

**NATIONAL ASSEMBLY**

**ORDER PAPER**

**FOR THE 32<sup>ND</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION**

**(2012) OF THE TENTH PARLIAMENT OF GUYANA TO BE HELD**

**AT 2.00 P.M.**

**ON MONDAY, 17<sup>TH</sup> DECEMBER, 2012**

**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,**

**BRICKDAM, GEORGETOWN**

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**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-**

(1) By the Minister of Finance:

- (i) The Ministers, Members of the National Assembly and Special Offices (Emoluments) Order 2012 – No. 187/2012.

(To be Circulated)

2.

- (ii) The Constitutional Offices (Remuneration of Holders) Order 2012 – No. 188/2012.

(To be Circulated)

- (iii) The Annual Report of the Guyana National Shipping Corporation Ltd. for the year ended 31<sup>st</sup> December, 2010.

(To be Circulated)

- (iv) The Audited Financial Statements of the Guyana National Cooperative Bank for the year ended 31<sup>st</sup> December, 2008.

(To be Circulated)

- (v) The Annual Report of the National Industrial and Commercial Investments Ltd., (Company) for the year ended 31<sup>st</sup> December, 2006.

(To be Circulated)

- (vi) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2007.

(To be Circulated)

- (vii) The Annual Report of the National Industrial and Commercial Investments Ltd. (Company) for the year ended 31<sup>st</sup> December, 2008.

(To be Circulated)

(2) By the Minister of Culture, Youth and Sport:

Audited Financial Statements of the National Sports Commission for the years ended 31<sup>st</sup> December, 2005– 2010.

(To be Circulated)

3.

**REPORTS FROM COMMITTEES-**

By Mr. Carl Greenidge, M.P., Chairman of the Public Accounts Committee:

The Report of the Public Accounts Committee of Guyana on the Public Accounts of Guyana for the year 2009.

(Circulated)

**ORAL QUESTIONS WITHOUT NOTICE**

**QUESTIONS ON NOTICE-**

**For Written Reply**

**GRANTING OF TITLE TO STATE LANDS AND PROPERTIES TO FORMER PRESIDENTS OR PRIME MINISTERS**

**Member Asking:** Mr. Carl B. Greenidge, M.P.

**Minister Answering:** The Prime Minister and Minister of Parliamentary Affairs

Could the Hon. Prime Minister provide this Honourable House with:

A list of all the transactions involving the granting to former Presidents or Prime Ministers whilst they were still in office, title to state lands and properties? For each transaction, the Minister will indicate the price per acre, the total cost, the size of the plot and other terms and conditions of the acquisition?

(Notice Paper No.102 (Q 59 Opp 59) published on 2012-11-14)

**STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-**

**PERSONAL EXPLANATIONS-**

4.

**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-**

**INTRODUCTION OF BILLS-**

**PUBLIC BUSINESS**

**(i) PRIVATE MEMBERS' BUSINESS**

**BILL – Second Reading**

1. **OFFICE OF THE CLERK OF THE NATIONAL ASSEMBLY BILL 2012 – No. 8/2012 published on 2012-08-10**

Mrs. Volda Lawrence, M.P., to move the second reading of the following Bill:

A BILL intituled AN ACT to set out the responsibilities and authority of the Clerk and Deputy Clerk of the National Assembly of Guyana and to provide for the establishment and administration of an independent Office of the Clerk of the National Assembly.

**(Read a first time on 2012-08-09)**

**MOTIONS**

2. **FISCAL MANAGEMENT AND ACCOUNTABILITY (AMENDMENT) BILL 2012 – No. 24/2012**

Mr. Carl Greenidge, M.P., to move the following motion:

5.

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Fiscal Management and Accountability (Amendment) Bill 2012 – Bill No. 24/2012 –

A BILL intituled AN ACT to amend the Fiscal Management and Accountability Act 2003.

**(Notice Paper No. 99 (M41 Opp 23) published on 2012-10-02)**

If leave is granted, the Clerk shall read aloud the title of the Bill.

