

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 28TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012) OF THE TENTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON THURSDAY, 9th AUGUST, 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 – on leave)

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 (Absent – on leave)

Ms Gail Teixeira, M.P., Chief Whip

Mr. Manzoor Nadir, M.P.

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

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

***Non-Elected Minister**

/...3

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 (Absent – on leave)

Dr. Vindhya Vasini Persaud, M.S., M.P. (Absent – on leave)

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.

Lieutenant Colonel (Ret'd) 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.

5.

(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. (Absent – on leave)

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 2.12 p.m.

PRAYERS

The Clerk read the prayers.

PRESENTATION OF PAPERS AND REPORTS

By the Speaker of the National Assembly:

Report on the Missing Hansard as directed by the National Assembly – Resolution No. 9 of 2012.

(Circulated)

6.

ORAL QUESTIONS WITHOUT NOTICE

MEDICAL STUDENTS IN CUBA

Dr. George Norton, M.P., asked the Minister of the Public Service the following question:

“Could the Hon. Minister say whether it is the intention of the Public Service Ministry to bring home any of the Medical Students from Cuba during this year for vacation or otherwise? If so, when do you intend to bring them home and what will be the criteria for the selection of those who will be brought home?”

Thereafter, the Minister of the Public Service replied.

QUESTIONS ON NOTICE-

For Written Replies

1. **LEVEL SEVEN STUDENTS PROVIDED WITH TEXTBOOKS IN THE FOUR
'CORE' SUBJECTS**

Member Asking: Mrs. Catherine Hughes, M.P.

Minister Answering: The Minister of Education

Can the Hon. Minister say how many Level Seven students have been provided by the government with individual textbooks in the four 'core' subject areas?

(Notice Paper No. 17 (Q 14 Opp 14) published on 2012-03-05)

Answer:

“The Honourable Minister has been advised that 48,629 text books for the core subject areas were purchased between the years 2007 to 2011 and that every child in grade seven ought to have access to the said core text books.”

7.

2. **ACQUIRING LEVEL SEVEN TEXTBOOKS IN THE FOUR 'CORE' SUBJECTS**

Member Asking: Mrs. Catherine Hughes, M.P.

Minister Answering: The Minister of Education

Can the Hon. Minister say how much money was spent during the period January 1, 2007 – December 31, 2011 on acquiring Level Seven textbooks in the four 'core' subject areas?

(Notice Paper No. 18 (Q 15 Opp 15) published on 2012-03-05)

Answer:

“The Honourable Minister has been advised that \$70,134,400 has been spent on acquiring grade seven text books between the period January 1, 2007 – December 31, 2011.”

PERSONAL EXPLANATION

POLICE BARRIERS AROUND THE PUBLIC BUILDINGS

Lt. Col. (Ret'd) Joseph Harmon, M.S.S., M.P., made a personal explanation re: inconvenience experienced by the placing of police barriers around the Public Buildings.

INTRODUCTION OF BILLS-

Presentation and First Readings

1. **PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – Bill No. 17/2012**

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

A BILL intituled AN ACT to amend the Public Utilities Commission Act.

8.

2. **TELECOMMUNICATIONS BILL 2012 – Bill No. 18/2012**

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

A BILL intituled AN ACT to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith.

3. **MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2012 – Bill No. 19/2012**

The Minister of Local Government and Regional Development, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to amend the Municipal and District Councils Act.

Thereafter, the Bill was referred to a Special Select Committee.

4. **FISCAL TRANSFERS BILL 2012 – Bill No. 20/2012**

The Minister of Local Government and Regional Development, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to provide for the objective criteria for the allocation of resources to local authorities and for matters connected therewith.

Thereafter, the Bill was referred to a Special Select Committee.

PUBLIC BUSINESS

(i) GOVERNMENT BUSINESS

MOTIONS

ITEM 1 - CONSIDERATION OF FINANCIAL PAPER NO. 1/2012

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:

Financial Paper No. 1/2012 – Statement of Excess (Current and Capital) Estimates totalling \$1,571,627,044 for the period ended 2012-12-31.

(Notice Paper No. 85 (M36 Govt 14) published on 2012-08-02)

(Paper presented on 2012-08-02)

Current Estimates

Item 1 – Agency Code 01-011: Office of the President – Administrative Services was put and negatived.

Item 1 – Agency Code 01-012: Office of the President – Presidential Advisory (Cabinet and Other Services) was put and negatived.

Item 2 – Agency Code 02-021: Office of the Prime Minister – Prime Minister’s Secretariat was put and carried.

