

NATIONAL ASSEMBLY

ORDER PAPER

FOR THE 41ST SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION

(2012 - 2013) OF THE TENTH PARLIAMENT OF GUYANA TO BE HELD

AT 1.00 P.M.

ON TUESDAY, 2ND APRIL, 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-

ORAL QUESTIONS WITHOUT NOTICE

2.

QUESTIONS ON NOTICE-

For Written Replies

1. **IMPACT OF THE ‘NO CHILD LEFT BEHIND POLICY’**

Member Asking: Ms Africo Selman, M.P.

Minister Answering: The Minister of Education

Could the Hon. Minister of Education inform this House whether an evaluation has been conducted to ascertain the impact of the ‘No Child left behind Policy’ on the delivery of education in Guyana.

(Notice Paper No.148 (Q 90 Opp. 89) published on 2013-02-05)

2. **ASSESSMENT OF THE ‘NO CHILD LEFT BEHIND POLICY’**

Member Asking: Ms Africo Selman, M.P.

Minister Answering: The Minister of Education

Could the Hon. Minister of Education inform this House whether the Hon. Minister considers an assessment of the ‘No Child left behind Policy’ a necessity in relation to the improvement of the quality of education delivery in Guyana?

(Notice Paper No.149 (Q 91 Opp. 90) published on 2013-02-05)

3. **PAYMENT OF CLEANERS BY PARENT TEACHER’S ASSOCIATIONS (PTA)**

Member Asking: Mrs. Catherine Hughes, M.P.

Minister Answering: The Minister of Education

Can the Hon. Minister explain why Parent Teacher’s Associations (PTA) are being asked to pay cleaners employed at senior secondary schools?

(Notice Paper No.161 (Q 103 Opp 101) published on 2013-02-06)

3.

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-

PUBLIC BUSINESS

(i) **GOVERNMENT'S BUSINESS**

MOTION

1. **BUDGET SPEECH 2013 – MOTION FOR THE APPROVAL OF THE
ESTIMATES OF EXPENDITURE FOR 2013**

Assembly to resume the debate on the motion for the approval of the Estimates of Expenditure for the financial year 2013.

(Moved by the Minister of Finance on 2012-03-25)

BILLS – Second Readings

*2. **CUSTOMS (AMENDMENT) BILL 2013 – Bill No. 2/2013 published on 2013-01-08**

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

A BILL intituled AN ACT to amend the Customs Act.

(Read a first time on 2013-01-10)

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

4.

*3. **EVIDENCE (AMENDMENT) BILL 2013 – Bill No. 7/2013 published on 2013-02-14**

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

A BILL intituled AN ACT to amend the Evidence Act.

(Read a first time on 2013-03-14)

*4. **MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) BILL 2013 – Bill No. 8/2013 published on 2013-02-14**

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

A BILL intituled AN ACT to amend the Motor Vehicles and Road Traffic Act.

(Read a first time on 2013-03-14)

*5. **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)

/...5

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

5.

*6. **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)

MOTION

*7. **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;

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”;

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

6.

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

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

***8. 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:

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

7.

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)

*9. **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)

*10. **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)

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

8.

***11. 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)

***12. 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

***13. 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)

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

(i) **PRIVATE MEMBERS' BUSINESS**

BILLS – Second Reading

*14. **THE FISCAL MANAGEMENT AND ACCOUNTABILITY (AMENDMENT)**

BILL 2013 – Bill No. 5 of 2013 published on 2013-02-08

The Assembly to resume the debate on the following Bill:

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

(Read a first time on 2013-02-07)

MOTIONS

*15. **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";

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,

11.

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)

*16. **THE MARRIED PERSONS (PROPERTY) (AMENDMENT) BILL 2013 – Bill No. 9 of 2013**

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly 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 Married Persons (Property) (Amendment) Bill 2013 – Bill No. 9 of 2013:-

A Bill intituled AN ACT to amend the Married Persons (Property) Act.

(Notice Paper No. 164 (M 60 Opp.37) published on 2013-03-13)

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

/...12

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

*17. **INTERPERSONAL VIOLENCE**

Mrs. Deborah Backer, M.P., Deputy Speaker of the National Assembly, to move the following motion:

WHEREAS in its first World Report on Violence and Health released in October, 2002 the World Health Organisation defined violence as “the intentional use of physical force or power, threatened or actual, against another person, or against a group or community, that either result in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation”;

AND WHEREAS the aforesaid World Report defined Interpersonal Violence (IPV) as being subdivided into family and intimate partner violence and community violence with the former category including child maltreatment, intimate partner violence and elder abuse while the latter is subdivided into acquaintance and stranger violence and includes youth violence, assault by strangers, violence relating to property crimes and violence in work places and other institutions;

AND WHEREAS the incidents of Interpersonal Violence has reached epidemic proportions in Guyana;

AND WHEREAS this has occurred despite numerous programmes aimed at reducing interpersonal violence initiated by government agencies, schools, religious bodies, volunteer organizations and other community based organizations;

AND WHEREAS the reversal of this epidemic is in the interest of all Guyanese who continue to be adversely affected by it;

/...13

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

13.

