

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 44TH 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, 10TH NOVEMBER, 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 (Absent - on leave)

\* 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

\* Non-elected Member

Mr. Moses V. Nagamootoo, M.P.  
 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. Hanoman, M.P.  
 Mrs. Una A. James, M.P.  
 Mr. Alston A. Kissoon, M.P.  
 Dr. Moti Lall, M.P.  
 Mr. Khemraj 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)  
 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  
 Mr. Robert H.O. Corbin, M.P.  
 Mr. Winston S. Murray, C.C.H., M.P.  
 Dr. Patrick L. McKenzie, A.A., M.P., Chief Whip  
 Mrs. Clarissa Riehl, M.P.  
 Dr. Kenneth F.S. King, M.P.  
 Mr. Deryck M.A. Bernard, M.P. (Absent)  
 Mr. Dunstan Barrow, M.P.  
 Miss Amna Ally, M.P.  
 Miss 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.  
 Mr. David Subnauth, M.P. (Absent)  
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent)  
 Mr. M. Idris Deen, M.P. (Absent)  
 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)  
 Mr. Andy Gouveia, M.P.  
 Mr. Hukumchand, M.P., a/k Parag  
 Miss Joan C. Richards, M.P. (Absent - on leave)  
 Miss Gwenneth A. Brouet, M.P. (Absent - on leave)  
 Mr. John A. Fredericks, M.P.  
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)  
 Mr. Hubert K.H. Hyman, M.P.

(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.

OATH OF A NEW MEMBER

Mr. Hubert Hyman, M.P.

The Speaker stated that following the resignation of Dr. Faith Harding from the National Assembly the name of Hubert Hyman was extracted from the People's National Congress List of Candidates and that Mr. Hyman was, on 26th September, 1994, declared to be an elected Member of the National Assembly to fill the vacancy.

The Speaker said that before Mr. Hyman could take part in the proceedings of the Assembly, he would have, as required by article 167 of the Constitution, to make and subscribe the oath of office.

As Mr. Hyman was present, the oath was administered to him by the Clerk.

ANNOUNCEMENTS BY THE SPEAKER

(i) Leave

The Speaker announced that leave had been granted to-

- (i) The Hon. Ramnauth Bisnauth for that day's Sitting,
- (ii) Miss Joan Richards up to 20th November, 1994, and
- (iii) Miss Gwenneth Brouet up to the end of December, 1994.

(ii) **HANSARD FOR 43RD SITTING - 22ND SEPTEMBER, 1994**

The Speaker stated that at the last Sitting of the National Assembly on 22nd September, 1994, he had informed Members that the arrangements for the production of Hansard had been regularised and that a formal agreement had been entered into with the new producer - F.C.E Systems.

The Hansard for that Sitting - the 43rd for the session - had been produced and copies thereof had been circulated to Members.

The Producer wished to thank Members for their involvement in the exercise and looked forward to their continued support and co-operation in returning promptly speeches sent to them for revision.

(iii) **CONGRATULATIONS AND WELCOME TO MR. HUBERT HYMAN**

The Speaker on behalf of Members of the Assembly and himself, congratulated Mr. Hubert Hyman on his election, welcomed him to the Assembly and extended best wishes to him.

**PRESENTATION OF PAPERS AND REPORTS, ETC.-**

(1) By the Prime Minister:

(1) Annual Report of the Office of the President for the year 1993.

(Circulated)

(ii) Annual Report of the Ministry of Public Works, Communications and Regional Development for the year 1993.

(Circulated)

(2) By the Senior Minister of Finance:

Amendment to the Report of the Auditor General on the Public Accounts of Guyana and on the Accounts of Ministries/Departments/Regions for the Fiscal year ended 31st December, 1993.

(Circulated)

- (3) By the Senior Minister of Agriculture (Leader of the House) on behalf of the Senior Minister of Education and Cultural Development:

Annual Report of the Teaching Service Commission for the year 1993.

(Circulated)

- (4) By the Attorney General and Minister of Legal Affairs:

Annual Report of the Ministry of Legal Affairs for the year 1993.

(Circulated)

- (5) By the Senior Minister of Labour, Human Services and Social Security:

Review of the Operations of the Sugar Industry Labour Welfare Fund for the year 1993.

(Circulated)

- (6) By the Senior Minister of Trade, Tourism and Industry:

(i) Agreement between the Government of Guyana and Atlantic Tele-network, Inc., dated 18th June, 1990.

(Circulated)

(ii) Guyana Office for Investment Order 1994 (No. 38 of 1994), made under sections 3 and 4 of the Public Corporations Act 1988 (No. 21 of 1988), on 22nd August, 1994, and published in the Gazette on 27th August, 1994.

(Circulated)

- (7) By the Chairman of the Special Select Committee appointed to review the Medical Termination of Pregnancy Bill 1993:

Report of the Special Select Committee appointed to review the Medical Termination of Pregnancy Bill 1993.

(Circulated)

PUBLIC BUSINESS

BILLS - Second and Third Readings

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

The Senior Minister of Labour, Human Services and Social Security moved the second reading of the following Bill:

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

The following Members spoke to the motion:

Mr. Arthur Alexander

Dr. Clive Thomas.

Thereafter, the Senior Minister of Labour, Human Services and Social Security 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.

ITEM 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 moved the second reading of the following Bill:

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

Mr. Arthur Alexander spoke to the motion.

Thereafter the Senior Minister of Labour, Human Services and Social Security replied.

The motion was then put and carried.

