

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 66TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1995) OF THE SIXTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON FRIDAY, 24TH NOVEMBER, 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

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 the Home Affairs
(Government Chief Whip) (Absent-on leave)

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

*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 (Absent)

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

The Hon. Gail Teixeira, M.P., Senior Minister of Health (Absent-on leave)

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

*The Hon. Bharrat Jagdeo, M.P., Senior Minister of Finance (Absent-on leave)

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. Moses V. Nagamootoo, M.P., Senior Minister of Local Government

*Non-elected Member

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. (Absent)
 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.
 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. (Absent)
 Mr. Deryck M.A. Bernard, M.P.
 Mr. Dunstan Barrow, M.P. (Absent-on leave)
 Miss Anna 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. (Absent-on leave)
 Mr. David Subnauth, M.P. (Absent)
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni) (Absent)
 Mr. M. Idris Deen, M.P.
 Mr. Aftabuddin Ahamad, M.P. (Absent)
 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.
 Mr. Ivan Peters, M.P. (Region No. 4 - Demerara/Mahaica)
 Mr. Hubert K.H. Hyman, M.P.
 Mr. Ivor Allen, M.P.

3.

(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. (Absent-on leave)

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) Appointment of Mr. Moses Nagamootoo as a Senior Minister

The Speaker announced that Mr. Moses Veerasammy Nagamootoo had been appointed a Senior Minister and designated Senior Minister of Local Government, with effect from 24th November, 1995.

On behalf of Members of the Assembly and himself, he congratulated Mr. Nagamootoo on his appointment and extended best wishes to him.

(ii) Congratulations to U.G. Graduates

The Speaker informed Members that on the occasion of the 29th Convocation of the University of Guyana, which was held on Saturday, 18th November, 1995, three members of the National Assembly graduated.

Mr. Moses Veerasammy Nagamootoo graduated in the field of law and was conferred the Degree of Bachelor of Law.

Mrs. Pauline Roseanna Sukhai graduated in the field of Economics and was conferred the Degree of Bachelor of Social Science.

Miss Anna Ally graduated in the field of Public Administration and was conferred the Degree of Bachelor of Social Science.

On behalf of Members of the Assembly and himself, he congratulated the three Members on their success and extended best wishes to them.

(iii) Leave

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

The Hon. Feroze Mohamed,

The Hon. Gail Teixeira,

The Hon. Bharrat Jagdeo,

Mr. Desmond Hoyte,

Mr. Dunstan Barrow,

Mr. Ng-See-Quan,

and

Mr. Manzoor Nadir.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY AND MOVED BY A MINISTER -

Suspension of Standing Orders Nos. 60 and 46

The Senior Minister of Agriculture (Leader of the House) moved the following motion which was put and carried :-

WHEREAS the Constitution (Amendment) Bill 1995 - Bill No. 15 of 1995 - was not passed by the National Assembly on 10th August, 1995;

AND WHEREAS it is imperative in the national interest that the Constitution be amended as set out in the aforesaid Bill to facilitate the timely preparation of electoral laws for the next general election;

AND WHEREAS it is the consensus of Members of the Assembly that the Constitution should be so amended;

AND WHEREAS a new Constitution (Amendment) Bill 1995 - Bill No. 18 of 1995 - with the amendments proposed, has been prepared:

NOW, THEREFORE, BE IT RESOLVED:

That Standing Orders Nos. 60 and 46 be suspended to enable the new Constitution (Amendment) Bill 1995 - Bill No. 18 of 1995 - to be considered by the National Assembly through all its stages at the sitting of the Assembly on Friday, 24th November, 1995.

(Notice Paper No. 86 (M66 Govt 54) published 14.11.95)

INTRODUCTION OF BILLSPresentation and First Reading(1) (AMENDMENT) BILL 1995 - Bill No. 18/1995

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 alter the
Constitution in accordance with articles
66 and 164.

(2) ENVIRONMENTAL PROTECTION BILL 1995 - Bill No. 20/1995

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

A BILL intituled AN ACT to provide for the management, conservation, protection and improvement of the environment, the prevention or control of pollution, assessment of the environmental impact of economic development, the sustainable use of natural resources and for matters incidental thereto or connected therewith.

