

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

**REPORT OF
THE SPECIAL SELECT COMMITTEE
OF THE NATIONAL ASSEMBLY**

**ON THE
POLITICAL PARTIES CAMPAIGN FINANCING
- RESOLUTION NO. 153 OF 2011.**

PRESENTED TO THE NATIONAL ASSEMBLY

BY

THE CHAIRPERSON OF THE COMMITTEE

ON

8TH SEPTEMBER, 2011.

**REPORT OF THE
SPECIAL SELECT COMMITTEE ON THE
POLITICAL PARTIES CAMPAIGN FINANCING**

Appointment of a Special Select Committee

1. On 28th April, 2011, the National Assembly passed Resolution No.153 which read as follows:

WHEREAS Article 162(1)(b) of the Constitution directs GECOM in relation to elections to issue such instructions and ‘take such action as appear to it to be expedient to ensure impartiality, fairness and compliance with the provisions of the Constitution or any Act of Parliament on the part of persons performing duties connected with or relating to the matters aforesaid’;

AND WHEREAS the laws relevant to financing campaigns of political parties as contained in Chapter 1:03 Laws of Guyana, Representation of the People Act Part XIII entitled –Election Expenses’ need to be updated;

AND WHEREAS Guyana has noted several international instruments and mandates for addressing the issue of political party campaign financing most notably the following, which explicitly or indirectly address these issues:

- As in the Declaration of Commitment of Port of Spain at the fifth Summit of the Americas in Trinidad and Tobago April 19th 2009 where CARICOM heads of State reaffirmed their commitment to fostering credibility and public trust in democratic institutions , in particular the legitimacy of electoral processes;
- As in Article 5 of the Inter-American Democratic Chapter where strengthening of political parties and other political organizations is recognized as a priority for democracy paying special attention to problems associated with the high cost of election campaign and the establishment of a balance and transparent system for their financing;

- As in Article 7 section 3 of the United Nations conventions against Corruption, to which Guyana acceded on April 16, 2008, and which requires that each state party ‘considers taking appropriate legislative and administrative measures to enhance transparency in the funding of candidatures for elected public office andthe funding of political parties’;
- As in Article 10 of the African Union on Convention on Preventing and Combating Corruption adopted in Maputo on July 11, 2003, each state party shall adopt legislative and other measures to incorporate the principle of transparency in funding of political parties;
- As in recommendation (2003) 4 of the Committee of Ministers for the Council of Europe (CoE) to member states on common rules against corruption in the funding of political parties and electoral campaigns which was adopted by the CoE Committee of Ministers on April 8, 2003. This international instrument primarily focuses on sources of funding – supporting a system that balances private and public finance – and on the merits of disclosure;

AND WHEREAS this National Assembly recognizes that a strong democracy requires a healthy representative multi-party system, resources to sustain and operate a basic party structure capable of representing people, contributing creatively to the public policy debate, and contesting elections;

RESOLVED,

That this National Assembly approves the establishment of a Special Select Committee to examine the existing laws and regulations regarding political parties’ electoral expenses, examine legislation in other countries in relation to political party campaign financing and report its findings and recommendations for this National Assembly’s consideration.

Constitution of the Special Select Committee

2. At a meeting of the Committee of Selection held on 25th May, 2011, the following Members were nominated to the Special Select Committee on Political Parties Campaign Financing:

Members from the Peoples Progress Party /Civic (PPP/C):

- (i) The Hon. Dr. Leslie Ramsammy, M.P.,
- (ii) The Hon. Manzoor Nadir, M.P.
- (iii) The Hon. Mohamed Irfaan Ali, M.P.,
- (iv) Ms. Gail Teixeira, M.P.
- (v) Mr. Mohabir Nandlall, M.P.
- (vi) Mr. Odinga Lumumba, M.P.

Members from the Peoples National Congress Reform- 1Guyana (PNCR-1G):

- (i) Mrs. Deborah J. Backer, M.P.
- (ii) Mr. Basil Williams, M.P.
- (iii) Dr. John Austin, M.P.

3. At a meeting of the Committee of Selection held on 20th June, 2011, the following Member was nominated to the Special Select Committee on Political Parties Campaign Financing:

Member from the Alliance for Change (AFC):

- (iv) Mrs. Sheila Holder, M.P.

First Meeting of the Committee – Election of Chairperson

4. The Select Committee held its first meeting on the 2nd June, 2011 and elected Ms. Gail Teixeira, M.P., as its Chairperson.

The Committee's Mandate

5. The Committee's mandate was guided by Resolution No.153 that is, to examine the existing laws and regulations regarding political parties electoral expenses, examine legislation in other countries in relation to political party campaign financing and report its findings and recommendations for the National Assembly's consideration.

Other Meetings of the Committee

6. (i) The Committee met on six other occasions.
- (ii) The attendance record of the Committee is at Appendix 1.

Procedure of the Committee

7. The Committee at its 2nd meeting held on 28th June, 2011, agreed that in an effort to move the process forward, it would review the Representation of the People Act and amendments and the Constitution with regards to the issue of political party campaign financing.

8. The Committee also noted that Guyana was not party to all of the instruments mentioned in the Resolution, but, it would take into consideration those international and regional instruments which it had acceded to.

9. Further, the Committee agreed that it would seek to obtain working definitions of political parties campaign and election financing, in order to have some clarity on the distinctions and to guide its scope of work. Furthermore, Members agreed to examine what obtains in other jurisdictions, in first instance, Australia, United States, Canada and India.

10. Subsequently, the Committee agreed that in order to have a structured discourse on the issue, the following Members would examine and present on what obtains in the following jurisdictions:

The Hon. Dr. Leslie Ramsammy-	Constitutional provisions – Guyana
The Hon. Manzoor Nadir	- Income and Expenditure relating to campaign financing
Mr. Anil Nandlall	- Australia and Guyana
Mr. Odinga Lumumba	- United States of America
Mrs. Sheila Holder	- India
Mr. Basil Williams	- India and Canada (Incumbency)
Dr. John Austin	- Representation of the People Act

11. At the 3rd meeting held on 19th July, 2011, Dr. Ramsammy's notes on the constitutional provisions relating to campaign financing was circulated. The Committee examined the provisions in the Constitution of Guyana on the issue of political parties campaign financing and found that there was no specific provision. It noted that Article 162 generally mandates the Guyana Election Commission with the responsibility of ensuring impartiality, fairness and compliance with the Constitution or any other Act of Parliament.

12. The Committee noted the following definitions that were obtained from the under - mentioned jurisdictions:

- **Federal Campaign Finance laws in Canada** - refers to campaign financing as the rules that govern the use of money in electoral process such as general elections, by-elections and referenda.¹
- **Party Finance regulation- Israel-** stated that the narrowest definition was “**money for electioneering**”, this money it stated, may be spent by candidates for public office and also by their political parties or by other individuals or organized groups of supporters. It is used specifically to compete in an election and to pay the cost of complying with the applicable laws governing political finance. Money for electioneering was known as “**campaign finance**”.²
- **Political Party and Campaign Financing in Latin America** defined “*campaign finance*” as the income and expenditure of political parties, in both funds and in kind, directed towards supporting both permanent and ordinary electoral activities.³

13. The Committee noted the list of literature regarding “*campaign financing*” from a number of other jurisdictions provided by the Chairperson, Ms.Gail Teixeira and documents pertaining to their presentations submitted by Mr. Odinga Lumumba (USA), and Mr. Anil Nandlall (Australia), (see Appendix 11 attached)

14. Using the various models from other countries and their experiences, the Members extensively discussed the advantages and disadvantages with regards to ensuring that undue influence was not brought to bear on political parties by large donors.

¹ <http://www.maplelafweb.com>.

² Pinto –Duschinskand Walecki, 2004:9.

³ Dr. Daniel Zovatto, Regional Director for Latin America – International IDEA, November,2008.

15. As there was no one legislative model which effectively worked to ensure greater transparency and accountability, extensive discussions centered on whether it should examine “*caps on spending*” and/or restrictions on “*contributions*” for political parties during an election campaign. The Committee agreed that the following broad areas should be the focus of its examination:

- Limits on income and/or expenses for campaign financing;
- Level of disclosure of sources of income;
- Boundaries regarding use of Government resources during election campaign;
- Public accountability for political parties campaign financing; and
- The strengthening of the existing laws (Representation of the People Act).

16. The Committee, at its 4th meeting held on 2nd August, 2011 examined the United States model as presented by Mr. Odinga Lumumba. He noted that there were two pertinent ideological positions which emerged-(1) a model which allowed candidates to raise and spend any amount of funds during an election campaign and (2) another model in which the state provides matching funds and limits corporate support for campaign financing and where a party/candidate could opt to access these funds from the state, once it was willing to account for the use of the funds and abide by the limits set, including revealing its source of other/additional income. Furthermore, in both models when a candidate retired, the funds remaining from the campaign could be retained by him/her and could be used for non- election purpose.

17. Given the aforementioned positions, the Committee decided that in order to move forward, an examination of the philosophical/ideological positions on political parties campaign financing may prove helpful.

