PARLIAMENTARY AGENDA

FOR THE WEEK

MONDAY, 11th June, 2012 - FRIDAY, 15th June, 2012

MONDAY, 11th JUNE, 2012

SITTING OF THE NATIONAL ASSEMBLY

NIL

<u>Meetings of Parliamentary Committees</u> *<u>Public Accounts Committee</u>

Time: 1:00 p.m.

Venue: Parliament Chamber, Public Buildings, Brickdam, Georgetown.

- **Business:** (i) Corrections and Confirmation of Minutes of the 2nd Meetings held on 28th May, 2012;
 - (ii) To consider letter dated 20th May, 2012 Re: CCAF Orientation Oversight Workshop for PAC;

- (iii) To consider draft motion seeking the Assembly's Approval for the Public Accounts Committee of the First Session of the Tenth Parliament to continue and finalize the work of the previous Public Accounts Committee;
- (iv) To consider a time frame for the examination of the Report of the Auditor General on the Public Accounts of Guyana for the fiscal year ended 31st December, 2010;
- (v) Audit Office:

-To consider the recommendation for the appointment of the following positions within the Audit Office:

- Audit Directors
- Audit Managers

Any Other Business

TUESDAY, 12th JUNE, 2012

Sitting of the National Assembly

NIL

Meetings of Parliamentary Committees

*<u>Standing Orders Committee</u>

Time: 3.30 p.m.

Venue: Committee Room No. 2 (Ground Floor, west of the main stairway), Public Buildings, Brickdam,

Georgetown.

- **Business:** (i) To consider the proposed amendment to Standing Order 80(5), 88(2) and 93 (2): The Right to Vote in Parliamentary Committees;
 - (ii) To consider the proposed amendment to Standing Order 85(2): Composition of the Parliamentary Management Committee; and
 - (iii) To consider the proposed amendment to Standing Order86 (1) and (2): Representation on Sectoral Committees.

ANY OTHER BUSINESS

Wednesday, 13th JUNE, 2012

Sitting of the National Assembly

- TIME: 2.00 p.m.
- Venue: Parliament Chamber, Public Buildings, Brickdam,

Georgetown.

Business:

PUBLIC BUSINESS

PRIVATE MEMBERS' BUSINESS

MOTIONS

1. <u>THE SERVICE COMMISSIONS</u>

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

WHEREAS Article 198 of the Constitution establishes the Judicial Service Commission;

AND WHEREAS Article 200 of the Constitution establishes the Public Service Commission;

AND WHEREAS Article 207 of the Constitution establishes the Teaching Service Commission;

AND WHEREAS Article 210 of the Constitution establishes the Police Service Commission;

AND WHEREAS the functions of the abovementioned Service Commissions include appointments to the offices falling under their jurisdiction, the exercise of disciplinary control over the removal from office of appointees to those offices;

AND WHEREAS the ability to act independently is an indispensible requirement in ensuring public confidence in our national institutions in general and the aforesaid Service Commissions in particular;

AND WHEREAS the continued maintenance of the aforesaid Service Commissions in the Schedule of the Budget Agencies seriously compromises their independence in the discharge of their functions,

BE IT RESOLVED:

That the National Assembly takes steps as early as possible to replace the Schedule with one that does not list the Judicial Service Commission, the Public Service Commission, the Police Service Commission and the Teaching Service Commission as Budget Agencies; and

BE IT FURTHER RESOLVED:

That the National Assembly henceforth treats the Judicial Service Commission, the Public Service Commission, the Police Service Commission and the Teaching Service Commission as autonomous bodies drawing directly from the Consolidated Fund and that this change must be reflected in the Annual Estimates to be submitted by the Minister of Finance for the approval of the National Assembly.

