



NATIONAL ASSEMBLY
OF THE PARLIAMENT OF
THE CO-OPERATIVE REPUBLIC
OF GUYANA

OFFICIAL REPORT

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2020-2025) OF THE TWELFTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE DOME OF THE ARTHUR CHUNG CONFERENCE CENTRE, LILIENDAAL, GREATER GEORGETOWN

103RD Sitting

Friday, 16TH May, 2025

**PARLIAMENT OFFICE
HANSARD DIVISION**

The Assembly convened at 2.43 p.m.

Prayers

[Mr. Speaker in the Chair]

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

*Hon. Manzoor Nadir, M.P.,
*Speaker of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.*

MEMBERS OF THE GOVERNMENT (38)

(i) MEMBERS OF THE PEOPLE'S PROGRESSIVE PARTY/CIVIC (PPP/C) (38)

Prime Minister (1)

+ Hon. Brigadier (Ret'd) Mark Anthony Phillips, M.S.S., M.P.,
*Prime Minister,
Prime Minister's Office,
Colgrain House,
205 Camp Street,
Georgetown.*

Vice-President (1)

+ Hon. Bharrat Jagdeo, M.P.,
*Vice-President,
Office of the President,
New Garden Street,
Georgetown.*

[Absent – on leave]

Attorney General and Minister of Legal Affairs (1)

+ Hon. Mohabir Anil Nandlall, M.P.,
*Attorney General and Minister of Legal Affairs,
Ministry of Legal Affairs,
Carmichael Street,
Georgetown.*

+ **Cabinet Member**

* **Non-Elected Speaker**

Senior Ministers (16)

+ Hon. Gail Teixeira, M.P.,
*(Region No. 7 – Cuyuni/Mazaruni),
Minister of Parliamentary Affairs and Governance,
Ministry of Parliamentary Affairs and Governance.
Government Chief Whip,
Office of the Presidency,
New Garden Street,
Georgetown.*

+ Hon. Hugh H. Todd, M.P.,
*(Region No. 4 – Demerara/Mahaica),
Minister of Foreign Affairs and International Co-operation,
Ministry of Foreign Affairs,
Lot 254 South Road,
Georgetown.*

+*Hon. Dr. Ashni K. Singh, M.P.,
*Senior Minister in the Office of the President with Responsibility for Finance
and the Public Service,
Ministry of Finance,
Main & Urquhart Streets,
Georgetown.*

+ Hon. Bishop Juan A. Edghill, M.S., J.P., M.P.,
*Minister of Public Works,
Ministry of Public Works,
Wight's Lane,
Kingston,
Georgetown.*

+ Hon. Dr. Frank C. S. Anthony, M.P.,
*Minister of Health,
Ministry of Health,
Brickdam,
Georgetown.*

+ Hon. Priya D. Manickchand, M.P.,
*(Region No. 3 – Essequibo Islands/West Demerara),
Minister of Education,
Ministry of Education,
Lot 26 Brickdam,
Georgetown.*

+ *Hon. Brindley H.R. Benn, M.P.,
*Minister of Home Affairs,
Ministry of Home Affairs,
Brickdam,
Georgetown.*

+ **Cabinet Member**

* **Non-Elected Minister**

+ Hon. Zulfikar Mustapha, M.P.,
Region No. 6 – East Berbice/Corentyne),
Minister of Agriculture,
Ministry of Agriculture,
Regent and Vlissengen Road,
Bourda, Georgetown.

+ Hon. Pauline R.A. Campbell-Sukhai, M.P.,
Minister of Amerindian Affairs,
Ministry of Amerindian Affairs,
Lot 251-252 Thomas & Quamina Streets,
South Cummingsburg,
Georgetown.

+ Hon. Joseph L.F. Hamilton, M.P.,
Minister of Labour,
Ministry of Labour,
Brickdam,
Georgetown.

+ Hon. Vickram Outar Bharrat, M.P.,
Minister of Natural Resources,
Ministry of Natural Resources,
Lot 96 Duke Street,
Kingston,
Georgetown.

+*Hon. Oneidge Walrond, M.P.,
Minister of Tourism, Industry and Commerce,
Ministry of Tourism, Industry and Commerce,
Lot 229 South Road,
Bourda, Georgetown.

+ Hon. Collin D. Croal, M.P.,
(Region No. 1 – BarimaWaini),
Minister of Housing and Water,
Ministry of Housing and Water,
Brickdam,
Georgetown.

+ Hon. Vindhya V. H. Persaud, M.S., M.P.,
(Region No. 4 – Demerara/Mahaica),
Minister of Human Services and Social Security,
Ministry of Human Services and Social Security,
Lot 357 East and Lamaha Streets
Georgetown.

+ Cabinet Member

*** Non-Elected Minister**

+ Hon. Charles S. Ramson, M.P.,
Minister of Culture, Youth and Sports,
Ministry of Culture, Youth and Sports,
Main Street,
Georgetown.

[Absent – on leave]

+ Hon. Sonia Savitri Parag, M.P.,
(Region No. 2 – Pomeroon/Supenaam),
Minister of Local Government and Regional Development,
Ministry of Local Government and Regional Development,
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Georgetown.

Hon. Deodat Indar, M.P.,
Minister within the Ministry of Public Works,
Ministry of Public Works,
Wight's Lane,
Kingston,
Georgetown.

Hon. Anand Persaud, M.P.,
Minister within the Ministry of Local Government and Regional Development,
Ministry of Local Government and Regional Development,
Fort Street,
Kingston,
Georgetown.

Hon. Warren Kwame E. McCoy, M.P.,
Minister within the Office of the Prime Minister,
Office of the Prime Minister,
c/o Colgrain House,
205 Camp Street,
Georgetown.

+ **Cabinet Member**

Other Members (15)

Hon. Mr. Alister S. Charlie, M.P.,
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148 Lethem,
Central Rupununi,
c/o Freedom House,
41 Robb Street,
Georgetown.

Hon. Dr. Vishwa D.B. Mahadeo, M.P.,
Region No. 6 – East Berbice/Corentyne),
Lot 4 Public Road,
No. 66 Village,
Corentyne,
Berbice.

Hon. Mr. Sanjeev J. Datadin, M.P.,
Lot 60 Section 'K',
John Street,
Campbellville,
Georgetown.

Hon. Mr. Seepaul Narine, M.P.,
Lot 321 BB Seventh Street,
Eccles,
East Bank Demerara.

Mrs. Yvonne Pearson-Fredericks, M.P.,
Mainstay Lake/Whyaka Village,
Mainstay Lake, Essequibo Coast,
c/o Freedom House,
41 Robb Street,
Georgetown.

Hon. Dr. Bheri S. Ramsaran, M.P.,
Lot 340 East Street,
South Cummingsburg,
c/o Freedom House,
41 Robb Street,
Georgetown.

Hon. Dr. Jennifer R.A. Westford, M.P.,
55 AA Victoria Avenue,
Eccles,
East Bank Demerara.

Hon. Mr. Faizal M. Jaffarally, M.P.,
(Region No. 5 – Mahaica/Berbice),
Lot 16-30 New Street,
New Amsterdam.
c/o Freedom House,
Robb Street,
Georgetown.

Hon. Dr. Tandika S. Smith, M.P.,
(Region No. 3 - Essequibo Islands/West Demerara),
Lot 290 Area 'J',
Tuschen, North,
East Bank Essequibo.

Hon. Mr. Lee G.H. Williams, M.P.,
Paruima Upper Mazaruni,
c/o Freedom House,
Robb Street,
Georgetown.

* Hon. Ms. Sarah Browne, M.P.,
Parliamentary Secretary,
Ministry of Amerindian Affairs,
Lot 251-252 Thomas & Quamina Streets,
South Cummingsburg,
Georgetown.

* Hon. Mr. Vikash Ramkissoon, M.P.,
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Ministry of Agriculture,
Regent and Vlissengen Road,
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Hon. Ms. Bhagmattie Veerasammy, M.P.,
Lot 32 Crown Dam,
Industry,
East Coast Demerara.

Hon. Ms. Nandranie Coonjah, M.P.,
(Region No. 2 – Pomeroon/Supenaam),
Lot 69 Suddie New Housing Scheme,
Essequibo Coast.
c/o Freedom House,
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Georgetown.

Hon. Mr. Suresh Singh, M.P.,
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Enterprise,
East Coast Demerara.

MEMBERS OF THE OPPOSITION (32)

(i) A Partnership For National Unity/Alliance For Change (APNU/AFC) (31)

Hon. Mr. Aubrey Norton, M.P.,
Leader of the Opposition

[Absent]

Hon. Mr. Khemraj Ramjattan, M.P.,
*Lot 10 Delph Street,
Campbelville,
Georgetown.*

Hon. Mr. Roysdale A. Forde, S.C., M.P.,
*Lot 410 Caneview Avenue,
South Ruimveldt,
Georgetown.*

[Virtual Participation]

Hon. Shurwayne F.K. Holder, M.P.,
*(Region No. 2 – Pomeroon/Supenaam),
Lot 55 Henrietta,
Essequibo Coast.*

Hon. Ms. Catherine A. Hughes, M.P.,
*(Region No. 4 – Demerara/Mahaica),
Lot 13 A, New Providence,
East Bank Demerara.*

Hon. Ms. Geeta Chandan-Edmond, M.P.,
*Lot 94 Prem Niranjana Street,
Prashad Nagar,
Georgetown.*

Hon. Mr. Sherod A. Duncan, M.P.,
*Lot 590 Good Hope,
East Coast Demerara.*

Hon. Ms. Volda Lawrence, M.P.,
*Lot 7 Freeman Street,
Castello Housing Scheme,
La-Penitence,
Georgetown.*

[Virtual Participation]

Hon. Ms. Dawn Hastings-Williams, M.P.,
*Lot 933 Block 1,
Eccles,
East Bank Demerara.*

Hon. Mr. Christopher A. Jones, M.P.,
*Opposition Chief Whip,
Lot 20 Onderneeming,
New Housing Scheme,
West Coast Berbice,
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c/o Lot 609 Conciliation Street,
Tucville,
Georgetown.*

Hon. Mr. Vinceroy H. Jordan, M.P.,
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C/o Christopher Jones

Hon. Ms. Amanza O.R. Walton-Desir, M.P.,
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East Bank Demerara.

Hon. Ms. Coretta A. McDonald, A.A., M.P.,
Lot 202 N, Fourth Street,
Alexander Village,
Georgetown.

Hon. Mr. Deonarine Ramsaroop, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 40 Block 3
Craig Milne,
Cove & John,
East Coast Demerara.

Hon. Mr. Vincent P. Henry, M.P.,
(Region No. 9 – Upper Takutu/Upper Essequibo),
Shulidnab Village,
South Central,
Rupununi.

(Culvert City Lethem)

Hon. Dr. Karen R.V. Cummings, M.P.,
Lot 2 Belfield Housing Scheme,
East Coast Demerara.

Hon. Ms. Tabitha J. Sarabo-Halley, M.P.,
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South Ruimveldt Park,
Georgetown.

Hon. Ms. Natasha Singh-Lewis, M.P.,
Lot 1110 Plot 'B',
Herstelling,
East Bank Demerara.

Hon. Ms. Annette N. Ferguson, M.P.,
Lot 842 Eccles,
East Bank Demerara.

Hon. Ms. Juretha V. Fernandes, M.P.,
Lot 1282 Block EE,
Eccles,
East Bank Demerara.

Hon. Mr. David A. Patterson, M.P.,
Lot 151 Durbana Square,
Lamaha Gardens,
Georgetown.

Hon. Mr. Ronald Cox, M.P.,
(Region No. 1 – Barima Waini),
Mabaruma Compound.

[Virtual Participation]

Hon. Mr. Jermaine A. Figueira, M.P.,
(Region No. 10 – Upper Demerara/Upper Berbice),
Lot 136 2nd Street,
Silvertown,
Wismar, Linden.

Hon. Mr. Ganesh A. Mahipaul, M.P.,
Lot 14 Plantain Walk,
West Bank Demerara.

Hon. Mr. Haimraj B. Rajkumar, M.P.,
Lot 18 Public Road,
Johanna Cecilia,
(Region # 2 Essequibo Coast).

Hon. Ms. Nima N. Flue-Bess, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 88 Nelson Street,
Mocha Village,
East Bank Demerara.

Hon. Mr. Dineshwar N. Jaiprashad, M.P.,
Region No. 6 – East Berbice/Corentyne),
Lot 80 Babu John Road, Haswell,
Port Mourant, Corentyne Berbice.

Hon. Ms. Maureen A. Philadelphia, M.P.,
(Region No. 4 – Demerara/Mahaica),
Lot 17 Block 1, Section F,
Plantation Belfield,
East Coast Demerara.

