

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION OF
THE NINTH PARLIAMENT OF GUYANA (2006- 2011)**

REPORT OF THE

SPECIAL SELECT COMMITTEE ON CONSUMER AFFAIRS BILL 2011

(BILL NO. 7/2011)

PRESENTED TO THE NATIONAL ASSEMBLY

BY

THE CHAIRMAN OF THE COMMITTEE

ON

17TH JUNE, 2011

**COMMITTEES DIVISION
PARLIAMENT OFFICE
PUBLIC BUILDINGS
GEORGETOWN**

17th June, 2011

Publication

1. The Consumer Affairs Bill 2011 (No. 7 of 2011) which was published on 27th April, 2011 seeks to promote and protect consumer interests in relation to the supply of goods and services and for related purposes.

First and Second Readings and Committal to a Special Select Committee

2. The Bill was read a first time on 28th April, 2011, and a second on 19th May, 2011. Thereafter, it was referred to a Special Select Committee.

Members of the Committee

3. At a meeting of the Committee of Selection held on 25th May, 2011, the following Members were nominated to the Special Select Committee on Consumer Affairs Bill 2011(Bill No. 7 of 2011):

Members from the People's Progressive Party/Civic:

- (i) The Hon. Kellawan Lall, M.P.,
- (ii) The Hon. Manzoor Nadir, M.P.,
- (iii) The Hon. Jennifer I. Webster, M.P.,
- (iv) The Hon. Pauline Sukhai, M.P.,
- (v) The Hon. Manniram Prashad, M.P.,
- (vi) Mr. Dharamkumar Seeraj, M.P.

Members from the People's National Congress/Reform - 1 Guyana:

- (i) Mrs. Clarissa S. Riehl, M.P.,
- (ii) Mr. Mervyn Williams, M.P.,
- (iii) Mrs. Joan Baveghems, M.P.

Member from the Alliance For Change:

No nomination was made by the Alliance For Change.

First Meeting of the Committee - Election of Chairman

4. At its first meeting held on 2nd June, 2011, the Committee elected the Hon. Manniram Prashad, M.P., as Chairman.

Other Meetings of the Committee

5. The Committee met on two (2) other occasions, on Thursday, 9th June, and **Monday, 13th June, 2011.**

Consideration of the Bill

6. The Committee commenced consideration of the Bill Clause by Clause on 13th June, 2011, and unanimously agreed that there should be no amendments to the Bill.

Report of the Special Select Committee

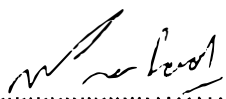
7. The Special Select Committee on the Consumer Affairs Bill 2011 (Bill No. 7/2011) agreed that this Report on its consideration of the Bill, should be presented to the National Assembly. The Report is accordingly hereby submitted.

Minutes

8. The Minutes of Proceedings of the Committee are attached at **Appendix 1.**

Verbatim Records

9. Verbatim Records of the proceedings of the Committee have been prepared and are available at Parliament Office.



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*Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce
Chairperson*

2011-06-13

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)

MINUTES OF THE
1ST MEETING OF THE SPECIAL SELECT COMMITTEE ON CONSUMER
AFFAIRS BILL 2011 – BILL NO. 7 OF 2011
HELD ON THURSDAY, 2ND JUNE, 2011
IN THE SPEAKER'S CHAMBER,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

MEMBERS OF THE COMMITTEE

CHAIRMAN (1)

The Hon. Hari N. Ramkarran, S.C., M.P., Speaker
(As Presiding Officer for the election of the Chairman)

From the People's Progressive Party/Civic (PPP/C) (6)
(Nominated by the Committee of Selection on 25th May, 2011)

The Hon. Kellawan Lall M.P.,
Minister of Local Government and Regional Development

The Hon. Manzoor Nadir, M.P.,
Ministry of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister in the Ministry of Finance

The Hon. Pauline Sukhai, M.P.,
Minister of Amerindian Affairs

The Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce

Mr. Dharamkumar Seeraj, M.P.

From the People's National Congress Reform – 1 Guyana (PNC/R – 1G) (3)
(Nominated by the Committee of Selection on 25th May, 2011)

Mrs. Clarissa S. Riehl, M.P.,
Deputy Speaker of the National Assembly

Mr. Mervyn Williams, M.P.

Mrs. Joan Baveghens, M.P.

From the Alliance For Change (AFC) (1)

No nominations were made by the Alliance for Change.

Officers

Ms. Debra H. Cadogan - Head of Committees Division (Ag)
Mr. Nickalai Pryce - Assistant Clerk of Committees

ITEM 1: CALL TO ORDER

1.1 The Speaker as Presiding Officer for the election of the Chairperson for the Committee called the meeting to order at 3.55 p.m.

ITEM 2: ELECTION OF CHAIRMAN OF THE SPECIAL SELECT COMMITTEE ON CONSUMER AFFAIRS BILL 2011 – BILL NO. 7 OF 2011.