18. The process for the presentations was, however, stymied due to the unpreparedness of some Members. The Committee noted that Mr. Nandlall had provided some literature on the Australian model but did not make a presentation. The Committee also noted that other Members;

the Hon. Manzoor Nadir, Mrs. Sheila Holder, Mr. Basil Williams, and Dr. John Austin, who had volunteered to make presentations, did not provide any information or make presentations with respect to their assignments.

19. To avoid further delay, the Committee requested the Committees Division to prepare a comparative analysis of campaign financing models in selected countries on a matrix for easy reference (see Appendix 111 attached)

20. At its 5th meeting held on 16th August, 2011 the Committee noted the absence of all of the Members of the Opposition. Members of the Government, who were present at the meeting, while noting that Mrs. Holder had asked to be excused, expressed concern regarding the lack of mutual commitment by the Members of the Opposition, especially, since the matter before the Committee emerged from a motion by a Member of the Opposition.

21. Consequently, the Committee agreed to formally write the Members of the main Opposition Party, seeking clarification as to whether their absence from the meeting was an indication of their non-attendance at subsequent meetings of the Committee.

22. The Committee agreed that pending the response by the Opposition Members, it would discuss the issue at the various levels with the aim of having some of its views brought to the next meeting. The Committees Division was asked to prepare a draft report for consideration by the Committee at the next meeting.

23. The Committee at its 6th Meeting held on August 30th noted that there was no official response to a letter dated 17th August, 2011 to Members of the Opposition regarding their non-attendance at meetings of the Committee. A verbal response was communicated to the Committees

Division by Dr. John Austin, in which he stated that **“Members of the PNCR-IG would not be attending any meetings of Committees during the Parliamentary recess period, except there was some issue of urgency”**. Further, efforts to contact AFC Member, Mrs. Sheila Holder, by both the Chairperson via the electronic media and the Committees Division, to ascertain her presence at further meetings of the Committee proved futile. The Committee noted these developments.

24. Notwithstanding, the Committee decided to continue its deliberations .The Committee deduced after examining the various models from other jurisdictions, that not one single model was able to successfully achieve its goals of ensuring that the appearance of undue influence was not bought to bear on political parties by private and special interest groups, even in models that provided for professional parties receiving state funds. It was noted that whatever model was examined there were anomalies that allow for influencing outside of the legal framework.

25. The Committee agreed that the Representation of the People Act, Part XI¹¹ entitled “Election Expenses”, needed to be updated as proposed in the Resolution. In doing so the Committee also observed that only one political party, the Peoples Progressive Party/Civic, was in compliance with the existing legal requirements of providing reports up to and including the elections of 1992, 1997 and 2001. No political party was in compliance with the law for the 2006 elections.

26. Members of the Government acknowledged that the issue before the Committee was an important one, but reiterated their regret that further discussions on the issue could not be concluded, due to the non-attendance and by extension, the lack of participation of Members of the Opposition parties. The Members agreed that it would not be prudent to conclude the discussions with only the Government’s views, particularly since the motion was brought to the National Assembly by a Member of the Opposition.

Recommendations

27. The Committee agreed that the issue of political parties campaign financing was a very important one that Guyana should address as it continues to strengthen its Parliamentary democracy. While there were no specific recommendations due to the constraints faced by the Committee, the following were some principles that the Committee felt should guide political parties campaign financing:-

- The constitutional and legislative framework should be strong enough to ensure that political parties are not subjected to undue influence from stakeholders based on their financial or kind contributions;
- Political parties should protect their independence and not become subjected to any particular interests based on financial or other contributions;
- The accountability of political parties as it relates to reporting campaign financing must be in compliance with the laws;
- Examination of the existing electoral laws should include sources of financing including national and non-national, level of financing, level of disclosure, and the issue of professional parties;
- That any formula designed to address the issue of political parties campaign financing, whilst taking into account the level of political development in the country and the constitutional framework, should allow for an affirmative action policy to ensure increased political participation and representation of *women, youth, hinterland communities, disabled people*, rather than being a disincentive to their increased participation as candidates in national, regional or local elections;
- That any future analysis of ***political parties campaign financing*** should be done in the context of the present electoral laws;
- That all political parties contesting the 2011 national and regional elections, should report on their "*Election Expenses*" in accordance with the existing laws.

28. The Committee was of the view that the above principles should be the focus of further discussions in the 10th Parliament.

Report of the Special Select Committee on the Political Parties Campaign Financing

29. At the Meeting held on 6th September, 2011, the Special Select Committee on Political Parties Campaign Financing approved its Report and agreed that it be submitted to the National Assembly for adoption.

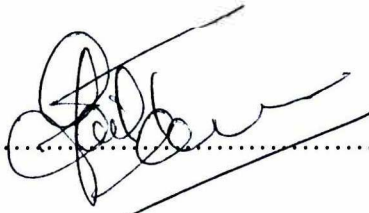
30. The Report is accordingly hereby submitted.

Minutes

31. The Minutes of the Proceedings of the Committee are attached at Appendix IV

Records

32. Records of the Proceedings of the Committee, including the Verbatim Records, would be made available at the Parliament Office.

A handwritten signature in black ink, appearing to read 'G. Teixeira', is written over a horizontal dotted line. The signature is stylized and cursive.

*Ms. Gail Teixeira, M.P.,
Chairperson of the
Special Select Committee on the
Political Parties Campaign Financing*

Committees Division,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.

8th September, 2011.

APPENDIX I

SPECIAL SELECT COMMITTEE ON
THE POLITICAL PARTIES CAMPAIGN FINANCING – RESOLUTION NO. 153 OF 2011

ATTENDANCE RECORD (2011)

NAME	June		July	August			Sept.
	2 nd	28 th	19 th	2 nd	16 th	30 th	6 th
Ms. Gail Teixeira, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
The Hon. Dr. Leslie S. Ramsammy, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.	Pr.
The Hon. Manzoor Nadir, M.P.	Pr.	Abs.	Pr.	Pr.	Ex.	Abs.	Pr.
The Hon. Mohamed Irfaan Ali, M.P.	Pr.	Ex.	Ex.	Pr.	Abs.	Pr.	Pr.
Mr. Mohabir A. Nandlall, M.P.	Pr.	Pr.	Ex.	Ex.	Abs.	Ex.	Abs.
Mr. Odinga Lumumba, M.P.	Pr.	Pr.	Pr.	Pr.	Pr.	Ex.	Abs.
Mrs. Deborah J. Backer, M.P.	Abs.	Ex.	Ex.	Ex.	Abs.	Abs.	Abs.
Mr. Basil Williams, M.P.	Pr.	Abs.	Pr.	Pr.	Abs.	Abs.	Abs.
Dr. John Austin, M.P.	Pr.	Abs.	Pr.	Pr.	Abs.	Abs.	Abs.
Mrs. Sheila Holder, M.P.	Pr.	Pr.	Ex.	Pr.	Ex.	Abs.	Ex.

Pr. Present
Abs. - Absent
Ex. Excused

Committees Division
Parliament Office
Public Buildings
Georgetown

APPENDIX II

List of documents examined by the Special Select Committee on the Political Parties Campaign Financing:

- Amendments to the Representation of the People Act – Guyana;
 - Campaign Finance: A Brief History - USA;
 - Campaign Finance- Australia;
 - Campaign Finance Reform, 2007 Election - Australia;
 - Campaign Finance – USA;
 - Constitution of Guyana;
 - Declaration of Commitment of Port of Spain;
 - Definitions of Political Parties Campaign Financing (Extracts);
 - Draft Model Law on the Registration and Regulation of Political Parties - OAS;
 - Electoral Contests, Incumbency Advantages and Campaign Finance – USA;
 - Enforcement of Model Code of Conduct – Election Commission of India;
 - Federal Campaign Finance Laws in Canada;
 - Inter-American Convention against Corruption;
 - Inter-American Democratic Chapter – (Article 5);
 - Model Code of Conduct for the Guidance of Political Parties and Candidates - India;
 - Party Finance Regulation: Israel in Comparative Analysis;
 - Political Donation in Australia;
 - Political Party and Campaign Financing in Latin America;
 - Representation of the People Act, part 13 - Guyana;
 - Representation of the People Act 1951- India;
 - Summary of Regulation of Party and Election Finance in Canada; and
 - United Nations Convention against Corruption.
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APPENDIX III