3. **FORMER PRESIDENTS (BENEFITS AND OTHER FACILITIES)**  
**(AMENDMENT) BILL 2012 – No. 25/2012**

Mr. Carl Greenidge, M.P., to move the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Former Presidents (Benefits and Other Facilities) (Amendment) Bill 2012 – Bill No. 25/2012 –

A BILL intituled AN ACT to amend the Former Presidents (Benefits and Other Facilities) Act 2009.

**(Notice Paper No. 100 (M42 Opp 24) published on 2012-10-02)**

If leave is granted, the Clerk shall read aloud the title of the Bill.

6.

4. **PUBLIC MONIES ON MARRIOT HOTEL BE HALTED UNTIL APPROVAL  
BY THE NATIONAL ASSEMBLY**

Mr. Khemraj Ramjattan, M.P., to move the following motion:

WHEREAS on the 27<sup>th</sup> day of June, 2012, a Motion of this National Assembly was successfully approved which said Motion, among other things, resolved that the responsible Minister of Government:

- (a) Makes financial provision for the urgent commencing of an independent financial audit of the operations of National Industrial Commercial Investment Limited (NICIL); and
- (b) Provides the National Assembly as early as possible with:
  - (i) A detailed report on the disposal by sale or otherwise of all state assets entrusted on NICIL and the Privatisation Unit, the terms on which they were disposed of and the criteria used;
  - (ii) The outstanding bi-annual reports and annual audited accounts required of NICIL and the Privatisation Unit under the relevant legislation;
  - (iii) The handing over report from the Former Executive Director of NICIL (and Head of the Privatisation Unit and), Winston Brassington; and
  - (iv) Report on the disposal by sale or otherwise of all other state assets, including the terms on which they were disposed of and the criteria used;

AND WHEREAS the responsible Minister has failed to fully comply with the terms of the above-mentioned Motion, now known as Resolution No. 14 of 2012 of this National Assembly, to make the necessary financial provision or to provide the reports and information thereunder;

7.

AND WHEREAS it is a notorious fact that NICIL has prime State Lands known as Block Apha, Kingston vested to it by Order of Minister Ashni Singh dated 23<sup>rd</sup> November, 2010 which vested is an illegality since NICIL is not a public corporation;

AND WHEREAS another illegality occurred when NICIL leased the said Block Alpha, Kingston for 99 (ninety-nine) years to a subsidiary company of NICIL, namely, Atlantic Hotels Incorporated which is the front company for the Marriot Hotel Project;

AND WHEREAS the moneys being invested by NICIL into Atlantic Hotels Incorporated are public moneys as defined by the Constitution and the Fiscal Management and Accountability Act, which monies ought to be made payable into the Consolidated Fund;

AND WHEREAS the expenditure of public monies, to be constitutional and lawful, has to be authorised for spending and/or investment by the majority approval of the National Assembly;

AND WHEREAS Government is using NICIL as an instrument, whether directly or indirectly through its subsidiary Atlantic Hotels Incorporated, to unlawfully acquire public lands and then to lease such lands, and also to spend billions of dollars of public monies into the Marriot Hotel Project so as to avoid and evade authorization and approval of the National Assembly,

BE IT RESOLVED:

1. That the National Assembly finds it wholly repugnant that this illegal course is being taken by NICIL and its Directors and officers, which course is aided and abetted by the Government of Guyana;

8.

2. That NICIL, excepting those necessary administrative costs for maintaining its running operations annually, forthwith pays into the Consolidated Fund all revenues and proceeds from the sale of all properties and shares of companies belonging to the State and vested in the name of NICIL during the period 1992 to 2012; and
3. That no further expenditure be incurred by NICIL or its subsidiary Atlantic Hotels Incorporated on the Marriot Hotel Project without the authorisation and approval of this National Assembly.

**(Notice Paper No. 103 (M44 Opp 26) published on 2012-11-21)**

**\*5. PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – No. 15/2012**

Mr. Khemraj Ramjattan, M.P., to move the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Public Utilities Commission (Amendment) Bill 2012 – Bill No. 15/2012 –

A BILL intituled AN ACT to amend the Public Utilities Commission Act.

**(Notice Paper No. 96 (M38 Opp 22) published on 2012-08-02)**

If leave is granted, the Clerk shall read aloud the title of the Bill.

