

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 2ND SITTING OF THE NATIONAL ASSEMBLY OF THE SECOND SESSION

(2002-2003) OF THE EIGHTH PARLIAMENT OF GUYANA TO BE HELD

AT 2.00 P.M.

ON WEDNESDAY, 19TH FEBRUARY, 2003

IN THE CONVENTION CENTRE, OCEAN VIEW INTERNATIONAL HOTEL,

LILIENDAAL, GREATER GEORGETOWN

BUSINESS FOR SITTING

PRAYERS

OATH OF A NEW MEMBER-

MESSAGES FROM THE PRESIDENT-

ANNOUNCEMENTS BY THE SPEAKER-

PRESENTATION OF PETITIONS-

PRESENTATION OF PAPERS AND REPORTS, ETC.

- (1) By the Speaker (Chairman of the Committee of Selection):
- (i) Minutes of the Proceedings of the 1st Meeting of the Committee of Selection of the Second Session held on 16th December, 2002.
(Circulated)
 - (ii) Report of the Clerk of the National Assembly on the Selection of Nominees for Membership of the Ethnic Relations Commission.
(To be Circulated)
- (2) By the Minister of Education:
Annual Report of the Ministry of Education for the year 2001.
(To be Circulated)

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

- (i) Annual Report of the Sugar Industry Labour Welfare Fund Committee for the year 2001.
(To be Circulated)
- (ii) The Labour (Conditions of Employment of Certain Workers) (Minimum Rate of Wages) (Amendment) Order 2002 (No. 32 of 2002).
(To be Circulated)
- (iii) The Minimum Wages (Employees at Petrol Filling Stations) (Amendment) Order 2002 (No. 34 of 2002).
(To be Circulated)
- (iv) The Minimum Wages (Watchmen) (Amendment) Order 2002 (No. 35 of 2002).
(To be Circulated)
- (v) The Minimum Wages (Cinema Employees) (Amendment) Order 2002 (No. 36 of 2002).
(To be Circulated)
- (vi) The Minimum Wages (Shirt and Garment Workers) (Amendment) Order 2002 (No. 37 of 2002).
(To be Circulated)
- (vii) The Minimum Wages (Employees in Hardware Stores) (Amendment) Order 2002 (No. 38 of 2002).
(To be Circulated)
- (viii) The Minimum Wages (Employees in Groceries) (Amendment) Order 2002 (No. 39 of 2002).
(To be Circulated)
- (ix) The Minimum Wages (Employees in Dry Goods Stores) (Amendment) Order 2002 (No. 40 of 2002).
(To be Circulated)
- (x) The Minimum Wages (Employees in Drug Stores) (Amendment) Order 2002 (No. 41 of 2002).
(To be Circulated)
- (xi) The Minimum Wages (Mechanical Transport Employees) (Amendment) Order 2002 (No. 43 of 2002).
(To be Circulated)

3.

(4) By the Minister of Health:

Resolution by the Parliament of Guyana on the 100th Anniversary of the Formation of the Pan American Health Organisation.

(To be Circulated)

(5) By the Minister of Finance:

(i) Ministers, Members of the National Assembly and Special Offices (Emoluments) Order 2002.

(To be Circulated)

(ii) Financial Paper No. 1/2003 - Supplementary Estimates (Current and Capital) totalling \$4,917,393,445, for the period ended 31st December, 2002.

(To be Circulated)

(iii) Financial Paper No. 2/2003 - Supplementary Estimates (Current and Capital) totalling \$1,293,396,680, for the period 11th October, 2002 to 31st December, 2002 - Advances made from the Contingencies Fund.

(To be Circulated)

(iv) Financial Paper No. 3/2003 - Supplementary Estimates (Capital) totalling \$3,827,000, for the period ended 31st December, 2002.

(To be Circulated)

QUESTIONS TO MINISTERS -

STATEMENTS BY MINISTERS -

PERSONAL EXPLANATIONS -

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

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

Suspension of Standing Order No. 23(3)

The Minister of Parliamentary Affairs, to move the following motion:

BE IT RESOLVED:

That Standing Order No. 23(3) be suspended to enable the Assembly to proceed at its sitting on Wednesday, 19th February, 2003, with the motion submitted by Mr. Robert H.O. Corbin, and published on 2003-02-17, on Notice Paper No. 36 (M9 Opp 1).