Comparative Matrix of Selected Campaign Finance Regulations/Laws

Name of country	Spending Caps	Caps on Contributions	Matching funds/disclosure/accountability
India	<p>*The Election Commission from time to time sets the expenditure ceiling. This includes all expenditures incurred by the party and candidate to further electoral prospects of a candidate.</p> <p>There shall be reasonable ceiling on all advertisements.</p>	<p>*Caps on contribution from corporations.</p> <p>*However, there are no restrictions on other campaign related group activities or individual.</p>	<p>*Every candidate/party obtaining 10% or more of the valid votes receives a prescribed sum of public funds as per vote, but the Election Commission must receive a claim of compliance about the expenditure of public funds and the ceiling.</p> <p>*All candidates had to be democratically elected by their party's membership.</p> <p>*Free television and radio air time is allotted to all recognized parties as prescribed by the Elections Commission. Election debates telecast and broadcast shall be broadcasted by all electronic media as directed by the Elections Commission.</p>
Israel ¹	<p>\$330,000 per Member of Parliament to cover campaign which is from public funds.</p> <p>*At the local government level there appears to be no such caps</p>	<p>*\$580 in an election year and \$290 in non election year.</p> <p>*Candidates can opt not to take public funding and have an independent campaign but a candidate can receive a new per household limit of \$14,403.</p>	<p>*Each party regardless of its size receives \$200,000 for each Member of Parliament for party activities.</p> <p>*Candidates that take public funding relinquish their right to an independent campaign.</p> <p>*The Israeli election laws guarantees each candidate 10 minutes and 25 minutes on television and radio for a programme produced by their parties, which is referred to as indirect funding.</p>

¹ Restriction on Israeli residents and Israeli non-residents

<p>Israel cont'd</p>		<p>*Caps on contributions for primaries stand at \$2,401 for ordinary candidates and \$7,210 for Prime Minister and Chairman.</p> <p>*No provisions at local government level</p>	<p>*Public funding for primaries stand at \$97,237 for 100,000 votes.</p> <p>*Local government elections are held at the same time as national elections for the most part and each party list receives funding based on the number of seats it won, which is calculated by a prescribed formula. There is also the provision of transportation for voters living far from polling stations.</p>
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<p>United States of America</p>	<p>*This exists specifically in cases where the candidates obtain public funding</p> <p>*Candidates must limit campaign funding to \$10M plus cost of living adjustment–national spending limit for primaries.</p> <p>* \$ 200,000 per state plus cost of living adjustment based on the voters in that state.</p> <p>Personal spending \$50,000.</p> <p>*However the law exempts payments of some expenses from the limit, like fundraising, legal and accounting, once matching funds are accepted.</p>	<p>Caps on the amount per contributor to the candidate and party but does not have to account for this.</p> <p>*A candidate who does not take matching funds can receive up to 2,500 per person to his/her campaign.</p> <p>*A volunteer may travel with a campaign spending \$1,500 for primaries and national election and \$2,000 on behalf of the candidate annually.</p> <p>*Some forms of contribution are illegal and are not deemed matching fund, like loans, cash, goods and services.</p> <p>*Eligible candidates may receive half of the national spending limit for primaries. However candidates usually receive unlimited non matching funds.</p>	<p>*Public funds are available for primaries and national elections and the candidate/party is accountable for these funds received.</p> <p>*The Federal matches up to \$250 per individual contribution to an eligible candidate.</p> <p>* Each major political party is entitled to \$4M plus cost of living adjustment to finance its national presidential convention, but parties opt for a special account to fund other activities, allowing for contributions above the donors annual limit.</p> <p>*A minor party is eligible for such funding based on its share of the popular vote.</p> <p>*Only candidates seeking the Office of President can receive primary matching funds and must show broad base support, must raise over \$5,000 in 20 states.</p> <p>*Coordinated party expenditure are not considered contributions and do not go against a candidate whether he/she is receiving public funding or not.</p> <p>*Matching funds are repayable if unused or improperly used.</p>
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<p>United States of America cont'd</p>		<p>*Candidates who lost primaries may continue to request public funds four months after national elections to pay debts.</p> <p>*Each presidential nominee is eligible for \$20M of public funds plus cost of living adjustment but must limit spending and may not accept private contributions.</p> <p>*A new or minor party will receive public funding by gaining 5% or more of the votes, and may supplement private funds and will be exempted from some fundraising cost and expenditure limits.</p> <p>* \$30,800 for up to 10 yrs to a national party committee and \$10,000 a year to a state or local party committee and may spend up to \$2000 annually on a reception to benefit a candidate.</p>	
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<p>Canada²</p>	<p>*Based on the number of candidates on a party list.</p> <p>*Candidate nomination expense is 20% of campaign spending limit for each electoral district</p> <p>* must report election expenses</p> <p>*must report "third party"³ expenditures</p>	<p>*Maximum \$1100/annum to registered party.</p> <p>*Max of \$1100/annum in total to various entities of each party.</p> <p>*Max \$1,100/annum to each independent candidate in a given elections.</p> <p>*Max \$1,100 in total to leadership contestants in a leadership contest.</p> <p>Therefore the total cap on an individual/personal donation is \$5000.</p> <p>*Must report names of all contributors over \$200 including contributions to nomination and leadership campaigns</p>	<p>*Political Contribution Tax Credit (75% credit on contributions up to \$400, sliding scale on larger contributions).</p> <p>*Reimbursed a percentage of campaign expenses once a certain percentage of district or national votes are not obtained or increased as a % of campaign expenses once more seats are won - 60% for candidates winning at least 10% of the popular vote -50% for registered parties (winning 2% of the national popular vote or 5% of the district where the party ran candidates).</p> <p>* Canada has an established fund through which the issue of public financing for political parties are managed.</p>
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² Restriction on only Canadian nationals and permanent residents making contributions

³ The use of associated entities/third parties provides individuals and corporations etc. with "front" organizations to hide donations to political parties anonymously. Associated entities donated \$72.6M to political parties in 2003-2004 in Australia

Canada cont'd		* Must report contributions of "third parties"	
Australia ⁴	Nil ⁵	<p>* Annual donation to party or its arms of up to \$90,000 across national and state branches without public disclosure and political donations - \$10,000 to candidates.</p> <p>* Disclosure laws require source of donation over \$10,000 to be identified, however multiple donations can be made by same contributor.⁶</p> <p>* No limit on the amount of political advertising through donations/supporting bodies/trade unions/corporations.</p>	<p>* Mixed system (public financing based on electoral strength)⁷ and private donations (partially disclosed)</p> <p>* Once a candidate receives a certain percentage of votes his/her party claims an amount for election funding.</p> <p>* Donors through tax laws can request a tax deduction (to a max of \$1500 per annum for individuals and corporations) from contributions and gifts to parties registered under federal or state or territory law.</p>

⁴ No restriction on donations from foreign entities

⁵ Corporate funding to political parties has increased significantly from \$29M to all parties in 1995-8 to \$64.8M (Labour Party) and \$66M (Liberal Party) alone in 2004-2005 period.

⁶ Political parties must lodge their returns to the Australian Elections Commission but they are not required to divulge the identities of corporations

⁷ Australian government paid \$41.9 M in public funding to political parties in 2004 elections

OAS Draft Model	*Proposes that campaign expense should not exceed aggregate value prescribed for a party or candidate.	*Proposes that donations do not exceed a prescribed sum in a financial year or campaign period.	*Proposes that a fund for political parties which would make allocations based on Parliamentary representation.
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Additional Notes:

1. It should be noted that there are distinctions between federal/national electoral laws on this issue and those in regards to states, provinces, regions or district elections.
2. All the countries mentioned in the matrix above do not regulate, or prohibit and ,therefore, allow through legal loop holes for paid advertisements by individuals, companies, trade unions, or trust, foundations, think tanks etc; fund raising activities held by same bodies in support of the candidate/party thus sponsor and amount of donation do not need to be disclosed.
3. UK requires all corporate donors must disclose their political donations in the company's annual reports.

3. Latin American countries:

16 of 18 countries have mixed financing (direct and indirect public and private) only Venezuela and Bolivia eliminated public financing in 1999 and 2008 respectively

50% (8 of 16) have a hybrid formula that distributes a percentage of public financing based on their electoral strength and another percentage in equal parts

44% (7 of 16) it is proportional to electoral strength

16 of 18 have prohibitions regarding the origin of the private financing (72% no foreign contributions; 50% no state contributions; 50% no anonymous contributions)

61% (11 of 18) LA countries establish limits or conditions regarding the amounts of private contributions.

Few LA countries have accountability requirements; in some where they do require parties to report this information is not made public

There appears to be no ceilings on spending.

61% do not regulate mechanisms for disclosure e.g Bolivia, Chile, El Salvador, Guatemala, Honduras, Nicaragua, Paraguay, Peru, DR, Uruguay and Venezuela.

In 94% the electoral management body has oversight responsibility for control and auditing of political financing and to meet out sanctions (fees, suspension, reduction/suspension of public financing, suspension or elimination of party's legal status) for violations, offences etc.

APPENDIX IV

**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 THE POLITICAL
PARTIES CAMPAIGN FINANCING – RESOLUTION NO. 153 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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

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

The Hon. Mohamed Irfaan Ali, M.P.,
Minister of Housing and Water

Ms. Gail Teixeira, M.P.

Mr. Mohabir A. Nandlall, M.P.

Mr. Odinga N. Lumumba, 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. Deborah J. Backer, M.P. (Absent)

Mr. Basil Williams, M.P.

Dr. John Austin, 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 4.00 p.m.

