

NATIONAL ASSEMBLY
MINUTES OF PROCEEDINGS
OF THE 100TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1992-1997) OF THE SIXTH PARLIAMENT OF GUYANA HELD

AT 2.00 P.M.

ON THURSDAY, 7TH AUGUST, 1997
IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (74)

Speaker (1)

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

Members of the Government - People's Progressive Party/Civic (44)

The Hon. Janet Jagan, O.E., M.P., Prime Minister and First Vice-President

The Hon. Reepu Darnan Persaud, O.R., J.P., M.P., Second Vice-President and Minister of Agriculture (Leader of the House)

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

The Hon. Harripersaud Nokta, M.P., Minister of Local Government

*The Hon. Rev. Dr. Ramnauth Bisnauth, M.P., 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., Minister of Labour, Human Services and Social Security

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

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

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

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

The Hon. Moses V. Nagamootoo, M.P., Minister of Information

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

The Hon. Indranie Chandarpal, M.P., Minister in the Ministry of Labour, Human Services and Social Security (Absent-on leave)

*The Hon. F. Vibert DeSouza, M.P., Minister in the Ministry of Local Government

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

*The Hon. C. Anthony Xavier, M.P., Minister in the Ministry of Public Works and Communications

*The Hon. Satyadeow Sawh, M.P., Minister in the Ministry of Agriculture

***Non-elected Member**

Mrs. Pauline Sukhai, M.P., Parliamentary Secretary, Ministry of Local Government
 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, C.C.H., J.P., M.P. (Absent)
 Mrs. Shirley V. Edwards, M.P.
 Dr. Hughley H. Hanoman, M.P.
 Mrs. Una A. James, M.P.
 Mr. Alston A. Kisson, M.P.
 Dr. Moti Lall, M.P. (Absent)
 Mr. Khemraj Ramjattan, M.P.
 Mr. Donald Ramotar, M.P.
 Mr. Lawrence E. Rodney, M.P.
 Mr. Winslow M. Zephyr, M.P.
 Mr. Reuben A. Gilbert, M.P.
 Mr. Edward DaSilva, M.P.
 Mr. Thakoor Silas, 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)(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 - on leave)
 Mr. Robert H.O. Corbin, M.P.
 Mr. Winston S. Murray, C.C.H., M.P.
 Mrs. Clarissa Riehl, M.P. (Absent)
 Mr. Dunstan Barrow, M.P., Chief Whip
 Mr. M. Idris Deen, M.P.
 Dr. Faith A. Harding, M.P.
 Miss Amna Ally, M.P.
 Miss Jean M.G. Persico, A.A., M.P.
 Mr. Ivor Allen, M.P. (Absent-on leave)
 Mr. Arthur A. Alexander, M.P., Deputy Speaker of the National Assembly
 Mr. Dharamdeo Sawh, M.P.
 Mr. Simon Ng-See-Quan, M.P. (Absent)
 Mr. David Subnauth, J.P., M.P.
 Mr. Reynold N. David, M.P. (Region No. 7 - Cuyuni/Mazaruni)
 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 - on leave)
 Mr. Andy Gouveia, M.P.
 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.
 Dr. Abraham A.C. Fung-A-Fat, A.A., M.P.

(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

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

Mrs Indranie Chandarpal,

Mr. Desmond Hoyte,

Mr. Ivor Allen, and

Mr. Phillip Bynoe.

PRESENTATION OF PAPERS AND REPORTS, ETC. -

By the Minister of Labour, Human Services and Social Security:

State Paper on the following Convention, Recommendation and Protocol adopted at the 82nd Session of the International Labour Conference held in June, 1995:-

4.

- ✓ (a) Safety and Health in Mines Convention, 1995, No. 176.
- ✓ (b) Safety and Health in Mines Recommendation, 1995, No. 183.
- ✓ (c) Protocol of 1995 to the Labour Inspection Convention, 1947.

(Circulated)

✓ (2) By the Minister of Foreign Affairs:

- (i) International Tropical Timber Agreement, 1994.

(Circulated)

- (ii) Protocol I (signed on 20th and 21st February, 1997) amending the Treaty Establishing the Caribbean Community which was signed on 4th July, 1973.

(Circulated)

- ✓ (iii) Multilateral Agreement concerning the Operation of Air Services within the Caribbean Community which was opened for signature on 6th July, 1996.

(Circulated)

(3) By the Minister of Health:

- ✓ Annual Report of the Ministry of Health for the year 1992.

(Circulated)

(4) By the Minister of Trade, Tourism and Industry:

- Annual Reports (3) of the Ministry of Trade, Tourism and Industry for the year 1994, 1995 and 1996.

