

NATIONAL ASSEMBLY

MINUTES OF PROCEEDINGS

OF THE 22ND SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST
SESSION (1986) OF THE FIFTH PARLIAMENT OF GUY HELD

AT 14:00 HRS

ON FRIDAY 1986-11-07

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, GEORGETOWN

MEMBERS OF THE NATIONAL ASSEMBLY (76)

Speaker (1)

*Cde. Sase Narain, O.R., S.C., J.P., M.P., Speaker of the National Assembly

Members of the Government - People's National Congress (64)

Ministers in the Cabinet (9)

Prime Minister (1)

Cde. H. Greer, M.P., Prime Minister

Other Vice-President and First Deputy Prime Minister (1)

Cde. Dr. M. Shahabuddeen, O.R., S.C., M.P., Vice-President, First Deputy Prime Minister and Attorney General

Other Vice-Presidents and Deputy Prime Ministers (2)

Cde. R. Chandisingh, M.P., Vice-President, National Mobilisation, and Deputy Prime Minister (Absent - on leave)

Cde. Viola V. Burnham, O.R., M.P., Vice-President, Education and Social Development, and Deputy Prime Minister

Other Deputy Prime Minister (1)

Cde. W.A.L.H. Parris, C.C.H., M.P., Deputy Prime Minister, Planning and Development (Absent - on leave)

Senior Ministers (4)

Cde. R.E. Jackson, M.P., Minister of Foreign Affairs (Absent)

*Cde. C.B. Greenidge, M.P., Minister of Finance (Absent)

Cde. S. Prashad, M.P., Minister of Manpower and Housing

*Cde. W.S. Murray, C.C.H., M.P., Minister of Trade

Other Ministers (14)

Senior Ministers (4)

Cde. J.R. Thomas, M.P., Minister of Regional Development

Cde. Dr. R.A. Van-West Charles, M.P., Minister of Health

Cde. Yvonne V. Harewood-Benn, M.P., Minister of Information and the Public Service

*Cde. Dr. P.L. McKenzie, A.A., M.P., Minister in the Ministry of Agriculture

*Non-elected Member

Ministers (7)

- Cde. Urmia E.H. Johnson, M.P., Minister within the Ministry of National Mobilisation
- *Cde. R.C. Fredericks, A.A., M.P., Minister of Youth and Sport within the Ministry of Education (Absent)
- Cde. C.G. Sharma, A.A., J.P., M.P., Minister within the Office of the President (Absent)
- *Cde. D.M.A. Bernard, M.P., Minister within the Ministry of Education
- Cde. D. Sawh, M.P., Minister of Forestry
- *Cde. J.R. Kranenburg, M.P., Minister of Transport
- *Cde. V.V. Parvatan, M.P., Minister within the Ministry of Agriculture

Ministers of State (3)

- *Cde. D.A.N. Ainsworth, M.P., Minister of State within the Ministry of Manpower and Housing
- Cde. J.T. Kissoon, M.P., Minister of State within the Ministry of Health (Absent)
- *Cde. Dr. Faith A. Harding, M.P., Minister of State within the Ministry of Planning and Development

Parliamentary Secretaries (3)

- Cde. A.K. Habibulla, M.P., Parliamentary Secretary, Office of the President
- Cde. Stella Odie-Ali, M.P., Parliamentary Secretary, Home Affairs
- *Cde. Jean M.G. Persico, A.A., M.P., Parliamentary Secretary, Education

Government Chief Whip (1)

