

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 64TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1995) OF THE SIXTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON THURSDAY, 24TH AUGUST 1995

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (72)

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 (42)

The Hon. Samuel A. Hinds, M.P., Prime Minister (Absent)

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. Rev. Dr. Ramnauth Bisnauth, M.P., Senior Minister of Education and Cultural Development (Absent)

*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

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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. 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 - Pomeroun/Supenaam) (Absent)
 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 - on leave)
 Mr. Bagot Paul, M.P. (Region No. 8 - Potaro/Siparuni) (Absent)
 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)
 Mr. Robert H.O. Corbin, M.P.
 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.
 Mr. Deryck M.A. Bernard, M.P.
 Mr. Dunstan Barrow, M.P. (Absent)
 Miss Anna Ally, M.P. (Absent)
 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. (Absent - on leave)
 Mr. David Subnauth, M.P.
 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) (Absent)
 Mr. Andy Gouveia, M.P. (Absent)
 Mr. Hukumchand, M.P., a/k Parag
 Miss Joan C. Richards, M.P.
 Mr. John A. Fredericks, M.P. (Absent)
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)
 Mr. Hubert K.H. Hyman, M.P. (Absent - on leave)
 Mr. Ivor Allen, M.P.

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(ii) Working People's Alliance (2)

Dr. Rupert **Roopnaraine**, M.P.,

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

(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

Leave

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

Mr. Winston Murray
Mr. Simon Ng-See-Quan
Mr. Hubert K.H. Hyman

PRESENTATION OF PAPERS AND REPORTS, ETC.

- (1) By the Senior Minister in the Ministry of Public Works, Communications and Regional Development:

Annual Report of the Ministry of Public Works,
Communications and Regional Development for
the year 1994.

(Circulated)

24 August

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

State Paper on the following Convention and Recommendation which were adopted by the International Labour Conference at its 78th Session held in June, 1991:

- (i) Working Conditions (Hotels and Restaurant) Convention, 1991, No. 172
- (ii) Working Conditions (Hotels and Restaurants) Recommendation, 1991, No. 179.

(Circulated)

PUBLIC BUSINESS

BILL - Second Reading

ITEM 1 - UNIVERSITY OF GUYANA (AMENDMENT) BILL 1995 - Bill No. 16/1995
published 8.8.95

The Attorney General and Minister of Legal Affairs, on behalf of the Senior Minister of Education and Cultural Development, moved the second reading of the following Bill:

A BILL intituled AN ACT to amend
the University of Guyana Act.
(Read a first time on 10.8.95)

The following Members spoke to the motion:

Mr. Hukumchand
Dr. Rupert Roopnaraine
Mr. Deryck M.A. Bernard
The Senior Minister of Labour, Human Services and Social Security
Mr. Manzoor Nadir

SUSPENSION OF SITTING

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

RESUMPTION OF SITTING

At 4.35 p.m., the sitting was resumed.

The following Members also spoke to the motion:

Dr. Hughley H. Hanoman
Mr. Arthur A. Alexander
Mr. Robert Corbin

Thereafter, Attorney General and Minister of Legal Affairs 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

Clause 1 - was passed with the following amendments:-

The words "which amends the University of Guyana Act," were inserted after the words "This Act".

Clause 2 - was deleted and the following substituted therefore:-

"Amendment of section 12 of the Principal Act.
Cap. 39:02

2. Section 12 of the Principal Act is amended by the substitution for subsections (2), (3) and (7), respectively, of the following subsections -

"(2) The Council shall consist of the following twenty-six members -

- (a) the Chancellor, the Pro-Chancellor and the Principal and Vice-Chancellor;
- (b) one person to be nominated by the Committee of Deans;
- (c) one person to be nominated by the Academic Board;
- (d) one person to be nominated by the Guild of Graduates;
- (e) one person to be nominated by the Students' Society;
- (f) one person to be nominated by the University of Guyana Workers Union;
- (g) one representative from the Ministry of Education and Cultural Development and one from the Ministry of Finance;

6.