**\*6. TELECOMMUNICATIONS BILL 2012 – Bill No. 16/2012**

Mr. Khemraj Ramjattan, M.P., to move the following motion:

/...9

**\*Not to be proceeded with at this sitting**



9.

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Telecommunications Bill 2012 – Bill No. 16/2012 –

A BILL intituled AN ACT to provide for the establishment of the Telecommunication Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith.

**(Notice Paper No. 97 (M39 Opp 23) published on 2012-08-02)**

If leave is granted, the Clerk shall read aloud the title of the Bill.

**\*7. REPRESENTATION ON SECTORAL COMMITTEES**

The Assembly to resume the debate on the following motion after the Standing Orders Committee has reported thereon:

WHEREAS Standing Order No. 86(1) makes provision for the appointment of the four (4) Sectoral Committees pursuant to Article 119B of the Constitution as soon as may be after the beginning of each National Assembly;

AND WHEREAS Standing Order No. 86(2) provides that each Sectoral Committee shall consist of seven (7) members, four (4) representing the Government and three (3) the Opposition, respectively;

AND WHEREAS in this 10<sup>th</sup> Parliament, the Opposition is in the majority and the Government the minority,

/...10

**\*Not to be proceeded with at this sitting**

**10.**

AND WHEREAS Standing Order No. 86(2) does not represent the new majority reality in this 10<sup>th</sup> Parliament;

BE IT RESOLVED:

That Standing Order No. 86(2) be amended to read that representation on the Sectoral Committees should be calculated in accordance with the seat allocation to the Political Parties in Parliament; and

BE IT FURTHER RESOLVED:

That the four (4) Sectoral Committees not be constituted until and unless representation thereto is calculated in accordance with the seat allocation to the Political Parties in the 10<sup>th</sup> Parliament.

**(Notice Paper No. 21 (M4 Opp 1) published on 2012-03-05)**

**(Referred to Standing Orders Committee on 2012-03-30 in accordance with Standing Order No.111(3))**

\*8. **COMPOSITION OF THE PARLIAMENTARY MANAGEMENT COMMITTEE**

The Assembly to resume the debate on the following motion after the Standing Orders Committee has reported thereon:

WHEREAS Standing Order No. 85(1) makes provision for the appointment of a Parliamentary Management Committee as soon as may be after the beginning of each National Assembly;

/...11

**\*Not to be proceeded with at this sitting**

11.

AND WHEREAS Standing Order No. 85(2) provides that the Parliamentary Management Committee shall comprise ten (10) members, five (5) representing the Government and five (5) representing the Opposition to be nominated by the Committee of Selection, with the Speaker as the Chair, and if the latter is not a member of the Committee, he or she shall not have an original or casting vote;

AND WHEREAS the provision of the said Standing Order No. 85(2) could lead to gridlock and impasse in the work of the Parliamentary Management Committee,

BE IT RESOLVED:

That Standing Order No. 85(2) be amended to provide that the composition of the Parliamentary Management Committee shall be nine (9) members; and

BE IT FURTHER RESOLVED:

That representation on the nine (9) member Parliamentary Management Committee shall be determined in accordance with the seat allocation to the Political Parties in the Assembly.

**(Notice Paper No. 22 (M5 Opp 2) published on 2012-03-05)**

**(Referred to Standing Orders Committee on 2012-03-30 in accordance with Standing Order No.111(3))**

\*9. **PREVENTING HONOURABLE CLEMENT ROHEE, M.P., MINISTER OF HOME AFFAIRS FROM SPEAKING IN THE NATIONAL ASSEMBLY**

The Assembly to resume the debate on the following motion after the Committee of Privileges has reported thereon:

/...12

**\*Not to be proceeded with at this sitting**

WHEREAS Article 171(1) of the Constitution provides that subject to the provisions of this Constitution and of the rules of procedure of the National Assembly, any member of the Assembly may introduce any Bill or propose any motion for debate in, or may present any Petition to the Assembly and the same shall be debated and disposed of according to the rules of the procedure of the Assembly;

AND WHEREAS Article 165(1) of the Constitution provides that, subject to the provisions of this Constitution the National Assembly may regulate its own procedure and may make rules for that purpose;