- Cde. Jennifer A. Ferreira, M.P., Government Chief Whip

Other Members

- Cde. R.H.O. Corbin, M.P., (Absent - on leave)
- Cde. R.E. Williams, M.P.
- Cde. Agnes W. Bend-Kirton, M.P. (Absent - on leave)
- Cde. E.H.A. Fowler, M.P.
- Cde. Joyce Gill-Mingo, M.P. (Absent - on leave)
- Cde. M. Ally, M.P.
- Cde. Elaine B. Davidson, M.P.
- Cde. H. Doobay, M.P.
- Cde. Joyce M. Munroe, J.P., M.P.
- Cde. Edwina Melville, M.P. (Absent - on leave)
- Cde. Anna Ally, M.P.
- Cde. L.R. Arthur, M.P.
- Cde. J.R.L. Bovell-Drakes, M.P.
- Cde. N. Calistro, M.P.
- Cde. G.W. Chin, J.P., M.P.
- Cde. F.M. Cumberbatch, M.P. (Absent)
- Cde. M.I. Deen, M.P.
- Cde. Cyrilda A. DeJesus, M.P.
- Cde. Edith Deygoo, M.P.
- Cde. Clarice A. Edwards, M.P.
- Cde. C.L. Geddes, M.P.
- Cde. G. Marshall, M.P.
- Cde. B. Persaud, M.P. (Absent - on leave)
- Cde. E.W. Trotman, M.P.
- Cde. K. Sankar, M.S., M.P.

*Non-elected Member

Members from the National Congress of Local Democratic Organs (2)

Cde. E. Mohamed, M.P.
Cde. Rose I. Semple, M.P.

Members from the Regional Democratic Councils (10)

Cde. Nellie R. Charles, M.P. (Region No. 7 - Cuyuni/Mazaruni)
Cde. R. Bishop, M.S., M.P., (Region No. 4 - Demerara/Mahaica)
Cde. Bhagmatee Latchminarayan, M.P. (Region No. 5 - Mahaica/Berbice)
Cde. Y. Khan, M.P. (Region No. 2 - Pomeroon/Supanaam)
Cde. Enid E. Abrahams, M.S., J.P., M.P., (Region No. 3 - Essequibo Islands/West Demerara)
Cde. I. Ally, M.P., (Region No. 6 - East Berbice/Corentyne)
Cde. B.L. Domingo, M.P. (Region No. 1 - Barima/Waini)
Cde. S.I. McGarrell, M.P. (Region No. 8 - Potaro/Siparuni) (Absent - on leave)
Cde. M. Stephens, M.P. (Region No. 9 - Upper Takutu/Upper Essequibo)
Cde. Joycelyn Thom-Lindie, M.P. (Region No. 10 - Upper Demerara, Berbice)

Members of the Minority (11)

(i) People's Progressive Party (8)

Minority Leader (1)

Cde. Dr. C. Jagan, M.P., Minority Leader

Deputy Speaker (1)

Cde. Reepu Daman Persaud, J.P., M.P., Deputy Speaker of the National Assembly

Other Members (6)

Cde. Janet Jagan, M.P. (Absent)
Cde. C.C. Collymore, M.P. (Absent)
Cde. S.F. Mohamed, M.P., Minority Chief Whip
Cde. H. Nokta, M.P.
Cde. I. Basir, M.P.
Cde. C.C. Belgrave, M.P. (Absent)

(ii) United Force (2)

Mr. M.F. Singh, C.C.H., J.P., M.P., (Absent - on leave)
Mr. M.A. Abraham, M.P.

(iii) Working People's Alliance (1)

Mr. E. Kwayana, M.P.

OFFICERS

Cde. F.A. Narain, A.A., Clerk of the National Assembly
Cde. M.B. Henry, Deputy Clerk of the National Assembly

PRAYERS

The Clerk read Prayers.

OATHS OF NEW MEMBERS

Cde. Joycelyn Thom-Lindie, M.P., made and subscribed the oath

ANNOUNCEMENTS BY THE SPEAKER

(i) Resignation of Cde. Robert H.O. Corbin, M.P., as a Minister

The Speaker announced that he had been informed that Cde. Robert Corbin, an elected Member of the National Assembly, who had been a Minister designated Deputy Prime Minister, Agriculture, resigned as a Minister of the Government with effect from 9th October, 1986.

(ii) Election of Cde. Joycelyn Thom-Lindie as a Member of the National Assembly

The Speaker announced that he had been informed that on 29th October, 1986, the Regional Democratic Council for Region No. 10 - Upper Demerara/Berbice, elected Cde. Joycelyn Thom-Lindie to be a Member of the National Assembly in the place of Cde. Patricia Daniel who had resigned as a member of the Regional Democratic Council for Region No. 10 - Upper Demerara/Berbice, and had consequently vacated her seat in the National Assembly.

