

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 42ND SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1994) OF THE SIXTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON THURSDAY, 4TH AUGUST, 1994

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (73)

Speaker (1)

The Hon. Derek C. Jagan, S.C., J.P., M.P., Speaker of the National
Assembly

Members of the Government - People's Progressive Party/Civic (43)

The Hon. Samuel A. Hinds, M.P., Prime Minister

The Hon. Reepu Daman Persaud, J.P., M.P., Senior Minister of
Agriculture (Leader of the House)

The Hon. S. Feroze Mohamed, M.P., Senior Minister of Home Affairs
(Government Chief Whip)

The Hon. Harripersaud Nokta, M.P., Senior Minister in the Ministry
of Public Works, Communications and Regional Development

* The Hon. Asgar Ally, M.P., Senior Minister of Finance

* The Hon. Rev. Dr. Ramnauth Bisnauth, M.P., Senior Minister of
Education and Cultural Development

* The Hon. Bernard C. DeSantos, S.C., M.P., Attorney General and
Minister of Legal Affairs

* The Hon. Dr. Henry B. Jeffrey, M.P., Senior Minister of Labour,
Human Services and Social Security

The Hon. Clement J. Rohee, M.P., Senior Minister of Foreign
Affairs

The Hon. Gail Teixeira, M.P., Senior Minister of Health

The Hon. M. Shree Chan, M.P., Senior Minister of Trade, Tourism
and Industry

Mrs. Janet Jagan, O.E., M.P.

The Hon. Clinton C. Collymore, M.P., Minister in the Ministry
of Agriculture

The Hon. Indranie Chandarpal, M.P., Minister in the Ministry of
Labour, Human Services and Social Security

* The Hon. F. Vibert DeSouza, M.P., Minister in the Ministry of Public
Works, Communications and Regional Development

* The Hon. George E. Fung-On, M.P., Minister in the Office of
the President

* The Hon. Bharrat Jagdeo, M.P., Minister in the Ministry of
Finance (Absent)

* Non-elected Member

Mr. Moses V. Nagamootoo, M.P. (Absent)
 Mr. Cyril C. Belgrave, M.P.
 Mr. Fazil M. Ali, M.P.
 Mr. Husman Alli, M.P.
 Mr. Shaik K.Z. Baksh, M.P.
 Mr. Komal Chand, M.P.
 Mrs. Shirley V. Edwards, M.P.
 Dr. Hughley H. Hancock, M.P.
 Mrs. Una A. James, M.P.
 Mr. Alston A. Kiseoon, M.P. (Absent - on leave)
 Dr. Moti Lall, M.P.
 Mr. Khetraj Ramjattan, M.P.
 Mr. Donald Ramotar, M.P.
 Mr. Lawrence E. Rodney, M.P.
 Mrs. Pauline Sukhai, M.P.
 Mr. Winslow M. Zephyr, M.P.
 Mr. Reuben A. Gilbert, M.P.
 Mr. Edward DaSilva, M.P.
 Mr. Khadim Bacchus, M.P. (National Congress of Local Democratic Organs)
 Mr. Samad A. Baksh, M.P. (Region No. 2 - Pomeroon/Supenaam)
 Mr. Harrinarine Baldeo, M.P. (Region No. 5 - Mahaica/Berbice)
 Mr. Joseph DeSouza, M.P. (Region No. 1 - Barima/Waini)
 Mr. Eugene La Cruz, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)
 Mr. Bagot Paul, M.P. (Region No. 8 - Potaro/Siparuni)
 Mr. Kum Karan Ramdas, M.P. (Region No. 6 - East Berbice/Corentyne)
 Mr. Ramrattan, M.P., a/k Balkarran (Region No. 3 - Essequibo Islands/West Demerara)

Members of the Minority (29)

(i) People's National Congress (26)

