

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 35th SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION

(2013) OF THE TENTH PARLIAMENT OF GUYANA TO BE HELD

AT 2.00 P.M.

ON THURSDAY, 10TH JANUARY, 2013

IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,

BRICKDAM, 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-

REPORTS FROM COMMITTEES-

By the Speaker of the National Assembly (Chairman of the Committee of Selection):

Minutes of Proceedings of the 5th Meeting of the Committee of Selection held on Thursday, 20th December, 2012.

(To be Circulated)

2.

ORAL QUESTIONS WITHOUT NOTICE

QUESTIONS ON NOTICE-

For Written Replies

1. RESTORATION OF THE SUMS DELETED FROM 2012 BUDGET

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

Minister Answering: **The Minister of Finance**

Minister of Finance, Hon. Dr. Ashni Singh, M.P., is reported to have said, in delivering his 2012 Mid-Year Report, he had restored the sums the House deleted from the 2012 Budget, on grounds that “The National Assembly was later deemed by the Courts of Guyana to have acted outside its constitutional remit in inflicting those cuts to the budget;” and

Dr. Roger Luncheon was quoted in the press on September 7, 2012 as saying that “the \$1 that was approved by the Opposition for the various Agencies was totally inconsistent with the constitutional provision as ruled by the Chief Justice;” and that, “no one lost their jobs.” “Contingency Funds were approved and funds made available belatedly, but still available to meet the wages and salaries of the contract workers at Office of the President.”

Would the Hon. Minister of Finance say whether monies cut from the Budget and not approval by this House have been restored to the Ministries? If, so,

- (i) What categories and sums have been involved?
- (ii) What is the legal basis for such payments?
- (iii) What advice was provided on this matter by the Attorney General?

3.

- (iv) What section of the Chief Justice's report/decision suggests that either the Chief Justice or the Ministry of Finance can restore cuts to the budget or that the Chief Justice can authorise the Ministry of Finance to make advances from the Consolidated Fund?

(Notice Paper No.115 (Q 66 Opp. 65) published on 2012-12-14)

2. **TAX BREAKS TO THE ORGANISERS OF HITS & JAMS ENTERTAINMENT CONCERT**

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

Minister Answering: The Minister of Tourism, Industry and Commerce (ag)

According to the Stabroek News of Thursday, 18th October, 2012, the Government of Guyana announced through Minister Irfaan Ali, M.P., that it will be giving tax breaks to the organisers of a Hits and Jams Entertainment Concert to be held in December in Guyana.

Will the Minister of Tourism, Industry and Commerce (ag.):

- (i) Provide this House with an authoritative report on the extent of the Government's financial and other support involved in supporting the concert and Mr. Brown's participation in it?
- (ii) Say how much support to such concerts have cost the taxpayer in terms of revenue foregone and other benefits since June, 2012?
- (iii) What quarter will support other than the tax break be provided by funded?

4.

- (iv) On the basis of what reputable estimate has he announced that many foreign visitors are expected to come to Guyana only to attend the concert?
- (v) What criteria has the PPP Government been using in deciding on whether to extend financial support to the organisers of such events?
- (vi) Were they the same criteria applied to exclude *Sizzla, Bounty Killer, Vibes Cartel* and *Movado*?
- (vii) What inputs have the Minister of Foreign Affairs and Minister of Human Services and Social Security had in this decision?

(Notice Paper No.116 (Q 67 Opp. 66) published on 2012-12-14)

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS-

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-

INTRODUCTION OF BILLS-

5.

PUBLIC BUSINESS

(i) **GOVERNMENT'S BUSINESS**

MOTION

1. **CONSIDERATION OF FINANCIAL PAPER NO. 6/2012**

Assembly to resolve itself into Committee of Supply.

In Committee of Supply

The Minister of Finance to signify the recommendation or consent of the Cabinet and to move the following motion:

BE IT RESOLVED:

Financial Paper No. 6/2012 – Supplementary Estimates (Capital) totalling \$2,000,000,000 – Advances made from the Contingencies Fund for the period 18th December, 2012 to 31st December, 2012.

(Notice Paper No. 121 (M 54 Govt. 21) published on 2013-01-04)

(Paper presented on 2013-01-03)

Bills – Second Readings

2. **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)

6.

3. **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)

*4. **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

*5. **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 10th Parliament on February 10, 2012;

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;

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

7.

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 10th 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

8.

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

*6. **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)

*7. **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)

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

*8. **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)

*9. **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)

*10. **GUYANA CRICKET ADMINISTRATION BILL 2012 – Bill No. 31/2012**

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 make provisions for the incorporation of autonomous national cricket administrative organizations in Guyana and to provide for other matters connected therewith.