Hon. Ms. Beverley Alert, M.P.,
(Region No. 4 – Demerara/Mahaica)
Lot 169-170 Stanleytown,
West Bank Demerara.
c/o Lot 13 A, New Providence,
East Bank Demerara.

Hon. Mr. Richard E. Sinclair, M.P.,
(Region No. 8 –Potaro/Siparuni)
Church Street Mahdia.
Lot 4 Public Road,
Stewartville,
West Coast Demerara.

Hon. Mr. Devin L. Sears, M.P.,
(Region No. 10 – Upper Demerara/Upper Berbice),
Lot 90, Section C, Wismar, Linden.

(ii) A New and United Guyana, Liberty and Justice Party and The New Movement (ANUG, LJP & TNM) (1)

Hon. Dr. Asha Kisooson, M.P.,
Deputy Speaker of the National Assembly,
Lot 855, 3rd Field,
Cummings Lodge,
Greater Georgetown.

[Virtual Participation]

Officers (2)

Mr. Sherlock E. Isaacs, A.A.,
Clerk of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.

Ms. Hermina Gilgeours,
Deputy Clerk of the National Assembly,
Parliament Office,
Public Buildings,
Brickdam,
Georgetown.

Hansard Division Officers (17)

Ms. Allison Connelly,
Chief Editor

Ms. Marlyn Jeffers-Morrison,
Senior Editor

Ms. Shawnel Cudjoe,
Senior Editor

Ms. Shevona Telford,
Senior Editor

Ms. Carol Bess,
Editor

Ms. Indranie Persaud,
Editor

Ms. Lushonn Bess,
Editor

Ms. Roseina Singh,
Reporter

Ms. Somna Karen-Muridall,
Reporter

Ms. Eyoka Gibson,
Reporter

Mr. Daniel Allen,
Reporter

Ms. Rajkumarie Ramdeen,
Reporter

Ms. Jasmine Grant,
Reporter

Ms. Calissa Benjamin,
Reporter

Mr. Parmanand Singh,
Pre –Press Technician

Mr. Saeed Umrao,
Audio Technician

Mr. Daison Horsham,
Audio Technician

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ANNOUNCEMENTS BY THE SPEAKER

Moment of Silence for Ms. Amna Ally and Mr. Hilton Eastman

Mr. Speaker: Hon. Members, please let us stand and observe a minute of silence for our former colleague, favourite, friend and family. As we observe that minute of silence for the late Ms. Amna Ally, let us also reflect on the passing of one of our young and hardworking staff – Mr. Joshua Eastman – of the Parliament Office, father, who we buried yesterday. The time starts now.

Moment of silence observed.

Birthday Greetings to Members of Staff

Thank you. Please, be seated. Members, on a more pleasant note, one of our senior staff, Ms. Samantha Crawford and our hardworking in-house Electrician, Mr. Rakesh Samlall, are both celebrating their birthdays today. Happy birthday to the members of staff.

Addressing Press Release made by the Guyana Human Rights Association

Hon. Members, I need to make two statements before we go into the proceedings of today. The first is a comment on the Guyana Human Rights Association (GHRA). This is based on its press release on 1st May and the matter raised in this House by the Hon. Member, Ms. Walton-Desir. Members, the Guyana Human Rights Association in its press release that was carried widely on 1st May, accused the Speaker of a number of things.

2.48 p.m.

I want to put on record my response. Matters pertaining to the House, I prefer to deal with in the House rather than in the press. It seems that the Guyana Human Rights Association is now the authority on Standing Orders and parliamentary procedure. The Release states:

“...that the Speaker of Parliament, Manzoor Nadir, on Monday rejected its petition submitted to Parliament calling for an international enquiry into all aspects of the Guyana Police Force (GPF). It added that in accordance with parliamentary procedures the petition was submitted by sitting MP Amanza Walton-Desir and supported by all major parliamentary opposition parties.”

I do not know which parliamentary procedures that petition complied with. The GHRA also stated in the release:

“...it was set aside for procedural reasons, which the association claims...”

...that there is...

“...the default response to such petitions from the current Speaker.”

I can only apply the rules before me. A petition was received by the Clerk. The Clerk has to read the petitions against the Standing Orders and then submit it to the Speaker for inclusion on the agenda of that day. We were quite clear that petitions have to follow the Standing Orders, the rules of the National Assembly, and the Clerk is the person who would assess whether the petitions conform to those rules. I mentioned that petitions ask for three things in its plea – either for the petition to be read, it be circulated or it be referred to a special select committee.

There is nowhere in the rules of our Parliament any petition could be in a form of a motion to be debated the same day – nowhere. After five years of sitting in here, having been trained as a Lawyer and five years as a lawmaker, Members ought to know the rules. It is no different from the rules of Court. It is not procedural. There are Standing Orders that have been developed over 800 years of Parliament for the good order and good governance of this August House. I crave your indulgence because the Parliament Office did respond. I want to read into our records the response to the Guyana Human Rights Association. It states:

“The Parliament Office wishes to clarify the circumstances surrounding the petition submitted by the Hon. Amanza O.R. Walton-Desir, M.P., on Monday, April 28, 2025, as referenced in a recent press release by the Guyana Human Rights Association (GHRA).

The Office provides the following points of clarification:

1. Timing of the Submission: The petition was received by the Clerk of the National Assembly at approximately 10:10 a.m., after the scheduled start of the Sitting.
2. ...: Petitions are first reviewed by the Clerk to ensure compliance with parliamentary requirements before being submitted to the Speaker for approval and inclusion on the Order Paper.

3. ...: The Clerk's review found that the petition required a cover letter outlining key procedural directives, including whether it should be read in the House, printed and circulated, or referred to a Special Select Committee.
4. ...: The Clerk attempted to contact Ms. Walton-Desir during the suspension of the Sitting at 12:55 p.m. to address the missing documentation, but she was unavailable. As a result, the petition could not be processed further at that time.
5. ...: Contrary to claims in the GHRA press release, the position was not rejected by the Speaker of the National Assembly, as it had not yet been formally submitted for his consideration.

The Parliament Office remains committed to upholding established parliamentary procedures and encourages adherence to submission protocols to ensure petitions are duly processed."

Issues with the Parliamentary Website

The next item I want to raise is the issue of the parliamentary website. We have seen some comments from within the House and outside of the House on the website with some very derogatory words coming. *One bad apple or omission do not spoil the whole barrel or the menu.* I wish to commend the staff of the Parliament Office not only for the site maintenance and update but also for the content.

Publishing of Speeches for all Female Members of Parliament by Ms. Indranie Chanderpaul

I also wish to commend the former Member of Parliament (MP), Ms. Indranie Chanderpaul for her work in publishing the speeches of all of the female Members of Parliament since 1953. As of today, a list of all of the speeches given by every female Member of Parliament from 1953 to 2023 is now available. You can see when they made those contributions. Our researchers are now working to ensure the digital copy of every one of those speeches will be up. Starting with the current Parliament, all of the male Members of Parliament speeches will be up within two months. I invite Members and users to visit the site. If there are any queries for information, please use the contact available on the site and we will respond.

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

- (1) Audited Financial Statements of the Rights of the Child Commission of Guyana for the year ended 31st December, 2023;
- (2) Audited Financial Statements of the Indigenous Peoples' Commission for the years ended 31st December, 2015 to 2023;
- (3) Annual Audited Statements of the Women and Gender Equality Commission for the years ended 31st December, 2015 to 2023;
- (4) Audited Financial Statements of the Rights Commission of Guyana for the years ended 31st December, 2015 to 2023;
- (5) Audited Financial Statements of the Integrity Commission for the year 2023;
- (6) Annual Reports of the Protected Areas Commission for the years 2020 to 2022; and
- (7) Audited Financial Statements of the Protected Areas Commission for the years ended 31st December, 2015 and 2016.

[Minister of Parliamentary Affairs and Governance and Government Chief Whip]

Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]: I would like to go on record to thank the Office of the Auditor General for bringing a lot of these agencies up-to-date with their audited financial statements. I know it was not easy. I would like to thank the staff, those constitutional bodies and statutory bodies for trying to bring all of these up to date as they should be. Thank you, very much.

- (8) Annual Report of the Guyana Oil Company Limited for the year 2023.
- (9) Annual Reports of the Guyana Securities Council for the years 2019 to 2023.
- (10) Annual Reports of the Financial Intelligence Unit Guyana for the years 2022 and 2023.
- (11) Annual Reports of the Financial Intelligence Unit Guyana for the years 2022 and 2023.

(12) Annual Report of the National Insurance Scheme for the year 2023.

(13) Financial Paper No. 1/2025 – Supplementary Estimates (Current and Capital) totalling \$57,492,615,275 for the period ending 31st December, 2025.

[Senior Minister in the Office of the President with Responsibility for Finance and the Public Service]

The Senior Minister in the Office of the President with Responsibility for Finance and the Public Service named the next regular Sitting as the date for consideration of the financial paper.

(14) Adoption of Children (Intercountry Adoptions) Regulations 2025 – No. 3/2025.

[Minister of Parliamentary Affairs and Governance and Government Chief Whip on the behalf of the Minister of Human Services and Social Security]

ORAL QUESTIONS WITHOUT NOTICE

Mr. Speaker: Hon. Members, I did receive from the Hon. Member, Ms. Ferguson, oral questions without notice – a few questions under this heading. I am unable to allow those questions because they have not satisfied the three requirements. They have to be urgent; they have to relate to the business of the day and they do comply with one of the three. They are very important questions. I advise the Hon. Member that she can submit them and they will get clearance immediately to go on the Notice Paper.

QUESTIONS ON NOTICE

[For Written Replies]

Hon. Members, there are six questions on today's Order Paper. Questions one to five are for written replies and question six is for an oral reply. Question one is in the name of the Hon. Member, Ms. Ferguson and it is for the Hon. Minister of Tourism, Industry and Commerce.

3.03 p.m.

Questions two to five are also in the name of the Hon. Member, Ms. Annette Ferguson and are for the Minister of Housing and Water. The answers to these questions have been received and have, in accordance with our Standing Orders, been circulated.

1. Monitoring and Evaluation of Grants Issued to Small Businesses

Ms. Ferguson:

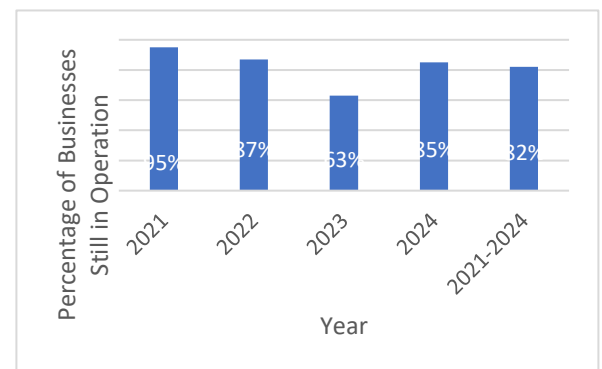
1. Could the Hon. Minister indicate to the National Assembly, from 2020 to October 2024, how many small businesses that received grants still exist? If none, what are the pitfalls?

2. Can the Hon. Minister state what mechanisms are in place to ensure that these businesses remain viable?

Minister of Tourism, Industry, and Commerce [Ms. Walrond]:

1. Businesses Still in Operation

Over the period 2020 to 2024, the Small Business Bureau issued 3,920 grants to small businesses across the country as part of its efforts to support entrepreneurship and stimulate economic growth. To date, the Bureau has successfully conducted Monitoring and Evaluation (M&E) visits for 2,877 of those businesses, representing a significant commitment to ensuring accountability and tracking the impact of these grants to ensure business continuity and growth. Of the businesses monitored, an average of 82% are still in operation over the four years – a testament to the resilience of our small business sector and the positive impact of this initiative.



However, we acknowledge that challenges remain. The Bureau was unable to conduct M&E visits for all grant recipients due to factors such as changes in business locations, updated contact information not being provided, and, in some cases, business owners migrating. We remain committed to the success of small businesses and will continue to

strengthen our monitoring mechanisms to better serve this vital sector of our economy.

2. Mechanisms in place

The mechanisms in place by the Small Business Bureau (SBB) to ensure that businesses receiving grants remain viable is one of significant importance to the development and sustainability of small businesses in Guyana. We would like to outline the robust systems employed by the SBB to address this matter effectively.

Firstly, Continuous Business Development and Financial Literacy Training plays a critical role. Entrepreneurs benefiting from these grants are continuously engaged in workshops and training sessions. These sessions focus on essential areas such as Business Proposal Writing, Financial Management and Record Keeping, Small Business Management, Marketing Fundamentals and many others. This ensures that our business owners are equipped with the necessary skills to successfully manage and grow their enterprises.

Secondly, Monitoring and Evaluation is a continuous process. The SBB conducts regular follow-ups with businesses to assess their progress, address challenges, and further needs of businesses. This hands-on approach ensures that businesses remain on track toward achieving their goals.