AND WHEREAS research at the national, regional and international levels has shown that high incidents of Interpersonal Violence has a significant negative effect on the economic growth and health of a country,

BE IT RESOLVED:

That this National Assembly unequivocally condemns all forms of Interpersonal Violence;

BE IT FURTHER RESOLVED:

That this National Assembly designates a day to be observed under the theme “Parliamentarians Against Interpersonal Violence” during which the National Assembly will organize appropriate activities to highlight ways in which Interpersonal Violence can be reduced;

BE IT FURTHER RESOLVED:

That this National Assembly calls on the Government of Guyana to establish, within one (1) month of the passage of this motion, a broad based Committee comprising but not limited to, representatives of the political parties in the National Assembly; the relevant Government Ministries; religious bodies, private sector bodies; youth organizations; women organizations and volunteer organizations with the mandate to complete a National Plan of Action to combat Interpersonal Violence within four (4) months of its establishment; and

BE IT FURTHER RESOLVED:

That the Government of Guyana within one (1) month of the completion of the aforesaid National Plan of Action, lay it in the National Assembly.

(Notice Paper No. 163 (M 59 Opp.36) published on 2013-03-13)

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14.

*18. **HONOURING THE 21ST AUGUST, 2012 AGREEMENT BETWEEN THE GOVERNMENT OF GUYANA AND THE REGIONAL DEMOCRATIC COUNCIL, REGION #10**

Ms Vanessa Kissoon, M.P. to move the following motion:

WHEREAS the people of Linden have from the time of the announcement by the Government that there would be an increase in electricity tariff, consequent to the government's intended withdrawal of the subsidy, indicated through their pronouncements in the national media, peaceful picketing exercises and other forms of peaceful protest that the community did not have the economic capacity to pay the steep and unconscionable increase in the cost of electricity and therefore saw the decision as an unjust imposition on the people of Linden;

AND WHEREAS the Government continued to take action to impose the increase in the cost of electricity on the people of Linden in total violation of the people's right to be involved in decisions that directly affect them as is explicit in Article 13 of the Constitution which states that, "The principal objective of the State is to establish an inclusionary democracy by providing increasing opportunities for the participation of citizens, and their organizations in the management and decision-making processes of the State, with particular emphasis on those areas of decisions-making that directly affect their well being";

RECOGNISING that the Government was not responsive to the concerns and interests of the people of Linden and therefore left the people of Linden with no alternative, but to continue to protest;

AND WHEREAS the people of Linden were involved in peaceful protest and were subjected to the uncalled for use of excessive and lethal force by the Guyana Police Force resulting in the death of Mr. Allen Lewis, Mr. Ron Sommerest, Mr. Shemroy Bouyea and the injuring of scores of unarmed protestors;

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

15.

AND WHEREAS the use of lethal force rather than instilling fear that was intended, increased the resolve of the people and escalated the protest forcing the Government to respond to concerns of the people of Linden and enter into negotiations with the people of Region 10, represented by their elected and legitimate representatives;

CONCERNED that even while the negotiations were ongoing the Guyana Police and Guyana Defence Forces were used against the people of Linden, including the indiscriminate shooting and injuring of innocent people in their homes on a quiet Sunday;

NOTING that in the face of such provocation, the Region continued to negotiate with the Government in good faith;

AND WHEREAS these negotiations resulted in the Agreement of 21st August, 2012, between the Government of Guyana and Region 10 Regional Democratic Council signed, on behalf of the Government of Guyana, by the Hon. Prime Minister, Mr. Samuel Hinds, O.E., M.P., and on behalf of Region 10, Regional Democratic Council, by Mr. Sharma Solomon;

AND WHEREAS the full text of the aforesaid written Agreement, which is attached to this motion, contains the details of the Agreement, inclusive of the deadlines for implementation and the actions required to be undertaken by all parties to the Agreement;

CONCERNED that six (6) months after the signing of the Agreement many aspects of the Agreement have not been implemented, especially the commitment to return the dish and transmitter to the people of Linden, inter alia;

BE IT RESOLVED:

That this National Assembly calls on the Government of Guyana to immediately adhere to its commitments and obligations under the written Agreement of 21st August, 2012 thereby ensuring that the benefits which were to accrue to the residents of Region 10 are realized; and

BE IT FURTHER RESOLVED:

That the Government of Guyana be held solely accountable and responsible for all direct and indirect consequences flowing from its continued unwillingness to adhere to the letter and spirit of the written Agreement of 21st August, 2012.

(Notice Paper No. 165 (M 61 Opp.38) published on 2013-03-13)

*19. **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.

*20. **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 –

/...17

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

17.

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.

*21. **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;

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;

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

18.

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

***22. 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)

(iii) COMMITTEES BUSINESS

MOTION

***23. ADOPTION OF THE REPORT OF THE SPECIAL SELECT OF THE NATIONAL ASSEMBLY ON THE UNITED NATIONS HUMAN RIGHTS COUNCIL WITH REGARD TO THE ABOLITION OF CORPORAL PUNISHMENT IN THE SCHOOLS, THE ABOLITION OF THE DEATH PENALTY AND THE DECRIMINALIZATION OF CONSENSUAL ADULT SAME SEX RELATIONS AND DISCRIMINATION AGAINST LESBIANS, GAYS, BI-SEXUAL AND TRANSGENDER PERSONS (RESOLUTION NO. 23 OF 2012)**

The Minister of Human Services and Social Security to move the following motion:

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

BE IT RESOLVED:

That the Report of the Special Select Committee of the National Assembly on the United Nations Human Rights Council with regard to the Abolition of Corporal Punishment in the schools, the Abolition of the Death Penalty and the Decriminalization of Consensual Adult Same Sex Relations and Discrimination against Lesbians, Gays, Bi-Sexual and Transgender Persons (Resolution No. 23 Of 2012), outlining its work programme on the abolition of corporal punishment in the schools be adopted.

(Notice Paper No. 166 (M 62 Committee 3) published on 2013-03-18)

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S.E. ISAACS
Clerk of the National Assembly

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

26th March, 2013.