Mr. H. Desmond Hoyte, S.C., M.P., Minority Leader (Absent - on leave)
 Mr. Robert H.O. Corbin, M.P. (Absent - on leave)
 Mr. Winston S. Murray, C.C.H., M.P., (Absent - on leave)
 Dr. Patrick L. McKenzie, A.A., M.P., Chief Whip
 Mrs. Clarissa Riehl, M.P.
 Dr. Kenneth F.S. King, M.P. (Absent - on leave)
 Mr. Deryck M.A. Bernard, M.P.
 Ms Anna Ally, M.P. (Absent - on leave)
 Ms Jean M.G. Persico, A.A., M.P.
 Mr. Arthur A. Alexander, M.P., Deputy Speaker of the National Assembly
 Mr. Simon H. Ng-See-Quan, M.P. (Absent - on leave)
 Mr. Dunstan Barrow, M.P.
 Mr. David Subnauth, M.P.
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni)
 Mr. M. Idris Deen, M.P. (Absent - on leave)
 Mr. Aftabuddin Ahamad, M.P.
 Mrs. Cyrilda A. DeJesus, M.P.
 Mr. Kenrick Tyndall, M.P.
 Mr. Phillip Bynoe, M.P. (Region No. 10 - Upper Demerara/Berbice) (Absent - on leave)
 Mr. Andy Gouveia, M.P. (Absent - on leave)
 Mr. Hukamchand, M.P., a/k Parag
 Ms Jean C. Richards, M.P.
 Ms Kenneth A. Brouet, M.P.
 Mr. John A. Fredericks, M.P.
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)

(There is one vacancy)

(ii) **Working People's Alliance (2)**

Dr. Clive Y. Thomas, C.C.H., M.P.

Mr. Matheson Williams, M.P. (National Congress of Local Democratic Organs)

(iii) **The United Force (1)**

Mr. Manzoor Nadir, M.P.

OFFICERS

Mr. Frank A. Narain, .A.A., Clerk of the National Assembly

Mr. Sherlock E. Isaacs, Deputy Clerk of the National Assembly

COMMENCEMENT OF SITTING

The Sitting commenced at 2.00 p.m.

PRAYERS

The Clerk read Prayers.

ANNOUNCEMENTS BY THE SPEAKER

(i) **Leave**

The Speaker announced that leave had been granted to the following Members -

Mr. Alston Kissoon

Mr. Desmond Hoyte

Mr. Robert Corbin

Mr. Andy Gouveia

Mr. Simon Ng-See-Quan

Mr. Idris Deen

Mr. Phillip Bynoe

for that day's Sitting,

and to

Mr. Winston Murray up to 9th August,

and

Dr. Kenneth King to the end of August.

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(ii) **Resignation of Dr. Faith Harding**

The Speaker announced that he had received a letter from Dr. Faith Harding resigning her seat in the National Assembly, with effect from 11th July, 1994.

With her resignation, Dr. Harding had, in accordance with paragraph (1)(c) of article 156 of the Constitution, vacated her seat in the Assembly.

The Speaker stated that, in accordance with section 99A of the Representation of the People Act, Chapter 1:03, he had called upon the representative of the list of candidates in which Dr. Harding's name was included, to further extract from the said list the name of a person to fill the vacancy in the Assembly.

Dr. Harding had served as a Member of the National Assembly from 28th December, 1985 to 8th October, 1992, and again from 24th November, 1992 to 10th July, 1994. During the period 28th December, 1985 to 8th October, 1992, she was a Minister of the Government.

The Speaker, on behalf of Members of the National Assembly and himself extended best wishes to Dr. Harding.

(iii) **Leave to Sergeant-At-Arms**

On behalf of Members of the Assembly and himself, the Speaker placed on record deep sympathy to the Sergeant-At-Arms, Mr. Kenneth King, on the recent death of his brother in Canada. Mr. King was on leave and was in Canada.

The Speaker informed Members that Mr. Derek Kungebehar'ry was performing the functions of Sergeant-At-Arms during Mr. King's absence.

PRESENTATION OF PAPERS AND REPORTS, ETC.

(1) By the Speaker:

Minutes of the Proceedings of the Fourth Meeting of the Committee of Selection held on Tuesday, 5th July, 1994.

(Circulated)

(2) By the Prime Minister:

(i) Annual Report of the Public and Police Service Commissions for the year 1993.

(Circulated)

(ii) Annual Report of the Public Service Appellate Tribunal for the year 1993.

(Circulated)

(3) By the Senior Minister of Finance:

(i) State Paper - Enhanced Structural Adjustment Facility -Policy Framework Paper, 1994-96.

(Circulated)

(ii) Public Loan (Increasing of Limit) Order 1994 (No. 31 of 1994), made under section 2(2) of the Public Loan Act (No. 11 of 1973), on 29th June, 1994, and published in the Gazette on 2nd July, 1994.

(Circulated)

(4) By the Attorney General and Minister of Legal Affairs (Chairman of the Select Committee):

Report of the Select Committee on the Public Utilities Commission (Amendment) Bill 1994.

(Circulated)

INTRODUCTION OF BILLS

Presentation and First Reading

- (1) LICENSED PREMISES (AMENDMENT) BILL 1994 - Bill No. 14/1994 published 30.7.94

The Senior Minister of Labour, Human Services and Social Security, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend
the Licensed Premises Act.

