

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 36TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (2012-2013) OF THE TENTH PARLIAMENT OF GUYANA HELD
AT 2.00 P.M.
ON FRIDAY, 25TH JANUARY, 2013
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 (Absent – performing the functions of Office of the President)

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 (Absent – on leave)

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

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 (Absent – on leave)

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., Government Chief Whip

Mr. Manzoor Nadir, M.P.

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

Bibi S. Shaddick, 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. (Absent – on leave)

**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., Leader of the Opposition

Dr. Rupert Roopnarine, M.P.

Ms Amna Ally, M.P., Opposition Chief Whip

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.

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.

ANNOUNCEMENTS BY THE SPEAKER

(1) Granting of Leave

The Speaker announced that leave had been granted to the following Members for that day's sitting:

- (i) The Hon. Prime Minister and Minister of Parliamentary Affairs who was performing the functions of Office of the President;

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- (ii) The Minister of Foreign Affairs; and
- (iii) Rev. Dr. Kwame Gilbert, M.P.

(2) **Meeting of Committee of Selection**

The Speaker reminded Members of the Committee of Selection of the meeting which was scheduled to be held during the suspension of the sitting for refreshments.

(3) **Apparent Disagreement between the Speaker and Clerk of the National Assembly**

The Speaker also made the following announcement:

“I would like to say as well, that on the last occasion that we met towards the end I did make some statements as pertained to some amendments that had been tabled to Brig. (Ret’d) Granger’s motion.

Following those statements there appeared in the press what appeared to be a disagreement, a dispute between myself and the Clerk. I would like to say, firstly, that if in any way I made it appear that I had no confidence in the Clerk, that is not so. I have the greatest of respect for Mr. Isaacs, my Clerk and I am impressed with the work that he does and I thought that I was clarifying and sought only to clarify the issues at the time.

Secondly, as it pertains to the amendments I have since met with the Hon. Attorney General and we have managed to agree on an appropriate form in which those amendments can be brought, so I thought that I should make those statements. Thank you very much.”

PRESENTATION OF PAPERS AND REPORTS-

(1) By the Speaker of the National Assembly (Chairman of the Committee of Selection):

Minutes of Proceedings of the 6th Meeting of the Committee of Selection held on Monday, 21st January, 2013.

(Circulated)

7.

(2) By the Minister of Public Works:

(i) Audited Financial Statements of the Demerara Harbour Bridge Corporation for the years ended 31st December, 2003 to 2009.

(Circulated)

(ii) Audited Financial Statements of the Cheddi Jagan International Airport Corporation for the period 1st August, 2002 to 31st December, 2002 and for the years ended 31st December 2003 to 2010.

(Circulated)

ORAL QUESTIONS WITHOUT NOTICE

1. Treated Mosquito Nets to Regional Education Officer in Region No. 8

Mr. Ronald Bulkan, M.P., asked the Minister of Health the following question:

An article in the Stabroek News of 21st January, 2013, which revealed that the Ministry of Health had presented 5,000 treated mosquito nets, referred to as long-lasting impregnated nets, to the REO of Region 8.

Why was the presentation made to the Regional Executive Officer (REO) and not the Regional Chairman, or the Chairperson, or any other Member of the Health Committee of the Regional Democratic Council (RDC)?

Thereafter the Minister of Health replied.

Mr. Ronald Bulkan, M.P., asked the Minister of Health a supplementary question.

8.

Thereafter the Minister of Health replied.

Ms June Marcello, M.P., asked the Minister of Health a supplementary question.

Thereafter, the Minister of Health replied.

2. Statutory Meeting of Region No. 8

Mr. Ronald Bulkan, M.P., asked the Minister of Local Government and Regional Development the following question:

- (i) Is the Hon. Minister aware of the reason(s) why the statutory meeting of Region No. 8 Regional Democratic Council, which has been due since last November, has not been held?
- (ii) Does the Hon. Minister know when the next statutory meeting of the Council will be held?

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

Mr. Moses Nagamootoo, M.P., asked the Minister of Local Government and Regional Development a supplementary question.

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

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly, asked the Minister of Local Government and Regional Development a supplementary question.

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

INTRODUCTION OF BILLS

Presentation and First Reading

SUPREME COURT OF JUDICATURE (APPEAL) (AMENDMENT) BILL 2013 – Bill No. 6/2013

The Attorney General and Minister of Legal Affairs, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to amend the Court of Appeal Act and the High Court Act.

PUBLIC BUSINESS

(i) **PRIVATE MEMBERS' BUSINESS**

BILLS – Second Reading

ITEM 1 - FORMER PRESIDENTS (BENEFIT AND OTHER FACILITIES) BILL 2012
– Bill No. 29/2012 published on 2013-01-11

Mr. Carl Greenidge, M.P., moved the second reading of the following Bill:

A BILL intituled AN ACT to provide benefits and other facilities for Former Presidents.