AND WHEREAS on the 25<sup>th</sup> day of July, 2012, Brig. (Ret.'d) David Granger moved a motion in the National Assembly of No Confidence in the Hon. Clement Rohee, M.P., as Minister of Home Affairs and called for his immediate removal, and dismissal from office;

AND WHEREAS on the 30<sup>th</sup> day of July, 2012, Resolution No. 18 of 2012, was passed by the National Assembly in accordance with the said motion;

AND WHEREAS the Hon. Clement Rohee, M.P., is a member of the Cabinet of Guyana with the portfolio of the Minister of Home Affairs;

AND WHEREAS Standing Order No. 47 Rule 10 of the Standing Orders of the National Assembly provides that "Nothing in this Standing Order shall be taken to deprive the Assembly of the power of proceeding against any Member according to any Resolution of the Assembly";

AND WHEREAS Standing Order No. 113 of the said Standing Orders of the National Assembly provides that "In any matter not herein provided for, resort shall be had to the usage

13.

and practice of the House of Commons Assembly of Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same, may be applicable to the Assembly, and not inconsistent with these Standing Orders or with the practice of the Assembly”;

AND WHEREAS the practice and convention in the House of Commons of England is that a Minister who loses a no confidence motion, resigns as Minister,

BE IT RESOLVED:

That since the National Assembly, by National Assembly Resolution No. 18 of 2012, has expressed no confidence in the performance of the Honourable Clement Rohee, M.P. as Minister of Home Affairs, that he be prevented from speaking in the National Assembly so long as he is purporting to carry out the functions of Minister of Home Affairs as published in the Official Gazette.

**(Notice Paper No. 104 (M45 Opp 27) published on 2012-11-22)**

**(Referred to Committee of Privileges on 2012-11-22 in accordance with Standing Order No. 91)**

**(ii) GOVERNMENT BUSINESS**

**Bills – Second Readings**

**10. TELECOMMUNICATIONS BILL 2012 – Bill No. 18/2012 published on 2012-08-09**

The Prime Minister and Minister of Parliamentary Affairs to move the second reading of the following:

A BILL intituled AN ACT to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for matters incidental thereto or connected therewith.

**(Read a first time on 2012-08-09)**

14.

11. **PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2012 – Bill No. 17/2012 published on 2012-08-09**

The Prime Minister and Minister of Parliamentary Affairs to move the second reading of the following Bill:

A BILL intituled AN ACT to amend the Public Utilities Commission Act.

**(Read a first time on 2012-08-09)**

12. **MUSIC AND DANCING LICENCES (AMENDMENT) BILL 2012 – Bill No. 23/2012 published on 2012-09-21**

The Minister of Finance to move the second reading of the following Bill:

A BILL intituled AN ACT to amend the Music and Dancing Licences Act.

**(Read a first time on 2012-10-22)**

13. **SEXUAL OFFENCES (AMENDMENT) BILL 2012 – Bill No. 26/2012 published on 2012-10-29**

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 Sexual Offences Act.

**(Read a first time on 2012-11-08)**

14. **BUSINESS NAMES (REGISTRATION) (AMENDMENT) BILL 2012 – Bill No. 27/2012 published on 2012-10-30**

The Minister of Finance to move the second reading of the following Bill:

A BILL intituled AN ACT to amend the Business Names (Registration) Act.

**(Read a first time on 2012-11-08)**

15.

**15. DEEDS AND COMMERCIAL REGISTRIES AUTHORITY BILL 2012 – Bill No. 28/2012 published on 2012-11-19**

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

A BILL intituled AN ACT to establish the Deeds and Commercial Registries Authority as a corporate body, to establish and promote the efficient and orderly operation of the Deeds Registry and the Commercial Registry, to establish the conditions governing the employment of officers and employees of the Authority, to provide for funding of the operations of the Authority, and for connected matters.

**(Read a first time on 2012-11-22)**

**BILLS – Second Reading**

**\*16. FIREARMS (AMENDMENT) BILL 2012 – Bill No. 21/2012 published on 2012-09-04**

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

A BILL intituled AN ACT to amend the Firearms Act.

**(Read a first time on 2012-10-22)**

**MOTION**

**\*17. COMPOSITION OF THE COMMITTEE OF SELECTION**

The Prime Minister and Minister of Parliamentary Affairs to move the following motion:

WHEREAS the House selected nine (9) members to the Parliamentary Committee on Selection of the 10<sup>th</sup> Parliament on February 10, 2012;

**\*Not to be proceeded with at this sitting**

/...16

16.