Cde. Joycelyn Thom-Lindie had been declared to be a Member of the National Assembly and had made and subscribed the Oath in the Assembly at that sitting.

On behalf of Members of the Assembly and himself, the Speaker congratulated Cde. Joycelyn Thom-Lindie on her election, welcomed her to the Assembly and extended best wishes to her.

(iii) Privilege Motions

(a) Appointment of Committee to Investigate evidence concerning Allegations against former Deputy Prime Minister

The Speaker referred to a letter dated 3rd November, 1986, which he had received from Mr. Kwayana at the last sitting held that same day, seeking leave to raise, as a question of privilege, the following motion:-

"That this Assembly appoint a Special Select Committee to investigate all the evidence in possession of the police and/or the Director of Public Prosecutions concerning the allegations against the former Deputy Prime Minister".

In giving a decision on the matter, the Speaker made three observations on the proposed motion.

Firstly, it made no specific allegation of any breach of any privilege of the Assembly within the meaning of the law, including article 172 of the Constitution.

Secondly, in proposing the establishment of a special Select Committee and that the same be appointed by the Assembly, the proposed motion was at variance with the procedure prescribed by Standing Order No. 26(4) which visualised that any matter of privilege would be referred to the Committee of Privileges and that such reference should be made by the Speaker.

And, thirdly, he had in the interval become aware of two libel actions filed in the matter alluded to viz., Action No. 3840 of 1986, filed on 3rd November, 1986, and Action No. 3862 of 1986, filed on 4th November, 1986. The Minority Leader was the defendant in the first case and Mr. Kwayana was the defendant in the second. As both matters were pending in court, it appeared that it would be impossible for the subject in question to be discussed in the Assembly without prejudicing the interests of the parties.

For those reasons, the Speaker expressed the view that the motion did not raise any matter of privilege and was otherwise out of order. He had accordingly decided to decline to grant leave.

(b) Rules of Conduct for Elections to Local Authorities

The Speaker referred to a letter dated 3rd November, 1986, which he had received from Mr. Kwayana at the last sitting held that same day, seeking to raise a matter of privilege.

In his letter Mr. Kwayana had referred to the following motion which was passed by the Assembly on 30th July, 1986:-

"BE IT RESOLVED:

That Chapter 28:06 of the Laws of Guyana namely the Local Authorities (Postponement of Elections) Act and any Act or Order providing for the further postponement of elections of local authorities are repugnant to Article 12 of the Constitution of Guyana and should be repealed;

AND BE IT FURTHER RESOLVED:

That the rules of conduct for elections to local authorities and the conditions under which they shall be held be debated in the National Assembly and be subject to the vote of the Assembly".

Mr. Kwayana had stated that contrary to the terms of the motion, the Executive was proceeding with municipal elections under existing legislation as expressed in Chapter 28:03. He had also added that he would argue that this was a major breach of privilege amounting to contempt. His letter had suggested that, in proceeding with the municipal elections, the action of the Executive was inconsistent with the motion in question and that that constituted a breach of the privileges of the Assembly.

The Speaker said that it appeared to him that inconsistency with a motion passed by the Assembly was not enough to characterise action taken by the Executive in exercise of its undoubted statutory responsibilities as a breach of privilege within the meaning of the law, inclusive of article 172 of the Constitution. The alleged inconsistency might be the subject of criticism but not by way of a motion for breach of the privileges of the Assembly. An opportunity for debating the alleged inconsistency would in fact be available in the course of the debates which would ensue later that same day on the second reading of the Local Government Enactments (Amendment) Bill 1986, which included provisions bearing on rules of conduct for elections to cities and town councils. Mr. Kwayana would therefore have a full opportunity in the course of those debates to ventilate the matters which he wished to raise by way of a motion on privileges.

The Speaker accordingly refused to grant leave.

PRESENTATION OF PAPERS AND REPORTS, ETC.

By the Minister of Health:

annual Report of the Ministry of Health
for the year 1985.