(Read a first time on 2013-01-10)

The following Members spoke to the motion:

The Minister of Housing and Water

Dr. Rupert Roopnarine

The Minister of Finance

SUSPENSION OF SITTING

At 4.35 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 5.35 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Mr. Moses Nagamootoo

Mr. Odinga Lumumba

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

At 6.26 p.m., the Speaker withdrew from the Chamber and Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly took the Chair.

The Attorney General and Minister of Legal Affairs also spoke to the motion.

Return of Speaker

At 7.00 p.m., the Speaker returned to the Chamber.

The following Members also spoke to the motion:

Mr. Khemraj Ramjattan

Ms Bibi Shaddick

Thereafter, Mr. Carl Greenidge, M.P., replied.

The Bill was then read a second time.

The Assembly resolved itself into Committee to consider the Bill clause by clause.

In Committee

Clauses 1 and 2 were passed as printed.

Clause 3

The following amendment moved by Mr. Carl Greenidge, M.P., and seconded by Mrs. Deborah Backer, M.P., was put and carried:

Clause 3 –

Insert the words “per month” after the words, “not exceeding five thousand dollars”

Clause 3 was then passed as amended.

Clause 4

The following amendments moved by Mr. Carl Greenidge, M.P., and seconded by Mrs. Deborah Backer, M.P., was put and carried:

Clause 4 –

Delete the words “as amended by this Act” and replace them with the word “including any law replacing it”

Clause 4 was then passed as amended.

Clauses 5 and 6 were passed as printed.

Assembly resumed

On a motion by Mr. Carl Greenidge, M.P., the Former Presidents (Benefits and Other Facilities) Bill 2012 was read a third time and passed as amended.

SUSPENSION OF SITTING

At 7.59 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 8.42 p.m., the sitting was resumed.

MOTIONS

**ITEM 2 - THE APPOINTMENT OF A COMMISSION OF INQUIRY TO
INVESTIGATE THE INCIDENCE OF CRIMINAL VIOLENCE FROM 2004
TO 2010 IN GUYANA**

At the request of Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition, consideration of the following motion was deferred:

WHEREAS, Article 138(1) of the Constitution of the Republic of Guyana prescribes that no person shall be deprived of his life intentionally save in the execution of the sentence of a court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS in accordance with the Commission of Inquiry Act, Chapter 19:03, "The President may issue a commission appointing one or more commissioners and authorizing such commissioner or commissioners to inquire into any matter in which an inquiry would, in the opinion of the President, be for the public welfare";

AND WHEREAS this country has witnessed a pattern of unlawful killing of undetermined numbers of persons – including assassinations; executions; murders; extra-judicial killings by members of the Guyana Police Force Target Special Squad and other forms of criminal violence in Guyana during a period of 'troubles' on the East Coast and East Bank of Demerara and elsewhere – which were harmful to the public welfare;

AND WHEREAS several of these killings have been of a deliberate and systematic nature – particularly those which occurred at Agricola; Bartica; Buxton; Eccles; Lindo Creek; Lusignan and Bel Air, Bourda and Kitty in Georgetown – which can be classified as massacres and have engendered alarm and despondency among the population;

AND WHEREAS some killings involved members of the Guyana Police Force, the Guyana Defence Force and unidentified criminal gangs in which gangsters were equipped with a variety of electronic ‘eavesdropping’ equipment, weapons and vehicles that were provided with assistance and support by members of the Guyana Police Force;

AND WHEREAS commissions of inquiry and coroners’ inquests have not been conducted into some unnatural deaths and criminal investigation reports by the Guyana Police Force, with regard to the most egregious of these crimes, have often been inconclusive;

AND WHEREAS the National Assembly is the supreme legislative forum of our Republic wherein the people’s elected representatives discuss and determine matters of national interest and which is obliged to consider the grave threats to the public welfare and public security which prevailed during the aforesaid period of the ‘troubles’ and which remain substantially uninvestigated,

BE IT RESOLVED:

That the National Assembly condemns the killing of citizens of Guyana which occurred during the period of the ‘troubles’ and expresses its concern that commissions of inquiry have not been convened to investigate the unlawful killings, including the assassination of a Minister of the Government in April, 2006, on the East Coast of Demerara;

BE IT FURTHER RESOLVED:

That the National Assembly calls upon the President of Guyana, in accordance with the Commission of Inquiry Act, Chapter 19:03, to appoint a Commission of Inquiry to inquire into the unlawful killing of citizens during the years 2004 to 2010.