ITEM 2: ELECTION OF CHAIRMAN OF THE SPECIAL SELECT COMMITTEE ON THE POLITICAL PARTIES CAMPAIGN FINANCING – RESOLUTION NO. 153 OF 2011.

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

2.1.1 The Hon. Mohamed Irfaan Ali, M.P. proposed and Mr. Odinga N. Lumumba, M.P., seconded the nomination of Ms. Gail Teixeira, M.P.

2.1.2 There being no other nomination, the Speaker declared Ms. Gail Teixeira, M.P., as Chairperson of the Committee.

ADJOURNMENT

At 4.03 p.m. the meeting was adjourned *sine die*.

Confirmed this day of June, 2011


.....
Ms. Gail Teixeira, M.P.,
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 THE POLITICAL
PARTIES CAMPAIGN FINANCING – RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 28TH JUNE, 2011
IN THE PARLIAMENT CHAMBER,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

The Hon. Manzoor Nadir, M.P., - (Absent)
Ministry of Labour

The Hon. Mohamed Irfaan Ali, M.P., - (Excused)
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P.

Mr. Odinga N. Lumumba, 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. Deborah J. Backer, M.P. - (Excused)

Mr. Basil Williams, M.P. - (Absent)

Dr. John Austin, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P.

Officers

Ms. Letta Barker - Clerk of Committees
Ms. Tanzadell Bentick - Assistant Clerk of Committees

ITEM 1: CALL TO ORDER

1.1 The Chairperson called the meeting to order at 4.10 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.1.1 The Hon. Irfaan Ali and Mrs. Deborah Backer 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 dated 21st 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 Confirmation of Minutes was deferred to the next meeting.

ITEM 5: TO CONSIDER THE METHODOLOGY, TIME AND DATE OF THE COMMITTEE'S PROCEEDINGS.

5.1 Preliminary Remarks

5.1.1 The Chairperson in her opening remarks stated that while the issue before the Committee was one of interest, it was not entirely a new one. She posited that the issue of political parties campaign financing had attained greater importance at both the global and

regional level now, than it did in 1997 when there were discussions at both the inter-party and the bipartisan levels in Guyana, however those discussions were incomplete and the issue was before the Committee for another round of discussions.

- 5.1.2 The Chairperson also stated that there was no one template, since depending on the electoral system, several different legislative examples existed. The Committee, in its deliberations, could examine the different legislative instrument pertaining to campaign financing in an effort to provide recommendations on the issue to the National Assembly.

5.2 **Methodology**

- 5.2.1 The Chairperson indicated that while she had some proposals on the way forward, she felt that since the motion was moved by AFC, Mrs. Holder should be given an opportunity to share her views on the way forward.

- 5.2.2 Mrs. Holder stated that the AFC would prefer to review the issue within the context of what was already in legislation under the Representation of the People Act, which was inadequate in its present form.

- 5.2.3 She contended that the Committee could not ignore the mandate that was given to it and advised that the Committee could also, to an extent, approach its work within the context of the international instruments mentioned in the Resolution. In addition, legislation from other countries that are relevant to the issue could be compared, to allow the Committee to submit significant recommendations to the National Assembly.

- 5.2.4 The Hon. Minister Ramsammy advised that relevant articles and clauses of the Constitution and the Representation of the People Act respectively, should be extracted and circulated to Members for their perusal in an effort to move the process forward.

- 5.2.5 In response to a query raised by Mr. Lumumba about the reason/intention of the AFC bringing such a motion to the National Assembly, Mrs. Holder stated the following:

- (i) that she had raised the issue of campaign financing which was a “pet peeve” of hers, before she became a Member of the AFC;
- (ii) that His Excellency President Jagdeo had raised the issue when he met with the former US President, Jimmy Carter,

in 2001, indicating a desire to examine the issue and to revise the laws;

- (iii) that at present, all of the political parties in the National Assembly were in violation of the law, since none of them submitted financial reports on their campaigns, thus abusing the existing laws. Each Party had an obligation to regularize the abuse of the law;
- (iv) that if there was a transparent and regularized system in place, the recent negative comments made regarding the AFC source of funding for its campaign could have been avoided.

- 5.2.6 The Chairperson, in supporting the comments made by Dr. Ramsammy earlier, relating to the circulation of the relevant documents, indicated that the documents should reflect all of the amendments to ensure the Committee was looking at the correct legislation.
- 5.2.7 Further, she suggested, that while the Committee could look at the present laws in Guyana, another approach on the issue could be to look at laws in other jurisdiction for example, the Canadian and the India models which had strict accountability.
- 5.2.8 Mr. Lumumba cautioned that the issue of campaign financing required serious dialogue not only with the Members of Parliament but would also have to include the business sector, civil society and individuals. It was, therefore, necessary to determine first of all whether the Committee was going to look at overall changes to the existing laws or just some amendments to it.
- 5.2.9 Mr. Nandlall, while endorsing Mr. Lumumba's comments, advised that the Committee should first of all seek to obtain a working definition of *Political Parties Campaign Financing*, in an effort to determine its scope. He further suggested that the relevant international instrument referred to in the Resolution should be circulated to Members for consideration before the next meeting.
- 5.2.10 The Chairperson reminded Members that not all of the international or regional instruments mentioned in the Resolution were acceded to by Guyana; those from the European Council and the African Union were only for information.
- 5.2.11 Thereafter, the Committee agreed that the Committees Division in collaboration with the Researchers would make the relevant international instruments available to Members. In addition, part 13 (*election expenses*) of the Representation of the People Act,

chapter 1:03 of the Laws of Guyana, along with its amendments, from 1998 to present would also be circulated.

5.2.12 The Committee also agreed that a list of definitions extracted from the above documents should be compiled and circulated to Members. This would allow for more clarity on the issue.

5.2.13 Members of the Committee were also requested to forward any documents they had relating to political party campaign financing to the Committees Division to facilitate its circulation before the next meeting.

5.3 Time and date

5.3.1 The Committee agreed that it would meet on Tuesdays at 4.00pm.

ITEM 6: ANY OTHER BUSINESS:

6.1 Special Interest relating to the issue

6.1.1 Mrs. Holder indicated that her interest in the matter was comparable to the one she had in civil society organizations and the aim was to have some framework for accountability and responsibility.

6.1.2 She stated that political parties held greater responsibilities and should have some form of structure since there was no form of registration for political parties in Guyana. She indicated that the lack of transparency had implications for governance and that her interest was aimed at improving the environment in which political parties functioned.

6.1.3 The Chairperson noted the comments made and explained that the issue took on a new form as the country evolved. She posited that the issue required thought and research and should not be rushed but should be looked at in a comprehensive and complex way.

6.1.4 The Committee then agreed that in order to have a structured engagement at the next meeting, Members would examine what obtains in other jurisdictions and make presentations as follows:

Dr. Ramsammy	- Constitutional provisions – Guyana
Mr. Nandlall	- Australia and Guyana
Mr. Lumumba	- United States of America
Mrs. Holder	- India

ADJOURNMENT:

At 5.05 p.m. the meeting was adjourned to 4.00pm on Tuesday, 12th July, 2011.

Confirmed this day of July, 2011

A handwritten signature in black ink, appearing to read 'Gail Teixeira', written over a horizontal dotted line.

*Ms. Gail Teixeira, M.P.
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 THE POLITICAL PARTIES CAMPAIGN FINANCING
-RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 19TH JULY, 2011
IN THE PARLIAMENT CHAMBER,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.**

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

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

The Hon. Mohamed Irfaan Ali, M.P., - (Excused)
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P. - (Excused)

Mr. Odinga N. Lumumba, 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. Deborah J. Backer, M.P. - (Excused)

Mr. Basil Williams, M.P.

Dr. John Austin, M.P.

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P. - (Excused)

Officers

Ms. Letta Barker
Ms. Tanzadell Bentinck

Clerk of Committees
Assistant Clerk of Committees

ITEM 1: CALL TO ORDER

- 1.1 The Chairperson called the meeting to order at 4.05 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

- 2.1.1 The following Members had asked to be excused from the meeting:
- (i) Hon Mr. Ifraan Ali, M.P
 - (ii) Mr. Anil Nandlall, M.P.
 - (ii) Mrs. Deborah Backer, M.P.
 - (iii) Mrs. Sheila Holder, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS:

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

- (i) Notice to attend the 3rd Meeting on Tuesday, 19th July, 2011;
- (ii) Minutes of the 2nd Meeting held on Tuesday, 28th June, 2011; and
- (iii) The documents listed below:

Definitions of Political Parties Campaign Financing (extracts)
Representation of the People Act, part 13 – Guyana
Amendments to the Representation of the People Act- Guyana
Inter-American Democratic Charter – (Article 5);
Declaration of Commitment of Port of Spain;
United Nations Convention Against Corruption;
Political Party and Campaign Financing in Latin America;
OAS Draft Model Law on the Registration and Regulation of Political Parties;
Party Finance Regulation: Israel in Comparative Analysis;
Inter-American Convention Against Corruption;

- Summary of Regulation of Party and Election Finance in Canada;
- Federal Campaign Finance Laws in Canada;
- Model Code of Conduct for the Guidance of Political Parties and Candidates- India;
- Enforcement of Model Code of Conduct – Election Commission of India; and
- The Representation of the People Act 1951- India.