(Notice Paper No. 36(M9 Opp 1) published 2003-02-17)

INTRODUCTION OF BILLS -

PUBLIC BUSINESS

MOTIONS

1. **ESTABLISHMENT OF COMMITTEE TO REVIEW PUBLIC HOLIDAYS**

The Minister of Parliamentary Affairs, to move the following motion:

BE IT RESOLVED:

That this National Assembly approves of the establishment of a Special Select Committee to review the public holidays appointed by the Public Holidays Act, Chapter 19:07, with a view to including as public holidays, the following days, namely:

Independence Day, that is to say, the 26th May, or, if that day is a Sunday, the following day, and

Arrival Day, that is to say, the 5th May, or, if that day is a Sunday, the following day.

(Notice Paper No. 7(M7 Govt7) published 2003-02-17)

2. **NATIONAL CRISIS**

Mr. Robert H.O. Corbin to move the following motion:

WHEREAS the economy of Guyana is in crisis as in crisis as evidenced by the steep decline of the bauxite industry, serious difficulties in the rice industry, an uncertain future for the sugar industry, a decline of output in other productive sectors and the dearth of new major investments in the economy;

AND WHEREAS the Guyana Power and Light Inc., has announced steep hikes in electricity rates which citizens and businesses have complained are beyond their ability to pay and the Government is in discussion with Guyana Power and Light Inc., to arrive at an agreement which may not alleviate the burden;

AND WHEREAS the crime and security situation has continued to deteriorate;

AND WHEREAS the issues of good governance and the effective management of the economy have been of deep concern to all citizens;

AND WHEREAS the agreements for the effective functioning of the National Assembly and commitments made by the Government to the Parliamentary Opposition Parties and to the people of Guyana need to be implemented:

AND WHEREAS it appears that the PPP/C has not participated in a national debate on an adjusted system of governance;

AND WHEREAS the cumulative effect of all of the above factors has contributed to a national crisis which if not addressed could lead to a national disaster with catastrophic effects for citizen and country alike:

6.

BE IT RESOLVED:

That this National Assembly calls upon the Government to take the following actions urgently within clearly defined time frames:-

- (i) support the freeze in electricity rates at their present levels until all agreements, memoranda and commitments made by the government and or proposed agreements with respect to electricity generation, supply, and management by Guyana Power and Light have been made public and presented to the National Assembly for approval by a two-thirds majority in the Parliament;
- (ii) present, to the Parties in the National Assembly for consideration and approval an emergency plan to lift Guyana out of its current economic crisis;
- (iii) establish a Select Committee of the National Assembly to mount a public enquiry into the functioning of the Guyana Police Force and to make recommendations for the increased efficiency and efficacy of the Force, including recommendations for improved conditions of service;
- (iv) set up an emergency fund and a rescue programme to be managed with the full involvement of the Parliamentary Opposition Parties to address the plight of the unemployed and, in particular, the unemployed youth in the many villages throughout Guyana;
- (v) establish the Parliamentary Management Committee as provided for in the St. Lucia Statement of 1998 to bring about meaningful change in the conduct of the business of the National Assembly within the spirit and letter of the said agreement;
- (vi) immediately implement the already agreed Constitutional Reforms including the establishment of the Sectoral Committees, the Standing Committee on Constitutional Reform and the Ethnic Relations Commission;
- (vii) grant permission and issue licences for the establishment of private radio stations,
- (viii) implement within a clearly defined schedule all decisions made in the Hoyte/Jagdeo dialogue process;

7.

- (ix) end government's interference in the functioning of the Trade Union Movement by releasing the annual subventions to the Trade Union Congress; engaging in Guyana Public Service Union in proper wages and salaries negotiations; ending opposition to arbitration proceedings as a means of settling disputes in the Public Sector; and ending arbitrary government intervention to alter negotiated settlements between Trade Unions and state agencies.