(H-16/1/2^{IV}) (Circulated)

QUESTIONS TO MINISTERS

The written replies to Mr. Kwayana's questions (Questions Nos. 7 and 8 on the Order Paper for sitting on 1986-07-30) were circulated. (See Appendix).

PUBLIC BUSINESSBILLS - Postponement of Second Reading

The Minister of Regional Development informed the Assembly that Government would not at that sitting proceed with the second reading of the following Bills at items 1, 2 and 3 on the Order Paper.

- (i) MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 1986 -
Bill No. 12/1986 published 1986-10-29
- (ii) LOCAL DEMOCRATIC ORGANS (AMENDMENT) BILL 1986 -
Bill No. 13/1986 published 1986-10-29
- (iii) LOCAL GOVERNMENT (AMENDMENT) BILL 1986 -
Bill No. 14/1986 published 1986-10-29

BILL - Second and Third Readings

LOCAL GOVERNMENT ENACTMENTS (AMENDMENT) BILL 1986 -
Bill No. 15/1986 published 1986-10-29

Second Reading

The Minister of Regional Development moved the second reading of the following Bill:

A Bill intituled An Act to amend the Municipal and District Councils Act and the Local Authorities (Postponement of Elections) Act and to validate certain acts of councillors.

The Deputy Speaker, Mr. Kwayana, and the Vice-President, First Deputy Prime Minister and Attorney General spoke to the motion.

SUSPENSION OF SITTING

At 16:00 hrs the sitting was suspended for refreshments.

RESUMPTION OF SITTING

At 16:27 hrs the sitting was resumed.

The Minority Leader spoke to the motion.

The Prime Minister concluded the debate.

The motion was put and carried on the following division:

AGAINST

Cde. Thom-Lindie	Mr. Kwayana
Cde. Stephens	Mr. Abraham
Cde. Domingo	Cde. Basir
Cde. I. Ally	Cde. Nokta
Cde. Abrahams	Cde. S.F. Mohamed
Cde. Khan	Cde. R.D. Persaud
Cde. Latchminarayan	Cde. C. Jagan
Cde. Bishop	
Cde. Charles	
Cde. Semple	
Cde. E. Mohamed	
Cde. Sankar	
Cde. Trotman	
Cde. Marshall	
Cde. Edwards	
Cde. Deygo	
Cde. DeJesus	
Cde. Deen	
Cde. Chin	
Cde. Calistro	
Cde. Bovell-Drakes	
Cde. A. Ally	
Cde. Munroe	
Cde. Doobay	
Cde. Davidson	
Cde. M. Ally	
Cde. Fowler	
Cde. Williams	
Cde. Ferreira	
Cde. Odie-Ali	
Cde. Habibulla	
Cde. Johnson	
Cde. Harewood-Benn	
Cde. Van West-Charles	
Cde. Thomas	
Cde. Prashad	
Cde. Shahabuddeen	
Cde. Green	

Total 38

7

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 Minister of Regional Development moved the following amendment:

Insertion of the words "and thereupon he shall retire" after "upon office" at end of the clause.

The Deputy Speaker moved the following amendment:

Deletion of the words "but, the Mayor or Deputy Mayor shall,

The amendment by the Deputy Speaker was put and negatived on the following division:

FOR

Mr. Kwayana
Mr. Abraham
Cde. Basir
Cde. Nokta
Cde. S.F. Mohamed
Cde. R.D. Persaud
Cde. C. Jagan

AGAINST

Cde. Thom-Lindie
Cde. Stephens
Cde. Domingo
Cde. I. Ally
Cde. Abrahams
Cde. Khan
Cde. Latchminarayan
Cde. Bishop
Cde. Charles
Cde. Semple
Cde. E. Mohamed
Cde. Sarkar
Cde. Trotman
Cde. Marshall
Cde. Edwards
Cde. Deygoo
Cde. DeJesus
Cde. Deen
Cde. Chin
Cde. Calistro
Cde. Bcvell-Drakes
Cde. A. Ally
Cde. Munroe
Cde. Davidson
Cde. M. Ally
Cde. Fowler
Cde. Williams
Cde. Ferreira
Cde. Odie-Ali
Cde. Habibulla
Cde. Sawh
Cde. Johnson
Cde. Harewood-Benn
Cde. Van West-Charles
Cde. Thomas
Cde. Prashad
Cde. Shahabuddeen
Cde. Green

Total 7

38

The amendment by the Minister of Regional Development was put and carried.