- (2) LABOUR (CONDITIONS OF EMPLOYMENT OF CERTAIN WORKERS) (AMENDMENT) BILL 1994 - Bill No. 15/1994 published 30.7.94

The Senior Minister of Labour, Human Services and Social Security, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend
the Labour (Conditions of Employment
of Certain Workers) Act.

- (3) BAKERIES (BOURS OF WORK) (AMENDMENT) BILL 1994 - Bill No. 16/1994 published 30.7.94

The Senior Minister of Labour, Human Services and Social Security, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend
the Bakeries (Hours of Work) Act.

- (4) LABOUR (AMENDMENT) BILL 1994 - Bill No. 17/1994 published 30.7.94

The Senior Minister of Labour, Human Services and Social Security, on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to amend
the Labour Act.

PUBLIC BUSINESS

MOTION

ITEM 1 - FILING AND HEARING OF CIVIL JURISDICTION MATTERS BY
ESSEQUIBO RESIDENTS

Mr. Huckumchand a/k Parag moved the following motion:

WHEREAS, for Essequibo residents, civil jurisdiction matters have to be filed and heard in the High Court of the Supreme Court of Judicature in Georgetown, at great inconvenience and expense:

BE IT RESOLVED:

That this National Assembly recommend that these matters be filed and heard on the Essequibo Coast, Region 2, and that the necessary facilities be provided therefor.

Mrs. Clarissa Riehl seconded the motion.

The Attorney General and Minister of Legal Affairs spoke to the motion and proposed the following amendment which was agreed to:-

Substitution of the words "arrangements be put in place to provide therefor" for the words "the necessary facilities be provided therefor."

Mr. Hukumchand a/k Parag replied.

The amended motion was then put and carried.

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BILL - Report of Select Committee and Third Reading

ITEMS 2 and 3 PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 1994 -
Bill No. 3/1994 published 5.2.94

The Senior Minister of Trade, Tourism and Industry moved the following motion:

BE IT RESOLVED:

That the Report of the Select Committee on the Public Utilities Commission (Amendment) Bill 1994, be adopted.

The proposals in the Report which were made by the Select Committee, on the Clauses of the Bill, were as follows:-

Clause 1 was agreed to as printed.

Clause 2 was amended and agreed to as follows:-

Substitution of the words ",enforcement and the other" for the words "and enforcement" in the third line of paragraph (a).

Substitution of the words "In regard to matters provided in sections 26(2), 29 and 33 and the proviso to section 65(1)" for the words "As further provided in sections 26(2), 29, 33 and 65(1)" in the first and second lines of the new subsection (2A) being inserted by paragraph (b).

Deletion of the words ",that has been entered into prior to the date on which this Act came into operation" in the fifth, sixth and seventh lines of the new subsection (2A) being inserted by paragraph (b).

Substitution of the words "laws in operation in Guyana" for the words "written laws" in the third line of the new subsection (2B) being inserted by paragraph (b).

Deletion of the words "by any complainant, public utility and consumers" in the sixth and seventh lines of the new subsection (2B) being inserted by paragraph (b).

Clause 3 was agreed to as printed.

Clause 4 was amended and agreed to as follows:-

Substitution of the word "manner" for "mannel" in the second line of paragraph (a).

Substitution of the words "in any material respect, without" for the word "without" in the second and third lines of paragraph (a).

Deletion of the words "in paragraph (a)," in the first line of paragraph (b) (i).

Clause 5 was amended and agreed to as follows:-

Substitution of the words "provision of safe and adequate service at reasonable costs, and to assuring the financial integrity of the enterprise" for the words "and to assuring confidence in the financial integrity of the enterprise, so as to maintain its credit and to attract capital" in the third and fourth lines.

Clause 6 was amended and agreed to as follows:-

Deletion of the word "telecommunications" in the third line.

Clause 7 was agreed to as printed.

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Clause 8 was amended and agreed to as follows:-

Insertion of the following after paragraph (a):-

"(b) in subsection (2) -

(i) by the substitution, for paragraph (a), of the following -

"(i) where it relates to changing any rate or rates -

(a) the existing and duly established rate or rates;"

(ii) in paragraph (e), by the substitution, for the full stop at the end, of a semi-colon;

(iii) by the insertion, after paragraph (e), of the following -

"(ii) where it relates to the rate for any new service -

(a) the date from which the rate for the new service is to take effect; and

(b) any other particulars specified by the Commission." "

Re-lettering of the existing paragraph (b) as paragraph (

Clause 9 was agreed to as printed.