(Notice Paper No. 40 (M12 Opp 6) published on 2012-04-05)

2. OFFICE OF THE AUDITOR GENERAL

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

WHEREAS the Office of the Auditor General is a Constitutional Office;

AND WHEREAS Part 2 of the Audit Act (No. 5 of 2004) provides that the Auditor General shall be the external auditor of the public accounts of Guyana and in the discharge of his function shall have complete discretion;

AND WHEREAS the said Part 2 of the aforesaid Act provides that the Auditor General shall act independently in the discharge of his functions;

AND WHEREAS the said Part 2 of the aforesaid Act provides that there shall be an Audit Office comprising the Auditor General and the officers and employees appointed thereto;

AND WHEREAS the Office of the Auditor General and Audit Office are being treated as a Budget Agency by virtue of the Schedule to the Financial Management and Accountability Act 2003, which seriously calls into question the autonomy and independence of the Office;

AND WHEREAS the National Assembly is obliged to ensure that the autonomy and independence of the Auditor General and Audit Office are maintained,

BE IT RESOLVED:

That the National Assembly removes the Audit Office from the Schedule of Budget Agencies and restore it to its rightful place as an autonomous agency drawing directly on the Consolidated Fund and that these changes be reflected in the Annual Estimates to be submitted by the Minister of Finance for the approval of this.

(Notice Paper No. 41 (M13 Opp 7) published on 2012-04-05)

3. <u>NATIONAL ASSETS</u>

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

WHERAS in their recent reports on transparency and corruption the international community, including the World Economic Forum, Transparency International and the International Bank for Reconstruction and Development (IBRD) have rated Guyana poorly;

AND WHEREAS Guyanese are concerned about the widely reported acts of lawlessness in the guardianship of our national resources and assets as well as the lack of transparency and accountability associated with the disposal of those assets, BE IT RESOLVED:

That this National Assembly requests the responsible Ministers of Government to:

- (a) Provide the National Assembly with a report in keeping with the law, on the disposal by sale or otherwise of all state lands, including the terms on which they were disposed of and the criteria used, which took place: Further between the date of announcement (Sunday, 9th October, 2011) of the National and Regional Elections and 31st December, 2011 and between 1st January, 2000 and 9th October, 2011;
- (b) Make financial provision for the urgent commissioning of an independent financial audit of the operations of the National Industrial Commercial Investments Limited (NICIL) and the Privatisation Unit;

BE IT FURTHER RESOLVED:

That the relevant Ministers of Government provide the National Assembly as early as possible with:

- (a) A detailed report on the disposal by sale or otherwise of all state assets entrusted to NICIL and the Privatisation Unit, the terms on which they were disposed of and the criteria used;
- (b) The outstanding bi-annual reports and annual audited accounts required of NICIL and the Privatisation Unit under the relevant legislation;
- (c) The handing over report from the former Executive Director of NICIL (and Head of the Privatisation Unit and), Winston Brassington, if applicable at this time;

(d) A 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;

BE IT FURTHER RESOLVED:

That a report on all the fiscal concessions, including duty free concessions, granted in response to specific requests or as part of contracts awarded by the Tender Board and the criteria on which these awards were based be placed before the National Assembly for review;

BE IT FURTHER RESOLVED:

That the relevant Minister shall lay in the National Assembly for review and where applicable, for ratification, all international agreements, (including mining agreements involving the award of state lands and fiscal concessions), signed by the Government since 1st January, 2000; and

BE IT FURTHER RESOLVED:

That all the aforesaid are done on or before the 1st June, 2012.

(Notice Paper No. 43 (M15 Opp 9) published on 2012-04-05)

4. <u>AGENCIES CHARGED WITH EXTRA-BUDGETARY FUNDS</u>

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

WHEREAS the Financial Management and Accountability Act 2003 requires all revenues accruing to the State to be deposited in the Consolidated Fund;

AND WHEREAS Section 39(1) of the Financial Management and Accountability Act 2003 permits the establishment of Extra-Budgetary Funds by legislation;

AND WHEREAS some entities authorised to establish such Funds have failed to meet their obligations under Section 39 of the Act, namely to:

- (a) To separately account for the funds apart from any other resources; in accordance with Section 39(4);
- (b) To submit to the Minister and publish for general information quarterly reports on the financial operations of the Fund, Section 39(5)(b);
- (c) Make the accounts and records of the Fund available for independent audit by the Auditor General and prepare an annual report of the Auditor General thereon, to the National Assembly and publication of such reports for general information in keeping with Section 39(5)(c) and (d);