ITEM 4: CONFIRMATION OF MINUTES OF 1ST AND 2ND MEETINGS HELD ON 2011-06-02 AND 2011-06-28 RESPECTIVELY.

4.1 Confirmation of 1st Minutes:

4.1.2 The Minutes were confirmed, without correction, on a motion moved and seconded by the Hon. Dr. Leslie S. Ramsammy, M.P., and Dr. John Austin, M.P., respectively.

4.2 Confirmation of 2nd Minutes:

4.2.1 The Minutes were confirmed, without correction, on a motion moved and seconded by the Hon. Dr. Leslie S. Ramsammy, M.P., and the Hon. Mr. Manzoor Nadir, M.P., respectively.

ITEM 5: MATTERS ARISING FROM THE 2ND MINUTES

5.1 Page 5, Paragraph 5.2.11:-Methodology

5.1.1 The Chairperson informed the Committee that the relevant international instruments as well as part 13 (*election expenses*) of the Representation of the People Act, Chapter 1:03 of the Laws of Guyana, along with its amendments, from 1998 to present were circulated to Members.

5.1.2 Page 5, Paragraph 5.2.11- Methodology

5.13 In response to a query, Mr. Williams was informed that the OAS model was included in the list of documents circulated under the name “*Draft Model Law on the Registration and Regulation of Political Parties*”.

5.2 Page 5, Paragraph 5.2.12- Methodology

5.2.1 The Chairperson informed the Committee that a list of definitions extracted from several countries defining political parties campaign financing was also circulated.

5.3 Page 5, Paragraph 6.1.4- Any Other Business

5.3.1 The Chairperson indicated that at its previous meeting, the Committee had agreed to look at what obtained in Australia, United States and India, but this did not exclude other jurisdictions being looked at as well.

5.4 Page 6 – Adjournment

5.4.1 The Chairperson apologized for the postponement of the meeting which was scheduled for the 12th July, 2011.

ITEM 6: TO CONSIDER DOCUMENTS CIRCULATED WITH REGARDS TO LEGISLATION AND EXPERIENCES IN SELECTED COUNTRIES WHICH ADDRESS THE ISSUE OF POLITICAL PARTIES CAMPAIGN FINANCING.

6.1 Presentation

6.1.1 The Chairperson informed the Committee that not all of the Members who were slated to make presentations were at the meeting. She then invited the Hon. Dr. Ramsammy to make his presentation on the provisions for political parties campaign financing in Guyana’s Constitution.

6.1.2 Dr. Ramsammy stated that his research revealed that there was no specific reference in the Constitution on Campaign Financing except at article 162, which was referred to in the Resolution. The Guyana Election Commission was mandated to ensure impartiality, fairness and compliance with the provisions of the Constitution or of any other act of Parliament.

6.1.3 Dr. Ramsammy’s written presentation was subsequently submitted and circulated to the Members.

6.1.4 Mr. Lumumba, who was then invited to make his presentation, informed the Committee that while he was ready with his presentation, he would prefer to do so at the next meeting of the Committee. He indicated that he had copies of documents which he would like Members to receive and examine prior to the next meeting. The documents were subsequently copied and circulated to Members.

6.2 Further Discussion on the Issue

6.2.1 The Chairperson, in inviting further discussions on the issue, indicated that since the amendments to the Representation of the People Act from 1998 to present, were not relevant specifically to

campaign financing, the Committee had to revert its attention back to the original Act.

- 6.2.2 Mr. Basil Williams in commenting, agreed that the Committee should firstly, look at the definition of *political parties campaign financing*.
- 6.2.3 The Chairperson in response to a query raised by Mr. Williams, indicated that her interpretation of the Resolution No.53 on Campaign Financing related directly to elections.
- 6.2.4 The Hon. Nadir advised that the Committee should determine whether it would examine the issue of campaign financing in terms of both the receipts and expenses aspects. He explained that traditionally in the Westminster system there was “*Caps on Spending*”.
- 6.2.5 He opined that the Committee should examine the issue based on expenses for campaigning, rather than the contributions made to political parties, regardless of the electoral system that was in place.
- 6.2.6 Dr. Austin advised that in order to engage in an effective exercise on the issue of campaign financing, both the income and expenditure of political parties should be looked at.
- 6.2.7 Mr. Basil Williams, while agreeing with the notion that both receipts and expenses must be looked at, proffered the view that the source of income for campaign financing would be the most essential factor in considering the issue.
- 6.2.8 He stated that it was necessary to determine whether political parties received funding from illegitimate or legitimate sources and further, whether external funding would interfere with the internal affairs of the country. He posited that the broad areas that the Committee should look at were:
- Limits or restrictions on campaign spending;
 - Non- use of Government resources during election campaign;
 - The use of campaign funds for illegal activities.
- 6.2.9 Mr. Lumumba opined that it was necessary to look at the disclosure of source of funding of political parties with a view of putting a limit to it since, unlimited contribution by a particular group or individual, could influence a political party.

- 6.2.10 The Hon. Dr. Ramsammy endorsed the comments made and indicated that the Committee should look at both the income and expenditure of campaign funds and also ways of strengthening the existing laws relating to campaign financing (Representation of the People Act).
- 6.2.11 He contended that the issue of “*caps on spending*” was a difficult one. The issue of incumbency which had and is still being debated was also pertinent and therefore, it was necessary to establish the areas that the Committee should be dealing with.
- 6.2.12 The Chairperson stated that the principles relating to political parties campaign financing was based on some key democratic foundations which were, *transparency, accountability and public trust*. She agreed that “*source of funding*” was important since it dealt with whether a political party could be influenced in a particular way because of its source of funding.
- 6.2.13 The Hon. Mr. Nadir expressed the view that the issue of political parties financing had its genesis from the use of finance to influence outcome. He advised that the German model should be examined, where tax payer’s dollars went to every political party for their daily operation, once they attained a certain percentage of votes.
- 6.2.14 The Chairperson noted Mr. Nadir’s comments and explained that the parities in both the German and Canadian models were professional parties, as such, they received state funding. She further explained that once a political party received a certain percentage of votes, they were allocated a stipulated amount of state funding which came with very stringent accountability. She indicated that the Committee could look at both models.
- 6.2.15 The Committee agreed that the following Members would research the following areas to present at the Committee’s next meeting:
- The Hon. Manzoor Nadir - income and expenditure as it related to campaign financing;
 - Mr. Basil Williams – limits on incumbency as it relates to the Indian and Canadian models and any other laws of interest.
 - Dr. Austin - Representation of People Act, as well as, to focus on the various levels of campaign financing (national, federal, local).

6.2.16 Thereafter, the Committee agreed that Members would come prepared to make their respective presentation at the next meeting.

ADJOURNMENT:

At 5.00 p.m. the meeting was adjourned to 4.00 pm on Tuesday, 2nd August 2011.

Confirmed this 2nd day of August, 2011


.....
Ms. Gail Teixeira, M.P.,
Chairperson

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

**MINUTES OF THE
4TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE POLITICAL PARTIES CAMPAIGN FINANCING
-RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 2ND AUGUST, 2011
IN COMMITTEE ROOM NO. 1, COMMITTEES DIVISION
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.**

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

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

The Hon. Mohamed Irfaan Ali, M.P.,
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P. - (Excused)

Mr. Odinga N. Lumumba, 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. Deborah J. Backer, M.P. - (Excused)

Mr. Basil Williams, M.P.

Dr. John Austin, M.P.

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P.

Officers

Ms. Letta Barker
Ms. Tanzadell Bentinck

Clerk of Committees
Assistant Clerk of Committees

ITEM 1: CALL TO ORDER

1.1 The Chairperson called the meeting to order at 4.20 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.1.1 The following Members had asked to be excused from the meeting:

- (i) Mr. Anil Nandlall, M.P
- (ii) Mrs. Deborah Backer, M.P

ITEM 3: CIRCULATION OF DOCUMENTS:

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

- Notice to attend the 4th Meeting to be held on Tuesday, 2nd August, 2011;
- Minutes of the 3rd Meeting held on Tuesday, 19th July, 2011; and
- Documents submitted by Mr. Anil Nandlall re: Political Parties Campaign Financing – Australia.

ITEM 4: CONFIRMATION OF MINUTES OF 3RD MEETING HELD ON 2011-07-19.

4.1.1 Confirmation:

4.1.2 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Manzoor Nadir, M.P., and Mr. Odinga Lumumba, M.P., respectively.

ITEM 5: MATTERS ARISING

5.1 There were no matters arising from the Minutes.

ITEM 6: TO CONTINUE CONSIDERATION OF DOCUMENTS CIRCULATED WITH REGARDS TO LEGISLATION AND EXPERIENCES IN SELECTED COUNTRIES WHICH ADDRESS THE ISSUE OF POLITICAL PARTIES CAMPAIGN FINANCING.