Additionally, the SBB has introduced Mentorship Programs that connect grant recipients with experienced business advisors. These mentors provide guidance on best practices, strategic decision-making, and overcoming challenges. Notably, the relaunch of the Resource Centre further enhances support by offering a hub for business advice and resources.

Furthermore, the SBB actively promotes Sponsorship opportunities by enabling clients to showcase their products in local and international markets. Through trade fairs and expos, entrepreneurs are provided with platforms to expand their reach and build valuable connections and increasing their marketability.

The SBB also facilitates Access to Additional Financing through our Loans Guarantee program by linking entrepreneurs with financial institutions

accessing loans for business from \$500,000 to \$30,000,000 GYD at 6% per annum while guaranteeing from 40% to 70% of the collateral. This ensures that businesses have the financial backing they need to scale up operations and remain competitive. These mechanisms demonstrate a comprehensive and structured approach by the Small Business Bureau to not only ensure accountability for grants provided but also to empower small businesses to thrive and contribute to economic growth. The SBB remains steadfast in its mission to foster sustainable entrepreneurship and create opportunities for long-term success.

2. List of companies awarded contracts to construct the new headquarters of the Central Housing and Planning Authority and the Guyana Water Inc.

Ms. Ferguson: The National Assembly approved some \$1.3B for the construction of a new Headquarters to facilitate and accommodate staffers of the Central Housing and Planning Authority and Guyana Water Inc. Minister Colin Croal and TEAM made a visit to the construction site on March 12, 2024. During his visit, he reported his satisfaction of the project and stated that the project will be completed by the end of 2024.

1. Can the Honourable Minister provide the National Assembly with a complete list of the contracting companies who were awarded contracts for building the headquarters for CHPA and GWI?
2. Could the Honourable Minister indicate to the National Assembly when the above-named companies at (1) above were formed, and contracts previously awarded to them?

Minister of Housing and Water [Mr. Croal]:

Contracting companies awarded contracts for the CHPA Building:

- (1) Aika General Construction and Hardware Supplies Inc.
- (2) Mac Junior International.
- (3) N. Balgobin & Sons Contracting Service & Electrical Supplies.
- (4) Amazon Cooling Inc.

Contracting company awarded contract for the GWI Building:

1. Kares Engineering Inc.

3. Construction of the new headquarters of the Central Housing and Planning Authority and Guyana Water Inc.

Mr. Croal:

(A) Construction of Office Building for Central Housing & Planning Authority at Plantation Houston Georgetown.

Ms. Ferguson: The National Assembly has approved some \$1.3B for the construction of a new Headquarters to facilitate and accommodate staffers of Central Housing and Planning Authority and Guyana Water Inc. Minister Colin Croal and TEAM made a visit to the construction site on March 12, 2024. During his visit, he reported his satisfaction of the project and stated that the project will be completed by the end of 2024.

1. Can the Hon. Minister inform the National Assembly when were the contracts signed for the CHPA and GWI headquarters, respectively, and when the commencement dates took effect?

2. Can the Hon. Minister inform the National Assembly of the completion date for the projects for construction of the CHPA and GWI Headquarters?

3. Can the Hon. Minister layover to the National Assembly, copies of contracts for both CHPA and GWI projects?

No.	Project	Name of Contractors	Contract Signing Date	Commencement Date	Completion Date
1	Phase - I	Aika General Construction and Hardware Supplies Inc.	December 30, 2022	January 13, 2023	An extension of time is currently being reviewed by the Central Housing and Planning Authority (CHPA) with the approval from NPTAB and will be provided shortly.
2	Phase 2- Lot I	Mac Junior International	September 30, 2024	October 21, 2024	
3	Phase 2- Lot 2	N. Balgobin & Sons Contracting Service & Electrical Supplies	September 30, 2024	October 21, 2024	
4	Phase 2- Lot 3	Mac Junior International	September 30, 2024	October 21, 2024	
5	Supply and Installation of HVAC System at Office Building for Central Housing and Planning Authority, Houston, Georgetown	Amazon Cooling Inc.	October 31, 2023	November 14, 2023	Complete installation depends on the above.

(B)

No.	Project	Name of Contractor	Contract Signed Date	Commencement Date	Completion Date
1	Construction of New GWI Headquarters	Kares Engineering Inc.	September 21, 2023	October 5, 2025	April 15, 2025

(C) The respective contracts can be viewed at the Central Housing and Planning Authority and Guyana Water Inc.

4. Completion of construction of the new headquarters of the Central Housing and Planning Authority and the Guyana Water Inc.

Ms. Ferguson: During his visit to the project site on March 12, 2024; Minister Colin Croal reported that the construction of the CHPA and GWI headquarters will be completed by the end of 2024.

1. Can the Hon. Minister inform the National Assembly what has caused the delay in completing the project by the end of 2024, as reported on March 12, 2024?
2. Could the Hon. Minister state whether there has been a review of the contract for the CHPA and GWI Headquarters? If yes, what is the new contract date for the completion of the project?

Mr. Croal:

1. The Central Housing and Planning Authority's New Headquarters Building was delayed primarily due to:

- Delays in the shipment of materials for the steel superstructure.
- Limited availability of concrete suppliers with concrete pump trucks.

The Guyana Water Inc. new office building was delayed primarily due to:

- The inclusion of a fourth floor to the building.

2. The revised completion date is currently under review.

5. Bonds for the construction of the Central Housing and Planning Authority and Guyana Water Inc.

Ms. Ferguson: During his visit to the project site on March 12, 2024; Minister Colin Croal reported that the construction of the CHPA and GWI headquarters will be completed by the end of 2024.

1. Could the Honourable Minister indicate what were the initial dates for the expiration of the Contract Bonds for the CHPA and GWI projects, and what are the new bond dates for both projects?

2. Could the Honourable Minister lay over to the house, copies of the Contract Bonds for the initial periods, and the new periods for both projects?

Mr. Croal:

No.	Project	Name of Contractors	Initial Date of Coverage	Expiration Date	New Bond Date
1	Construction of Office Building for Central Housing & Planning Authority at Plantation, Houston, Georgetown - Phase - 1	Aika General Construction and Hardware Supplies Inc.	December 19, 2022	End of the Defects Liability Period	N/A Bond Covered for the Entirety of Project time.

2	Construction of Office Building for Central Housing and Planning Authority at Plantation Houston Phase 2 - Lot 1	Mac Junior International	September 26, 2024	End of the Defects Liability Period	N/A Bond Covered for the Entirety of Project time.
3	Construction of Office Building for Central Housing and Planning Authority at Plantation Houston Phase 2 - Lot 3	Mac Junior International	September 26, 2024	End of the Defects Liability Period	N/A Bond Covered for the Entirety of Project time.
4	Construction of Office Building for Central Housing and Planning Authority at Plantation Housing Phase 2 - Lot 2	N. Balgobin & Sons Contracting Service & Electrical Supplies	September 27, 2024	End of the Defects Liability Period	N/A Bond Covered for the Entirety of Project time.
5	Supply and Installation of HVAC System at Office Building for Central Housing and Planning Authority, Houston, Georgetown	Amazon Cooling Inc.	October 30, 2023	End of the Defects Liability Period	N/A Bond Covered for the Entirety of Project time.

No.	Project	Name of Contractors	Initial Date of Coverage	Expiration Date	New Bond Date
1	Construction of New GWI Headquarters	Kares Engineering Inc.	September 25, 2023	March 25, 2025	March 14, 2026

The respective bonds can be viewed at the Central Housing and Planning Authority and Guyana Water Inc.

For Oral Reply

Mr. Speaker: For oral answer, question number six is in the name of Ms. Tabitha Sarabo-Halley, and it is for the Hon. Minister of Home Affairs. Before I ask the Hon. Member to ask her question, let me inform the House that at the end of the last Sitting, the Minister, as promised, did submit the answers to the questions which he promised to do. Ms. Sarabo-Halley, you have the floor.

Ms. Sarabo-Halley: Thank you, Mr. Speaker. As I am about to ask this question, the question on the Order Paper states:

“Can the Hon. Minister state whether the Ministry of Home Affairs and/or Joint Services observed any presence of organised Venezuelan gangs, in particular the Tren de...”

I did not finish the name – Tren de Aragua Gang –

“anywhere within our borders?”

Before he stands, I want to recognise and let him know that when I was typing the question I left out a part of the name of the gang. I am sure that he is aware of who I was speaking about. Thus, I am still presenting the question for him to respond to.

Minister of Home Affairs [Mr. Benn]: Thank you, Mr. Speaker and I would like to thank the Hon. Member for her question. I also welcome her interest in gangs, whether they are from other countries or also gangs in Guyana. It appears that there were recently a number of gangs on the move – facilitated, fostered, supplied – and that some Members on the other side were in appearance in relation to the activities of those gangs. The burning of the streets, the burning of the buildings, the beating of persons, the looting of stores and the attacks on innocent people are all in furtherance of

making political capital out of what is indeed a tragedy – a tragedy that we feel in Guyana. However, I would like to be able to continue a personal engagement with the honourable lady on the question of gangs in Guyana, particularly.

On the question of organised Venezuelan gangs, as of the current date, the Ministry of Home Affairs in collaboration with the Joint Services, including the Guyana Police Force, the Guyana Defence Force and the Guyana Immigration Department, have not officially confirmed the presence of an organised gang known as Tren de Aragua or any other similarly structured foreign gang operating within the borders of Guyana. While there have been intelligence reports and regional concerns regarding cross-border criminal activities and the potential spillover of gang-related violence from Venezuela to neighbouring countries, there is no verified evidence to suggest that the Tren De Aragua Gang has established an operational base or presence in Guyana. Nevertheless, the Ministry and the Joint Services remain vigilant and are actively monitoring the border areas, particularly Regions 1, 7, 8 and 9, for any indicator of transnational criminal infiltration. Surveillance patrols and intelligence sharing with regional counterparts are being intensified to prevent the emergence or expansion of such organised criminal networks. Should any credible intelligence arise, immediate action will be taken in accordance with national security protocols to safeguard the sovereignty and safety of the nation. Thank you.

INTRODUCTION OF BILLS AND FIRST READING

The following Bills were introduced and read the first time:

(1) CRIMINAL LAW MISCELLANEOUS BILL 2025 – Bill No. 8/2025

A Bill intituled:

“An Act to amend certain enactments.”

(2) REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL 2025 – No. 9/2025

A Bill intituled:

“An Act to amend the Representation of the People Act.”

[Attorney General and Minister of Legal Affairs]

PUBLIC BUSINESS

GOVERNMENT'S BUSINESS

Bills – Second Readings

OIL POLLUTION PREVENTION, PREPAREDNESS, RESPONSE AND RESPONSIBILITY BILL 2025 – Bill No. 7/2025

A Bill intituled:

“AN ACT to make provision for preventative, restorative, and compensatory measures in relation to oil spill incidents in the national territory, particularly, the prevention of pollution from oil, oil spill preparedness, response, cooperation, and financial responsibility; the establishment of the Competent National Authority; and for related matters.”

Prime Minister [Brigadier (Ret'd) Phillips]: Mr. Speaker, I stand before you today to present an essential piece of legislation, the Oil Pollution Prevention Preparedness, Response and Responsibility Bill 2025 – Bill No. 7/2025, which will make provision for: preventative, restorative and compensatory measures in relation to oil spill incidents in the national territory, particularly, the prevention of pollution from oil, oil spill preparedness, response, cooperation, and financial responsibility; and the establishment of the competent national authority and for related matters.

The presentation of this Bill during this critical period in our economic history is vital in safeguarding our ecosystem from the effects of oil spills. This Bill, being tabled, is a proactive step in ensuring that a codified procedure and requisite guidelines are in place in the event of an oil spill. As Guyana moves to enact the Oil Pollution Prevention Preparedness, Response and Responsibility Bill 2025 – Bill No. 7/2025, we can draw guidance from several countries that have implemented similar legislation with much success. In the United States of America, the Oil Pollution Act of 1990 was introduced following the Exxon Valdez disaster, establishing strict liability standards, mandatory response plans and a dedicated oil spill liability trust fund. The United Kingdom, through its Merchant Shipping Pollution Act 2006, aligned with international protocols to ensure compensation and accountability for oil pollution incidents. Likewise, the International Convention on Oil Pollution Preparedness,

Response and Cooperation (OPRC), ratified by over 100 countries, provides a global framework, requiring nations to develop response mechanisms, individually or in collaboration with others.

