

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 55<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**  
**SESSION (1998-2000) OF THE SEVENTH PARLIAMENT OF GUYANA HELD**  
**AT 2.00 P.M.**  
**ON MONDAY, 18<sup>TH</sup> SEPTEMBER, 2000**  
**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN**

**MEMBERS OF THE NATIONAL ASSEMBLY (76)**

**Speaker (1)**

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

**Members of the Government - People's Progressive Party/Civic (46)**

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

The Hon. Reepu Daman Persaud, O.R., J.P., M.P., Minister of Agriculture and  
Parliamentary Affairs

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

\*The Hon. Charles R. Ramson, S.C., M.P., Attorney General and Minister of Legal Affairs

\*The Hon. Rev. Dr. Ramnauth D.A. Bisnauth, M.P., Minister of Education (Absent - on leave)

The Hon. Indranie Chandarpal, M.P., Minister of Human Services and Social Security (Absent)

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

The Hon. F. Vibert DeSouza, M.P., Minister of Amerindian Affairs

\*The Hon. George E. Fung-On, M.P., Minister of the Public Service

\*The Hon. Dr. Henry B. Jeffrey, M.P., Minister of Health and Labour

The Hon. Moses V. Nagamootoo, J.P., M.P., Minister of Information (Absent - on leave)

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

\*The Hon. Satyadeow Sawh, M.P., Minister of Livestock and Fisheries

The Hon. Gail Teixeira, M.P., Minister of Culture, Youth and Sports

\*The Hon. C. Anthony Xavier, M.P., Minister of Transport and Hydraulics

\*The Hon. Shaik K. Z. Baksh, M.P., Minister of Housing and Water

\*The Hon. J. Ronald Gajraj, M.P., Minister of Home Affairs

\*The Hon. Saisnarine Kowlessar, M.P., Minister in the Office of the President with  
responsibility for Finance

\*The Hon. Geoffrey Da Silva, M.P., Minister of Trade, Tourism and Industry

\*Non elected Minister

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Mr. S. Feroze Mohamed, M.P., Chief Whip

Mr. Cyril C. Belgrave, C.C.H., M.P.

Mr. Donald Ramotar, M.P.

Mr. Husman Alli, M.P.

Mr. Komal Chand, C.C.H., J.P., M.P.

Mr. Navindranauth O. Chandarpal, M.P.

Mr. Bernard C. DeSantos, S.C., M.P.

Mrs. Shirley V. Edwards, J.P., M.P. (Absent - on leave)

Mr. Alston A. Kisson, M.P.

Dr. Moti Lall, C.C.H., M.P.

Mr. Odinga N. Lumumba, M.P.

Mr. Khemraj Ramjattan, M.P.

Dr. Leslie S. Ramsammy, M.P.

Mr. Lawrence E. Rodney, M.P.

Mrs. Philomena Sahoye-Shury, C.C.H., J.P., M.P.,  
Parliamentary Secretary, Ministry of Local Government

Mrs. Pauline R. Sukhai, M.P.

Mr. Winslow M. Zephyr, M.P. (Absent - on leave)

Dr. Bheri Ramsaran, M.P.

Mrs. Bijulee Moti, M.P.

Mr. B.H. Robeson Benn, M.P.

Mr. Joseph M. DeSouza, M.P. (Region No. 1 - Barima/Waini)

Mr. Heeralall Mohan, M.P. (Region No. 2 - Pomeroron/Supenaam)

Mr. Ramratan, M.P. (Region No. 3 - Essequibo Islands/West Demerara)

Mr. Geoffrey A. Fraser, M.P. (Region No. 5 - Mahaica/Berbice)

Mr. Ramsundar Sankat, M.S., M.P. (Region No. 6 - East Berbice/Corentyne)

Mr. Eustace S. Rodrigues, M.S., M.P. (National Congress of Local Democratic Organs) (Absent)

Mr. Kumkaran Ramdas, M.P. (National Congress of Local Democratic Organs)

**Members of the Opposition (29)**

**(i) People's National Congress (25)**

Mr. H. Desmond Hoyte, S.C., M.P. Leader of the Opposition (Absent - on leave)

Mr. Winston S. Murray, C.C.H., M.P. (Absent - on leave)

Mr. Dunstan Barrow, M.P., Chief Whip (Absent)

Mrs. Clarissa S. Riehl, M.P., Deputy Speaker of the National Assembly

Mr. E. Lance Carberry, M.P.

Dr. Faith A. Harding, M.P. (Absent - on leave)

Mr. Ivor Allen, M.P.