The Bill was read a second time.

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 by Dr. Clive Thomas was agreed to:

Substitution of the words "a minimum of" for the word "at" in the third line of the proposed section 4(2).

Clause 3 was then passed as amended.

Clause 4

The following amendment by Dr. Clive Thomas was agreed to:-

Insertion of the words "not less than" between the words "of" and "one-quarter" in the sixth line of the proposed section 5(b).

Clause 4 was then passed as amended.

Clauses 5 to 7 were passed as printed.

Assembly resumed.

Third Reading

On a motion by the Senior Minister of Labour, Human Services and Social Security the Bill was read the third time and passed as amended.

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

On a motion by the Senior Minister of Labour, Human Services and Social Security the following Bill was read a second time and was thereafter taken through its remaining stages and passed as printed.

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

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

The Senior Minister of Labour, Human Services and Social Security moved the second reading of the following Bill:

A BILL intituled AN ACT to  
amend the Labour Act.

8.

The following Members spoke to the motion:-

Mr. Arthur Alexander

Dr. Clive Thomas,

Thereafter the Senior Minister of Labour, Human Services and Social Security replied.

The motion was put and carried.

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

**ITEM 5 - CUSTOMS (AMENDMENT) (NO. 2) BILL 1994 - Bill No. 18/1994**  
**published 22.9.94**

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

A BILL intituled AN ACT to  
amend the Customs Act.

The following Members spoke to the motion:

Mr. Winston Murray

Dr. Clive Thomas,

Mr. Manzoor Nadir was speaking to the motion when the time for the suspension was reached.

**SUSPENSION OF SITTING**

At 4.00 p.m. the Sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 4.30 p.m. the Sitting was resumed.

**RESUMPTION OF DEBATE ON BILL**

Mr. Nadir continued and concluded his Speech.

The following Members also spoke:-

The Minister in the Ministry of Finance

Mr. Robert Corbin

Mr. Arthur Alexander.

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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**MOTIONS**

**ITEM 6 THE NORTH AMERICAN FREE TRADE AGREEMENT**

The Senior Minister of Foreign Affairs moved the following motion:

WHEREAS the Fifth Inter-sessional meeting of the Conference of Heads of Government of the Caribbean Community, in Kingstown St. Vincent and the Grenadines, agreed that the Caribbean Community's member states would indicate to the United States their desire to be listed as eligible for accession to the North American Free Trade Agreement;

AND WHEREAS the Heads of Government recognised "that the implementing legislation for NAFTA did not seek to alleviate the potential adverse impact" on the economies of the Region;

AND WHEREAS the Heads recognised that NAFTA is a critical factor which has implications for the immediate development of the Region, and decided to seek to be included in the list of countries eligible for early negotiations for entry into NAFTA;

AND WHEREAS the Caribbean Community Secretariat has been mandated to organise a comprehensive study of the implications of NAFTA and NAFTA membership for CARICOM and its individual member states;

AND WHEREAS it was also agreed, at the Fifth Inter-sessional meeting of Heads of Government to continue to seek parity of treatment for CBI excluded products since the negotiating process for negotiating the Community's relationship with NAFTA may take some time;

AND WHEREAS the President of the United States of America has assured the Chairman of the Caribbean Community that the Government of the United States, in consultation with the Congress, is examining a package of measures to address the concerns of the Community on the impact of NAFTA on their economies;

AND WHEREAS the Government of Guyana has been discussing with the private and public sector agencies the implications of the North American Free Trade Agreement;

AND WHEREAS the Government of the United States of America has submitted a draft Bilateral Investment Treaty and a draft Intellectual Property Rights Agreement to the Government of Guyana for its consideration;

AND WHEREAS the Government of Guyana is committed to ensuring the involvement of every interested citizen and organisation in the national consultations on the draft Treaty and Agreement and on the implications of the North American Free Trade Agreement;

BE IT RESOLVED:

That this National Assembly supports the initiative of the Government to promote the national interest of Guyana as well as its commitments to the Caribbean Community in seeking accession to the NAFTA.

The following Members spoke to the motion:

Mr. Winston Murray  
Dr. Clive Thomas  
Mr. Manzoor Nadir,

Thereafter the Senior Minister of Foreign Affairs replied.

The motion was then put and carried.

ITEM 7 - RATIFICATION OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

The Senior Minister of Foreign Affairs moved the following motion:

WHEREAS the United Nations Convention on the Law of the Sea was opened for signature in Kingston, Jamaica, on 10th December, 1982;

AND WHEREAS the aforesaid Convention has been hailed as the most significant legal instrument to be negotiated by the international community, in so far as it prescribes a comprehensive regime for all uses of the maritime spaces beyond national jurisdictions;

AND WHEREAS participation in the aforesaid Convention has particular importance and relevance for the conduct of Guyana's foreign policy, both bilaterally and multilaterally;

AND WHEREAS the aforesaid Convention requires the Deposit of sixty Instruments of Ratification of Accession for its entry into force;

AND WHEREAS by the deposit by Guyana of the sixtieth Instrument of Ratification of 16 November, 1993, the aforesaid Convention shall enter into force on November 16, 1994;

BE IT RESOLVED:

That the National Assembly hereby endorses the decision of the Executive to Ratify the United Nations Convention on the Law of the Sea.

Mrs. Clarissa Riehl spoke to the motion

Thereafter the Senior Minister of Foreign Affairs replied.

The motion was then put and carried.

**ADJOURNMENT**

At 7.00 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.

10th November, 1994