(3) DRAINAGE AND IRRIGATION (DECLARATION OF AREAS) BILL 1995 - Bill No. 19/1995

The Senior Minister of Agriculture (Leader of the House), on behalf of the Government, presented the following Bill which was read the first time:

A BILL intituled AN ACT to provide for the declaration of certain areas of land owned by the Guyana Sugar Corporation Limited, as drainage and irrigation areas, for the construction of certain works therein and for purposes connected therewith or incidental thereto.

PUBLIC BUSINESSBILL - Second ReadingITEM 1 - (AMENDMENT) BILL 1995 - Bill No. 18/1995

The Attorney General and Minister of Legal Affairs moved the second reading of the following Bill:

A BILL intituled AN ACT to alter the Constitution in accordance with articles 66 and 164.

The following Members spoke to the motion:

Mr. Winston Murray
Dr. Rupert Roopnaraine
Mr. Robert Corbin.

Thereafter, the Attorney General and Minister of Legal Affairs replied.
The motion was then put and carried.

The motion that the Constitution (Amendment) Bill 1995 - Bill No. 18/1995 - be read a second time was then put and was supported by the vote of the following forty-eight (48) elected Members present:

Dr. Roopnaraine	Mr. Ramratan
Mr. Allen	Mr. Ramdass
Mr. Hyman	Mr. Paul
Mr. Peters	Mr. DeSouza
Mr. Fredericks	Mr. Baldeo
Miss Richards	Mr. Baksh
Mr. Hukumchand	Mr. Bacchus
Mr. Tyndall	Mr. DaSilva
Mrs. DeJesus	Mr. Gilbert
Mr. Deen	Mr. Zephyr
Mr. Alexander	Mrs. Sukhai
Miss Persico	Mr. Ramjattan
Miss Ally	Dr. Lall
Mr. Bernard	Mr. Kisson
Mrs. Riehl	Mrs. James
Dr. McKenzie	Dr. Hanoman
Mr. Murray	Mr. Chand
Mr. Corbin	Mr. Baksh
	Mr. Husman Alli
	Mr. Fazil Ali
	Mr. Belgrave
	Mr. Nagamootoo
	Mrs. Chandarpal
	Mr. Collymore
	Mrs. Jagan
	Mr. Chan
	Mr. Rohee
	Mr. Nokta
	Mr. Persaud
	Mr. Hinds

TOTAL 48

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 agreed to as printed.

Assembly resumed.

Third Reading

Following a motion by the Attorney General and Minister of Legal Affairs that the Constitution (Amendment) Bill 1995 - Bill No. 18/1995 - be read the third time, the Bill was supported at the final voting in the Assembly by the votes of the following forty-nine (49) elected Members present:

Dr. Roopnaraine	Mr. Ramratan
Mr. Allen	Mr.
Mr. Byman	Mr. Paul
Mr. Peters	Mr. DeSouza
Mr. Fredericks	Mr. Baldeo
Miss Richards	Mr. Baksh
Mr. Hukumchand	Mr. Bacchus
Mr. Tyndall	Mr. DaSilva
Mrs. DeJesus	Mr. Gilbert
Mr. Deen	Mr. Zephyr
Mr. Alexander	Mrs. Sukhai
Miss Persico	Mr. Ramjattan
Miss Ally	Dr. Lall
Mr. Bernard	Mr. Kissoon
Mrs. Riehl	Mrs. James
Dr. McKenzie	Dr.
Mr. Murray	Mrs. Edwards
Mr. Corbin	Mr.
	Mr. Baksh
	Mr. Husman Alli
	Mr. Fazil Ali
	Mr. Belgrave
	Mr. Nagamootoo
	Mrs. Chandarpal
	Mr. Collymore
	Mrs. Jagan
	Mr. Chan
	Mr. Rohee
	Mr. Nokta
	Mr. Persaud
	Mr. Hinds
TOTAL	49

The Constitution (Amendment) Bill 1995 - Bill No. 18/1995 - was read the third time and was passed as printed.

MOTIONS

ITEM 2 - FIFTIETH ANNIVERSARY OF THE UNITED NATIONS

Mrs. Janet Jagan, in the absence of the Senior Minister of Foreign Affairs, moved the following motion:

WHEREAS the United Nations was established at the end of the Second World War in 1945 to, inter alia, "save succeeding generations from the scourge of war" and "to promote social progress and better standards of life in larger freedom";

AND WHEREAS its Charter which defined the purposes, principles, functions and structure of the organisation offers member states a comprehensive framework for international co-operation;

AND WHEREAS, notwithstanding its imperfections, the United Nations continues to enjoy the confidence of the international community as evidenced by its almost universal membership;

AND WHEREAS Guyana having been admitted into membership on 20 September 1966 is proud to be a member in good standing of the United Nations for the past twenty-nine years:

BE IT RESOLVED:

That this National Assembly salute the United Nations on its Fiftieth Anniversary;

AND BE IT FURTHER RESOLVED:

That this National Assembly give its full support to the United Nations as it continues to discharge its mandate in the new circumstances of the post-Cold War World.