AND NOTWITHSTANDING:

The regular reports by the Auditor General and the Audit Office of the failure of many such entities to meet their legal obligations the Minister of Finance has routinely failed to enforce the law in these cases and has also failed to have explicitly reflected in the relevant investment plan and programmes of expenditure contained in the annual budget and to process the resources allocated from all Extra-Budgetary Funds for the purpose of financing Government social or economic development projects through the Consolidated Fund; (Section40)

BE IT RESOLVED:

That this House requires the Minister of Finance to lay before it a report on all the extra-budgetary agencies, including the Lotto Funds and GGMC, all the outstanding reports and quarterly audited accounts as required by the law; and

BE IT FURTHER RESOLVED:

That the relevant Minister/s ensure that all agencies authorized to have Extra-Budgetary Funds under the Act and with outstanding reports as at 14th February, 2012, be immediately required to pay into the Consolidated Fund all balances held in their accounts and a Statement of such payments be submitted to the National Assembly on or before 30th day of June, 2012.

(Notice Paper No. 44 (M16 Opp 10) published on 2012-04-05)

5. <u>STEPS TO BE UNDERTAKEN TO ESTABLISH THE INDEPENDENCE AND</u> <u>AUTHORITY OF THE NATIONAL ASSEMBLY</u>

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

WHEREAS the Needs Assessment of the Guyana National Assembly as contained in the Report of the Commonwealth Senior Parliamentary Staff Advisor (Sir Michael Davies Report) to the Guyana National Assembly, February, 2005, recommended, *inter alia*, that

"The National Assembly should be given much greater independence in respect of its own budget. Systems should be established within the Parliament Office to undertake the estimating, monitoring, controlling and accounting for the Assembly's expenditure; and The Clerk of the National Assembly should become the employer of all staff of the Parliament Office. A larger Personnel Office should be established to carry out these additional responsibilities."

AND WHEREAS the Guyana Fiduciary Oversight Project Final Framework and Guidelines Report, Volume 2, has recommended at component 6 of its recommendation that, 'Parliament should employ its own staff, and the Speaker should appoint the Clerk of the House after consultation with all parties';

AND WHEREAS the Government signaled its acceptance of these recommendations in the 2005 Draft Poverty Reduction Report released on the 21st June, 2005;

AND WHEREAS the basis of these recommendations is the need for Parliament to be fully independent of the Executive,

BE IT RESOLVED:

- (1) That a Special Select Committee be appointed to examine these recommendations with a view to advising the National Assembly on the steps to be undertaken to establish the independence and authority of the National Assembly in respect of its own budget; and
- (2) That this Special Select Committee examines these recommendations with a view to advising the National Assembly on the steps to be undertaken to enable the Clerk to become the employing authority of the staff of the Parliament Office;

BE IT FURTHER RESOLVED:

That the Special Select Committee submit its final report one month after its appointment.

(Notice Paper No. 50 (M20 Opp 12) published on 2012-04-19)

6. **<u>RESTRICTION ON THE RIGHT TO ASSEMBLE</u>**

Mr. Desmond Trotman, M.P. to move the following motion:

WHEREAS there shall be a Parliament of Guyana which shall consist of the President and the National Assembly;

AND WHEREAS the Parliament of Guyana has determined that the National Assembly shall hold its sittings at the Public Buildings, Brickdam, Georgetown, Demerara;

AND WHEREAS the sessions of the National Assembly have always been accessible to the public and this right has become established by convention;

AND WHEREAS from the early beginnings of the National Assembly of Guyana there have been public gatherings outside of the Public Buildings; including demonstrations and protests;

AND WHEREAS the Constitution of Guyana in Article 147 enshrines the right of every citizen to enjoy, unhindered, his or her freedom of assemble, association and freedom to demonstrate peacefully, "that is to say, his or her right to assemble freely, to demonstrate peacefully and to associate with other persons..."