In the developing world, Nigeria's approach through the National Oil Spill Detection and Responsibility Agency highlights how enforcement, regional coordination and environmental remediation can be locally managed with national oversight. Guyana, standing at the threshold as a major oil-producing nation, must take pattern from these models by establishing a clear authority for oversight, aligning with global best practices and ensuring that all operators bear full responsibility for environmental protection. The passing of this Bill signals our nation's commitment to sustainable development and environmental stewardship. Before I proceed further, I should note that while we have drawn lessons from global best practices, it is important to recognise that even these countries, despite having robust frameworks, have faced challenges in enforcement and real-time response. That is why with the passage of this Bill, Guyana is committed to building the necessary institutional capacity, ensuring adequate funding for emergency response and strengthening independent oversight so that the legislation is powerfully enforced.

The Bill is forward-looking. It is a response to the increasing scale of petroleum operations in shipping activities within Guyana's waterways and it cannot underscore the potential environmental risk. The Bill positions Guyana's legal infrastructure to comply with regional and international best practices. The Long title of the Bill reflects its core objectives to make provision for preventative, restorative and compensatory measures relating to oil spill incidents; to provide for preparedness, response, cooperation and financial responsibility; and to formally establish a competent national authority tasked with oversight and enforcement responsibilities. It is imperative that we safeguard every sector, especially those that are most vulnerable to the effects of an oil spill. The sector that stands to be most affected is the agriculture sector, both onshore and offshore. The aftermath of the Deepwater Horizon saw the economic prospects in the Gulf Coast states becoming dire as the spill affected many of the industries upon which residents depended. More than a third of federal waters in the Gulf was closed to fishing at the peak of the spill due to fears of contamination. Over US\$ 40 billion in costs associated with cleanup and recovery were recorded.

3.18 p.m.

The Civil Defence Commission (CDC) was established in 1982 under the original purview of the Office of the Prime Minister to make plans and conduct operations relevant to all types of disasters in Guyana. By 1985, a comprehensive National Disaster Preparedness Plan was documented and initiated. This plan saw the CDC involved and, at times, spearheading disaster response and recovery missions such as for coastal flooding and inland droughts. Prior to 1985, such responsibilities were handled by public authorities such as the Guyana Police Force (GPF), the Guyana Defence Force (GDF), the Guyana Fire Service (GFS) and the various health services under the Ministry of Health. The CDC's role and functions within Guyana has become more critical. As a Government, we must identify and fill gaps. One such gap identified is that the CDC has no legal existence. This Bill fills that gap. Part II of this legislation identifies the CDC as the Competent National Authority and sets out its roles and responsibilities. The Scientist, Stephen Hawking, posited:

“Chaos, when left alone, tends to multiply.”

Mr. Speaker, it is on this premise that I raise the importance of order as it relates to disaster preparedness. Within Part II of this Bill, we also note the inclusion of an established Incident Command Structure that will be activated in the event of a spill. The Director General of the CDC is the National Incident Commander. The Director General of the Maritime Administration Department (MARAD) and the Chief Executive Officer (CEO) of the Guyana Energy Agency (GEA) are the Deputy Incident Commanders for offshore and onshore oil spill incidents, respectively. It further establishes the Guyana Coast Guard as the National Response Coordinator for any oil spill that may occur in the maritime domain, and the Guyana Energy Agency as the Coordinator for spills that may occur on land.

Disasters disrupt communities and can take a serious toll on people, property, economies and the environment. Part of the mitigation and prevention efforts aim to reduce the potential damage and suffering that an oil spill can cause by requiring vessels and facilities to have a shipboard oil pollution emergency plan and a facility oil spill contingency plan, respectively. These plans are, however, subject to the approval of the Competent National Authority. They will further consult the Environmental Protection Agency (EPA), the Ministry of Natural Resources and the Guyana Energy Agency on these plans. Further, these plans must be aligned with international standards and conventions such as the maritime organisations' International Convention on Oil Pollution Preparedness, Response, and Cooperation (OPRC).

These measures are further supported by placing obligations on responsible parties to:

“12. (1) ...ensure the necessary preparedness to enable effective and prompt [response], prevention, removal or mitigation of an oil spill incident.”

I must underscore that the responsible parties are:

“17. ... liable for all damages caused by an oil spill incident...and removal costs, and restoration of the environment as far as practicable, and for any cost arising therefrom or connected therewith.”

This reduces the financial burdens on the Government. Even if the Government or a third party expend funds to aid in the clean-up activity, those funds are recoverable from the responsible party. Therefore, upon approval of this Bill, the financial burden on the responsible party will be so great that they will find it prudent to implement the mitigatory measures. An additional financial commitment for the parties is the claims from the persons affected by the oil spill incident. This can be problematic. It was publicly reported that claims resulting from the Deepwater Horizon were highly inflated. As a caring Government, not just for our people, but also for our investors, we intend to mitigate these risks where claims are limited to one year after the discovery of the oil spill. Additionally, a Board of Inquiry will be established to evaluate these claims and make recommendations. The Board will be comprised of nominees from the Ministry of Natural Resources, the Environmental Protection Agency and most importantly, the responsible party. The responsible party is also required to provide and maintain financial assurance that satisfies the Competent National Authority.

Further, any responsible party that fails to comply with the provisions of this Bill can face as much as a \$2 billion fine depending on the offence. The provisions outlined in this Bill represent Guyana's growing maturity in managing the responsibilities that come with resource wealth. As oil production expands and maritime traffic increases, so too must our readiness to act, our clarity in assigning responsibility and our strength in enforcement. This legislation is about protecting our fisheries and coastal communities, our international standing and, most importantly, our people's way of life. It reflects a conscious decision to balance growth with sustainability and to build a robust and resilient framework that can stand the test of time and industry.

Mr. Speaker, the Oil Pollution, Prevention, Preparedness, Response, and Responsibility Bill No.7 of 2025 is a vital legislative step in securing Guyana's environmental and economic future in the face of oil-related risks. It represents a proactive, balanced and internationally aligned approach to managing oil spill threats while ensuring accountability and resilience. This Bill is a testament that the Government is a forward-looking Government, and we will continue to fill gaps and safeguard the future, not for us but for our children and their generations. I thank you, Mr. Speaker. *[Applause]*

Mr. Holder: Mr. Speaker, I am a little disappointed. I thought on such an important Bill, as the Prime Minister claims, and the Government claims, he would have spoken at least for a half hour or something. It just goes to say what is in the Bill – what is there in the Bill or what is not there rather. Firstly, let me express my condolences to the family of little Adrianna Younge. Our thoughts and prayers are with them. We embrace their call, and the call of the majority of Guyanese, for justice.

Any piece of legislation, notwithstanding.... **[Mr. Nandlall:** What happen to Ms. Amna Ally?] This is a call for justice – you know. You have to differentiate between the two; it is a call for justice. Any piece of legislation, notwithstanding its weaknesses, should be welcomed as long as its intended purpose is to serve in the best interest of the people of Guyana. The Oil Pollution, Prevention, Preparedness, Response, and Responsibility Bill, if configured in the right way, can form an important step towards safeguarding our environment and coastal communities from the detrimental impact of oil pollution. While the Bill represents an effort – I would not say whether it is a good or bad effort – it is essential that we critically examine its provisions to clarify whether it is done in the interest of the people of Guyana and to ensure it effectively addresses the complexities and challenges of oil spill management.

Firstly, I wish to acknowledge the Bill's emphasis on prevention and preparedness specified under Part III of the Bill from pages 12 to 14. However, all this section really does is add another agency to the prevention and preparedness mechanism in the form of the Civil Defence Commission. Further, it duplicates the responsibilities which already exist under the Environmental Protection Act. I would say further, for example, if you consider clause 10, which deals with local or facility contingency plans, it essentially lays out that oil companies must prepare an oil spill contingency plan and they cannot operate without it being approved. This is simply a copy and paste process

since these conditions are already in existence under the Environmental Protection Act and through the permits being issued, which govern the operation of the oil companies.

Mr. Speaker, if you examine the permits, they spell out clearly and even more in-depth the very responsibilities that the Government seeks to duplicate through this Bill. In some instances, it seeks to assume the responsibilities which should lie with the oil company. What is more alarming is the hypocrisy in this section. There is absolutely nothing there specific to prevention, no specific details. In fact, the Government is currently allowing the oil companies to violate the intent of existing laws to prevent an oil spill by accommodating them while they exceed the designed production limits. The Liza Phase I Project, as established by the Environmental Impact Assessment (EIA), states clearly on page viii under the heading, Production and Operation, that the design rate is 100,000 barrels per day (bpd) and that it is:

“...designed to safely operate at sustained peaks of 120,000 bpd.”

This People's Progressive Party/Civic (PPP/C) Government has consistently allowed the operator to produce way above the designed limits, as much as 150,000 barrels per day, 25% more. This should be of great concern particularly to the citizens who live on our coastline and those who depend on the fishing industry for their livelihoods. I want the Prime Minister, who is the mover of this Bill, and the Vice President, who believes he is of a higher rank than the Prime Minister of this country, to explain to this nation why they are callously allowing this to happen. Why are they bending to the demands of the oil companies? How can you now say that you are doing everything possible to prevent an oil spill? This is my question to the Government: are you not concerned for the safety and well-being of the Guyanese people?

3.33 p.m.

Why are you placing capital gains above the interest of the people of this country? What is in it for the People's Progressive Party? What is there to be gained by your reckless action? They must face the people of this nation and explain to them. Given all that would have transpired in this country, especially in the last few weeks, I think the people of Guyana understand fully how crooked they are. Let us now examine the next section, Part IV, from pages 14-15. This deals with... **[Mr. Nandlall:** Sit down.] I know you would like us to sit but we will stand and speak the truth Hon. Attorney General (AG). This deals with the oil

spill response. Apart from being another cut and paste job from other legislations, which already exist, it is vague, and I would say a sham. For example, let me tell you Hon. AG, clause 14 – go to it – does not stipulate a time frame for the notification of an oil spill while the existing permit, which is already in force, dictates that notification of an oil spill must be done within a certain period of time, a certain number of hours. So, it is a sham, it is a cut-and-paste job.

The prevention and response section of this Bill also establishes that the Government, through the competent national authority, shall coordinate and direct all response efforts. We have to be very careful how this clause is executed since the oil companies are already directed by law to undertake this exercise at their own expense, and our interference can have serious legal and financial consequences. Essentially, this Bill, through many of these clauses, further complicates oil spill prevention and response rather than simplifying it. One has to wonder why is that so, why play these games?

We come now to the section which deals with liability. I am hoping that my good friend Hon. Datadin can pay attention; he likes to speak to the issue of parent company guarantee and full liability coverage. We are dealing with Part VI. Please take out your Bills and follow. This is the backbone of the PPP/C's deceit. If there is any part of this Bill that demonstrates the PPP/C Government's duplicity, barefacedness and total disregard for the safety and well-being of the people of Guyana, and disqualifies any support that we on this side of the House may want to give to this Bill, it is this section that deals with liability. It is a blatant sham, Comrade AG, a charade, a hoax; I would say a con job on the people of Guyana. That is what this Bill is. Let me qualify my statement. Hon. AG, let me qualify my statement. Let us read clause 17. You know the truth really hurts when you bring it out at these forums. Let us look at clause 17 of the Bill, which I would say is the governing or superior clause in the section. It states:

“A responsible party is liable for all damages caused by an oil spill incident, removal and removal costs, and restoration of the environment as far as practicable, and for any costs arising there from or connected therewith.”

This sounds brilliant. We can applaud you, the Hon. Members over there; it sounds brilliant. The PPP/C waged a war in and out of the courtroom, against the Guyanese people, against the parent company guarantee in the courts of Guyana, even at the Caribbean Court of Justice (CCJ)

level. I believe the Hon. AG can attest to it. They would have described the Opposition's pressure for unlimited liability as stupid, as impossible. They are now having an epiphany. They have now suddenly, around elections time, awakened from their slumber and have remarkably become champions of the people and now glorify full liability coverage. We are happy on this side of the House that we would have caused this sudden grand realisation. The people of Guyana need to know that this is exactly where the hoax is. Firstly, it is already established by law that the responsible party has full responsibility for the oil spill; so this is nothing new. You can check the permits, check the Act, check the contract – it is there. This is a cut-and-paste job. They are lazy; they do not do work; they just want to come to this National Assembly before an election to bring a Bill to say they would have done something.

We need to examine who that responsible party really is. In the case of oil rigs, the responsible party, as established by this Bill on page nine – it is there – is the operator of the facility, or the holder of the exploration and production license. I hear the Hon. Prime Minister say, of course, and the Hon. Datadin. In other words, it is the subsidiary of Exxon, a limited liability company, formerly called Esso Exploration & Production Guyana Limited (EEPGL), now renamed ExxonMobil Guyana. It is a limited liability company with no real assets, except those in its possession that are already owned by Guyana through the petroleum contract. It is amazing to watch these tricksters in Government; it is amazing to watch them. The Hon. Dr. Jagdeo said, just yesterday, that the PPP/C always wanted full liability coverage and that the A Partnership for National Unity/ Alliance For Change (APNU/AFC) were the ones against it. Could you believe that Comrade Speaker? Who believes such a thing? It is shameless Comrade Datadin; it is shameless Comrade Prime Minister.