(Notice Paper No. 87 (M67 Govt 55) published 14.11.95)

The following Members spoke to the motion:

Mrs Clarissa Riehl
Dr. Rupert Roopnaraine
Dr. Patrick McKenzie.

Thereafter, Mrs. Jagan replied.
The motion was then put and carried.

ITEM 3 - CONVENTION AND RECOMMENDATION OF THE INTERNATIONAL LABOUR ORGANISATION

The Minister in the Ministry of Labour, Human Services and Social Security moved the following motion which was put and carried:

WHEREAS as a member state of the International Labour Organisation, Guyana is obligated to examine Conventions and Recommendations adopted by the International Labour Conference in accordance with Article 19 of the Constitution of the International Labour Organisation;

AND WHEREAS Article 19 states that all Conventions and Recommendations adopted by the International Labour Conference must be submitted to the competent Authority of member states whether ratification of such Conventions is contemplated or not;

AND WHEREAS the submission of Conventions and Recommendations adopted at sessions of that Conference should always be accompanied or followed by a statement or proposal setting out the Government's view as to the action to be taken on the instruments;

AND WHEREAS Guyana adheres to the Constitution of the International Labour Organisation of which it is a member since 1966;

AND WHEREAS the Government of Guyana proposes to use the provisions of the Conventions and Recommendations adopted from time to time by the International Labour Conference as aims of policy and to ratify those Conventions which are in keeping with the social philosophy of the Guyanese society:

BE IT RESOLVED:

That this National Assembly approve the conclusions set out in the State Paper on the following Convention and Recommendation adopted at the 78th Session of the International Labour Conference held in June, 1991:-

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

AND BE IT FURTHER RESOLVED:

That the decision of this National Assembly be conveyed to the Director General of the International Labour Organisation.

(Notice Paper No. 88 (M68 Govt56) published 14.11.95)

ITEM 4 - CONVENTIONS AND RECOMMENDATIONS OF THE INTERNATIONAL LABOUR ORGANISATION

The Minister in the Ministry of Labour, Human Services and Social Security moved the following motion:

WHEREAS as a member state of the International Labour Organisation, Guyana is obligated to examine Conventions and Recommendations adopted by the International Labour Conference in accordance with Article 19 of the Constitution of the International Labour Organisation;

AND WHEREAS Article 19 states that all Conventions and Recommendations adopted by the International Labour Conference must be submitted to the Competent Authority of member states whether ratification of such Conventions is contemplated or not;

AND WHEREAS the submission of Conventions and Recommendations adopted at sessions of that Conference should always be accompanied or followed by a statement or proposal setting out the Government's view as to the action to be taken on the instruments;

AND WHEREAS Guyana adheres to the Constitution of the International Labour Organisation of which it is a member since 1966;

AND WHEREAS the Government of Guyana proposes to use the provisions of the Conventions and Recommendations adopted from time to time by the International Labour Conference as aims of policy and to ratify those Conventions which are in keeping with the social philosophy of the Guyanese society:

BE IT RESOLVED:

That this National Assembly approve the conclusions set out in the State Paper on the following Conventions and Recommendations adopted at the 79th and 80th sessions of the International Labour Conference held in June, 1992 and June, 1993, respectively:-

- (i) Protection of Workers' Claims (Employer's Insolvency) Convention, 1992, No. 173
- (ii) Protection of Workers' Claims (Employer's Insolvency) Recommendation, 1992, No. 180
- (iii) Prevention of Major Industrial Accidents Convention, 1993, No. 174
- (iv) Prevention of Major Industrial Accidents Recommendation, 1993, No. 181,

AND BE IT FURTHER RESOLVED:

That the decision of this National Assembly be conveyed to the Director General of the International Labour Organisation.

(Notice Paper No. 89 (M69 Govt57) published 14.11.95)

Mr. Arthur Alexander spoke to the motion.

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

The motion was then put and carried.

ADJOURNMENT

At 3.59 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.

24th November, 1995