(Circulated)

REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE ASSEMBLY ON
DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE -

Escape of Prisoners from the Georgetown Prison

A request by Dr. Rupert Roopnaraine to move the adjournment of the Assembly to discuss the escape of prisoners from the Georgetown Prison on Sunday, 3rd August, 1997, was allowed.

The motion accordingly stood over until the resumption of the Sitting following the suspension thereof.

INTRODUCTION OF BILLS

Presentation and First Reading

(1) ADOPTION OF CHILDREN (AMENDMENT) BILL 1997 - Bill No. 20/1997

The 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 Adoption of Children Act.

(2) MAINTENANCE (AMENDMENT) BILL 1997 - Bill No. 21/1997

The 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 Maintenance Act.

(3) SUMMARY JURISDICTION (MAGISTRATES) (AMENDMENT) BILL 1997 -
Bill No. 22/1997

The 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 Summary Jurisdiction (Magistrates)
Act.

(4) PREVENTION OF DISCRIMINATION BILL 1997 - Bill No. 23/1997

The 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 provide for the elimination
of discrimination in employment, training, recruitment
and membership of professional bodies and the promotion
of equal remuneration to men and women in employment
who perform work of equal value, and for matters connected
therewith.

(5) LOCAL AUTHORITIES (ELECTIONS) (AMENDMENT) BILL 1997 - Bill No. 24/1997

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

A BILL intituled AN ACT to amend the Local Authorities
(Elections) Act to provide for the postponement of elections
of councillors of a local democratic organ.

(6) MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 1997 -

Bill NO. 25/1997

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

A BILL intituled AN ACT to amend the
Municipal and District Councils Act.

PUBLIC BUSINESS

BILLS - Second Reading

ITEM 1 - FISCAL ENACTMENTS (AMENDMENT) BILL 1997 - Bill No. 17/1997 published
12.7.97

The Minister of Trade, Tourism and Industry, on behalf of the Minister of Finance, moved the second reading of the following Bill:

A BILL intituled AN ACT to amend the
Tax Act and the Income Tax Act.
(Read a first time on 21.7.97)

The following Members spoke to the motion:

Mr. Winston Murray

Dr. Rupert Roopnaraine

Mr. Manzoor Nadir.

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

The motion was then put and carried.

8.

The Bill was read a second time and was thereafter taken through its remaining stages and passed with the following amendment:

Clause 1

Substitution of "1st January, 1998" for "1st January, 1997"

in the third line of subsection (3).

ITEM 2 - SHOPS (MISCELLANEOUS ENACTMENTS) (AMENDMENT) BILL 1997

Bill No. 18/1997 published 17.7.97

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

A BILL intituled AN ACT to amend the
Summary Jurisdiction (Offences) Act
and the Shops (Consolidation) Act.
(Read a first time on 21.7.97)

The following Members spoke to the motion:

Mr. Winston Murray

Dr. Rupert Roopnaraine

Mr. Manzoor Nadir.

Thereafter, the 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.

Committee

Clause 1 to 4 were passed as printed.

Clause 5

The following amendment by Dr. Roopnaraine was put and carried: -

Insertion of the following proviso after subsection (3) of the new section 4 of the Shops (consolidation) Act:

“Provided that any recognised union representing such shop assistant shall be notified of any such determination concerning the day of worship.”

Clause 5 was passed as amended.

Clauses 6 to 12 were passed as printed.

Clause 13 was passed with the following Amendment:

Substitution of “section 11(d)” for “section (d)” in paragraph (b).

Clauses 14 to 17 were passed as printed.

Assembly resumed.

Third Reading

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

ITEM 3 - TERMINATION OF EMPLOYMENT AND SEVERANCE PAY BILL 1997 -

Bill No. 19/1997

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

A BILL intituled AN ACT to provide for the conditions governing termination of employment and grant of redundancy or severance payment to employees and for matters connected therewith.

(Read a first time on 21.7.97)

The following Members spoke to the motion:

Mr. Robert Corbin

Dr. Rupert Roopnaraine

Mr. Manzoor Nadir

Mr. Arthur Alexander.

Thereafter, the 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

Clause 1 was passed as printed.

Clause 2

The following amendments by the Minister in the Office of the President were put and carried:

Insertion of the words “public authority” between the words
“company,” and “or” in the second line of paragraph (e).

Insertion of the following as paragraph (r):

“(r) “public authority” means any ministry, department or
Agency of the Government including any local democratic organ
or local Government authority.”

Clause 2 was passed as amended.

Clause 3 was passed as printed.

Clause 4

The following amendment by Dr. Hanoman was put as carried:

Insertion of the words “or disability” after the word
“agreement” in the last line of paragraph (a) of subsection (2).

Clause 4 was passed as amended.

Clause 5 to 10 were passed as printed.

Clause 11 was passed as amended.

Clauses 12 to 20 were passed as printed.

Clause 21 was passed with the following amendments.