Mr. Speaker: Hon. Member, you have been going good; let us keep it straight.

Mr. Holder: Thank you, Cde. Speaker. The APNU/AFC, between 2019 and 2022 got Exxon to sign an agreement for a parent company guarantee in which the parent company stands fully all liabilities over and above what the subsidiary company is able to cover. According to the former Environmental Protection Agency (EPA) head, Dr. Vincent Adams, who by the way is probably the most qualified person in this entire country to speak on oil and gas matters – and we must recognise that – the parent company guarantee was put into the permit, and Exxon asked for some time to work out how the three companies – Exxon, Hess

Corporation and China National Offshore Oil Corporation (CNOOC) – would share the liability. Dr. Vincent Adams added that, at that stage, he refused to approve the Liza 2 and Payara permits unless Exxon and its partners accepted the parent company guarantee.

The oil companies agreed, Comrade Speaker. Do you know what this PPP/C Government did? Let me tell you what they did. They sent Dr. Adams on leave, inserted a new clause at 14.3 stating that the guarantee will be done through an estimate, essentially nullifying the clause of unlimited guarantee; totally unbelievable. This gave rise to the famous lawsuit filed by Collins and White in which Justice Kissoon blasted this Government, calling their actions self-serving. He interpreted the unlimited parent guarantee clause to mean, and I quote, ‘the permit owner is mandated to provide insurance and provide a further financial assurance and unlimited parent company guarantee to indemnify the government against all liabilities’. In other words, we *ain't* *gah* pay *noting* Comrade Speaker. The people of Guyana do not have to stand any expense for an oil spill; that is what he said.

He went on to describe the action of the EPA. Let me tell you what he said, ‘at every juncture engage in a course of action to undermine and erode the terms and conditions of its own permit’. This is an organisation of the Government; unbelievable. He further said, ‘that the agency has descended into a state of inertia and slumber at the critical juncture; that the behaviour, which he described, closely resembles the current... Let me say this: let me be very clear. The behaviour that this judge described in that court matter closely resembles the current posture of the state with respect to the murder of 11-year-old Adrianna Young. Their...

Mr. Speaker: Hon. Member, I do not know if there is an announcement; I know about the death of... If you have information with respect to what you mentioned – murder – please lay it over.

Mr. Holder: Thank you, Cde. Speaker. Let me say the demise. They are slumbering at the wheel in the same state of affairs as the Hon. Judge described; they are slumbering at the wheel with respect to the demise of little Adrianna Young. I call this attitude and this behaviour a total betrayal of the people of Guyana. It did not end there. After the ruling was made in the interest of the people of Guyana, this Government went ahead and appealed that ruling, that decision, that there should be a parent company guarantee. Could you believe that? They fought against it. Now

recognising that they are in an election year and this topic will certainly, obviously, be one that will hurt them badly, they run out with this sham Bill. Let me further demonstrate why it is a sham. Let us examine clause 21, which deals with no transfer of liability. Let me quote:

“An indemnification or any like agreement shall be invalid for the purpose of transferring the liability of a responsible party under this Act.”

If you do not read between the lines, you might believe that it is a good thing; you cannot run away from responsibility. That is what you would interpret at first look, but the reality is that this is where the con job is being operationalised, in this clause 21. ExxonMobil Guyana, as a limited liability subsidiary of the parent company Exxon and others, which technically owns virtually nothing, will not be able to transfer its liabilities to the parent company that has the means to cover the cost. It means that they are blocking the subsidiary company from transferring. They cannot pay and you are blocking them from asking their mother to pay the damn bill. It is out of order. The behaviour of this Government is out of order.

3.48 p.m.

What the subsidiary can do, if the oil spill is of a significant magnitude and they are unable to cover it financially, they can file for bankruptcy, leaving Guyana to hold on to nothing. This is how the Government is deceiving this nation, Cde. Speaker. They are dishonest and they are dishonourable. Let me repeat it. again. They are a dishonest and a dishonourable bunch whose only intention is to fill their own pockets and the pockets of their friends, family and favourites. It does not end there. At clause 28, it speaks to claims against a surety. Yet again, the claim, according to this Bill, has to be honoured by the responsible party, which is the limited liability company set up to do just that, just as the name implies, to provide limited coverage for any damages or compensation claims.

Mr. Speaker, you know what is characteristic of this Government. Whenever elections are in the air, they shout at the top of their voices to deceive the people with claims against the APNU/AFC. They claim that they will rectify certain wrongs. They like to shout that, but when they got into Government they did the opposite. You will recall, Mr. Speaker, that while the PPP/C was in opposition, they shouted in every corner of this country that the APNU/AFC... Let me be specific. The Hon. Dr. Bharrat Jagdeo screamed that we sold out the national patrimony and that they would change the oil contract. Just months after

getting into Office, they denied it, and they continued to deny it over the last five years. I do not know how you can describe this bunch. I do not know how. I might not be permitted to use certain words to describe this Government. The same could be said...The Hon. Minister of Natural Resources was loud on this one, the Petroleum Commission. Where is the Petroleum Commission after five years? Tell me, given their actions, then and now, through this scam of a Bill, who really is selling out our national patrimony?

They bring a Bill which they claim will ensure that Guyana receives full liability coverage, essentially nullifying or superseding Justice Kissoon's ruling, while they continue to fight his ruling through an appeal in the Courts. The PPP/C cannot have it both ways. They cannot come to this House, bring a Bill for full liability and, in the same breath, fight full liability in a case that is in the Court. *Yuh can't* do it. [Mr. Duncan: Pick a struggle.] Yes. Pick a struggle. Mr. Speaker, this is an absurdity. It is an absurd behaviour. The PPP/C must immediately discontinue their appeal against Justice Kissoon's ruling and direct the EPA to enforce his ruling before we vote on this Bill. Additionally, they must apologise to this nation. They must apologise for being unpatriotic. They must apologise for wasting taxpayers' money. Mr. Speaker, do you know what? They must also apologise to Collins and Whyte for challenging that lawsuit for full liability coverage and pay their court cost. That is what they must do.

Let me remind this nation of what the Hon. Jagdeo said very often in the public domain. He often said that the EEPGL, now called ExxonMobil Guyana, the subsidiary of Exxon, had \$20 billion in assets. Then he started to say they had about \$16 billion, and then we heard about \$14 billion. Eventually, during the appeal of Justice Kissoon's decision, we learnt that the PPP/C secretly made a deal with Exxon to cap the liabilities to \$2 billion, and refused to produce the signed agreement. I can clearly recall, we all can recall, the Hon. Datadin misleading this House through his directions that any of us can go to the EPA and see the document. It was never allowed. It was never allowed, Cde. Datadin. You misled us. You misled the House.

Mr. Speaker: All right. You have been using many, many words that we consider unparliamentary but now reinforcing it with repetition. I cannot allow that.

Mr. Holder: Thank you. Cde. Speaker, I am guided. I will correct it. I am so disgusted with the attitude and the duplicitous behaviour of this Government. I am disgusted by it. I crave your forgiveness, Cde. Speaker. Are these the

same people we entrust with our national patrimony? That is why there is a growing distrust for this Government. You cannot believe anything they say, anything they tell you – not at all. You cannot believe it. The Hon. Jagdeo glowingly said to this nation, at his last press conference, that we do not have to rely on the \$2 billion. He is implying that this sham of a Bill provides full coverage liability. That is nonsense. I dare the Hon. Jagdeo, the Vice-President who claims to know everything – maybe he is not here today as usual, or maybe the Hon. Prime Minister, Mr. Mark Phillips, who often knows nothing – to withdraw your appeal in the Court against the parent company guarantee. Tell us when you will withdraw it. I am calling your bluff today and your hippoc... Look! Stand up to your word. Withdraw it now, Mr. Prime Minister, and apologise to the people of Guyana or face their wrath come next elections. They will face the wrath of this country for these indiscre... Do not get me off. It angers me, Mr. Speaker.

Mr. Speaker: If you do not get an extension, I will have to get you off.

Opposition Chief Whip [Mr. Jones]: Mr. Speaker, I do move that the Hon. Member be given an extension as the Standing Orders will permit.

Motion put and agreed to.

Mr. Speaker: As Standing Orders [*inaudible*].

Mr. Holder: Mr. Speaker, as I was saying, this Government must apologise. I want to repeat it over and over – they have to apologise. *Yuh can't* come here with this... In concluding, this Oil Pollution Prevention, Preparedness, Response and Responsibility Bill is nothing but a hoax and a sham. It has to be seen for what it is – a ploy to give critical support to the oil companies placing their interests and the interests of the People's Progressive Party/Civic above the collective interests, safety, and wellbeing of the people of Guyana. We cannot and will not support such a Bill. I thank you. [*Applause*]

Minister of Natural Resources [Mr. Bharrat]: Mr. Speaker, I rise to lend my support to this the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill No. 7 of 2025 and to support the argument laid by the Hon. Prime Minister of Guyana. Sometimes it is not how long you speak or how you sound, but it is your content that matters. Listening to the previous Member, the Hon. Mr. Holder, I was wondering if the Hon. Member was speaking to this Bill in question today. It is obvious that the Hon. Member did not

read the Bill; it is obvious that the Hon. Member is stuck in the past.

Today, we are debating a Bill that will clearly enhance our reputation as a new oil producing country, and as one of the better-managed oil and gas sectors among new oil producers in the world. This Bill will continue to enhance our reputation as an oil-producing country that is building out a framework that is world-class and that will ensure that Guyana is prepared for any eventualities. Today, we are debating this Bill that will prepare us for an oil spill. However, God forbid that we do not actually have one or need to respond to any in the future. Guyana's oil and gas sector is seen and is touted as one of the better-managed sectors among new oil-producing countries around the world, as I have mentioned. This is supported by the passage of the Natural Resource Fund Act, which was passed in December, 2021, which speaks to transparency and accountability in the sector.

We have always said, and it is known, that it is not how much you have, but how well you manage it. Guyana is a shining example when it comes to managing our resources, especially the new oil and gas sector. We do not have to go too far. There are countries right around us with reserves way greater than our 11 billion barrels oil equivalent. There are countries close to us with almost 300 billion barrels, but yet those economies are in shatters. Yet, the people of those countries are fleeing for a better life, including coming to our country. It speaks directly to not how much you have but how well you manage your resources, and that is what Guyana is being applauded for.

Recently, the International Monetary Fund (IMF), for example, lauded Guyana for the management of the oil and gas sector, and our resources, and also the way in which the benefits are being trickled down to the average Guyanese. If I may read quickly from the IMF Report, it states that Guyana posted the highest real Gross Domestic Product (GDP) growth globally, largely due to the expanding oil production and strong non-oil growth. We must note that – strong non-oil growth – because there are many oil producing countries in the world that made the critical mistake of neglect for the traditional productive sectors when revenue from the oil and gas sector started to flow. From the inception, we said that we would learn from the mistakes of others, and that we are going to use the revenue from the oil and gas sector to continue to incentivise and expand the traditional productive sectors, while growing the new and emerging sectors. This has been recognised by the International Monetary Fund.

If I may continue, Mr. Speaker, the IMF noted that construction, retail, and services also experienced robust expansion, indicating broad-based growth beyond oil and gas. The IMF commended Guyana's fiscal strategy, particularly the commitment to achieving overall fiscal balance by 2028, which reflects strong efforts to manage oil revenue sustainably.

4.03 a.m.

Oil revenues are channelled through the Natural Resources Fund (NRF), with annual withdrawals guided by a fiscal rule to prevent overspending and preserve intergenerational equality.

“The NRF Act, amended in 2021, enhanced transparency and accountability of the use of oil revenues.”

The NRF Act of 2021 was highlighted by the International Monetary Fund (IMF) as a major improvement in transparency and accountability. Introducing parliamentary reporting, publication of financial statements and independent oversight of the oil and gas sector and the flow of revenue.

Mr. Speaker, finally, on the IMF Report, Guyana was praised for maintaining environmental commitments through the Low Carbon Development Strategy (LCDS) 2030, despite becoming a leading oil producer. The IMF highlighted efforts to monetise Guyana's carbon credits and maintain its high environmental integrity. Guyana is known and seen globally for its efforts in ensuring that we balance economic development while maintaining our high environmental credentials. Today, we are recognised as one of the few oil-producing countries in the world that has managed to maintain our net-zero status and will continue to do so even as our production doubles in the year 2028. If I may turn quickly to the World Bank Report with regards to management of the oil and gas sector in Guyana. It says,

“The new Partnership Framework is designed to support Guyana's efforts to achieve sustainable growth for all”

“It puts Guyanese people at the centre of the strategy, with a heavy focus on strengthened education, job creation, and improved capacity to manage natural resource revenues for the benefit of the people.”