Mr. Kadim A. Khan, M.P. (Absent)

Miss Jean M.G. Persico, A.A., M.P.

Mrs. Cyrilda A. DeJesus, M.P.

Mr. Andy Gouveia, M.P.

Mrs. Deborah J. Backer, M.P.

Mr. John S. DeFreitas, M.P.

Mr. Raphael G.C. Trotman, M.P.

Dr. Dagleish Joseph, M.D., M.P. (Absent - on leave)

Mrs. Volda A. Lawrence, M.P.

Mr. Joseph L. Hamilton, M.P. (Region No. 4 - Demerara/Mahaica)

Mr. Sherwood A. J. Lowe, M.P. (Absent - on leave)

Mr. Andrew Hicks, M.P.

Mr. Neaz Subhan, M.P. (Absent)

Mr. Colin Bynoe, M.P.

Miss Sandra M. Adams, M.P. (Region No. 10 - Upper Demerara/Berbice)

Mr. Kelley Andres, M.P. (Region No. 7 - Cuyuni/Mazaruni)

Mr. Thakechand Ramnauth, M.P.

Mr. Aubrey C. Norton, M.P. (Absent - on leave)

**(ii) The United Force (2)**

Mr. Manzoor Nadir, M.P.

Mr. Matthew R. Charlie, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo) (Absent)

**(iii) Alliance for Guyana (2)**

Dr. Rupert Roopnaraine, M.P.

Mr. Albertino Peters, M.P. (Region No. 8 - Potaro/Siparuni) (Absent)

**OFFICERS**

Mr. Sherlock E. Isaacs, Deputy Clerk of the National Assembly (Performing the functions of the Clerk of the National Assembly)

Mrs. Lilawtie Coonjah, Principal Assistant Secretary (Finance)

**COMMENCEMENT OF SITTING**

The Sitting commenced at 2.00 p.m.

**PRAYERS**

The Clerk read Prayers.

**OATH OF A NEW MEMBER**

**Mr. Brindley Horatio Robeson Benn**

The Speaker informed the Assembly that following the resignation of Mr. Harinarayen Ramkarran, and his call upon the representative of the People's Progressive Party/Civic List of Candidates, he had been informed that the name of Mr. Brindley Horatio Robeson Benn had been extracted from the list and that Mr. Benn was, on 18<sup>th</sup> September, 2000, declared to be an elected Member of the National Assembly.

Before Mr. Benn could take part in the proceedings of the Assembly, hee would have to make and subscribe the oath before the National Assembly, as required by article 167 of the Constitution.

As Mr. Benn was present, he made and subscribed the oath which was administered to him by the Deputy Clerk.

**ANNOUNCEMENTS BY THE SPEAKER****(i) Congratulations and Welcome to New Member**

The Speaker on behalf of Members and himself, congratulated Mr. Benn on his becoming a Member of the Assembly.

He welcomed Mr. Benn to the Assembly and extended best wishes to him.

**(ii) Leave**

The Speaker announced that leave had been granted to:-

The Hon. Moses V. Nagamootoo up to 25<sup>th</sup> September, 2000,  
 The Hon Dr. Ramnauth Bisnauth for that day's sitting,  
 and the Hon. Members,  
 Mrs. Shirley V. Edwards up to 25<sup>th</sup> September, 2000,  
 Mr. Winslow M. Zephyr up to 4<sup>th</sup> October, 2000,  
 Mr. Desmond Hoyte up to 25<sup>th</sup> September, 2000  
 Dr. Faith Harding up to 30<sup>th</sup> November, 2000  
 Dr. Dalgleigh Joseph up to 22<sup>nd</sup> September, 2000, and  
 Mr. Winston Murray,        }  
 Mr. Sherwood Lowe, and    } for that day's sitting.  
 Mr. Aubrey Norton         )

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

1 By the Speaker:

Annual Report of the Ombudsman for the year 1998.  
 (Circulated)

(2) By the Minister of Agriculture and Parliamentary Affairs:

✓ Final Report (Two Volumes) of the Oversight Committee  
 on Constitutional Reform - August, 2000:

Volume I - Sections I to 7 and 9

Volume II - Section 8.

(Circulated)

By the Minister of Health and Labour:

State Paper on the following Convention, Recommendation and  
 Instrument of Amendment, which were adopted by the  
 International Labour Conference at its 85<sup>th</sup> Session held in June,  
 1997:

(i) ✓ Private Employment Agencies Convention, 1997, No. 18

(ii) ✓ Private Employment Agencies Recommendation, 1997,  
 No. 188

(iii) ✓ Constitution of the International Labour Organisation  
 Instrument of Amendment, 1997.