Item 3 – Agency Code 03-031: Ministry of Finance – Ministry Administration was put and negatived on the following division:

AGAINST

Mr. T. Williams
Ms Marcello
Dr. Ramayya
Mrs. Garrido-Lowe
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
Ms Hastings
Mr. Scott
Lt. Co. (Ret'd) Harmon
Mr. Greenidge

FOR

Mr. Jafarally
Mr. Damon
Rev. Gilbert
Dr. Mahadeo
Mr. Seeraj
Mr. Neendkumar
Mr. Lumumba
Mr. Chand
Mr. Nadir
Ms Teixeira
Mr. Whittaker
Mr. Baksh
Mrs. Campbell-Sukhai
Ms Webster
Mr. G. Persaud
Ms Manickchand
Mr. Benn
Dr. Anthony
Mr. Ali
Dr. Westford
Dr. Singh
Mrs. Rodrigues-Birkett
Mr. Nandlall
Dr. Ramsammy
Mr. Rohee

11.

Mrs. Backer

Mr. Hinds

Dr. Norton

Mrs. Lawrence

Mr. B. Williams

Ms Ally

Dr. Roopnarine

Brig. (Ret'd) Granger

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Capital Estimates

Item 1 – Agency Code: Office of the President – Head Office Administration was put and negatived.

After consideration of the Schedule, the motion, as amended, was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly doth agree with the Committee of Supply in the following Resolution:

RESOLVED,

That this National Assembly approve of the proposals set out in Financial Paper No.1/2012 – Statement of Excess on the (Current) Estimates totalling \$1,000,000,000 for the period ended 2012-12-31.

ITEM 2 - CONSIDERATION OF FINANCIAL PAPER NO. 2/2012

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 National Assembly approve of the proposals set out in Financial Paper No. 2/2012 – Supplementary Estimates (Current and Capital) totalling \$12,168,106,477 for the period ended 2012-12-31.

(Notice Paper No. 86 (M37 Govt 15) published on 2012-08-02)

(Paper presented on 2012-08-02)

Current Estimates

Item 1 – Agency Code 01-012: Office of the President – Presidential Advisory (Cabinet and Other Services) – Chart of Account 6116: Contracted Employees was put and negatived.

Item 1 – Agency Code 01-012: Office of the President – Presidential Advisory (Cabinet and Other Services) – Chart of Account 6284: Other was put and negatived on the following division:

AGAINST

Mr. T. Williams

Ms Marcello

Dr. Ramayya

Mrs. Garrido-Lowe

Mr. Nagamootoo

Mr. Ramjattan

FOR

Mr. Jafarally

Mr. Damon

Rev. Gilbert

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

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
 Lt. Co. (Ret'd) Harmon
 Mr. Greenidge
 Mrs. Backer
 Dr. Norton
 Mrs. Lawrence
 Mr. B. Williams
 Ms Ally
 Dr. Roopnarine
 Brig. (Ret'd) Granger

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

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Item 2 – Agency Code 11-112: Guyana Elections Commission – Elections Administration was put and negatived.

Item 3 – Agency Code 48-482: Ministry of Labour, Human Services and Social Security – Social Services was put and carried.

Assembly resumed

SUSPENSION OF SITTING

At 3.42 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 4.46 p.m., the sitting was resumed.

Assembly resolved itself into Committee of Supply to continue the consideration of Financial Paper No. 2/2012.

In Committee of Supply

Capital Estimates

Item 1 – Agency Code – 01-011: Office of the President – Head Office Administration, Chart of Account 1212000: Information Communication Technology was put and carried.

Item 1 – Agency Code – 01-011: Office of the President – Head Office Administration, Chart of Account 1700100: Minor Works was put and negatived.

While considering Item 2 – Agency Code – 02-021: Office of the Prime Minister – Prime Minister’s Secretariat, Chart of Account 2601100: Electrification Programme, the Sitting was suspended.

Assembly resumed

SUSPENSION OF SITTING

At 5.53 p.m., the sitting was suspended.

RESUMPTION OF SITTING

At 6.30 p.m., the sitting was resumed.

Assembly resolved itself into Committee of Supply to continue the consideration of Financial Paper No. 2/2012.

In Committee of Supply

Item 2 – Agency Code 02-021: Office of the Prime Minister – Prime Minister’s Secretariat was put and carried.

While the Assembly was considering Line Item 3 – Agency Code 03-031: Ministry of Finance – Ministry Administration, Chart of Account: Low Carbon Development Programmes, the Assembly resumed.