AND WHEREAS the Charter of Civil Society for the Caribbean Community states inter alia, at Article VI:

"The States shall take all appropriate measures to promote and maintain an effectively functioning representational system, including the holding of regular sessions of representatives of the people, and at Article VII

"Every person shall have the right to assemble, demonstrate peacefully and to draw up and present petitions, subjects to such restrictions as may be imposed by national law in the public interest and which are reasonably justifiable in a free and democratic society"

AND WHEREAS the Recommended Benchmarks of the Commonwealth Parliamentary Association at 9.1.1 (Values of the Legislature) states that the "Legislature shall be accessible, and open to citizens and the Media, subject only to demonstrate public safety and work requirements;

AND WHEREAS it is expected that the Guyana Police Force will take steps to ensure the safety and security of Members of Parliament, the staff of the National assembly, and those who access the said National Assembly;

BE IT RESOLVED THAT:

- This National Assembly declares that the right of citizens to assemble and to demonstrate peacefully should not be hindered by the Guyana Police Force or any other agency or institution of state;
- 2. The Guyana Police Force should relocate its barricades so as to allow freedom of assemble within a closer proximity of the National Assembly, Public Buildings; and
- 3. The Parliament Office makes arrangements for the broadcast of National Assembly sittings in the environs of the National Assembly.

(Notice Paper No. 51 (M21 Opp 13) published on 2012-04-23)

Meetings of Parliamentary Committees

1. *Parliamentary Management Committee

Time: 12.00 noon

Venue: Committee Room No.2 (Ground Floor, West of the main stairway), Public Buildings, Brickdam, Georgetown.

- **Business:** (i) Corrections and Confirmation of Minutes of the 1st Meeting held on Wednesday, 28th March, 2012;
 - (ii) Matters Arising;
 - (iii) Correspondence;
 - (iv) Business of the National Assembly;
 - (v) Committees and Commissions;
 - (vi) Administration:
 - (a) To discuss the recommendations made by the Sub-Committee of the Parliamentary Management Committee established to review the security of the Public Buildings;
 - (b) To review the contract for the supply of meals and snacks for Sittings of the National Assembly and Committee meetings; and
 - (c) To consider making the Public Buildings a smoke Free Environment.

ANY OTHER BUSINESS

- 2. *<u>Meeting of the Executive Committee of the Guyana Branch of</u> <u>the Commonwealth Parliamentary Association</u>
- Time: 1.00 p.m.
- Venue: Committee Room No.2 (Ground Floor, West of the main stairway), Public Buildings, Brickdam, Georgetown.
- **Business:** (i) Consideration of the Draft Milestone Provisional CPA, UK Support for Parliament of Guyana;
 - (ii) Consideration of the Draft Commonwealth
 Parliamentary Association Strategic Plan 2013 2017;
 - (iii) Consideration of requests for the Guyana Branch of the CPA to become a member of the following:
 - Parl Americas formerly known as Inter-Parliamentary; Forum of the Americas (FIPA);
 - Inter Parliamentary Union; and
 - (iv) Consideration of Guyana's attendance at the 58th
 Commonwealth Parliamentary Association Conference
 in Sri Lanka, 7th 15th September, 2012.

ANY OTHER BUSINESS

Thursday, 14TH JUNE, 2012

Sitting of the National Assembly

Time: 2.00 p.m.

Venue: Parliament Chamber, Public Buildings, Brickdam, Georgetown.

Business: <u>PRESENTATION OF PAPERS AND REPORTS</u>-(1) By the Minister of Finance:

 The Audited Financial Statements of the Guyana Securities Council for the year ended 31st December, 2011.

(To be Circulated)

 (ii) The Audited Financial Statements of the Guyana National Cooperative Bank Inc. for the year ended 31st December, 2007.

(To be Circulated)

 (iii) The Audited Financial Statements of the National Communications Network Inc. for the year ended 31st December, 2007.

(To be Circulated)

(iv) The Audited Financial Statements of the National Communications Network Inc. for the year ended 31st December, 2008.