(Read a first time and committed to the Special Select Committee on 2012-12-20)

BILLS – Committee and Third Reading

- *11. **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)

- (i) **PRIVATE MEMBERS' BUSINESS**

BILLS – Second Reading

12. **FISCAL MANAGEMENT AND ACCOUNTABILITY (AMENDMENT) BILL 2012 – No. 24/2012 published on 2012-12-18**

Mr. Carl Greenidge, M.P., to move the second reading of the following Bill:

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

(Read a first time on 2012-12-17)

MOTIONS

13. **FORMER PRESIDENTS (BENEFIT AND OTHER FACILITIES) BILL 2012 – Bill No. 29/2012**

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

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

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 President (Benefit and Other Facilities) Bill 2012 – Bill No. 29/2012 –

A BILL intituled AN ACT to provide benefits and other facilities for Former Presidents.

(Notice Paper No. 114 (M49 Opp 30) published on 2012-12-12)

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

14. **THE APPOINTMENT OF A COMMISSION OF INQUIRY TO INVESTIGATE THE INCIDENCE OF CRIMINAL VIOLENCE FROM 2004 TO 2010 IN GUYANA**

Brig. (Ret'd) David Granger, M.S.S., M.P., Leader of the Opposition, to move the following motion:

WHEREAS, Article 138(1) of the Constitution of the Republic of Guyana prescribes that no person shall be deprived of his life intentionally save in the execution of the sentence of a court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS in accordance with the Commission of Inquiry Act, Chapter 19:03, “The President may issue a commission appointing one or more commissioners and authorizing such commissioner or commissioners to inquire into any matter in which an inquiry would, in the opinion of the President, be for the public welfare”;

12.

AND WHEREAS this country has witnessed a pattern of unlawful killing of undetermined numbers of persons – including assassinations; executions; murders; extra-judicial killings by members of the Guyana Police Force Target Special Squad and other forms of criminal violence in Guyana during a period of ‘troubles’ on the East Coast and East Bank of Demerara and elsewhere – which were harmful to the public welfare;

AND WHEREAS several of these killings have been of a deliberate and systematic nature – particularly those which occurred at Agricola; Bartica; Buxton; Eccles; Lindo Creek; Lusignan and Bel Air, Bourda and Kitty in Georgetown – which can be classified as massacres and have engendered alarm and despondency among the population;

AND WHEREAS some killings involved members of the Guyana Police Force, the Guyana Defence Force and unidentified criminal gangs in which gangsters were equipped with a variety of electronic ‘eavesdropping’ equipment, weapons and vehicles that were provided with assistance and support by members of the Guyana Police Force;

AND WHEREAS commissions of inquiry and coroners’ inquests have not been conducted into some unnatural deaths and criminal investigation reports by the Guyana Police Force, with regard to the most egregious of these crimes, have often been inconclusive;

AND WHEREAS the National Assembly is the supreme legislative forum of our Republic wherein the people’s elected representatives discuss and determine matters of national interest and which is obliged to consider the grave threats to the public welfare and public security which prevailed during the aforesaid period of the ‘troubles’ and which remain substantially uninvestigated,

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13.

BE IT RESOLVED:

That the National Assembly condemns the killing of citizens of Guyana which occurred during the period of the 'troubles' and expresses its concern that commissions of inquiry have not been convened to investigate the unlawful killings, including the assassination of a Minister of the Government in April, 2006, on the East Coast of Demerara;

BE IT FURTHER RESOLVED:

That the National Assembly calls upon the President of Guyana, in accordance with the Commission of Inquiry Act, Chapter 19:03, to appoint a Commission of Inquiry to inquire into the unlawful killing of citizens during the years 2004 to 2010.

(Notice Paper No. 112 (M47 Opp 29) published on 2012-12-12)

***15. 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.

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

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

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 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.

*17. **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:

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;

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

15.

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 25th 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 30th 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 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)

BILL – Committee and Third Reading

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

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 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)

(Read a second time and committed to the Special Select Committee on 2012-12-17)

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

(ii) **COMMITTEES BUSINESS**

MOTION

19. **ADOPTION OF THE SECOND REPORT OF THE STANDING ORDERS
COMMITTEE**

Ms Amna Ally, M.P., Opposition Chief Whip, to move the following motion:

BE IT RESOLVED:

That the second Report of the Standing Orders Committee be adopted.

(Notice Paper No. 120 (M 53 Opp. 31) published on 2012-12-17)

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S.E. ISAACS
Clerk of the National Assembly

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

4th January, 2013.