Assembly resumed

ITEM 3 - GUYANA’S FOLLOW-UP TO COMMITMENTS MADE TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL WITH REGARD TO HOLDING CONSULTATIONS ON 3 MATTERS (THE ABOLITION OF CORPORAL PUNISHMENT IN THE SCHOOLS, THE ABOLITION OF THE DEATH PENALTY AND THE DECRIMINALIZATION OF CONSENSUAL ADULT SAME SEX RELATIONS AND DISCRIMINATION AGAINST LESBIANS, GAYS, BI-SEXUALS AND TRANSGENDER PERSONS)

The Prime Minister and Minister of Parliamentary Affairs moved the following motion:

WHEREAS Guyana appeared before the United Nations Human Rights Council (UNHRC) during the first cycle of the Universal Periodic Review (UPR) in May, 2010 and again in September, 2010 where its report was adopted;

AND WHEREAS on October 18, 2010, the Government of Guyana tabled in this National Assembly a “Compendium of Documents on Guyana before the First Universal Periodic Review of the United Nations Human Rights Council, 8th Session May 11, 2010, and the UNHRC 15th Session, September 23, 2010”, the contents of which are referred to in this motion;

AND WHEREAS at the conclusion of its review, Guyana received several recommendations and committed itself to consult on 3 main matters that may be considered controversial in Guyanese society, namely the abolition of corporal punishment (Recommendations 70.36 to 70.41), the abolition of the death penalty (Recommendations 70.23 to 70.35), and the decriminalization of consensual adult same sex relations and discrimination against Lesbians, Gays, Bi-sexual and Trans-gender persons (Recommendations 70.47 to 70.53), with a view to garnering public sentiment which may lead to legislative changes;

AND WHEREAS public consultations with target groups and in geographic regions have commenced on these matters as well as public discussions in the media and amongst civil society organizations;

AND WHEREAS the Government is of the view that parliamentary consideration of these three matters would enhance the national examination procedurally by being the subject of a Special Select Committee which would organize the national consultations in a complimentary credible way,

BE IT RESOLVED:

That this National Assembly approves of these matters being submitted to the House for consideration by a Special Select Committee established for that purpose;

BE IT FURTHER RESOLVED:

That this National Assembly adopts the following Terms of Reference to guide the work of this Special Select Committee in the determination of:

- (i) The attitude of Guyanese, especially parents and children, to corporal punishment and its possible abolition;
- (ii) The attitude of Guyanese, particularly the families of victims, criminologists, and professionals, on capital punishment and its possible abolition;
- (iii) The attitude of Guyanese of any changes in the legislative provisions and criminal code regarding consensual adult same sex relationships and discrimination, perceived or real, against Lesbians, Gays, Bi-Sexual and Transgender persons;

BE IT FURTHER RESOLVED:

That the Parliamentary Special Select Committee presents to this House its work programme and time frame for adoption and implementation;

BE IT FURTHER RESOLVED:

That the Parliamentary Special Select Committee advises the National Assembly of the status of its work programme periodically and reports its findings and recommendations with regard to any or all of these afore-mentioned matters.

(Notice Paper No. 83 (M34 Govt 13) published on 2012-07-17)

18.

The following Members spoke to the motion:

Ms Amna Ally

Mr. Moses Nagamootoo

SUSPENSION OF SITTING

At 7.35p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 8. 25 p.m., the sitting was resumed with Mrs. Deborah Backer, M.P., Deputy Speaker in the Chair.

The following Members also spoke to the motion:

The Minister of Education

Mr. Basil Williams

Ms Gail Teixeira

Mrs. Volda Lawrence

SUSPENSION OF STANDING ORDER NO. 10 (1)

At 9.49 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, Standing Order No. 10(1) was suspended to enable the Assembly to continue with its business uninterrupted.

Thereafter the Prime Minister and Minister of Parliamentary Affairs replied.

The motion was then put and carried.

Return to the Chamber

At 9.54 p.m., the Speaker returned to the Chamber.

The Assembly resolved itself into Committee of Supply to continue consideration of Financial Paper No. 2/2012.

In Committee of Supply

Capital Estimates

Item No. 3 – Agency Code 03-031 – Ministry of Finance- Ministry Administration was put and carried.

Item No. 4 – Agency Code 21-211: Ministry of Agriculture – Ministry Administration and Agency Code – 21-212: Ministry of Agriculture – Crops and Livestock Support Service were put and carried.

Item No. 5 – Agency Code 31-312 Ministry of Public Works – Public Works was put and carried.

Item No. 6 – Agency Code 41-415: Ministry of Education – Education Delivery was put and carried.