- (h) one person to be nominated by the political party in office;
- (i) one person to be nominated by the Minority Leader;
- (j) four persons to be nominated by such non-governmental organisations as in the opinion of the Minister are most representative of the interests of women, farmers, Amerindians and business;
- (k) one person to be nominated by the Guyana Trades Union Congress;
- (l) three persons to be appointed by the Minister who, in the Minister's opinion, can contribute significantly to the University in the field of medicine and law;
- (m) six persons to be nominated by the Chancellor of whom one shall be from each of the following -
 - (i) the Association of Universities and Colleges of Canada;
 - (ii) the American Association of State Colleges and Universities;

(iii) the Committee for International Co-operation in Higher Education of the United Kingdom;

(iv) the University of the West Indies.

(3) A member of the Council referred to in subsection (2), other than paragraph (a) shall, subject to subsection (4), hold office for the period specified in the instrument appointing him, and shall be eligible for re-appointment.

(7) Subject to affirmative resolution of the National Assembly, the Minister may by order amend subsection (2), other than paragraph (a).".

Clause 3

The following was inserted as Clause 3:-

"Termination of appointment of existing members of the Council.

3. The membership of the Council as it stood on the date immediately preceding the date on which this Act comes into operation shall stand terminated, and the Council dissolved, on the date on which this Act comes into operation, save that the Chancellor and the Principal and Vice-Chancellor shall remain in their respective offices.".

ARRANGEMENT OF SECTIONS

(a) In the reference to section 2, for "Amendment of University of Guyana Act." substitute "Amendment of section 12 of University of Guyana Act.".

(b) Insert the following after the reference to section 2:-

"3. Termination of appointment of existing members of the Council.".

ASSEMBLY RESUMED

Third Reading

On a motion by the Attorney General and Minister of Legal Affairs, the Bill was read the third time and passed as amended.

MOTION

OPERATIONS OF OMAI GOLD MINES LIMITED (OGML)

The Prime Minister ~~moved~~ -

(1) the following motion:-

WHEREAS the ~~Government~~ of Guyana is alarmed and deeply concerned over the inability of the OMAI Gold Mines Limited (OGML) to pursue its operations in an environmentally safe manner, evidenced by two major escapes of cyanide-laden effluent into the OMAI and Essequibo Rivers in recent months, the recent one being of massive proportions:

BE IT RESOLVED:

That this National Assembly places full responsibility for the massive leaks from the tailings pond into the OMAI and Essequibo Rivers on OMAI Gold Mines Ltd (OGML) and that the costs to rectify the situation be met by OGML;

That the proclamation by the President of Guyana that the affected areas be deemed an Environmental Disaster Zone be endorsed;

That a full scale mobilization of resources, local and international, be mounted to protect the human and natural environment;

That a ~~Commission~~ of Enquiry be established to determine the causes leading to the disaster and to make recommendations on preventative measures and modifications to be undertaken by OGML to minimize the exposure to the environment if unexpected, unforeseen events occur;

That gold mining operations at OGML re-commence only on a resolution by this National Assembly.

(Notice Paper No. 85 (M65 Govt53) published 23.8.95)

(2) the following amendment to the motion:-

(i) Insertion of the following before the paragraph on the Commission of Enquiry:-

"That an environmental audit by a reputable and expert agency or group of agencies be established urgently at the expense of OGML, and that their operations be executed within the zone of influence to determine the extent of the clean up required;"

(ii) Deletion of the last paragraph and substitution of the following:-

"That the commercial operations of the OGML remain closed in order to allow for the clean up, the environmental audit and the work of the Commission of Enquiry;

And that these operations can only recommence on the basis of an examination of the recommendation of the Commission of Enquiry and the environmental audit."

The following Members spoke to the amended motion:

Dr. Rupert Roopnaraine

The Senior Minister of Health

Mr. Robert H.O. Corbin

Mr. Manzoor Nadir

The Minister in the Ministry of Public Works, Communications and Regional Development

Dr. Patrick L. McKenzie

The Senior Minister in the Ministry of Public Works, Communications and Regional Development.

Thereafter, the Prime Minister replied.

The amended motion was then put and carried.

ADJOURNMENT

At 9.50 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. UGAN

Speaker of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.
24th August, 1995.