6.1 Presentation by Mr. Odinga Lumumba on the US Model

6.1.2 Mr. Lumumba highlighted the following points in his presentation:

- To examine the USA Campaign Financing system, both the history and ideological positions are important. He stated that there were two schools of thoughts; the Liberal/Democrats school of thought was that large companies' sponsorship of political parties would control Congressmen/Senators.
- Congressmen/Senators were allowed to raise their own funds to finance their campaign and could spend any amount on a campaign. When a Congressman/Senator retires, he would retain the left over funds from his campaign; this could be utilized for any purpose.
- On the other hand, the Democratic parties in the US had a different position, which was to limit corporate support for campaigns.
- Further, the USA Government has recently looked at matching funds, where a certain amount of funds could be raised by a party and the Government would match that amount. However, the party had to reveal its source of funding in order to be eligible for the matching funds. Parties had the option of not accepting the matching funds hence, not exposing their source of financing and not attracting Government's scrutiny.
- Legislation had prohibited large companies from making large donations in campaign funding. This however, has changed, making it possible for companies to donate any amount of funds to a particular candidate/party.
- The USA system had a number of other ways in which a party could be supported, for example, Trade Unions could print flyers and other materials in support of a party/candidate and have its workers distribute same; the party/candidate would not bear the cost.

6.2.2 Mr. Lumumba reiterated that the question of campaign financing was an ideological and political issue,.
He stated that there were two approaches to the issue:

- (1) private companies could play a major role in campaign financing; and
- (2) the support of these companies to political parties could be limited as it relate to funding.

6.3 Salient points of the discussions which ensued:

- That the American Finance system for electoral purposes was linked to a number of other systems, for example, a lobbyist system which was structured, where lobbyist groups or companies could fund a particular legislation and it would be classified as lobbyist fees.
- That the American system was a strong one, but in order to use it as a model, it would have to be looked at in a wider context.
- That a candidate was entitled to personal financing whilst a party could be financed also.
- That the American system was also a very complex one since, there were both state as well as federal laws
- Funds that a candidate collected from an election campaign could be utilized for various purposes other than elections since it becomes his/her personal funds.
- There were two aspects with regard to the funds:
 - (1) if a candidate utilized public /matching funds, the law demanded that he/she give an account for it as well as list the donations received and there was a cap on it.
 - (2) if a candidate chooses not to utilize the public funds then he/she was not held accountable.
- That in the American model in order to run for a presidential elections, a candidate needed to be financially sound.
- That in countries where there were caps or restrictions on corporate donations, these were evaded by creating foundations and trusts.

6.4 The Committee's Mandate:

- 6.4.1 The Chairperson reiterated that the Committee should determine first of all whether it should examine in general, political party campaign financing or focus specifically on campaign financing as it relates to caps on income received or caps on spending.
- 6.4.2 She advised that the Committee needed to examine the various systems and electoral models; First Pass the Post and Proportional Representation, in order to report to the National Assembly.
- 6.4.3 The Chairperson contended that historically, the PNC/R's interest on the issue, focused on government in an election while the AFC was concerned with campaign financing declarations, accountability and transparency. The Government Members, she stated, had an interest in looking at the issue of accountability and discussing the various models as it relates to campaign financing.
- 6.4.4 Mr. Basil Williams, however, contended that the PNC/R was rather, more concerned with all aspects of the campaign financing, and posited that their overarching concern was how political parties received their money, whether legitimate or illegitimate.
- 6.4.5 Mrs. Holder stated that based on the issues highlighted, she recognized that both political party financing and campaign financing were inseparable in some instances. She noted that Guyana has a multi-party system which needed resources to sustain and operate a party structure.
- 6.4.6 Mr. Lumumba advised that the Committee needed to take an ideological position on the issue, by first of all determining whether public financing should be allowed and if so, define how it should be dealt with. He further advised that the Committee should look at whether:
- political parties could raise a specific amount of funds and thereafter, access matching funds and whether the amount raised would have to be declared;
 - political parties could acquire private funding and list the donors, once the funding was above a certain amount;
 - public funding should be abolished;
 - there was a need to determine which political party would be eligible to receive public funding: all political parties or only those in Parliament.

- 6.4.7 Mrs. Holder agreed that the Committee should take an ideological position on the issue in order to move forward.
- 6.4.8 Mr. Williams suggested that the Committee examine the various presentations and note the peculiar aspects of the operations in the other countries; the information would then be assimilated for discussion.
- 6.4.9 Dr. Austin advised that the issue of campaign financing should be looked at within the framework of finding ways of capping income and expenses. He lamented that business persons who financed campaign usually try to influence the policies and decisions of politicians, as such, there should be a cap on the funding that they provide. It was his view that limits on income would automatically limit spending.
- 6.4.10 The Chairperson in response to Austin's comments explained that the issue of capping had different dimensions, namely; caps on (i) what an individual could contribute, (ii) what the candidate/party could spend and (iii) the total collection of funding.
- 6.4.11 She reiterated that in countries where there were caps on spending, there was evidence to show that foundations, trusts, "think tanks" etc were created to evade the restrictions. Nevertheless the Committee needed to identify the best system that would fit Guyana's context.
- 6.4.12 Dr. Ramsammy explained that in some countries, if a political party did not receive a certain percentage of votes after an election they were penalized. He cited the Canadian model, where a certain amount of funds were allotted to parties for campaign; however, if a party received less than a certain amount of votes after elections, the money had to be refunded to the state.
- 6.4.13 In some other countries in Latin America and Europe where the rules were more stringent, political parties had to first be convinced that they had a support base before applying for state funding for election campaign since, if a certain percentage of votes were not received, the total amount of state funding had to be refunded.
- 6.4.14 The Committee agreed that a matrix would be created by the Researcher, for the next meeting, showing the different models as it relates to campaign financing. It would reflect the different commonalities within the various countries. Members who were slated to present could include any additional information.

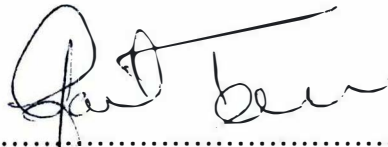
6.5 Next Meeting's Agenda Item

- 6.5.1 The Committee agreed that at the next meeting, it would consider the *ideological/philosophical underpinning issues of campaign financing in Guyana's context.*

ADJOURNMENT:

At 5.30 p.m. the meeting was adjourned to 4.00 pm on Tuesday, 16th August 2011.

Confirmed this ^{30th}..... day of August, 2011



.....
Ms. Gail Teixeira, M.P.,
Chairperson of the Committee

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

**MINUTES OF THE
5TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE POLITICAL PARTIES CAMPAIGN FINANCING
-RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 16TH AUGUST, 2011
IN THE PARLIAMENT CHAMBER,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.**

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

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

The Hon. Mohamed Irfaan Ali, M.P., - (Absent)
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Odinga N. Lumumba, 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. Deborah J. Backer, M.P. - (Absent)

Mr. Basil Williams, M.P. - (Absent)

Dr. John Austin, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P. - (Excused)

Officers

Ms. Letta Barker
Ms. Tanzadell Bentinck
Mr. Eton Moses

Clerk of Committees
Assistant Clerk of Committees
Documentation and Preparation Officer

ITEM 1: CALL TO ORDER

1.1 The Chairperson called the meeting to order at 4.17 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses

2.1.1 The following Members had asked to be excused from the meeting:

- (i) The Hon. Manzoor Nadir, M.P.,
- (ii) Mrs. Sheila Holder, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS:

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

- Notice to attend the 5th Meeting to be held on Tuesday, 16th August, 2011;
- Minutes of the 4th Meeting held on Tuesday, 2nd August, 2011; and
- Comparative Matrix of Selected Campaign Finance Regulations/Laws (via email).

3.2 The following document was circulated at the meeting:-

- Comparative Matrix of Selected Campaign Finance Regulations/Laws.

ITEM 4: CONFIRMATION OF MINUTES OF 4TH MEETING HELD ON 2011-08-02.

4.1 Deferral

4.1.1 The Minutes were deferred to a subsequent meeting of the Committee.

4.2 Non –attendance of Members of the Opposition

4.2.1 The Chairperson noted the excuse from Mrs. Holder and absence of the Members of the main Opposition Party and sought guidance on the way forward.

4.3 The way forward

4.3.1 The Hon. Minister Ramsammy posited that it would be unethical for the Committee to complete its work with only the Government's view, and not address Mrs. Holder's position on the issue, given that she was the mover of the motion. He stated that the Government had put forward their views but in the absence of any proposal from the Members of the Opposition, further discussions on the issue should not continue and a report should be prepared to reflect the Committee's position on the Motion.

4.3.2 Mr. Lumumba was of the view that campaign financing regulation was an important issue and should be dealt with whether or not the Opposition Members were present. He proposed that the Members return to their respective parties for further directive as it relates to a way forward politically and reiterated that the issue needed to be looked at ideologically.