Item No. 7 – Agency Code 45-451: Ministry of Housing and Water – Housing and Water was put and carried.

While Item No. 8 – Agency Code 47-474: Ministry of Health – Regional & Clinical Services was being considered, Standing Order No. 9 was suspended.

SUSPENSION OF STANDING ORDER NO. 9

At 11.55 p.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, Standing Order No. 9 was suspended to allow the sitting to continue to 10th August, 2012 (into the Parliamentary Recess).

20.

Thereafter Item 8 – Agency Code 47-474: Ministry of Health – Regional & Clinical Services was put and carried.

Item No. 9 – Agency Code 51-511: Ministry of Home Affairs – Secretariat Services was put and negatived.

Item No. 10 – Agency Code 52-521: Ministry of Legal Affairs – Main Office was put and carried.

After consideration of the Schedule, the motion, as amended, was put and carried.

Assembly resumed

On a motion by the Minister of Finance, the Assembly adopted the following Resolution:

RESOLVED, That this National Assembly doth agree with the Committee of Supply in the following Resolution:

RESOLVED,

That this National Assembly approve of the proposals set out in Financial Paper No. 2/2012 – Supplementary Estimates (Current and Capital) totalling \$10,942,744,529 for the period ended 2012-12-31.

BILL – FIRST, SECOND AND THIRD READINGS

ITEM 4 - SUPPLEMENTARY APPROPRIATION (NO.1 FOR 2012) BILL 2012 – Bill

No. 14/2012 published on 2012-08-03

With the leave of the Speaker, and on a motion by the Prime Minister and Minister of Parliamentary Affairs, Standing Orders Nos. 13(n) and 54 were suspended to enable the Supplementary Appropriation (No. 1 for 2012) Bill No. 14/2012 to be introduced at that stage.

The Minister of Finance, in accordance with paragraph (2) of Article 171 of the Constitution, signified Cabinet's recommendation for the Supplementary Appropriation (No. 1 for 2012) Bill No. 14/2012 for consideration by the National Assembly.

Thereafter, on motions by the Minister of Finance, the following Bill was introduced and was read the first, second and third times and passed as amended:

A BILL intituled AN ACT to provide for the issue from the Consolidated Fund of the sums necessary to meet the expenditure (not otherwise lawfully charged on the Consolidated Fund) of Guyana for the fiscal year ending 31st December, 2012, estimates whereof have been approved by the National Assembly, and for the appropriation of those sums for the specified purposes, in conformity with the Constitution.

(ii) PRIVATE MEMBERS' BUSINESS

MOTIONS

ITEM 5 - STEPS TO BE UNDERTAKEN TO ESTABLISH THE INDEPENDENCE AND AUTHORITY OF THE NATIONAL ASSEMBLY

At the request of Mr. Khemraj Ramjattan, M.P., the following motion was deferred:

WHEREAS the Needs Assessment of the Guyana National Assembly as contained in the Report of the Commonwealth Senior Parliamentary Staff Advisor (Sir Michael Davies Report) to the Guyana National Assembly, February, 2005, recommended, *inter alia*, that

“The National Assembly should be given much greater independence in respect of its own budget. Systems should be established within the Parliament Office to

undertake the estimating, monitoring, controlling and accounting for the Assembly's expenditure; and

The Clerk of the National Assembly should become the employer of all staff of the Parliament Office. A larger Personnel Office should be established to carry out these additional responsibilities.”

AND WHEREAS the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report, Volume 2, has recommended at component 6 of its recommendation that, ‘Parliament should employ its own staff, and the Speaker should appoint the Clerk of the House after consultation with all parties’;

AND WHEREAS the Government signaled its acceptance of these recommendations in the 2005 Draft Poverty Reduction Report released on the 21st June, 2005;

AND WHEREAS the basis of these recommendations is the need for Parliament to be fully independent of the Executive,

BE IT RESOLVED:

- (1) That a Special Select Committee be appointed to examine these recommendations with a view to advising the National Assembly on the steps to be undertaken to establish the independence and authority of the National Assembly in respect of its own budget; and
- (2) That this Special Select Committee examines these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable the Clerk to become the employing authority of the staff of the Parliament Office;

BE IT FURTHER RESOLVED:

That the Special Select Committee submit its final report one month after its appointment.