The country's partnership framework aligns with Guyana's goal to use oil wealth to reduce poverty by investing in

education, health care, housing and youth employment programmes. Guyana is lauded again as a perfect example of oil-producing countries using its revenue to enhance and enrich the lives of our people. Sometimes it boggles the mind, and it brings great discomfort listening to presentations made by the Hon. Holder referring to the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill 2025 (Oil Spill Bill) as working against the people of Guyana, and it is not in the interest of Guyana but the oil companies. The World Bank applauded Guyana. Like the IMF, the World Bank applauded Guyana's low-carbon development strategy, especially the country's ability to balance oil development with environmental protection. The Organisation of American States (OAS), the anti-corruption framework, mentioned that continued implementation of reforms was recognised as a means to further strengthen the transparency and anti-corruption framework, including in the extractive industries.

If I may turn quickly to the Extractive Industries Transparency Initiative (EITI). The EITI validation report states, Guyana has made progress in transparency and contract disclosures, multistakeholder engagement and institutional participation. The EITI highlighted Guyana's compliance with data publication and reporting standards. This is not us saying these things. This is not the Ministry of Natural Resources or the Government saying these glowing remarks or making these remarks on Guyana's oil and gas sector. It is the World Bank, the EITI, the IMF, the OAS and the Natural Resource Governance Institute applauding Guyana for its management of the oil and gas sector. I think it is time that we take a nationalistic position with regards to managing this critical and important sector, which obviously brings with it development that we have never seen before in the history of our country and ensuring that every single Guyanese benefit in some way or the other. A more nationalistic approach is needed with regard to the oil and gas sector, rather than just coming to the National Assembly and criticising for the sake of just that.

Listening to the Hon. Member Holder arguing with regards to the parent company guarantee, the \$2 billion insurance, who is the most qualified oil and gas expert in Guyana, even though the goodly gentleman was not given the portfolio to manage the oil and gas sector under the A Partnership for National Unity/Alliance For Change (APNU/AFC) Government, even though Mr. Holder said he is the most qualified in oil and gas, it seems as though the APNU/AFC is stuck in the past as always. Here we are debating a Bill that is taking us forward, yet the Hon. Member is stuck in the past of 2019 and the parent guarantee and the unlimited

liability. We have a Bill here that will ensure that the responsible party is mandated to ensure that they prevent, that they prepare, that they restore, that they clean up, that they ensure that we return to a state of normalcy. The responsible party is obviously the company, the organisation, and the individual who caused the oil spill. It can be a tanker, or it can be from our offshore exploration and production. This Bill caters not only for exploration and production activities but also to the transportation of fossil fuel or crude in our waters.

Today we are here debating such an important Bill which is taking us forward as a country and which is adding to the credential to us as a new oil producing country, that we have the framework in place to ensure that if there is the eventuality – and like I said before, God forbid that we do not have to – of an oil spill, then we have a piece of legislation that covers and takes care of that risk that is associated with this important sector. You heard from the Hon. Prime Minister that if such an incident occurs because we heard of the Government enforcing penalties on people, we heard of the Government being in bed with organisations, but, in this Bill, if it is read properly, it states clearly that an oil spill board of inquiry will be established if there is such an incident. An oil spill board of inquiry with people who are competent and capable in the field to make such a determination and, also, to prepare that report, and, once accepted by the responsible party, will then move to the next stage. However, further to that, it also gives them the leeway or the opportunity to move to the courts, if the report is not in agreement with the parties involved. In no way will the Government be using any big stick method or will it be enforcing any measures that are outside of this piece of legislation.

The Hon. Member spoke of prevention. It must be noted that there are 13 capping stacks available in the world – only 13 available in the world, and one is in Guyana. We should be applauded for that. In this part of the world, there are only two, and one is in Guyana. A new oil-producing nation producing oil only five years now, compared to countries that have been producing for centuries and decades. Today, we have those very countries seeking to subscribe to the capping stack placed in Guyana. For the interest of our viewers, who may not be aware of what a capping stack is and I am sure we have seen the pictures displayed in the newspaper and on television, it is a piece of equipment that is sitting here at the Vreed-en-Hoop Shore Base that can be deployed at any point in time should there be a blowout at a well or an oil spill offshore. However, previously, we were paying a subscription to hold that capping stack in Houston.

When we did an assessment, it would probably take over one week or 10 days to get that capping stack mobilised and into Guyana's waters to stop that leakage or spill. With that capping stack in Guyana, it significantly reduces the time to mobilise and deploy that capping stack so that we can block or cover the well that is being exposed. Added to that, in the Environmental Protection Agency (EPA) permits, it states clearly that is what we call BOPs—or blowout preventers—are part of the operation by any exploration company. Should there be a blowout of a well, automatically, what we call the blowout preventer closes and shuts down that well.

We have all of these systems in place at every single exploration well that is being done in Guyana. Further to that, the spotting of wells is critically examined, supervised, and we are ensuring that all the necessary steps are being taken when a well is swathed. There are a number of preventions that are being taken by the companies that are being enforced by several agencies, including the Guyana Geology and Mines Commission (GGMC), the EPA, among others, to ensure that there is prevention. Even though we are presenting this Bill for the eventuality of an oil spill, there are a number of preventions that are being taken.

The Hon. Member would note that in this Bill, prevention speaks to, in the event of an oil spill, how do we prevent that spill from becoming catastrophic? There are a number of measures spelled out in this Bill to ensure that we can deal with an oil spill if it occurs, at the initial or early stages, and that it does not expand to such an extent that it can create much harm or damage to our environment, to properties, and to disrupt the lives of our people. The Hon. Prime Minister spoke about the agriculture sector, the fishing sector, which is very critical for the livelihood of our people, and also, homesteads, if such oil spills should actually reach our coastline. There are a number of steps that have already been taken that have been implemented by the Ministry of Natural Resources and the Environmental Protection Agency. For example, today we have what we call the Maxar software, which gives us real-time monitoring of all activities in the oil blocks or Guyana's maritime space. Today, we can monitor every single Floating Production Storage and Offloading (FPSO), every single drill ship, every single tanker that enters Guyana's waters. We have the technology to monitor those activities and also to detect if there is an oil spill or not, and to react as fast as possible. This technology is available right now. As a matter of fact, it has been implemented for about two years now and is being monitored by the Environmental Protection Agency on a 24-hour basis.

4.18 p.m.

This Bill seeks to ensure that the liabilities for an oil spill it is clearly spelt out as to who is the responsible party. If I may be permitted, Mr. Speaker, to read from the Bill, because I am not sure if the Hon. Member, Mr. Holder, went through this, what it says under PART VI – LIABILITY Clauses 17, 18, 19, 20, 21 and 22 state:

“A responsible party is liable for all damages caused by an oil spill incident, removal and removal costs, and restoration of the environment as far as practicable, and for any costs arising therefrom or connected therewith”.

It continues to say:

“Removal costs referred to in section 17 shall include all removal costs for any removal action taken in accordance with the National Oil Spill Contingency Plan by any person or by the State or any agency of the State”.

It speaks here to the National Oil Spill Contingency Plan. This Bill here, once passed through the National Assembly and assented to, simply means that the Civil Defence Commission (CDC), the responsible body, the governing body will have to constitute what we call, the National Oil Spill Committee, consisting of a number of agencies, government agencies, as well as the Private Sector that will constitute the National Oil Spill Committee. That Committee will oversee the crafting of the National Oil Spill Contingency Plan by the Civil Defence Commission.

“Liability for damages under section 17 includes damages resulting from the unauthorised discharge of oil from a vessel or facility including -

- (a) damage to real or personal property, and economic losses resulting therefrom;
- (b) loss of taxes, royalties, rents, fees, fees, or profit shares, loss of profits or impairment of earning capacity due to the injury, destruction, or loss of real or personal property, or natural resources;
- (c) loss or damage caused by preventive measures; and
- (d) damage related to impairment of the environment”.

It continues:

“Where two or more vessels are involved in an oil spill incident, the responsible parties of all the vessels concerned shall be jointly and severally liable for all damages and removal costs”.

As I mentioned earlier, the Bill does not only cover exploration and production activities, but it is also extended to the transportation of crude or fuel, whether on shore or offshore. You heard from the Prime Minister that the Oil Spill Coordinator will be the CDC Chairperson or the Head and the Deputy Coordinator, if offshore, will be the Head of the Maritime Department of Guyana (MARAD) or if onshore, will be the Head of the Guyana Energy Agency (GEA).

“An indemnification or any like agreement shall be invalid for the purposes of transferring the liability of a responsible party under this Act”.

I would like to read that back for the Hon. Member, Mr. Holder,

“An indemnification or any like agreement shall be invalid for the purposes of transferring the liability of a responsible party under this Act.”

Further, Mr. Speaker:

“Any cost of removal incurred by the State or a third party in connection with an oil spill incident shall be recoverable from the responsible party of the facility or vessel that is the source of the unauthorised discharge of oil in a claim brought under this Act”.

It shows clearly that this Bill – the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill 2025, clearly outlines that all liabilities fall solely on the responsible party or parties when it comes to prevention, when it comes to removal, removal costs, when it comes to preparedness, response and restoration of our environment. It speaks a lot towards the clean-up exercise and the restoration of the environment, which is very critical, especially when it comes to the livelihood of our people.

Mr. Speaker, you heard already from the Prime Minister, Penalties. I would like to state clearly that the Bill – a simple Bill but very clear, very strong and very decisive – outlines clearly the penalties for a number of offences, whether a company fails completely to respond to an oil spill, whether a company fails to prepare for an oil spill, whether a company facility is not prepared or the Oil Spill Contingency Plan is not prepared, whether the audit is not in keeping with what the CDC or the governing body is recommending, there

are severe penalties for all of these incidents. Penalties also range for companies being liable to lose their production license or their exploration license, should they fail completely to respond to an oil spill.

In conclusion, I would like to say that this Bill is quite comprehensive, it is quite simple and it is quite clear as to how as a country, we are moving forward with regards to managing our oil and gas sector, and, more importantly, how we prepare for the eventuality of an oil spill, how we respond to an oil spill, which agencies have the responsibility and authority to determine losses and also, the penalties should companies not comply with this Bill. As we continue to build out the sector, we know we have already, over the last few years, passed a modern piece of legislation, maybe one of the most modern pieces of legislation in managing the oil and gas sector around the world in our Petroleum Activities Act. In that Act too, it speaks towards the transportation of crude, the transportation of gas via pipeline and stipulations governing those, and also penalties for companies not complying. We are probably one of the few countries in this part of the world that has an updated Act too, that speaks towards carbon capture and storage, and how companies can acquire licenses to engage in carbon capture and storage.

We will continue as a government to ensure that we manage the oil and gas sector in a transparent and accountable manner. We are probably one of the few countries in the world that have been so transparent in terms of managing the oil and gas sector and the revenue that flows from the oil and gas sector. There are not many countries in the world where you will have the vice-president who is the lead in oil and gas, speak to the media every week and accommodate questions from the media on the oil and gas sector every single week. I dare us to tell me which country in the world can you find the Vice-President, the President or the Minister responsible for petroleum, being so accessible to the media and to the people of Guyana and also being so fair in the dissemination of information.

Only today, we have seen, as usual in the *Kaieteur News* newspaper, a big headline about the audit which was mentioned by a few Members of the Opposition in their ramblings. A simple *Google* search will show you that the report is on the Petroleum website. Unfortunately, we cannot tell you where the information is and come and show you how to use your device and how to find reports on the internet. A simple search on *Google* would have pointed you clearly to the Petroleum website where that report is, along with the first audit report. While the Government continues

to be responsible, while the Government continues to be transparent in the sector, I reaffirm my call for us to take a more nationalistic view when it comes to managing the oil and gas sector. This not only extends to the Opposition in Parliament, but it extends to the media in its reporting. Sometimes we believe we are hurting the incumbent but, sometimes or most of the time, we are hurting our country and our people and not necessarily the incumbent.

We need to ensure that good sense prevails at times, and that we recognise that Guyana has moved a long way in terms of managing our resources. Today, our people are benefiting much more than in the past. I am sure that if you go to any part of our country, that is what resonates in communities – that we are living life, a more comfortable life and Guyana is going places, but our Opposition is stuck in the past. Again, I wish to support this Bill. I wish to support the Prime Minister, and I wish to support the successful passage of this Bill through the National Assembly. Thank you. [*Applause*]

Mr. Duncan: On this Bill, we had come hoping to contribute, as we always do, to the motion on Venezuela but we note it has been pulled. Perhaps, the Government does not see this matter as urgent and it does not see this matter as of public importance, so the motion has been pulled. With that being said, my contribution on this Bill – I was very heartened to hear the contribution of the Hon. Minister Vickram Bharrat on the subject matter. I was very honoured to hear him put his comments forward. I know that it was Mr. Khemraj Ramjattan who always said that we must go out and make the arguments. It is commendable that the Hon. Minister has done that. He has made the arguments. However misguided he might be, we could give him 'A' for effort.