4.3.3 The Hon. Dr. Ramsammy, while agreeing that the issue before the Committee was one of importance to Guyana opined that since the issue was raised by the Members of the Opposition and more specifically, by Mrs. Holder, the Committee needed to put forward campaign financing rules and regulations to address the proposals articulated by the Opposition.

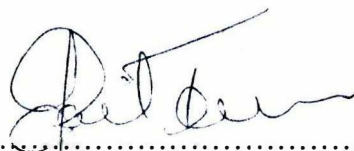
4.3.4 The Chairperson emphasized that the proposal to send political parties campaign financing to a Select Committee was to allow for a greater exchange of views. She expressed concern regarding the lack of mutual dedication by Members of the Opposition.

- 4.3.5 Thereafter, the Committee agreed to defer its agenda to the next meeting. The Chairperson then requested that the Committees Division write to the Members of the Opposition, in an effort to ascertain whether their absence at the meeting was a conclusive indication of their non attendance at subsequent meetings of the Committee during the recess period.
- 4.3.6 The Chairperson further suggested that a draft report should be prepared for consideration at the next meeting, pending a response from the Members of the Opposition.
- 4.3.7 The Chairperson advised that in the interim, Members of the Government could discuss the issue further and come to the next meeting with some of its views and principles for inclusion in the draft report.
- 4.3.8 She stated that given the time line, it was not possible for a draft Bill to emanate from this session of the Parliament but that some guiding principles could be discussed which could set the basis for the issue in the 10th Parliament.
- 4.4 Next Meeting**
- 4.4.1 The Committee agreed that its next meeting would be on Tuesday, 23rd August, 2011 to examine the matrix which was prepared by the Researcher.

ADJOURNMENT:

At 4.26 p.m. the meeting was adjourned to 4.00 pm on Tuesday, 23rd August 2011.

Confirmed this ³⁰⁻¹⁶..... day of August, 2011



.....
Ms. Gail Teixeira, M.P.,
Chairperson

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

**MINUTES OF THE
6TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE POLITICAL PARTIES CAMPAIGN FINANCING
-RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 30TH AUGUST, 2011
IN COMMITTEES ROOM NO. 1
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.**

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

The Hon. Manzoor Nadir, M.P., - (Absent)
Ministry of Labour

The Hon. Mohamed Irfaan Ali, M.P.,
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P. - (Excused)

Mr. Odinga N. Lumumba, M.P. - (Excused)

From the People's National Congress Reform – 1 Guyana (PNC/R – 1G) (3)

(Nominated by the Committee of Selection on 25th May, 2011)

Mrs. Deborah J. Backer, M.P. - (Absent)

Mr. Basil Williams, M.P. - (Absent)

Dr. John Austin, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P. - (Absent)

Officers

Ms. Letta Barker	-	Clerk of Committees
Ms. Tanzadell Bentinck	-	Assistant Clerk of Committees
Ms. Michelle Chung	-	Research and Analytical Assistant

ITEM 1: CALL TO ORDER

- 1.1 The Chairperson called the meeting to order at 4.15 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses:

2.1.1 Response from Mrs. Sheila Holder

2.1.2 The Chairperson informed the Committee that Mrs. Holder had communicated via email that she would have been unable to attend the meeting scheduled for August 23rd, 2011 since she was out of the country. She stated that she subsequently sent an email to Mrs. Holder enquiring when she would return but had not received a response to date. Furthermore, the Committees Division was also unable to make contact with Mrs. Holder to inform her of the Committee's meeting scheduled for the 30th August, 2011.

2.1.3 The following Members had asked to be excused from the meeting:

- (i) Mr. Anil Nandlall M.P.,
- (ii) Mr. Odinga Lumumba, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS:

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

- Notice to attend the 6th Meeting to be held on Tuesday, 30th August, 2011;
- Minutes of the 5th Meeting held on 16th August, 2011; and
- Draft Report of the Special Select Committee on the Political Parties Campaign Financing.

3.2 CORRESPONDENCE

- 3.2.1 Letter dated 17th August, 2011 sent to Members of the main Opposition party re: Non- attendance at Committee meetings.

ITEM 4: CONFIRMATION OF MINUTES OF 4TH AND 5TH MEETINGS HELD ON 2011-08-02 AND 2011-08-16 RESPECTIVELY.

4.1 Confirmation of 4th Minutes:

- 4.1.2 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Dr. Leslie Ramsammy, M.P., and the Hon. Irfaan Ali, M.P., respectively.

4.2 Confirmation of 5th Minutes:

- 4.2.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Dr. Leslie Ramsammy, M.P., and the Hon. Irfaan Ali, M.P., respectively.

ITEM 5: MATTERS ARISING FROM 5TH MINUTES

5.1 Page 3, paragraph 4.3.1 – The way forward

- 5.1.1 The Committee noted the absence of Mrs. Sheila Holder at the meetings scheduled for 23rd and 30th August, 2011, respectively.

5.2 Page 4, paragraph 4.3.5

- 5.2.1 The Committee noted that there was no official response to its letter dated 17th August, 2011 to Members of the main Opposition Party, seeking clarifications as to whether they would be attending meetings of the Committee. A verbal response was however, communicated to the Committees Division by Dr. Austin. He indicated that Members of the main Opposition party would not be attending any Committee meetings during the Parliamentary recess period, unless there was some issue of urgency.

ITEM 6: TO CONSIDER MATRIX SHOWING A COMPARATIVE ANALYSIS OF CAMPAIGN FINANCING MODELS IN OTHER COUNTRIES

6.1 Consideration of the matrix

6.1.1 The Chairperson indicated that the matrix consisted of a comparison of the various models/approaches taken by different countries in relation to political parties campaign financing laws. She stated that there were major differences in the statutes in the various countries. The Chairperson noted that in Latin America, there were also comparable distinctions with regard to the manner in which “*caps on spending/caps on donations*” were dealt with and as such there was no one template.

6.1.2 Thereafter, the Committee adopted the matrix and agreed that it would be appended to the report.

ITEM 7: TO CONSIDER THE IDEOLOGICAL/PHILOSOPHICAL ISSUES WHICH UNDERPINS CAMPAIGN FINANCING IN THE GUYANA CONTEXT

7.1 Guidance

7.1.1 The Chairperson sought guidance on the way forward given the absence of the Members of the Opposition.

7.1.2 Members agreed to continue with the deliberations on the issue in an effort to submit a report to the National Assembly.

7.2 Continued Deliberations on Political Parties Campaign Financing:

7.2.1 The Hon. Irfaan Ali stated that from an examination of the matrix, it was noted that all of the countries followed similar ideological principles. He posited that in an effort to understand “caps on spending” it was important, firstly, to understand the size and the scale of the economies of the various countries in order to determine the formula that was used in each of the countries.

7.2.2 He noted that Guyana has a small political system when compared with that of the other countries and, therefore, it was necessary to determine if policies should be developed to encourage more persons to become actively involved in politics. He opined that consideration should be given to whether the definition of political party financing referred specifically to political parties, individuals, or a particular policy agenda.

- 7.2.3 The Chairperson while endorsing the comments made, stated that there were two major principles:
- (i) to ensure that political parties did not yield to undue influence by financial contributors;
 - (ii) the need for accountability when reporting.
- 7.2.4 The Hon. Irfaan Ali opined that the general principles that governed campaign financing was to ensure that the political system was strong enough not to be influenced by stakeholders who might want to foster their own self interest because of their financial contributions.
- 7.2.5 The Hon. Dr.Ramsammy stated that political party campaign financing was a very important issue which should be addressed in the future in an effort to continue the strengthening of Parliamentary democracy. He reiterated that the following issues should be addressed when dealing with this issue:
- Sources of financing
 - Levels of financing
 - Public accountability for financing
 - Frequency of support
 - Relationship between contributors and international /regional/national entities
- 7.2.6 Dr. Ramsammy stated that the solutions to those issues would ultimately be linked to free and fair elections. He advised that it should be the government's position on the issue at this point thus setting the foundation for further discussions in the next Parliament.
- 7.2.7 The Hon. Irfaan Ali posited that any formula designed to address the issue should be structured to take into account the political development in the country, the constitutional outline and any other policy that is needed to deal with a particular interest for example women, youths, hinterland communities and disabled persons.
- 7.2.8 The Chairperson pointed out that a close examination of the various models revealed that none of them were successful at controlling corporate/private domination of the political parties, whether the party was a professional one or not. She noted that, having studied the various statues and legislation, none of the

models were able to achieve its mandate of limiting influence based on contributions or spending. She further noted that the creation of foundations, trusts and “think tanks” was a way of getting around such limits in most of the models examined.

7.2.9 The Committee noted that while it had no specific recommendations, some guiding principles would be included in its report; one of which would be to suggest that any further analysis of the issue should be done in the context of the electoral laws which exist presently in Guyana.

7.2.10 In this regard, the Hon. Dr. Ramsammy reminded Members that only one political party, the PPP/C, had been in compliance with the existing electoral laws which included the 1992, 1997 and 2001 elections, but that none of the political parties were in compliance with the 2006 elections. He requested that this be noted in the draft report. The Committee agreed.