(Notice Paper No. 50 (M20 Opp 12) published on 2012-04-19)

ITEM 6 - RESTRICTION ON THE RIGHT TO ASSEMBLE

Mr. Desmond Trotman, M.P. moved the following motion:

WHEREAS there shall be a Parliament of Guyana which shall consist of the President and the National Assembly;

AND WHEREAS the Parliament of Guyana has determined that the National Assembly shall hold its sittings at the Public Buildings, Brickdam, Georgetown, Demerara;

AND WHEREAS the sessions of the National Assembly have always been accessible to the public and this right has become established by convention;

AND WHEREAS from the early beginnings of the National Assembly of Guyana there have been public gatherings outside of the Public Buildings; including demonstrations and protests;

AND WHEREAS the Constitution of Guyana in Article 147 enshrines the right of every citizen to enjoy, unhindered, his or her freedom of assemble, association and freedom to demonstrate peacefully, “that is to say, his or her right to assemble freely, to demonstrate peacefully and to associate with other persons...”

AND WHEREAS the Charter of Civil Society for the Caribbean Community states inter alia, at Article VI:

24.

“The States shall take all appropriate measures to promote and maintain an effectively functioning representational system, including the holding of regular sessions of representatives of the people, and at Article VII

“Every person shall have the right to assemble, demonstrate peacefully and to draw up and present petitions, subjects to such restrictions as may be imposed by national law in the public interest and which are reasonably justifiable in a free and democratic society”

AND WHEREAS the Recommended Benchmarks of the Commonwealth Parliamentary Association at 9.1.1 (Values of the Legislature) states that the “Legislature shall be accessible, and open to citizens and the Media, subject only to demonstrate public safety and work requirements;

AND WHEREAS it is expected that the Guyana Police Force will take steps to ensure the safety and security of Members of Parliament, the staff of the National assembly, and those who access the said National Assembly;

BE IT RESOLVED THAT:

1. This National Assembly declares that the right of citizens to assemble and to demonstrate peacefully should not be hindered by the Guyana Police Force or any other agency or institution of state;
2. The Guyana Police Force should relocate its barricades so as to allow freedom of assemble within a closer proximity of the National Assembly, Public Buildings; and
3. The Parliament Office makes arrangements for the broadcast of National Assembly sittings in the environs of the National Assembly.

(Notice Paper No. 51 (M21 Opp 13) published on 2012-04-23)

Presiding by Mr. Keith Scott, M.P.

At 12.31 a.m., the Speaker withdrew from the Chamber and Mr. Keith Scott took the Chair.

While Mr. Manzoor Nadir was speaking to the motion the Speaker returned to the Chamber.

Return of Speaker

At 12.46 p.m., the Speaker returned to the Chamber.

Mr. Manzoor Nadir continued and concluded his speech.

The following Members also spoke to the motion:

Ms Joan Baveghems

The Attorney General and Minister of Legal Affairs

Mr. Moses Nagamootoo

Mr. Winston Felix

The Minister of Home Affairs

Thereafter, Mr. Desmond Trotman replied.

The motion was then put and carried.

**ITEM 7 - OFFICE OF THE CLERK OF THE NATIONAL ASSEMBLY BILL 2012 –
No. 8/2012**

Mrs. Volda Lawrence, M.P., moved the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Office of the Clerk of the National Assembly Bill 2012 – Bill No. 8/2012 –

A BILL intituled AN ACT to set out the responsibilities and authority of the Clerk and Deputy Clerk of the National Assembly of Guyana and to provide for the establishment and administration of an independent Office of the Clerk of the National Assembly.

(Notice Paper No. 60 (M30 Opp19) published on 2012-06-15)

Leave was granted and thereafter the Clerk read aloud the title of the Bill.

At 3.16 a.m., Brig. (Ret'd) David Granger, M.P., Leader of the Opposition made a statement on recent incidents that took place at Linden.

(iii) COMMITTEES BUSINESS

MOTION

ITEM 8 - ADOPTION OF THE REPORT OF THE STANDING ORDERS

COMMITTEE

Lt. Col. (Ret't) Joseph Harmon, M.S.M., M.P. moved the following motion:

BE IT RESOLVED:

That the Report of the Standing Orders Committee be adopted.

(Notice Paper No. 82 (M33 Opp21) published on 2012-07-17)

Ms Gail Teixeira spoke to the motion.

The motion was then put and carried.

Expression of Appreciation

Brig. (Ret'd) David Granger, M.P., Leader of the Opposition, Mr. Trevor Williams, M.P., and the Prime Minister and Minister of Parliamentary Affairs expressed appreciation to the Speaker and staff for their support.

ADJOURNMENT

At 3.25 a.m., on a motion by the Prime Minister and Minister of Parliamentary Affairs, the Assembly was adjourned to a date to be fixed.

.....
HON. RAPHAEL G.C. TROTMAN, M.P.,
Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

9th August, 2012.