AND WHEREAS the House selected four (4) members for the governing PPP/C, four (4) members for the opposition APNU and one (1) member for the opposition AFC;

AND WHEREAS the allocation of a nine (9) member Committee of Selection was by way of an amendment by the combined APNU/AFC opposition to the motion tabled by the Leader of the House for a ten (10) member Committee with five (5) for PPP/C, four (4) APNU and one (1) AFC;

AND WHEREAS Standing Order No. 94(1) provides for “each Select Committee being so constituted to ensure that, as far as possible, the balance of parties in the National Assembly be reflected in the Committee”;

AND WHEREAS the existing balance of the parties in the 10<sup>th</sup> Parliament is as follows:

PPP/C:	32 seats
APNU:	26 seats
AFC:	7 seats

AND WHEREAS the balance of the parties in the existing Committee of Selection does not conform to Standing Order No. 94(1),

BE IT RESOLVED:

That the decision of the House on the composition of the Parliamentary Committee of Selection be declared inconsistent with Standing Order 94(1);

BE IT ALSO RESOLVED:

That the House takes immediate steps to ensure that the composition of the Parliamentary Committee of Selection is brought into conformity with Standing Order No. 94(1); and

/...17



17.

BE IT FURTHER RESOLVED:

That the currently constituted Committee of Selection be prevented from discharging its functions under Standing Order No. 81.

**(Notice Paper No. 24 (M7 Govt 4) published on 2012-03-07)**

**BILLS – Second Readings, Committee and Third Readings**

- \*18. **LOCAL GOVERNMENT (AMENDMENT) BILL 2012 – Bill No. 12/2012 published on 2012-07-31**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to amend the Local Government Act.

**(Read a first time and committed to the Special Select Committee on 2012-07-30)**

- \*19. **LOCAL GOVERNMENT COMMISSION BILL – Bill No. 13/2012 published on 2012-07-31**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to establish the Local Government Commission, as provided for by Article 78A of the Constitution, to provide for the Commission's functions and procedure, and for connected and incidental purposes.

**(Read a first time and committed to the Special Select Committee on 2012-07-30)**

/...18

**\*Not to be proceeded with at this sitting**

\*20. **MUNICIPAL AND DISTRICT COUNCILS (AMENDMENT) BILL 2012 – Bill No. 19/2012 published on 2012-08-09**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to amend the Municipal and District Councils Act.  
(Read a first time and committed to the Special Select Committee on 2012-08-09)

\*21. **FISCAL TRANSFERS BILL 2012 – Bill No. 20/2012 published on 2012-08-09**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to provide for the objective criteria for the allocation of resources to local authorities and for matters connected therewith.

(Read a first time and committed to the Special Select Committee on 2012-08-09)

**BILLS – Committee and Third Reading**

\*22. **DEEDS REGISTRY (AMENDMENT) BILL 2012 – Bill No. 11 of 2012 published on 2012-07-10**

The Assembly to proceed upon the further stages of the following Bill, after the Special Select Committee has reported thereon:

A BILL intituled AN ACT to amend the Deeds Registry Act.

(Read a first time on 2012-07-12)

(Read a second time and committed to the Special Select Committee on 2012-08-02)

/...19

**\*Not to be proceeded with at this sitting**

(iii) **COMMITTEES BUSINESS**

**MOTION**

23. **ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE OF GUYANA ON THE PUBLIC ACCOUNTS OF GUYANA FOR THE YEAR 2009**

Mr. Carl B. Greenidge, M.P., Chairman of the Public Accounts Committee to move the following motion:

BE IT RESOLVED:

That the Report of the Public Accounts Committee of Guyana on the Public Accounts of Guyana for the year 2009, be adopted.

**(Notice Paper No. 111 (M46 Opp 28) published on 2012-12-06)**

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**S.E. ISAACS**  
**Clerk of the National Assembly**

**PARLIAMENT OFFICE,  
Public Buildings,  
Brickdam,  
Georgetown.**

**10<sup>th</sup> December, 2012.**