The Minister, for instance, said that every Thursday at the 'corner shop show' you would have the Vice-President deliberating on oil and gas matters. I think, momentarily, the Minister has forgotten that he is the subject Minister and not the Vice-President; and that in those Thursdays 'buse down sessions', you would hear on questions of oil and gas, the very Vice-President would say – 'Why are you not talking to the Minister of Natural Resources on the subject matter? You all call him; you all talk to him'. Reporters would then say that they tried reaching out to him, but he does not have press conferences as consistent as yours, so he does not respond to questions on oil and gas. It is a kind of a circular argument, running to get to the subject Minister – the Minister of Natural Resources – and then having to be redirected to the Vice-President. God forbid, they should direct me to the

Commissioner of Information, you know how that would go – God forbid.

4.33 p.m.

I was regaled by hearing the Hon. Minister Vickram Bharrat talk about their accolades in the report of recent vintage. I was waiting and would have been equally honoured to hear the Minister talk about the 2024 Transparency International Corruption Perceptions Index Report and the glowing tributes to the Government in that Report as well. I would have been equally heartened to hear him on that issue, in which that Report talks about how State enterprises in this country of ours have been captured by the elites. I would have been keen to hear the Hon. Minister on that subject matter. Not limited there, I was waiting with bated breath, too, to hear the Hon. subject Minister proceed on the recent report out of the United States Department (US) of State 2025 on the International Narcotics Control Strategy Report. They had some glowing tributes, too, for the Government and the Guyana Police Force.

That being said, I want to hearken back to some of the thoughts of my Colleague, the Hon. Sherwayne Holder, who talked about trust. It is not what this Government proposes, it is the trust factor of the people in this country. There is a low trust threshold, and it has nothing to do with the Opposition. It has all been brought on by the Government – self-inflicted wounds. You know, for instance, this Government would tell you they saw with their own eye an 11-year-old going in a red and black Raum, and then they find the girl in the same building the next day. It is a trust issue. They would say they saw the 11-year-old at Onderneeming, they saw her in Vergenoegen, and then the next day, the girl is still in the hotel. It is a trust issue where this Government is concerned.

We have seen a lot of things over the last four years in this country. We have seen Mr. Zhi Rong Su in the living room and not at Guyana Office for Investment (GO-Invest), and a whole matter of other things. It is a trust issue in this country. Again, I was very happy to hear the Minister put his thoughts forward. When I was thinking about some of it – rationalising some of what the Hon. subject Minister Vickram Bharrat was saying – I was thinking in my head, 'you know, a lot of it is theory, and the practical aspect of it is so wanting'. That being said, the Parliamentary Opposition, from day one, has stayed in front of this issue. Again, I want to thank my Colleague, Sherwayne Holder and my Colleague, the Hon. David Patterson, and also Dr. Vincent Adams, who have led on this issue consistently over

the last five years. The Opposition takes these matters seriously. I want to reinforce that.

When I was listening to the Prime Minister talk about oil spills, I thought he had a missed opportunity. When I heard the subject Minister, Vickram Bharrat, talk about oil spills, I thought he had a missed opportunity as well. Folks, in February of last year, there was an oil spill in Trinidad and Tobago. I know the Hon. David Patterson was otherwise engaged, and some other folks on this side of the House, and so I was nominated to represent the Parliamentary Opposition in Trinidad and Tobago. I thought that when I was there, looking at an actual oil spill, I might have run into the Prime Minister who says that he has an interest in oil spills. I thought I at least would have run into the subject Minister, Vickram Bharrat, on the ground in Tobago, where they had an oil spill happening in real time. The Opposition thought that it was so fit that we should be on the ground, actually looking to see what happens during an oil spill in a nascent oil and gas economy. Alas, I did not see any of them.

It reminds me, for instance, of when the Venezuelans were moving with that referendum a year ago, when we were in Imbotero, we were in Yarakita, I did not see any Government officials there. Then they are going to want to come here and lecture to us about how much they care, but when it matters, in that moment of this nation, they are always absent. Folks, I pray that none of us in this House ever sees an oil spill with our own eyes. There is one thing to come and talk about it theoretically, but to see the actual thing – pray we never get to that point in our nation's history.

I saw that oil spill affected Tobago in particular. From Scarborough, and you go right up to the coast. I heard the Hon. Minister talk theoretically about oil spills affecting fishermen. You go to a place in Tobago like Lambeau, where fishermen were actually affected by the oil spill in Trinidad, and you can see with your own eyes what impact and devastation it can have in that kind of industry. You go all the way up to Canoe Bay, where that oil tanker – that barge – overturned and began leaking oil into the Caribbean Sea, and you understand the devastation to wildlife that can occur, and the length of time and the cost in real time it would take to rectify that. Trinidad and Tobago is still counting the cost of that oil spill – still counting the cost. If he were in Trinidad and Tobago, he would not have been leaving the House, but they can dwell in theory. We have the practice on this side, and it has always been that case. I do not want to detain you on that.

Again, we had the privilege of seeing, in real time, Members of the National Assembly, how an oil spill can devastate a country and the sectors that are affected. Not only that – that oil spill moved from Trinidad, got all the way to Grenada, got all the way, for instance, to Venezuela. Those are the implications that we think about when we think about oil spills and oil spill legislation, having seen the thing up close and personal. Mind you, the Trinidadians tell us that the Solo Creed, that tanker that overturned there in Canoe Bay, it was heading to Guyana. When I hear the Hon. Minister talk about the legislation, speaking about who is responsible and all of that, that sounds nice in theory because Guyana disowned the boat – said it was not heading here. We have no record of that. Shortly after that, Guyana Power and Light (GPL) started to suffer some terrible shortages in fuel. We can make the necessary connections. This matter is real. I want to underscore that. It is real for the Opposition. It is real for the stakeholders that have been on the forefront of this issue – this issue of the Oil Spill Bill and all that the Hon. Minister walked us through that it entails. It has implications.

I heard the Minister regale us, for instance, with some, as I said, the accolades of one of the recent reports on how the economy is doing. That has its considerations too. There was no green lighting that you are out of the woods, where, for instance, the Dutch Disease is concerned. The Minister did not tell us all of that. Well, we pick and choose what suits us on the other side of the House here. However, there are thinkers and stakeholders on this very issue here who have some concerns and who we have been listening to, and who we are trying to rationalise what they are saying within the context of the Opposition's own thinking on the subject matter. You know, there is a beautiful column in today's paper, serendipitously, on this very subject matter, titled "Undoing Sandil Kissoon", written by the eminent attorney Mr. Christopher Ram, who is also a chartered accountant and attorney-at-law.

Now, I know when you mention Mr. Christopher Ram with this Government – he had resigned from the National Industrial and Commercial Investments Limited (NICIL), I think, after he saw the foolishness that was happening there. This Government do not like him very much. We cannot detract and pick and choose who we like and who we want and what advice we get and all of that. He has some tremendous considerations, for instance, concerning this piece of legislation. Well, we understand what this Bill is trying to do. It reverses, primarily, what is now law, having been delivered by Justice Sandil Kissoon. That is the crux of it. Do not let us try to talk about, you know, all of these other

fancy things. This is what it is doing. It is not giving liability to Exxon – it is trying to avoid this liability through this legislation. That is what they are trying to do.

The stakeholders talk about fast-tracked and flawed legislation. I want to warn about this, because I did hear the Hon. Minister also speak to the Natural Resource Fund Act. We were all here that fateful evening when that Act was passed and all the glowing things were said about it but we lived to see the day *canoe bore punt*, as we say here colloquially, when one of the members of that very Board, in the person of Dr. Terrence Campbell, told us that the whole thing is almost dead. It does not function the way it is supposed to function. All that they came and told us glowingly that very evening, when that Act was passed, 'the thing is not functioning as it is supposed to function'. Now, the Minister wants to come and tell us that this legislation will function as it is supposed to function. Now this is interesting. For instance, we should be operationalising the National Petroleum Commission. The same Minister has said to this nation, a Minister of Natural Resources, – that to operationalise the Petroleum Commission would stymie the speed at which the industry is operating. If that is not the essence of madness, I do not know what is.

The very bodies that are being set up to supervise the industry, he is telling us if we operationalise it, it will *hambug* what we are doing. Could you imagine that? That is the essence of madness, 'but believe us now, this thing will function. It will be fit for purpose'. We cannot trust that. We were here the very night that the very Natural Resource Fund Act was passed. Do you remember the other Bill that was passed that night, Hon. Minister? You cannot remember that. The other Bill that was passed was the Local Content Act. The Private Sector in this country has complained about the passage of that Bill since it was passed and about all of the deficiencies. It is only out of shame that the People's Progressive Party/Civic has not brought that Bill back to the House for rectification, because they have promised to do so. We told them that very evening – send the Bill to a Select Committee.

They did not want to do that. The private sector, at every level, has complained about the deficiencies of the legislation. Again, I say it is only out of shame that the Government has not done so. The stakeholders talk about bureaucratic overload. They talk about bureaucratic paralysis, but that is how this Government likes to function. Do you understand me? This is how they like to function. If you cannot dazzle them with brilliance, you baffle them with other stuff – and that is what they want to do here. They are

trying to baffle us. Overlapping legislation. Financial burdens on the taxpayers. Who exactly pays at the end of the day? The judgment of the Hon. Justice Kissoon is so clear, but this Government seeks to dilute liability and to dilute legal obligations. This is what this Government is seeking to do.

I want to commend the members of the judiciary, even when they do not rule in our favour. We have never sought to go around them to create legislation to justify our injustices in this country, and we have seen it on several fronts. We were here in this National Assembly when the court ruled against them on the Peters Hall housing issue and said they have to give the people market value for their property, and they have to give them time. The Government brought legislation to change all of that. We saw this movie before. Justice Sandil Kissoon came with this historic judgment, and now they are coming through the back door because they do not like to obey the law, and they do not like systems. They like the back door. These are things the stakeholders have put out there: dilution of liability and legal obligation. This is not a Government – let us be clear – that is fighting for the people of this country. No, they are not doing that.

4.48 p.m.

They sought, for instance, to take pay from the nurses after installing Mr. Rudy Small in Linden, and those nurses went on strike because he was so disrespectful, like this Government. They sought to take the pay from the nurses. The court said let the nurses receive their full pay. To this day, this caring Government is fighting the nurses in the court. I said that as a stepping stone to say that the Government has chosen to join with ExxonMobil Guyana, not as a regulator, but as a partner, and that is what Justice Sandil Kissoon said in this historic legislation. Now, it is the same Justice, I think, who delivered that historic verdict – was it? Remind me – for the Guyana Teachers' Union (GTU). Watch them come now to do something, because it is in their nature when judgments do not suit them... [An. Hon. Member: They change the law.] They change the law, so watch them with that.

The judge was clear on several issues. As a matter of fact, the judge said, let the dues be remitted to the union. I do not know if the Government is in compliance with that. We understand how this Government always... On the face of it, yes, we are passing legislation, but there is mischief afoot in that. When we saw the police outside the Double Day Hotel, we should have known. Mischief afoot. The parents could not go inside – mischief. Whose pants were wet, mysterious

woman, all kinds of things. We asked for the Royal Canadian Mounted Police (RCMP). Take a retiree – mischief. Take a Robeson – mischief. The thing might look good on paper, but again, I say, the Hon. Minister has had some sterling presentations before the Caribbean Court of Justice (CCJ), and they have said that he has brought the entire administration of justice into disrepute. [An. Hon.

Member: (*Inaudible*) *Llow me*, Hon. Member. I have not received those high accolades. *Llow me*.

We have listened to the stakeholders. As I wrap up, Mr. Speaker, I want to come, centrally, to what the Justice had said. [Mr. Nandall: (*Inaudible*) that is the quality of leadership.]

The quality of leadership in this country...Had the CCJ pronounced on any other Attorney-General in this region in that manner, they would have resigned. Do the honourable thing. You cannot talk to me about the quality of leadership. They would have resigned. [Mr. Nandall: That is why Mr. Todd said that you failed nine times (*Inaudible*)] He has been failing for five years. Mr. Todd has been failing for five years. [Mr.

Nandall: See how many times you failed, you (*Inaudible*)] Nine times. Again, if the court in any other Caribbean jurisdiction, in any other country of the world, had pronounced nine times on an institution like the Environmental Protection Agency (EPA), the top brass of the EPA would have resigned; would have done the honourable thing.