(To be Circulated)

(2) By the Minister of Human Services and Social Security:

- (i) The Adoption of Children Regulations 2012 No. 3/2012.(To be Circulated)
- (ii) The Adoption of Children Rules 2012 No. 1/2012.(To be Circulated)
- (iii) The Status of Children Regulations 2012 No. 4/2012.(To be Circulated)

(iv) The Custody, Contact, Guardianship and Maintenance Regulations 2012 – No. 5/2012.

(To be Circulated)

(3) By the Minister of Labour:

(i) The Minimum Wages (Employees at Petrol Filling Stations) (Amendment) Order
 2012 – No. 22 of 2012.

(To be Circulated)

(ii) The Minimum Wages (Security Guards) (Amendment) Order 2012 – No. 23 of 2012.

(To be Circulated)

(iii) The Labour (Conditions of Employment of Certain Workers) (Minimum Rate of Wages) (Amendment) Order 2012 – No. 24 of 2012.

(To be Circulated)

(iv) The Minimum Wages (Mechanical Transport Employees) (Amendment) Order
 2012 – No. 25 of 2012.

(To be Circulated)

(v) The Minimum Wages (Employees in Groceries) (Amendment) Order 2012 – No. 26 of 2012.

(To be Circulated)

(vi) The Minimum Wages (Employees in Hardware Stores) (Amendment) Order 2012
 - No. 27 of 2012.

(To be Circulated)

 (vii) The Minimum Wages (Employees in Dry Goods Stores) (Amendment) Order 2012 – No. 28 of 2012.

(To be Circulated)

 (viii) The Printing Trade Workers Wages Council Wages Regulations (Amendment) Order 2012 – No. 29 of 2012.

(To be Circulated)

(ix) The Aerated Water Factories Wages Council Wages Regulation (Amendment)
 Order 2012 – No. 30 of 2012.

(To be Circulated)

(x) The Sawmill Workers Wages Council Wages Regulation (Amendment) Order 2012
 - No. 31 of 2012.

(To be Circulated)

(xi) The Timber Grant Workers Wages Council Wages Regulation (Amendment)
 Order 2012 – No. 32 of 2012.

(To be Circulated)

(xii) The Minimum Wages (Cinema Employees) (Amendment) Order 2012 – No. 33 of 2012.

(To be Circulated)

(xiii) The Minimum Wages (Employees in Drug Stores) (Amendment) Order 2012 – No. 34 of 2012.

(To be Circulated)

INTRODUCTION OF BILLS-

Presentation and First Readings

1. <u>MOTOR VEHICLES AND ROAD TRAFFIC (AMENDMENT) BILL 2012 – Bill</u> <u>No. 5/2012</u>

The Minister of Home Affairs, on behalf of the Government, to present the following Bill:

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

2. <u>SUMMARY JURISDICTION (PROCEDURE) (AMENDMENT) BILL 2012 – Bill</u> <u>No. 6/2012</u>

The Minister of Home Affairs, on behalf of the Government, to present the following Bill:

A BILL intituled AN ACT to amend the Summary Jurisdiction (Procedure) Act.

PUBLIC BUSINESS -

(i) <u>GOVERNMENT BUSINESS</u>

MOTIONS

1. CONSIDERATION OF FINANCIAL PAPER NO. 9/2011

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. 9/2011 – Supplementary Estimates (Current and Capital) totalling \$79,619,478 – Advances made from the Contingencies Fund for the period 25th October, 2011 to 31st December, 2011.

(Notice Paper No. 54 (M24 Govt 9) published on 2012-05-11)

(Paper presented on 2012-05-10)

2. <u>COMPLIANCE WITH THE INTEGRITY COMMISSION ACT</u>

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

WHEREAS the extant Integrity Commission Act was passed in this House in 1997 and made into law on September 24, 1997 as the Integrity Commission Act 1997, Chapter 19:12, Act No. 20 of 1997;

AND WHEREAS the Commission and support staff were established shortly thereafter and all persons in public life listed in Schedule I being persons of high office are expected to be in compliance with this law;