Clause 3 was then passed as amended.

Clauses 4 and 5, were passed as printed.

Clause 6 The following amendment by the Minister of Regional Development was put and carried:

Insertion of the words "under Section 35 of the Local Authorities (Elections) Act" after the word "appoint" in the new subsection (1A).

Clause 6 was then passed as amended.

Clause 7 The following amendment by the Minister of Regional Development was put and carried:

Substitution of the following words -

"day following upon the declaration, under section 101 of the Local Authorities (Elections) Act, of the election results for the City:

Provided that the City Councillors shall -

- (a) notwithstanding the expiry of their term of office, continue to hold office until the day on which a meeting of the City Councillors, elected at the next following election of City Councillors, is held for the purposes of section 12;
- (b) notwithstanding that their term of office has not expired, vacate office on the day on which a meeting of the City Councillors, elected at the next following election of City Councillors, is held for the purposes of section 12.".' for the words beginning with "of the words" in line 3 to the end of the clause.

Clause 7 was then passed as amended.

Clause 8 The Minister of Regional Development moved the following amendment:

Insertion of the words "under section 35 of the Local Authorities (Elections) Act" in the new subsection (1A).

The Minority Leader moved the following amendment:

Insertion of words "between 1st November¹⁹⁵² and the end of December" after "day" in the new subsection (1A).

The amendment by the Minority Leader was put and negatived on the following division:

10:

FOR

Mr. Kwayana
Mr. Abraham
Cde. Basir
Cde. Nokta
Cde. S.F. Mohamed
Cde. R.D. Persaud
Cde. C. Jagan

AGAINST

Cde. Thom-Lindie
Cde. Stephens
Cde. Domingo
Cde. I. Ally
Cde. Abrahams
Cde. Khan
Cde. Latchminarayan
Cde. Bishop
Cde. Charles
Cde. Semple
Cde. E. Mohamed
Cde. Sankar
Cde. Trotman
Cde. Marshall
Cde. Edwards
Cde. Deygoo
Cde. DeJesus
Cde. Deen
Cde. Chin
Cde. Calistro
Cde. Bovell-Drakes
Cde. A. Ally
Cde. Munroe
Cde. Davidson
Cde. M. Ally
Cde. Fowler
Cde. Williams
Cde. Ferreira
Cde. Odie-Ali
Cde. Habibulla
Cde. Sawh
Cde. Johnson
Cde. Harewood-Benn
Cde. Van West-Charles
Cde. Thomas
Cde. Prashad
Cde. Shahabuddeen
Cde. Green

Total 7

38

The amendment by the Minister of Regional Development was put and carried.

Clause 8 was then passed as amended.

Clause 9 The following amendment by the Minister of Regional Development was put and carried:

Substitution of the following words -

"day following upon the declaration, under section 101 of the Local Authorities (Elections) Act, of the election results of the Town:

Provided that the Town Councillors shall -

- (a) notwithstanding the expiry of their term of office, continue to hold office until the day on which a meeting of the Town Councillors, elected at the next following election of Town Councillors, is held for the purposes of section 12 read with section 30;
- (b) notwithstanding that their term of office has not expired, vacate office on the day on which a meeting of the Town Councillors, elected at the next following election of Town Councillors, is held for the purposes of section 12 read with section 30." for the words beginning with "of the words" in line 3 to the end of the clause.

Clause 9 was then passed as amended.