(Notice Paper No. 36(M9 Opp 1) published 2003-02-17)

*3. **ACP/EU NEGOTIATIONS FOR ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE ACP AND THE EU IN KEEPING WITH THE COTONOU AGREEMENT**

The Minister of Foreign Trade and International Cooperation to move the following motion:

WHEREAS the National Assembly of the Parliament of Guyana would recall that at the first session of the (1998-2000) Session of the 7th Parliament of Guyana a motion was passed on 23rd October, 2000 in relation to the ACP/EU Negotiations: Partnership Agreement between the ACP States and the European Community;

AND WHEREAS the Caribbean Region (CARIFORUM) in keeping with Chapter 2 of Title 11 of the Cotonou Agreement is currently preparing for the September, 2002 formal launching of the ACP/EU negotiations to agree on new WTO compatible trading agreements that should enter into force by January 1, 2008. Negotiations between the EU and ACP countries will commence in September, 2002 and end by December, 2007. Possible alternative arrangements will be examined in 2004 for ACP non - LLDCs that decide that they are not in a position to enter into Economic Partnership Agreement with the EU;

AND WHEREAS the Caribbean Regional Negotiating Machinery (CRNM) is integral in the preparation of the Caribbean side. To date the Caribbean has developed the approaches, structures and guidelines in conjunction with the African and Pacific partners in preparation for the negotiations notwithstanding the Everything But Arms (EBA) facility extended to some ACP members;

*Not to be proceeded with at this sitting

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THE APPROACH

The ACP has successfully completed its negotiating guidelines for the conduct of the negotiations. The guidelines were adopted by the 75th Session of the ACP Council of Ministers in June, 2002 at a meeting in the Dominican Republic. The ACP will adopt a two-phased approach to the negotiations. Phase 1 of the negotiations will be conducted at an "All ACP" level focusing on the objectives, principles, scope and content of EPAs. Cross-cutting issues and issues of common interests to all ACP states will also be looked at during this phase of the negotiation. Some of the issues are special and differential treatment, rules of origin, financing for adjustment, sanitary and phyto-sanitary measures.

The ACP Negotiating Guidelines indicate that the first phase of the negotiation should be from September, 2002 to 2004. In keeping with the provisions of the Cotonou Agreement, negotiations will be launched on September 27, 2002 in Brussels. The launch will take place at the level of the ACP/EU Council of Ministers.

For the ACP, the length of Phase 1 will depend on the number of issues to be addressed, which can be wide ranging. As such, the first phase could extend well beyond 2004.

The strategy for the Caribbean region during the first phase of the negotiations is to:-

- Define and agree on the content of the EPAs.
- Define its development strategy and identify long term trade interest.
- Forge alliances at the most appropriate level at the national, regional, inter-regional and multi-lateral levels with the view to strengthening capacity for policy development and negotiaton.
- Ensure that the WTO existing and new rules take into account the development dimension.
- Build capacity to negotiate and to undertake independent analysis of the implications of developments at the national, regional and international levels.
- Ensure that as an ACP group, that all negotiations are taking place under the umbrella fo the Partnership Agreement as stipulated in the Cotonou Agreement.

Phase 11 will follow once the above issues have been clarified. By that time also the negotiating framework at the WTO will be much clearer. The ACP will also benefit from the outcomes of the EU - General System of Preferences (GSP) reform in 2004, the Common Agriculture Policy (CAP) reform in 2006, the EU Enlargement as well as the developments in the FTAA negotiations.

AND WHEREAS: the ACP PRINCIPLES FOR THE NEGOTIATIONS outlined in the negotiating guidelines are:-

- Development-oriented EPAs
- ACP unity and solidarity
- Preservation and improvement of the Lome acquis
- WTO compatibility
- Special and Differential Treatment
- Flexibility
- Sustainability
- Coherency and consistency
- Sequencing
- Establishing legitimacy in the ACP states

- Additional resources for adjustment

THE STRUCTURE

A five-tier structure has been proposed:

- The EPA Council and Joint EPA Council
- A Monitoring and Review Body
- Ministerial Spokesperson (the ACP Council will mandate selected Ministers of Trade and alternate for specific negotiating groups)
- Negotiating Groups (Committee of Ambassadors)
- Technical Groups/Advisory Group of High Level Trade Experts)

(i) **The EPA Council and Joint EPA Council**

This is the ACP Council of Ministers. At the joint level, the Joint ACP/EU Council of Ministers will constitute the EPA Council.