2.1 The Speaker called for nominations of the Chairperson for the Committee.

2.1.1 The Hon. Manzoor Nadir, M.P. proposed and the Hon. Jennifer I. Webster, M.P., seconded the nomination of the Hon. Manniram Prashad, M.P.

2.1.2 There being no other nomination, the Speaker declared the Hon. Manniram Prashad, M.P., as Chairman of the Committee.

ADJOURNMENT

At 3.56 p.m. the meeting was adjourned *sine die*.

Confirmed this^{9th}..... day of June, 2011



.....
The Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce
Chairperson

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)

MINUTES OF THE
2ND MEETING OF THE SPECIAL SELECT COMMITTEE ON CONSUMER
AFFAIRS BILL 2011 – BILL NO. 7 OF 2011
HELD ON THURSDAY, 9TH JUNE, 2011
IN THE COMMITTEE ROOM NO.1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

MEMBERS OF THE COMMITTEE

CHAIRMAN (1)

The Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce
(Nominated by the Committee of Selection on 2nd June, 2011)

From the People's Progressive Party/Civic (PPP/C) (5)
(Nominated by the Committee of Selection on 25th May, 2011)

The Hon. Kellawan Lall M.P.,
Minister of Local Government and Regional Development

The Hon. Manzoor Nadir, M.P.,
Ministry of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister in the Ministry of Finance

The Hon. Pauline Sukhai, M.P.,
Minister of Amerindian Affairs

Mr. Dharamkumar Seeraj, M.P.

From the People's National Congress Reform – 1 Guyana (PNC/R – 1G) (3)
(Nominated by the Committee of Selection on 25th May, 2011)

Mrs. Clarissa S. Riehl, M.P.,
Deputy Speaker of the National Assembly - Excused

Mr. Mervyn Williams, M.P. - Absent

Mrs. Joan Baveghems, M.P. - Absent

From the Alliance For Change (AFC) (1)

No nomination was made by the Alliance for Change.

Officers

Ms. Deborah Gray - Clerk of the Committee
Ms. Tanzadell Bentinck - Assistant Clerk of Committees

Also in Attendance

Mrs. Amanda Dhurjohn - Parliamentary Counsel

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 1.10 p.m and welcomed those present to the meeting.

ITEM 2: ANNOUNCEMENTS

2.1 Excuse

2.1.1 Mrs. Clarissa Riehl, M.P., had asked to be excused from the Meeting.

ITEM 3: CIRCULATION OF DOCUMENTS:

3.1 The following documents were circulated prior to the meeting:-

- Notice to attend the 2nd meeting to be held on Thursday, 9th June, 2011; and ,
- Minutes of the 1st Meeting held on Thursday, 2nd June, 2011.

ITEM 4: CONFIRMATION OF MINUTES OF 1ST MEETING HELD ON 2011-06-02.

4.1.1 Confirmation:

4.1.2 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Kellawan Lall, M.P., and the Hon. Jennifer Webster, M.P., respectively.

ITEM 5: TO COMMENCE CONSIDERATION OF THE CONSUMER AFFAIRS BILL 2011 – BILL NO. 7 OF 2011.

5.1 Preliminary Remarks

- 5.1.1 In his opening remarks, the Chairman informed the Committee, that the consultative process on the Bill began in 2006 and it was introduced in the National Assembly on 28th April, 2011.
- 5.1.2 He advised that the Parliamentary Opposition had previously supported the Bill during its first and second readings on 28th April, 2011 and 19th May, 2011, respectively. However, a decision was taken to refer the Bill to a Special Select Committee, Therefore, in his view, he felt that it was mainly for procedural purposes that the Bill was now before the Committee.
- 5.1.3 He further informed the Committee that the Alliance for Change had declined to sit on the Committee due to the fact that the Bill already had their approval.
- 5.1.4 The Chairman then asked for suggestions regarding the methodology for the consideration of the Bill, that is, if Members saw the need for any amendments.

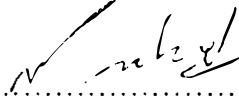
5.2 Methodology

- 5.2.1 The Hon. Kellawan Lall opined that the Bill had previously gone through a consultative process, and therefore, there should be no need to seek further consultations. However, due to the absence of Members of the PNC/R, he suggested that consideration and adoption of the Bill should be deferred to a next meeting, at which it was anticipated that they would be present. The other Members of the Committee endorsed the suggestion.
- 5.2.2 Thereafter, the Clerk of the Committee advised on the available dates for the Committee to meet.
- 5.2.3 In light of the above, the Committee agreed to defer consideration of the Bill and schedule its next meeting for Monday, 13th June, 2011, at 10.00 a.m.

ADJOURNMENT

At 1.20 p.m. the meeting was adjourned to 10.00 am on Monday, 13th June, 2011.