Clause 10 The following amendments by the Minister of Regional Development was put ~~and carried~~

- (i) Substitution of "(1A)" for "(A)" in the new subsection inserted by paragraph (b);
- (ii) Insertion of the words "under section 35 of the Local Authorities (Elections) Act" after "appoint" in the new subsection (1A), and
- (iii) Substitution of the following words -

"day following upon the declaration, under section 101 of the Local Authorities (Elections) Act, of the election results of the town:

Provided that the Town Councillors shall -

- (a) notwithstanding the expiry of their term of office, continue to hold office until the day on which a meeting of the town councillors, elected at the next following election of town councillors, is held for the purposes of section 12 read with subsection (4);
- (b) notwithstanding that their term of office has not expired, vacate office on the day on which a meeting of the town councillors, elected at the next following election of town councillors, is held for the purposes of section 12 read with subsection (4)." for the words beginning with "of the words" in the third line of paragraph (c) to the end of the paragraph.

12.

Clause 10 was then passed as amended.

Clauses 11 and 12 were passed as printed.

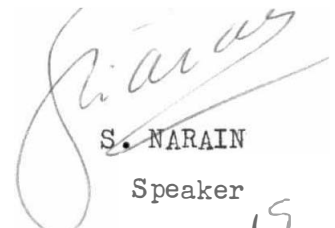
Assembly resumed

Third Reading

On a motion by the Minister of Regional Development, the Bill was read the third time and passed as amended in Committee.

ADJOURNMENT

At 18:30 hrs, on a motion by the Minister of Regional Development, the Assembly was adjourned to a date to be fixed.


S. NARAIN
Speaker
26 12 19

PARLIAMENT OFFICE,
Public Buildings,
Georgetown.

1986-12-19

APPENDIX

Written replies by the Minister of Finance to Mr. Kwayana's questions. (Questions Nos. 7 and 8 on the Order Paper for the sitting on 1986-07-30.

QUESTION No. 7 - Notice Paper No. 39 published 1986-05-20

Will the Minister say how much was lawfully expended by residents in the year 1985 in foreign exchange issued or sold by authorised dealers in Guyana for the following purposes:-

- (a) official travel by resident Government officials on Government business?
- (b) payments by Ministries in respect of travel to Guyana by non-residents to attend conferences?
- (c) artificial flowers?
- (d) spare parts for privately owned transport vehicles?
- (e) spares for manufacturing?
- (f) spares for agricultural equipment?
- (g) Professional services, except medical, delivered within Guyana?
- (h) milk?
- (i) drugs for medical use?

ANSWER:

The extent and level of detail called for by the eight parts of this wide-ranging question cannot be supplied from the form and structure in which the relevant statistics are kept.

Honourable Members will appreciate, for example, that normal record-keeping is not expected to show how much foreign exchange was spent in 1985 on artificial flowers, which is the item mentioned in paragraph (e) of the question.

Likewise, in respect of paragraph (b) of the question, expenditure records do not distinguish between resident Government officials travelling abroad on duty and overseas based Government officials travelling to Guyana on duty, including attendance at conferences. Nor do the records distinguish between any of the various possible kinds of duty involved. For example, whilst there is a vote called "Conferences", this generic term covers conferences, seminars and discussions of various types.

Again, the statistics as currently collected do not isolate spare parts for privately-owned transport vehicles. A spare parts dealer may import spares to supply both publicly owned and privately owned transport vehicles.

These are illustrations of some of the difficulties presented by the way in which the question is cast, and which unfortunately make it impracticable to give a detailed response.

(ii)

QUESTION No. 8 - Notice Paper No. 40 published 1986-05-20

- (i) Will the Minister say how many vehicles have been imported into Guyana to date, in each year since 1980, in exchange for bauxite sales in countertrade arrangements?
- (ii) What types of vehicles were imported under (i) and how many units of each type of vehicle were imported?
- (iii) What is the total value of the vehicles so imported?

ANSWER:

- (i) Over the years in question the imports were as follows:

1980	294
1981	
1982	
1983	142 vehicles
1984	
1985	25 "

- (ii) In 1980 the vehicles imported were Lada cars and jeeps. In 1985 only Datsun cars were imported. In 1983 92 cars, 42 trucks and 2 micro-buses were imported.
- (iii) The total value of the vehicles and their spares imported amounted to:-

G\$2.6m	1980
G\$4.3m	1983
G\$0.4m	1985