The EPA Council will review the progress on preparation and the negotiating process from reports submitted by the Ministerial Trade Committee (MTC).

The ACP Ministers of Trade will undertake comprehensive reviews of progress in the negotiations during its annual meetings.

(ii) **The Monitoring and Review Body**

The ACP Ministerial Trade Committee and the Joint ACP/EU Ministerial Trade Committee will be responsible for monitoring and review, Regional Economic Integration institutions will also monitor the progress of the negotiating process.

The Ministerial Trade Committee (MTC) was constituted in 2000 principally to monitor the preparatory and negotiation process of the EPAs. This Committee comprises of 18 Ministers, three from each region. The Caribbean representatives are St. Lucia, Barbados and Belize. Jamaica and Belize have already served their term on the MTC.

(iii) The Ministerial Spokesperson

The ACP Council of Ministers will be required to select an ACP spokesperson and alternates for the specific negotiating group. The Caribbean has to consider its approaches towards the selection of a spokesperson for the first phase of the negotiation and the negotiating groups.

The CARICOM region has identified the Honourable Billie Miller, Deputy Prime Minister of Foreign Affairs and Foreign Trade of Barbados as the Ministerial Coordinator of all external negotiations of the region and the Lead Coordinator in ACP/EU relations. The Honourable Julian Hunte of St. Lucia is the alternate.

The WTO compatibility dimension in the EPAs would require the involvement of the Geneva based ACP representative in the negotiation process.

(iv) The Negotiating Group

This comprises the Brussels based ACP Committee of Ambassadors supported by the Geneva based ACP representatives.

(v) Technical Groups

This is an Advisory Group of High Level Trade Experts that gives technical support to the process and would also be supporting the negotiating process technically.

Additional support will also be received from trade, economic and finance experts in the ACP states that have competence in the main areas of the negotiations. Parallel Groups of experts will be constituted in specific fields of the negotiations.

AND WHEREAS each of the geographical regions of the ACP conducted its regional seminars, the Caribbean Seminar was the last to be convened. The Caribbean Region (CARIFORUM) Regional Seminar was held on February 14 -16, 2002. This seminar was critical for the regions' preparation for the launch of the negotiation. A broad range of stakeholders participate at the Seminar. The seminar considered the different regions' state of preparedness, the content of the EPAs, national and regional capacities for the upcoming negotiations and the state of preparedness of the regional institutions;

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AND WHEREAS there were also other national sensitisation fora on EPAs coordinated by the Ministry of Foreign Trade and International Cooperation. These sessions were geared at disseminating information on the Cotonou Agreement and to sensitise the Guyanese public of the upcoming negotiations;

AND WHEREAS it is not very clear as to what form the EPAs will take. Options seemed to be varied and vague at this point in time. The Caribbean side seemed to have a bias towards a regional approach. Whatever configuration is finally agreed upon, it will have to be WTO compatible and allow for special and differential treatment to cater for the various levels of development in ACP states. The Caribbean is awaiting the results of its assessment studies before a final determination could be made as to the configuration. The Caribbean region studies have not commenced as yet:

BE IT RESOLVED:

That this National Assembly of the Parliament of Guyana endorses the status of preparation for the negotiation on Economic Partnership Agreement between the ACP and the European Community launched on September 27, 2002 in Brussels.

(Notice Paper No. 3(M3 Govt3) published 2002-11-28)

*4. **THE AGREEMENT BETWEEN THE GOVERNMENT OF THE CO-OPERATIVE REPUBLIC OF GUYANA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING COOPERATION TO SUPPRESS ILLICIT TRAFFIC BY SEA AND AIR 2001**

The Minister of Foreign Affairs to move the following motion:

WHEREAS the Agreement between the Government of the Co-operative Republic of Guyana and the Government of the United States of America concerning cooperation to Suppress Illicit Traffic by Sea and Air 2001 was concluded in April, 2001;

AS WHEREAS the Agreement has as its principal objective the suppression and eradication of the illicit trafficking in narcotics by sea;

AND WHEREAS the Agreement seeks to reduce the ability of illicit narcotics traffickers to elude maritime law enforcement agencies within and outside the territorial waters of Guyana as well as to strengthen Guyana's maritime law enforcement capabilities in this area;

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*Not to be proceeded with at this sitting

12.