Confirmed this..... day of June, 2011



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*The Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce
Chairperson*

THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)

MINUTES OF THE
3RD MEETING OF THE SPECIAL SELECT COMMITTEE ON
CONSUMER AFFAIRS BILL 2011 – BILL NO. 7 OF 2011
HELD ON MONDAY, 13TH JUNE, 2011 AT 10.00 AM
IN THE COMMITTEE ROOM NO.1, COMMITTEES DIVISION,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

MEMBERS OF THE COMMITTEE

CHAIRMAN (1)

The Hon. Manniram Prasad, M.P.,
Minister of Tourism, Industry and Commerce
(Nominated by the Committee of Selection on 2nd June, 2011)

From the People's Progressive Party/Civic (PPP/C) (5)
(Nominated by the Committee of Selection on 25th May, 2011)

The Hon. Kellawan Lall M.P.,
Minister of Local Government and Regional Development

The Hon. Manzoor Nadir, M.P., - Excused
Ministry of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister in the Ministry of Finance

The Hon. Pauline Sukhai, M.P., - Excused
Minister of Amerindian Affairs

Mr. Dharamkumar Seeraj, M.P.

From the People's National Congress Reform – 1 Guyana (PNC/R – 1G) (3)
(Nominated by the Committee of Selection on 25th May, 2011)

Mrs. Clarissa S. Riehl, M.P., - Excused
Deputy Speaker of the National Assembly

Mr. Mervyn Williams, M.P.

Mrs. Joan Baveghems, M.P.

From the Alliance For Change (AFC) (1)

No nomination was made by the Alliance for Change.

Officers

Ms. Deborah Gray - Clerk of the Committee
Ms. Tanzadell Bentinck - Assistant Clerk of Committees

Also in Attendance

Mrs. Ananda Dhurjon - Principal Parliamentary Counsel

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 10.00 a.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.1.1 The following Members were excused from the meeting:-

- (i) The Hon. Manzoor Nadir, M.P.,
- (ii) The Hon. Pauline Sukhai, M.P., and
- (iii) Mrs. Clarissa Riehl, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS:

3.1 The following documents were circulated prior to the meeting:-

- Notice to attend the 3rd Meeting to be held on Monday, 13th June, 2011; and
- Minutes of the 2nd Meeting held on Thursday, 9th June, 2011.

ITEM 4: CONFIRMATION OF MINUTES OF 2ND MEETING HELD ON 2011-06-13.

4.1 Confirmation:

4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Kellawan Lall, M.P., and the Hon. Jennifer Webster, M.P., respectively.

ITEM 5: TO COMMENCE CONSIDERATION OF THE CONSUMER AFFAIRS BILL 2011 – BILL NO. 7 OF 2011.

5.1 Preliminary Remarks

5.1.1 The Chairman re-iterated to the Committee, the objective of the Bill and reminded Members that there was no prior contention to the Bill during its first and second readings. However, he wanted to ensure the Opposition's participation in the consideration process before it was submitted to the National Assembly for its third reading.

5.1.2 He then invited members to share their views with regards to the content of the Bill.

5.2 Consideration of the Bill

5.2.1 Mr. Mervyn Williams stated that he had hoped to see reference being made to the public transportation sector and expressed concern with regard to the breaches in contract relating to the service provided. He was further concerned about the quality of goods entering the country and questioned the application of compliance with standards.

5.2.2 Additionally, he suggested that the issue of hire purchase should have been addressed in the proposed legislation.

5.2.3 The Chairman acknowledged the concerns of Mr. Williams and advised that the issue of the transport service was an ongoing one that consumers had been lobbying for legislation for some time. He advised that the issue was being addressed.

5.2.4 In response to the hire purchase query, the Chairman stated that he was aware of the problems faced by members of the public who were being ripped-off as a consequence of the lack of hire purchase legislation. He, however, advised that a new legislation was presently being drafted for introduction to the National Assembly and that this legislation would have widespread consultation.

5.2.5 The Hon. Minister Webster advised Mr. Williams that his concerns could be addressed through the Competition and Fair Trading Commission which was set up to examine certain aspects of fair trading.

5.2.6 Thereafter, the Members of the Committee adopted the Consumer Affairs Bill 2011 (Bill No. 7/2011) without any amendments and agreed that a report of the Committee's deliberations would be prepared and submitted to the National Assembly at its next Sitting.

5.3 Adoption of Draft Report .

5.3.1 The Committee examined the Draft Report of the Consumer Affairs Bill 2011 (Bill No. 7 of 2011). The Report was then adopted without corrections.

5.3.2 Thereafter, the Clerk of the Committee was requested to finalise the Report and Motion for submission to the National Assembly at its next sitting.

5.3.3 The Chairman then thanked members and staff for their support and co-operation on the consideration of the Bill.

ADJOURNMENT

At 10.50 a.m. the meeting was adjourned.

Unconfirmed

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*The Hon. Manniram Prashad, M.P.,
Minister of Tourism, Industry and Commerce
Chairperson*