(Circulated)

**PUBLIC BUSINESS**

**MOTIONS**

**ITEM 1 - FINAL REPORT OF THE OVERSIGHT COMMITTEE ON  
CONSTITUTION REFORM**

The Minister of Agriculture and Parliamentary Affairs moved the following motion:

WHEREAS, in pursuance of a Resolution passed by the National Assembly on 6<sup>th</sup> December, 1999, the Government, in consultation with the Political Parties represented in the National Assembly, and with civil society, established an Oversight Committee with responsibilities for –

- ◆ Preparing for the approval of the Assembly, a time-bound plan for the drafting of Constitutional Revisions,
- ◆ Overseeing and guiding the implementation of the Recommendations of the Report of the Special Select Committee which considered the Report of the Constitution Reform Commission, and
- ◆ Submitting written monthly progress reports to the Assembly, the first such report being required to be made not later than 31<sup>st</sup> December, 1999;

AND WHEREAS the Time-bound Plan was prepared by the Oversight Committee and was laid in and approved by the National Assembly on 10<sup>th</sup> February, 2000;

AND WHEREAS the Oversight Committee has been submitting monthly progress reports to the Assembly and has submitted seven such reports;

AND WHEREAS the Oversight Committee has concluded its deliberations and has submitted its Final Report;

AND WHEREAS the Final Report of the Oversight Committee is laid before the National Assembly on 18<sup>th</sup> September, 2000;

AND WHEREAS the completion of the process of Constitutional Reform and its derivative activities requires that the National Assembly passes amendments to the Constitution and enabling legislation and establishes mechanism in keeping with the provisions of the Report;

BE IT RESOLVED:

That this National Assembly -

- ◆ Expresses and records its thanks to the Oversight Committee for the service it gave and for the Reports it submitted,
- ◆ Adopts the Final Report of the Oversight Committee, and
- ◆ Requests the Government to bring to the National Assembly, after consultation with the Political Parties represented therein, matters and Bills for consideration and enactment, to give effect to the proposals/recommendations contained in the Final Report of the Oversight Committee on Constitution Reform, prioritising them as follows:-

- Constitutional amendments, using Section 8 of the Report as the basis for the preparation of the amendments to the Constitution
- Enabling legislation associated with the amendments
- Establishment of Constitutional Institutions inclusive of the Parliamentary Standing Committee for Constitutional Reform, using Section 4 of the Report as the basis for establishing the mechanisms
- Establishment of non-constitutional institutions such as the Local Government Commission
- Establishment of a legislative agenda for non-constitutional matters
- Determination of provisions to be enshrined and the manner of enshrinement
- Determination of how and when to deal with the referendable items
- Determination of how and when to deal with the Constitution as a document with specific reference to its formulation in simple language;

AND BE IT FURTHER RESOLVED:

That this Seventh Parliament record its advice and expectation that such elements of the Report as may be unimplementable by this Parliament by virtue of the unavailability of time will be deliberated on and concluded by the Eighth Parliament.

(Notice Paper No. 88 (M47 Govt 42) published 2000-09-13)

The following Members spoke to the motion:

Mr. Lance Carberry

Mr. Manzoor Nadir

Dr. Rupert Roopnaraine

Ms Gail Teixeira

Thereafter, the Minister of Agriculture and Parliamentary Affairs replied.

The motion was then put and carried.

**ITEM 2- INTERNATIONAL LABOUR ORGANISATION CONVENTION 1999 (NO.182)**  
**AND RECOMMENDATION 1999(NO. 190)**

The Minister of Health and Labour moved the following motion:

WHEREAS as 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 Constitutions 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 the National Assembly approve the conclusion set out in the State Paper on the undermentioned Convention and Recommendation adopted at the 87<sup>th</sup> session of the International Labour Conference held in June, 1999:

1. Worst Forms of Child Labour Convention, 1999, No. 182.
2. Worst Forms of Child Labour Recommendation, 1999, No. 190.

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. 87 (M46 Govt41) published 2000-07-27)*



The motion was then put and carried.

**ADJOURNMENT**

At 3.12 p.m., on a motion by the Minister of Agriculture and Parliamentary Affairs, the Assembly was adjourned to a date to be fixed.

**D.C. JAGAN**  
**Speaker of the National Assembly**

PARLIAMENT OFFICE,  
Public Buildings,  
Georgetown.  
18<sup>th</sup> September, 2000