Substitution of the word “each” for the word “such”
in the first line of paragraph (a) of subsection (1).

Insertion of the words “work or within a radius of ten
miles” between the words “of” and “therefrom” in the
Fourth and fifth lines of paragraph (b) of subsection (4).

Clauses 22 to 25 were passed as printed.

Assembly resumed.

Third Reading

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

SUSPENSION OF SITTING

At 4.31 p.m., the sitting was suspended for refreshments.

MOTION FOR THE ADJOURNMENT OF THE ASSEMBLY ON DEFINITE MATTER OF
URGENT PUBLIC IMPORTANCE

Escape of Prisoners from the Georgetown Prison on 3rd August, 1997

In accordance with permission granted earlier, Dr. Rupert Roopnaraine moved the adjournment of the Assembly and spoke on the question of the escape of prisoners from the Georgetown Prison on Sunday, 3rd August, 1997.

The following Members spoke to the motion:

Miss Amna Ally

Mr. Manzoor Nadir

The Minister of Home Affairs.

Thereafter, Dr. Rupert Roopnaraine replied.

MOTIONS

ITEM 4 - RATIFICATION OF THE INTERNATIONAL TROPICAL TIMBER AGREEMENT.

1994

The Minister of Foreign Affairs moved the following motion:

WHEREAS the International Tropical Timber Agreement (ITTA) of 1994 is the successor Agreement to the ITTA 1983;

AND WHEREAS the said Agreement, which was opened for signature at the United Nations Headquarters from April, 1994, has been signed by Guyana on September 13, 1996;

14.

AND WHEREAS the said Agreement entered into force on
1st January, 1997;

AND WHEREAS the said Agreement enables Guyana to continue
its membership of the International Tropical Timber Organisation;

AND WHEREAS the said Agreement will provide a framework
from which Guyana will be able to benefit financially, technically and
otherwise;

AND WHEREAS the said Agreement will help to promote and
support research and sustainable development with a view to improving
forest management and efficiency of wood utilisation as well as increase
the capacity to conserve and enhance other forest values in timber
producing countries:

BE IT RESOLVED:

That the National Assembly hereby endorse the
decision to ratify the International Tropical Timber Agreement
of 1994.

(Notice Paper No. 115(M95 Govt 78) published 31.7.97)

The following Members spoke to the motion:

Mr. Idris Deen

Mr. Manzoor Nadir

Mr. Dharamdeo Sawh.

Thereafter, the Minister of Foreign Affairs replied.

The motion was then put and carried.

ITEM 5 - RATIFICATION OF PROTOCOL I WHICH AMENDS THE TREATY
ESTABLISHING THE CARIBBEAN COMMUNITY

The Minister of Foreign Affairs moved the following motion:

WHEREAS the Protocol I amending the Treaty Establishing the Caribbean Community signed at Chaguaramas on 4th July, 1972, was signed by the Heads of Government at the Eight Inter-Sessional Meeting of the Conference of Heads of Government of the Caribbean Community which was held in Antigua and Barbuda during the period 20th - 21st February, 1997;

AND WHEREAS the said Protocol I was signed by H.E. Dr. Havelock Brewster, Ambassador to Belgium and to the European Union on behalf of the Government of Guyana;

AND WHEREAS this Protocol deals with the restructuring of the Organs and Institutions of the Caribbean Community redefining their functional relationships in the integration movement;

AND WHEREAS this Protocol is a response to the need to deepen the integration movement through the establishment of the CARICOM Single Market and Economy in order to achieve sustained economic development, international competitiveness, coordinated economic and foreign policies, functional cooperation and enhanced trade and economic relations with other countries;

AND WHEREAS Guyana remains committed to the set goals and objectives of the Caribbean Community in this new era of globalisation

BE IT RESOLVED:

That the National Assembly hereby agree to the ratification of the said Protocol I by Guyana.

AND BE IT FURTHER RESOLVED:

That the National Assembly hereby agree to the Secretary-General of the Caribbean Community being informed of Guyana's ratification of the said Protocol I by the deposit of an appropriate Instrument of Ratification. (Notice Paper No. 117(M79 Govt. 80) published 31.7.97)

The following Members spoke to the motion:

Mr. Winston Murray

Dr. Rupert Roopnaraine

Mr. Manzoor Nadir.

Thereafter, the Minister of Foreign Affairs replied.

The motion was then put and carried.

ITEM 6 - RATIFICATION OF THE MULTILATERAL AGREEMENT CONCERNING THE OPERATION OF AIR SERVICES WITHIN THE CARIBBEAN COMMUNITY

The Minister of Foreign Affairs moved the following motion:

WHEREAS the Multilateral Agreement concerning the Operation of Air Services within the Caribbean Community was opened for signature on 6th July, 1996, on the occasion of the Seventeenth Meeting of the Conference of Heads of Government in Barbados.