Amend the sixth AND WHEREAS clause as follows:

After the words “AND WHEREAS” insert the words “Article 222 A of the Guyana Constitution does not include in Schedule III, the services commissions, and therefore their placement on the Schedule of Budget Agencies in the FM and A Act is not unlawful”

“Delete the words “the continued maintenance of the aforesaid Service Commissions in the Schedule of the Budget Agencies seriously compromises their independence in the discharge of their functions,” after the words of the sixth AND WHEREAS clause.”

The Prime Minister and Minister of Parliamentary Affairs moved the following amendments which were put and negatived on the following division:

“Add a new and seventh AND WHEREAS clause which reads as follows:

AND WHEREAS during the April Budget 2012 talks between the Government of Guyana and the Leader of the Opposition and the APNU, agreement was reached that certain entities not included under Schedule III of the Article 222A of the Constitution, including the service commissions, would require constitutional reform.”

AGAINST

Mr. T. Williams
 Ms Marcello
 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
 Mr. Bond
 Ms Kissoon
 Mr. Trotman
 Ms Selman
 Mr. Allicock
 Ms Wade
 Mr. Felix

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
 Mr. Baksh
 Mrs. Campbell-Sukhai
 Ms Webster
 Mr. G. Persaud
 Ms Manickchand
 Mr. Benn

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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Dr. Anthony
Mr. Ali
Dr. Westford
Mr. R. Persaud
Dr. Singh
Mrs. Rodrigues-Birkett
Mr. Nandlall
Dr. Ramsammy
Mr. Rohee
Mr. Hinds

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The Prime Minister and Minister of Parliamentary Affairs moved the following amendments which were put and negatived on the following division:

“Add a new BE IT RESOLVED clause to read as follows:

BE IT RESOLVED that this House refer this matter to Parliamentary Standing Committee on Constitutional Reform”

AGAINST

Mr. T. Williams
Ms Marcello
Mrs. Garrido-Lowe
Mrs. Hughes
Mr. Nagamootoo
Mr. Ramjattan

FOR

Mr. Jafarally
Mr. Damon
Dr. Persaud
Rev. Gilbert
Dr. Mahadeo
Mr. Seeraj

Ms Ferguson
 Mr. Morian
 Mr. Allen
 Mr. Jones
 Mr. Adams
 Ms Baveghems
 Mr. Sharma
 Mr. Bulkan
 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

Mr. Neendkumar
 Mr. Lumumba
 Mr. Chand
 Ms Shadick
 Mrs. Chandarpal
 Mr. Nadir
 Ms Teixeira
 Bishop Edghill
 Mr. Whittaker
 Mr. Baksh
 Mrs. Campbell-Sukhai
 Ms Webster
 Mr. G. Persaud
 Ms Manickchand
 Mr. Benn
 Dr. Anthony
 Mr. Ali
 Dr. Westford
 Mr. R. Persaud
 Dr. Singh
 Mrs. Rodrigues-Birkett
 Mr. Nandlall
 Dr. Ramsammy
 Mr. Rohee
 Mr. Hinds

12.

The Prime Minister and Minister of Parliamentary Affairs moved the following amendment which was put and negatived:

“Delete the original BE IT RESOLVED and BE IT FURTHER RESOLVED clauses”

Thereafter the motion was put and carried.

ITEM 2 - OFFICE OF THE AUDITOR GENERAL

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

WHEREAS the Office of the Auditor General is a Constitutional Office;

AND WHEREAS Part 2 of the Audit Act (No. 5 of 2004) provides that the Auditor General shall be the external auditor of the public accounts of Guyana and in the discharge of his function shall have complete discretion;

AND WHEREAS the said Part 2 of the aforesaid Act provides that the Auditor General shall act independently in the discharge of his functions;

AND WHEREAS the said Part 2 of the aforesaid Act provides that there shall be an Audit Office comprising the Auditor General and the officers and employees appointed thereto;

AND WHEREAS the Office of the Auditor General and Audit Office are being treated as a Budget Agency by virtue of the Schedule to the Financial Management and Accountability Act 2003, which seriously calls into question the autonomy and independence of the Office;

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13.

AND WHEREAS the National Assembly is obliged to ensure that the autonomy and independence of the Auditor General and Audit Office are maintained,

BE IT RESOLVED:

That the National Assembly removes the Audit Office from the Schedule of Budget Agencies and restore it to its rightful place as an autonomous agency drawing directly on the Consolidated Fund and that these changes be reflected in the Annual Estimates to be submitted by the Minister of Finance for the approval of this.

(Notice Paper No. 41 (M13 Opp 7) published on 2012-04-05)

Thereafter Mr. Carl Greenidge withdrew the motion.

ITEM 3 - NATIONAL ASSETS

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

WHEREAS in their recent reports on transparency and corruption the international community, including the World Economic Forum, Transparency International and the International Bank for Reconstruction and Development (IBRD) have rated Guyana poorly;

AND WHEREAS Guyanese are concerned about the widely reported acts of lawlessness in the guardianship of our national resources and assets as well as the lack of transparency and accountability associated with the disposal of those assets,

BE IT RESOLVED:

That this National Assembly requests the responsible Ministers of Government to:

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14.

- (a) Provide the National Assembly with a report in keeping with the law, on the disposal by sale or otherwise of all state lands, including the terms on which they were disposed of and the criteria used, which took place: Further between the date of announcement (Sunday, 9th October, 2011) of the National and Regional Elections and 31st December, 2011 and between 1st January, 2000 and 9th October, 2011;
- (b) Make financial provision for the urgent commissioning of an independent financial audit of the operations of the National Industrial Commercial Investments Limited (NICIL) and the Privatisation Unit;

BE IT FURTHER RESOLVED:

That the relevant Ministers of Government provide the National Assembly as early as possible with:

- (a) A detailed report on the disposal by sale or otherwise of all state assets entrusted to NICIL and the Privatisation Unit, the terms on which they were disposed of and the criteria used;
- (b) The outstanding bi-annual reports and annual audited accounts required of NICIL and the Privatisation Unit under the relevant legislation;
- (c) The handing over report from the former Executive Director of NICIL (and Head of the Privatisation Unit and), Winston Brassington, if applicable at this time;
- (d) A report on the disposal by sale or otherwise of all other state assets, including the terms on which they were disposed of and the criteria used;

/...15

15.

BE IT FURTHER RESOLVED:

That a report on all the fiscal concessions, including duty free concessions, granted in response to specific requests or as part of contracts awarded by the Tender Board and the criteria on which these awards were based be placed before the National Assembly for review;

BE IT FURTHER RESOLVED:

That the relevant Minister shall lay in the National Assembly for review and where applicable, for ratification, all international agreements, (including mining agreements involving the award of state lands and fiscal concessions), signed by the Government since 1st January, 2000; and

BE IT FURTHER RESOLVED:

That all the aforesaid are done on or before the 1st June, 2012.

(Notice Paper No. 43 (M15 Opp 9) published on 2012-04-05)

The Prime Minister and Minister of Parliamentary Affairs also spoke to the motion.

SUSPENSION OF SITTING

At 7.05 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 7.45 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Mr. Keith Scott

The Minister of Housing and Water

Mr. Khemraj Ramjattan

The Attorney General and Minister of Legal Affairs

Ms Africo Selman

The Minister of Finance

ADJOURNMENT

At 10.00 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, the Assembly was adjourned to 3.00 p.m., on Thursday, 14th June, 2012.

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

Speaker of the National Assembly

PARLIAMENT OFFICE,

Public Buildings,

Brickdam,

Georgetown.

13th June, 2012.