(Notice Paper No. 112 (M47 Opp 29) published on 2012-12-12)

ITEM 3 - ESTABLISHMENT OF A NATIONAL HERITAGE COMMISSION

Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition, moved the following motion:

WHEREAS the Constitution of the Co-operative Republic of Guyana, in its Preamble, declares that, "We the Guyanese People...proclaim our commitment to "Safeguard and build on the rich heritage, won through tireless struggle, bequeathed us by our forebears;" and further proclaims that we should "Celebrate our cultural and racial diversity and strengthen our unity by eliminating any and every form of discrimination";

AND WHEREAS the said Constitution, at Article 35, states further, "The state honours and respects the diverse cultural strains which enrich the society and will seek constantly to promote national appreciation of them at all levels and to develop out of them a socialist national culture for Guyana";

AND WHEREAS indentured immigrant labourers from Madeira arrived in the colony of British Guiana one hundred and seventy eight years ago, on 3rd May, 1835;

AND WHEREAS indentured immigrant labourers from China arrived in the colony of British Guiana one hundred and sixty years ago, on 12th January, 1853;

AND WHEREAS indentured immigrant labourers from India arrived in British Guiana one hundred and seventy five years ago, on 5th May, 1838;

AND WHEREAS liberated captive Africans arrived in the colony of British Guiana one hundred and seventy two years ago, in May 1841;

15.

AND WHEREAS the indigenous peoples of Guyana observe “Amerindian Heritage Day’ each year on 10th September;

AND WHEREAS enslaved Africans rose, in what is known as the Berbice Revolt, on the Berbice Plantation of Hollandia two hundred and fifty years ago on 27th February, 1763;

AND WHEREAS enslaved Africans rose, in what is known as the Demerara Revolt, on several Demerara Plantations one hundred and ninety years ago on 18th August, 1823;

AND WHEREAS enslaved Africans regained their freedom one hundred and seventy five years ago on 11th August, 1838;

AND WHEREAS the State, from time to time, may consider the erection of monuments, the observance of events, the publication of educational and historical texts, films, broadcasts and other educational materials in order to satisfy the various cultural needs of the people of Guyana;

AND WHEREAS the National Assembly is the supreme legislative forum of our Republic wherein the people’s elected representatives – from both the legislative and executive branches – discuss and determine matters of national interest and importance;

AND WHEREAS due recognition should be given to the rights and consideration given to the cultural needs of all Guyanese,

BE IT RESOLVED:

That the National Assembly calls for the immediate establishment of a National Heritage Commission to be charged, inter alia, with responsibilities for:

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- (i) The promulgation of a National Cultural Policy which “honours and respects the diverse cultural strains which enrich the society and will seek constantly to promote national appreciation of them at all levels; and
- (ii) The commemoration of events and the establishment of memorials which “Celebrate our cultural and racial diversity and strengthen our unity by eliminating any and every form of discrimination”.

(Notice Paper No. 131 (M 55 Opp.32) published on 2013-01-09)

The following Members spoke to the motion:

Ms Gail Teixeira

Ms Amna Ally

Mr. Sydney Allicock

SUSPENSION OF STANDING ORDER NO. 10(1)

At 9.58 p.m., on a motion by Ms Amna Ally, M.P., Opposition Chief Whip, for the debate on the motion to continue uninterrupted was put and carried on the following division:

FOR

Mr. T. Williams

Ms Marcello

Mrs. Garrido-Lowe

Mrs. Hughes

Mr. Nagamootoo

Mr. Ramjattan

Ms Ferguson

Mr. Morian

AGAINST

Mr. Jafarally

Mr. Damon

Dr. Persaud

Dr. Mahadeo

Mr. Seeraj

Mr. Neendkumar

Mr. Lumumba

Mr. Chand

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

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Ms Shaddick
 Mrs. Chandarpal
 Mr. Nadir
 Ms Teixeira
 Bishop Edhill
 Mr. Whittaker
 Mr. Baksh
 Mrs. Campbell-Sukhai
 Ms Webster
 Mr. G. Persaud
 Mr. Benn
 Dr. Anthony
 Mr. Ali
 Dr. Ramsarran
 Mr. R. Persaud
 Dr. Singh
 Mr. Nandlall
 Dr. Ramsammy
 Mr. Rohee

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18.

At 10.00 p.m., a motion by Ms Gail Teixeira, M.P., Government Chief Whip, to adjourn the Assembly to 7th February, 2013, was put and negatived.

Thereafter the Government Members withdrew from the Chamber.

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

At 10.10 p.m., the Speaker withdrew from the Chamber and Mrs. Deborah Backer, M.P., Deputy Speaker took the Chair.

Mrs. Catherine Hughes also spoke to the motion.

Thereafter, Brig. (Ret'd) David Granger replied.

The following amendments moved by Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition and seconded by Ms Amna Ally, M.P., Opposition Chief Whip, was put and carried:

Delete the word “Heritage” and insert the word “Commemoration” in the title of the motion.

In the Be It Resolved Clause, delete the word “Heritage” and insert the word “Commemoration”

Insert in line (1) of (i) “making recommendations for” before the words “The promulgation of a National Cultural Policy...”

Thereafter, the motion as amended, was put and carried.

ADJOURNMENT

At 10.24 p.m., on a motion by Ms Amna Ally, M.P., Opposition Chief Whip, the Assembly was adjourned to 2.00 p.m., on Thursday, 7th February, 2013.

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

PARLIAMENT OFFICE,
Public Buildings,
Brickdam,
Georgetown.

25th January, 2013.