AND WHEREAS the 1961 Single Convention on Narcotics Drugs and its 1972 Protocol, the 1971 United Nations Convention Against Illicit Drugs and Psychotropic Substances and the 1982 United Nations Convention on the Law of the Sea recognise that effective measures against abuse of narcotic drugs require co-ordinated and universal action through international co-operation;

AND WHEREAS the Agreement seeks to further international co-operation in the fight against the illegal narcotics trade as well as to strengthen and enhance legal measures for international co-operation in criminal matters for suppressing illicit traffic by sea:

BE IT RESOLVED:

That this National Assembly approve of the decision of the Government of Guyana to become party to the aforementioned Agreement.

(Notice Paper No.4(M4 Govt4) published 2002-11-28)

*5. **THE CONVENTION ON THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION**

The Minister of Foreign Affairs to move the following motion:

WHEREAS the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction was concluded at Oslo on September 18, 1997 and opened for signature in Ottawa, Canada on December 2, 1997;

AND WHEREAS the Government of Guyana signed the Convention on December 4, 1997;

AND WHEREAS the Government of Guyana supports the international effort to put an end to the use of landmines, a practice which not only contradicts the provisions of international humanitarian law, but also causes serious and unnecessary suffering to non-combatants, particularly children:

BE IT RESOLVED:

That this National Assembly hereby agrees to the Secretary General of the United Nations being informed of Guyana's intention to ratify the Government on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction by the deposit of an appropriate Instrument of Ratification.

(Notice Paper No. 5(M5 Govt5) published 2002-11-28)

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*Not to be proceeded with at this sitting

***6. THE KYOTO PROTOCOL TO THE CONVENTION ON CLIMATE CHANGE**

The Minister of Foreign Affairs to move the following motion:

WHEREAS Guyana ratified the United Nations Framework Convention on Climate Change on 29th August, 1994;

AND WHEREAS the Kyoto Protocol to the United Nations Framework Convention on Climate Change was adopted at the Third Conference of the Parties (COP3) in 1997;

AND WHEREAS the said Protocol has its primary objective the reduction of combined green house gas emissions of industrialized countries by at least 5 percent (5%) of 1990 levels, by the period 2008-2012;

AND WHEREAS the said Protocol allows for developing countries to participate in the process of achieving sustainable development, through joint projects with developed countries under the Clean Development Mechanism;

AND WHEREAS Guyana endorses the view that existing levels of green house gas (GHG) emissions if left unabated, will continue to render vulnerable, small island and low lying coastal states:

BE IT RESOLVED:

That this National Assembly hereby agrees to the Secretary General of the United Nations being advised of Guyana's intention to sign, and ratify the Kyoto Protocol by depositing an appropriate Instrument of Ratification.

(Notice Paper No. 6(M6 Govt6) published 2002-11-28)

BILLS - Second Reading

***7. LAND REGISTRY (AMENDMENT) BILL 2002 - Bill No. 14/2002**

The Attorney General and Minister of Legal Affairs, to move the second reading of the following Bill:

A BILL Intituled AN ACT to amend the Land Registry Act.

(Read a first time on 2002-12-05)

***8. KIDNAPPING BILL 2002 - Bill No. 15/2002**

The Minister of Home Affairs, to move the second reading of the following Bill:

A BILL Intituled AN ACT to provide for the punishment of the offences of abduction, wrongful restraint and wrongful confinement for ransom and other related offences and for matters incidental thereto.

(Read a first time on 2002-12-05)


S.E. ISAACS

Clerk of the National Assembly

PARLIAMENT OFFICE,
Public Buildings,
Brickdam.

18th February, 2003.

*Not to be proceeded with at this sitting