AND WHEREAS Section 19 of the Act empowers the Commission and the President to publish the names of persons who are not in compliance with this Act in the Gazette and in a daily newspaper;

AND WHEREAS Section 22 addresses the offences and penalties for failure to comply which include fines and imprisonment;

AND WHEREAS all elected officials, and more so, Members of Parliament in particular, identified in Schedule I, are expected to be standard bearers of ethics in public office and uphold the Code of Conduct outlined in the Act and in Schedule II,

BE IT RESOLVED:

That this House recognizes the lawful and legal obligation of Members of Parliament to submit annual declarations and call on all Members of this National Assembly to submit their declarations in accordance with the law;

BE IT ALSO RESOLVED:

That this House declares that failure or refusal of Members of Parliament to submit declarations is a violation of the law and a gross indictment of those Members of Parliament and vicariously on the integrity of Parliament;

BE IT FURTHER RESOLVED:

That this House conducts an annual voluntary monitoring exercise of compliance by Members of Parliament;

BE IT FURTHER RESOLVED:

That this House calls on the President to disclose to the Speaker annually the names of those Members of Parliament in default;

BE IT FURTHER RESOLVED:

That persistent defaulters should be sanctioned by this House according to established norms of ethics and brought before the Committee of Privileges.

(Notice Paper No. 55 (M25 Govt 10) published on 2012-05-30)

3. <u>SYMPATHY ON THE DEATH OF DR. MOTI LALL</u>

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

BE IT RESOLVED:

That this National Assembly records its deep regret at the death of Dr. Moti Lall on 10th January, 2012 and pays tribute to his dedicated service as a Member of Parliament from 24th November, 1992 to 15th February, 2001 and to the people of Guyana;

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of its sympathy be conveyed to his sorrowing widow, child and relatives.

(Notice Paper No. 56 (M26 Govt 11) published on 2012-05-30)

(ii) <u>PRIVATE MEMBERS' BUSINESS</u>

MOTIONS

4. FORMER PRESIDENTS' PENSIONS AND BENEFITS

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

WHEREAS the National Assembly should make appropriate, adequate and reasonable provision for a President to enjoy a comfortable and dignified retirement;

AND WHEREAS it is in the national interest that such provision be made and be related to the capacity of Guyana to support it;

AND WHEREAS the provisions of the Former President's (Benefits and Other Facilities) Act 2009 has caused concern and resulted in adverse reaction among sections of the citizens of Guyana, in particular as to the ability of the country to sustain the benefits set out therein,

BE IT RESOLVED:

That this National Assembly immediately takes steps to have the aforementioned legislation repealed without prejudice, however, to the payment of benefits;

BE IT ALSO RESOLVED:

That a Parliamentary Committee be convened to examine the Pensions (President, Parliamentary and Special Offices) Act, Part II Section 4 (Rate of President and Calculation of Pension 7/8 Ceiling of Pension) and to make proposals for their revision;

BE IT FURTHER RESOLVED:

That the Special Parliamentary Committee submit as a matter of urgency a revised superannuation benefit package for those persons to whom the Parliamentary and Holders of Special Offices Act applies and for those other categories of employees catered for by other government pensions and arrangement/plans; and

BE IT FURTHER RESOLVED:

That this revised superannuation package be sent by the Special Parliamentary Committee for consideration and approval by the National Assembly.

(Notice Paper No. 42 (M14 Opp 8) published on 2012-04-05)

Meetings of parliamentary Committees

NIL

FRIDAY, 15th JUNE, 2012

Sitting of the National Assembly

NIL

Meetings of Parliamentary Committees

*THE ASSEMBLY COMMITTEE

Time: 1.30 p.m.

Venue: Committee Room No. 2 (Ground Floor, west of the main stairway), Public Buildings, Brickdam, Georgetown.

- Business: (i) To discuss/determine appropriate matters connected with the comfort and convenience of Members of the Assembly; and
 - (ii) Agree on a proposed methodology to address the business of the Committee.

ANY OTHER BUSINESS

Parliament Office Public Buildings Brickdam Georgetown

11th June, 2012.