Clause 10 was agreed to with the correction of the following typographical error:

Substitution of the word "notion" for the word "notice" in the second line of paragraph (a) (ii).

Clause 11 was amended and agreed to as follows:-

Insertion of the word "initially" between the words "shall" and "be" in the seventh line of the new subsection (2) being inserted by paragraph (b).

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Clause 12 was amended and agreed to as follows:-

Substitution of the words "subsections as subsections (2) and (3)" for the words "subsection as subsection (2)" in the second and third lines of paragraph (b).

Insertion of the words "lawfully being" between the words "rate" and "charged" in the first line of the new subsection (2) being inserted by paragraph (b).

Insertion of the following as subsection (3):-

"(3) Hearings entered upon by the Commission under this section shall be promptly commenced, scheduled and held."

Clause 13 was agreed to as printed.

Clause 14 was agreed to as printed.

Clause 15 was agreed to as printed.

Clause 16 was agreed to as printed.

Clause 17 was agreed to as printed.

Clause 18 was agreed to as printed.

Clause 19 was agreed to as printed.

Clause 20 was agreed to as printed.

Clause 21 was agreed to as printed.

The following Members spoke to the motion for the adoption of the Report of the Select Committee on the Bill:

Dr. Clive Thomas

Mr. Manzoor Nadir

Thereafter, the Senior Minister of Trade, Tourism and Industry replied.

The motion for the adoption of the Report was then put and carried.

On a motion by the Senior Minister of Trade, Tourism and Industry, the Bill was read the third time and was passed as amended.

BILLS - Second Reading, Committee and Third Reading

ITEM 4 - GUYANA RICE DEVELOPMENT BOARD BILL 1994 - Bill No. 12/1994 published 28.6.94

The Senior Minister of Agriculture (Leader of the House) moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the regulation of the manufacture and marketing of rice, for securing effectively the development of the rice industry through the establishment of the Guyana Rice Development Board and for matters connected therewith.

The following Members spoke to the motion:

Dr. Patrick McKenzie
Dr. Clive Thomas

SUSPENSION OF SITTING

At 3.58 p.m., the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 4.30 p.m., the sitting was resumed.

Assembly resumed the debate on the motion for the second reading of the Guyana Rice Development Board Bill 1994.

The following Members spoke to the motion:

Mr. Manzoor Nadir
Mr. David Subnauth
Mr. Fazil Ali
Mr. Arthur Alexander

Thereafter, the Senior Minister of Agriculture (Leader of the House) replied.

The motion was then put and carried.

Assembly resolved itself into Committee to consider the Bill.

In Committee

Clauses 1 and 2 were passed as printed.

Clause 3 was passed with the following amendment:

Insertion of the words "and one member representing consumers" after the word "Association" at the end of the proviso to subsection (4).

Clauses 4 to 61 were passed as printed.

The Schedule was passed as printed.

Assembly resumed.

On a motion by the Senior Minister of Agriculture (Leader of the House), the Bill was read the third time and passed as amended.

ITEM 5 - FISCAL ENACTMENTS (AMENDMENT) BILL 1994 - Bill
No. 13/1994 published 28.6.94

The Senior Minister of Finance moved the second reading of the following Bill:

A Bill intituled AN ACT to amend the
Income Tax Act, the Income Tax
(In Aid of Industry) Act, the
Corporation Tax Act and the
Capital Gains Tax Act.

The following Members spoke to the motion:

Mr. Dunstan Barrow

Dr. Clive Thomas.

Thereafter, the Senior Minister of Finance replied.

The motion was then put and carried.

The Bill was read a second time and was thereafter taken through its remaining stages and passed as printed.

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MOTION

ITEM 6 - AFFIRMATION OF THE PUBLIC LOAN (INCREASING OF LIMIT)
ORDER 1994 (NO. 31)

The Senior Minister of Finance moved the following motion:

BE IT RESOLVED:

That this National Assembly, in terms of section 2(2) of the Public Loan Act 1973 (No. 11 of 1973), affirm the Public Loan (Increasing of Limit) Order 1994 (No. 31 of 1994), which was made on 29th June, 1994, and published in the Gazette on 2nd July, 1994.

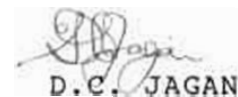
The following Members spoke to the motion:

Mr. Dunstan Barrow
Dr. Clive Thomas.

The motion was then put and carried.

ADJOURNMENT

At 6.37 p.m., on a motion by the Senior Minister of Agriculture (Leader of the House), the Assembly was adjourned to a date to be fixed.



D.C. JAGAN

Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

4th August, 1994.