7.2.11 The Committee concluded that the present electoral laws would need to be examined regarding political party campaign financing in the new Parliament. In this regard, the Committee noted that a precedent had been set in the Parliamentary Special Select Committee on the Local Government Bills where that Committee had agreed to make amendments to the out dated limits on spending and proposed increasing them for both candidates and political parties at local government elections.

ITEM 8: CONSIDERATION OF DRAFT REPORT

8.1 Amendments to Draft report

8.1.1 Renumbering of Paragraphs

8.1.2 Renumbering of Paragraphs from # 9

8.3 Page 5, paragraph 9 – Procedure of the Committee

8.3.1 Substitution of “*the Constitutional provisions relating to Campaign Financing*” for the words “*his presentation*” in line 1.

8.4 Page 5, paragraph 9 – Procedure of the Committee

8.4.1 Substitution of the word “*mandates*” for the word “*charges*” in line 4.

8.5 Page 6: Paragraph 13

8.5.1 Insertion of a new bullet after the third bullet to read:

“Public Accountability for political party financing”

8.6 Page 8

8.6.1 Insertion of a new paragraph to capture the *unsuccessful attempts made by the Committee to get a response from Members of the Opposition to ascertain whether they would be attending meetings of the Committee.*

8.6.2 Insertion of a new paragraph to highlight the Committee’s view that the issue before it was an important one that should be discussed further in the 10th Parliament. In addition the constraints faced by the Committee due to absence of Members of the Opposition and time, which prevented it from concluding further discussions on the issue.

8.7 Appendix:

8.7.1 It was agreed that the list of documents, examined by the Committee would also form part of the appendix for the report.

8.7.2 Thereafter, the Committee agreed that the amended report would be circulated to Members in time for its next meeting.

ITEM 9: ANY OTHER BUSINESS

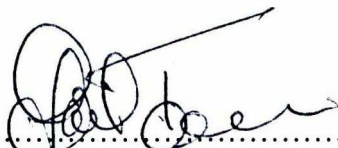
9.1 Next meeting

9.2.1 The Committee agreed that its next meeting would be on 6th September, 2011 in order to consider and finalize the draft report which would be submitted to the National Assembly.

ADJOURNMENT:

At 5.05 p.m. the meeting was adjourned to 4.00 pm on Tuesday, 6th September, 2011.

Confirmed this day of September, 2011



.....
Ms. Gail Teixeira, M.P.,
Chairperson

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

MINUTES OF THE
7TH MEETING OF THE SPECIAL SELECT COMMITTEE
ON THE POLITICAL PARTIES CAMPAIGN FINANCING
-RESOLUTION NO. 153 OF 2011.
HELD ON TUESDAY, 6TH SEPTEMBER, 2011
IN THE PARLIAMENT CHAMBER,
PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

MEMBERS OF THE COMMITTEE

CHAIRPERSON (1)

Ms. Gail Teixeira, M.P.

(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. Dr. Leslie S. Ramsammy, M.P.,
Minister of Health

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

The Hon. Mohamed Irfaan Ali, M.P.,
Minister of Housing and Water

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Odinga N. Lumumba, M.P. - (Absent)

From the People's National Congress Reform – 1 Guyana (PNC/R – 1G) (3)

(Nominated by the Committee of Selection on 25th May, 2011)

Mrs. Deborah J. Backer, M.P. - (Absent)

Mr. Basil Williams, M.P. - (Absent)

Dr. John Austin, M.P. - (Absent)

From the Alliance For Change (AFC) (1)

(Nominated by the Committee of Selection on 20th June, 2011)

Mrs. Sheila Holder, M.P. - (Excused)

Officers

Ms. Letta Barker
Ms. Tanzadell Bentinck
Mr. Eaton Moses

Clerk of Committees
Asistant Clerk of Committees
Documentation and Preparation Officer

ITEM 1: CALL TO ORDER

- 1.1 The Chairperson called the meeting to order at 4.07 p.m.

ITEM 2: ANNOUNCEMENTS

2.1 Excuses:

- 2.1.1 Mrs. Holder had asked to excuse from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS:

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

- Notice to attend the 7th Meeting to be held on Tuesday, 6th September, 2011;
- Minutes of the 6th Meeting held on 30th August, 2011; and
- Draft Report of the Special Select Committee on the Political Parties Campaign Financing (via email).

- 3.2 The following document was circulated at the meeting:-

- Draft Report of the Special Select Committee on the Political Parties Campaign Financing.

ITEM 4: CONFIRMATION OF MINUTES OF THE 6TH MEETING HELD ON 2011-08-30.

4.1 Confirmation:

- 4.1.2 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Irfaan Ali, M.P., and the Hon. Dr. Leslie S. Ramsammy, M.P., respectively.

ITEM 5: MATTERS ARISING

- 5.1 There were no matters arising from the Minutes.

ITEM 6: CONSIDERATION OF DRAFT REPORT

6.1 Amendments to Draft report

6.1.1 Pages 3-11 – Renumbering of paragraphs

- 6.1.2 *Renumbering paragraph 4 as 3 and the other paragraphs, accordingly.*

6.2 Page 4 – The Committee’s Mandate

- 6.2.1 Substitution of “*in*” for “*on*” in line 3.

6.3 Page 4, paragraph 7 - Procedure of the Committee

- 6.3.1 Insertion of a comma before and after the word “*but*” in line 2.

6.4 Page 4, paragraph 8 – Procedure of the Committee

- 6.4.1 The following amendments were made:

Line 2:

Deletion of the word “*financing*” after the word “*campaign*”.

Line 3:

- (i) Deletion of the words “*and therefore*”.

- (ii) Substitution of the word “*its*” for the word “*the*” before the word “*guide*”.

- (iii) Deletion of the word “*its*” after the word “*of*”.

6.5 Page 5, paragraph 11 – Procedure of the Committee

- 6.5.1 (i) Deletion of the word “*then*” after the word “*Committee*” in line 1.

- (ii) Insertion of footnotes for bullets 1 to 3 on pages 5 and 6.

- 6.6** **Pages 6: Paragraph 13**
- 6.6.1 Substitution of the word “donors” for the words “corporate bodies” in the last line.
- 6.7** **Page 7, paragraph 15**
- 6.7.1 Re-wording of paragraph 15 to read as follows:
- “The Committee, at its 4th meeting held on 2nd August, 2011 examined the United States model as presented by Mr. Odinga Lumumba. He noted that there were two pertinent ideological positions which emerged- (1) a model which allowed candidates to raise and spend any amount of funds during an election campaign and (2) another model in which the state provides matching funds and limited corporate support for campaign financing and where a party/candidate could opt to access these funds from the state once it was willing to account for the use of the funds and abide by the limits set, including revealing its source of other/additional income. Furthermore, in both models when a candidate retired, the funds remaining from the campaign could be retained by him/her and could be used for non election purpose”.*
- 6.8** **Page 7, paragraph 16**
- 6.8.1 Deletion of the words “and agreed to do so at its next meeting” in the last line.
- 6.9** **Page 7, paragraph 17**
- 6.9.1 Detachment of the words to read as new paragraph 18:
- “To avoid further delay, the Committee requested the Committees Division to prepare a comparative analysis of campaign financing models in selective countries on a matrix for ease of reference (see Appendix III attached)”*

6.10 Page 9, Paragraph 22

6.10.1 Rewording of the last sentence to read as follows:

“It was noted that whatever model was examined there were anomalies that allow for influencing outside of the legal framework”.

6.11 Page 9, paragraph 23

6.11.1 Deletion of the letter “s” from the word “Peoples” in line 1.

6.12 Page 9, paragraph 25 – Recommendations

6.12.1 Rewording of the paragraph to read as follows:

“The Committee agreed that the issue of political parties campaign financing was a very important one that Guyana should address as it continues to strengthen its Parliamentary democracy. While there were no specific recommendations due to the constraints faced by the Committee, the following were some principles that the Committee felt should guide political parties campaign financing”.

6.13 Page 10, bullet 1.

6.13.1 Insertion of “or kind” after the word “financial” in the last line.

6.14 Page 10, bullet 2.

6.14.1 Insertion of the words “or other” after the word “financial” in the last line.

6.15 Page 10, bullet 5

6.15.1 Deletion of “etc” after the word “people” in the penultimate line.

6.16 Re-word paragraph 30 to read:

“Records”

Records of the proceedings of the Committee, including the Verbatim records, would be made available at the Parliament Office”.

ITEM 7: ANY OTHER BUSINESS

7.1 End of proceedings and concluding remarks

7.1.1 The Chairperson informed Members that the Committees deliberations at this juncture had come to a close and stated that the report would be tabled in the National Assembly on the 8th September, 2011 and would be debated at the following sitting of the National Assembly.

7.1.2 She then thanked Members for their time and commitment and members of the staff for their hard work.

7.1.3 The Hon. Minister Nadir, thereafter, thanked the Chairperson for her hard work and meticulousness.

TERMINATION:

At 5.05 p.m. the meeting was terminated.

(Unconfirmed)