However, the more wrongdoing you can do, the more it endears you to this Government. When the entity showed its colours...The court, for instance, in this judgment, talked about a breach of duty – an entity, a breach of duty. That is not an easy thing. The judgment spoke to the inaction of the EPA and the condonation of the entity. The judgment talked about the unlawful and irrational conduct of the entity. The judgment talked about misleading statements that the entity delivered to the court. The judgment talked about negotiations instead of enforcement as an entity. When I heard the Hon. Minister talk about penalties...This is the Government that had a man they claimed went behind their back and negotiated the findings of an audit, and he *got a slap on the wrist*. That is the penalty, [Ms. Walton-

Desir: He came back.] And he came back. The problem is the legislation, and then, the problem is not the legislation altogether. The problem is trust, and the people of this country have lost trust in this Government. Until you restore that trust, we cannot support this measure. Thank you very much, Mr. Speaker. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member, Mr. Duncan. Now, for the Hon. Minister within the Ministry of Public Works, the Hon. Deodat Indar.

Minister within the Ministry of Public Works [Mr. Indar]: Mr. Speaker, thank you for allowing me to respond and give my two cents on this Bill that is before us. I am happy that the Opposition Members who spoke before did not speak and walk out, as is the usual fashion, but that they are here to absorb the responses. The first thing that I want to bring to the attention of this House and the people who looked at the presentations that some of the Members of the House delivered today is this document that was circulated in the National Assembly.

[*The Hon. Member displayed a document.*]

The back of this document bears the signature of Prime Minister, Brigadier (Retired) Mark Anthony Phillips, our Minister and Minister responsible for Disaster Preparedness, Response and Management. Now, this piece of legislation was signed by the Prime Minister of Guyana, and it is disrespectful and shameful – if I may use such a word – for the Hon. Member to call the Prime Minister of Guyana and say that he does not know anything and that he never knows anything. I want to ask the Hon. Member, what did their Prime Minister bring to this House when they were in Government? Did he bring anything like this bearing a signature? If there is such a thing, please lay it over to the House so we can peruse it. Please do it, and if you cannot do it, you should apologise to the sitting Prime Minister of this country. That is the first thing.

The second thing that I would like to bring to attention and respond to is that the Hon. Member Holder considers us a lazy Government. His exact words were that we are a lazy Government. I am happy that he is sitting and listening to the response. You could heckle as much as you want. I know you like to do that because you cannot handle the heat. If you cannot handle the heat, you usually come out of the kitchen, but I am not seeing you all coming out of the kitchen today. However, I will bring the heat. You said we are lazy. Did you, the A Partnership for National Unity/Alliance For Change (APNU/AFC) Government, pass any local content legislation? The answer is no. Did you, the APNU/AFC Government, pass any petroleum commission legislation? The answer is no.

You had a 27-page document – the worst piece of legislation ever written on the face of the earth. I was in the private sector when it was written, and I went out to the country, Mr. Speaker, and said everything that was wrong with it. It was

so bad, they brought it to a select committee. Some of the younglings over there do not know of that. Every aspect of that legislation was the worst. Twenty-seven pages, including three pages of explanatory information, went to a select committee, and you all come out here and talk about being lazy?

Did you all update the Petroleum Act? Did the APNU/AFC update the Petroleum Act from 1984? The answer is no. Did the APNU/AFC do the Petroleum Activities Bill? The answer is no. Did any of you in the APNU do any other petroleum legislation to strengthen the sector? The answer is no. The only thing they did was what you call a petroleum sovereign bill. They called it the Natural Resources Fund (NRF). They rammed it through the National Assembly following the No-Confidence Motion, and the piece of legislation, so weak, gave a finance minister all the powers in the world to tamper with the money. That is what we changed in this National Assembly under the People's Progressive Party/Civic (PPP/C) Government. How dare you, Hon. Holder, come and accuse us of being lazy when the laziness rested with your Government when they were sitting there? [Mr. Duncan: (Inaudible) Double Day.]

Yes, I am coming to you just now. I am coming to you just now, Mr. Hide-from-Serving. Do not worry. I am not sparing you. Hold on.

Mr. Speaker, they said that our Government is dishonest. The Hon. Holder said that we are a dishonest bunch. The whole country, in fact, the whole world, is waiting for you all to present your Statements of Poll. Up to now, you all cannot find one Statement of Poll to bring or show anyone that you won the elections, and you are talking about dishonesty. Come on, man. I am coming to you now, Hon. Duncan. I made some notes. Mr. Mahipaul, do you want to know what I was writing? I was writing because I wanted to respond to him. He spoke about trust. This Member of this honourable House...

[Ms. Walton-Desir: Hon. Member.] Honourable by Parliamentary Convention only. Only by Parliamentary Convention would I call him an Hon. Member. That Member – honourable he might be according to you – said we have trust issues in our Government. *That is pot telling kettle he bottom black.* That is a pot that was cooked on a fireside with wood from wet wood. Wet wood has the most soot. *That is the pot that tells the kettle he bottom black.*

Mr. Speaker, he talked about the Trinidad and Tobago (T&T) oil spill and Guyana Power and Light Incorporated (GPL) having a shortage of fuel. *Like you does work at GPL, Hon. Member.* You had better pay your light bill. You all do not

pay your light bill. The whole APNU/AFC Government, when they were in Government, left GPL bankrupt. They owed the company \$13 billion. They had the company limping along, and they come here, and they *cuss* the very company that they broke. They ran it into the ground, and they come here and *cuss* it day after day, night after night. Every one of them, Mr. Speaker, came pressed with a nice, neat suit. When they showed the suits, they were nice, neat suits pressed with an iron. I am sure they did not use flat irons to press the suits. They had electricity to press them.

I consider myself a friend of Mr. Christopher Ram because we hail from the same profession. I have known Mr. Christopher Ram for a long time because I grew up in the accounting fraternity, and I know Mr. Ram and I know his writing, and I know his thinking. What I do not understand is that this, Hon. Member, by Parliamentary Convention, quoted Mr. Ram in this House because he had nothing original to bring to the debate. Let me tell you about originality. Let me come to my Bill now. You have enough time to heckle. This Bill that the Prime Minister has signed on the back. Did you hear? Prime Minister Mark Phillips signed it, not the rubber stamp that you all had over there. I want to go directly to some clauses.

5.03 p.m.

Part XI, clause 17 speaks about liability. Whole day and night, the Opposition gripes about this thing – the liability issue in oil and gas. They use the former Head of the Environmental Protection Agency, and they quote his name frequently – a guy named Vincent Adams, who talks about unlimited liability. [Ms. Walton-Desir: (Inaudible).]

Mr. Speaker, they are grumbling and heckling. You would know when it is getting to them. Unlimited liability and limited liability, I do not think they understand the principles of it in business and in law.

[Mr. Duncan: We do not understand your language.] I will tell you. The entire

United States of America Government understands it. The entire collective wisdom and institutional knowledge of the United States of America Government understands it. I will quote it here because this is the Act. Madam, Hon. Member, this is the Oil Pollution Act 1990. Let me tell you, and you might learn something.

Section 1002 ... [Mr. Mahipaul: Circulate it.]

Better than that, I would give it to the Speaker to give all of you because you cannot even read. Section 1002 – Elements of Liability. That is one section of the Act.

The Act went into great detail on section 1003 in terms of limits to liability. There are two separate sections – section A

and section B that speak to specific limitations and liability. They went on to talk about section 1004. The heading of section 1004, and I will lay this over for the entire National Assembly, speaks to the limit on liability. Section A speaks to the general rule, and Section B speaks to the division of liability from mobile offshore drilling units. Offshore has two separate subsections. One speaks to treated first tank vessel, and the second one speaks to mobile tank vessel with excess liability. These are the sections that specifically draft out the liability regime for the United States of America and all shores that have formed part of their Exclusive Economic Zone (EEZ). This document was used in the preparation of this law that is before the House. I want to lay this over so that the rest can maybe read and maybe learn about other regimes, how they operate, and how they conduct business.

I heard someone over there heckle about the EPA and the EPA's inability to do these kinds of prevention. The gentleman to whom they referred, Dr. Adams, they glorified his name, but that gentleman, from my understanding, worked in the USA's EPA. If you go to the USA's EPA website, and Mr. Mahipal, I know you like to read, the first thing you will see is the United States Environmental Protection Agency, Government of the United States of America. This is what you call bulk storage container inspection fact sheet. This is what the EPA does: they inspect. Inspection is one whole section of this law. In this section of the law, regulations would have to come to do inspection of any carrying units – bulk carriers, offshore units, onshore units, and deepwater ports. They would have to inspect those facilities. The EPA of the United States of America again – spill control, prevention and counter measures regulation. You can go to the site. They developed these under the very Act that they passed. This is the organisation that is fit to do the monitoring work.

Why is it that we in Guyana believe that somebody else has a magic wand somewhere, and somebody else has some genius information close to their chest that nobody else knows who can manage it? The answer is no. We do not invent the wheel. The United States of America Government passed the first oil spill legislation in 1924. This is an updated version. They have had many. As of 2023, the Bureau of Ocean Management updated its cap on liability for operations within the EEZ. When we come here and argue things that we do not know anything about in other regimes, we need to first read and understand the subject matter. **[Mr. Mahipaul:** You are saying “we”] When I say “we”, I mean the Opposition. Hon. Member, Mr. Mahipaul, you and the Hon. Member, Mr. Duncan, who know nothing about anything. I would like to further explain some aspects

of this Bill that the general public might be interested in, because all the Opposition is interested in is saying that we brought this Bill in time for elections. We have been bringing Bills since we have been in Government. From everything under this sun, we have brought Bills here for. Do not tell me about elections and all kinds of things.

In this Bill, there is a section that speaks to liability and claims and the timeline for claims to be registered. Where has the Hon. Member, Mr. Holder, gone? Is he missing again? That is the problem with them. Every time they talk, they cannot take the heat. They run out of the kitchen. He is gone. I want to address him because he is the one who spoke about timelines. They do not sit and listen to the response because they do not want to hear it. He spoke about timelines. Timelines are in here for the filing of claims. It is in the legislation. He did not read it. Someone must have sent it to him last night when he was sleeping. He picked at it, and then he came here and talked. **[Mr. Mahipaul:**

(Inaudible)] Hon. I know nothing about nothing, please be quiet when someone is on the floor. **[An**

Hon. Member: *(Inaudible)* we know you ...] Hon.

Member, I know nothing about nothing, be quiet. When you were speaking, I was quiet down there. **[Mr. Duncan:**

Who is the owner of Double Day Hotel?] You are talking about things that you do not know about.

I want to say that Canada, in all of its provinces where oil is produced – Alberta, Newfoundland, and everywhere else – has oil spill legislation and regulations. I spoke about the United States of America because we tend to hold and see the United States of America as a benchmark. I picked this one to compare with what we are doing in Guyana. Brazil has. Saudi Arabia has. Russia has. China has legislation. Trinidad and Tobago has. Mexico has. Norway has. Qatar has. Singapore and the United Arab Emirates (UAE) have. All of these regimes have oil spill legislation. What we are bringing here is nothing new. It seems to me it is *damned if you do and it is damned if you don't*. If you do not bring it, then they have no legislative framework to protect from oil spills.

When you bring this framework to protect from it, they will say you brought it late or you brought it at the wrong time. It is never good, but do you know what? It is a recognisable fact that anything you do good for Guyana is bad for the Opposition. They will come here, and they will accuse you of doing nothing. When you go on the ground, they accuse you of non-action. **[Mr. Duncan:** Did you go on the

ground by your friend the other day? I have friends. I could count them on the palm of my hand and none of them is that.

Tell your friend I am looking to serve him, but he is hiding, including you. I usually do not prepare remarks when I come to give, but I have prepared these remarks today. For some reason, I prepared these remarks, but I will depart from these prepared remarks. I will depart from them because I have to make sure that whatever is said about this Oil Pollution Prevention, Preparedness, Response and Responsibility Bill is countered.

Since we were in Government in 2020, we have brought legislation to deal with childcare. We have brought legislation to deal with the oil and gas sector, with the aviation sector, with the legal sector, the updating of laws, and a whole host of legislation from the Attorney-General and Minister of Legal Affairs office – legislation to bring our country to where the country is moving. The country is moving fast. The laws are archaic. You have to bring them up to speed. If you are trying to export items or import items, there are no laws in place to deal with items that are nuclear items, nuclear waste. Our laws are not updated to deal with that. The laws that we have on the books are so old that if you beat your mat after 6 o'clock in Georgetown, it is a crime. The Attorney-General and Minister of Legal Affairs will tell you about the Summary Conviction Act. I am not a lawyer. I am an Accountant by training, but you cannot beat your mat after 6 o'clock under the Summary Conviction Act. It is a crime. If you go and fish in your neighbour's pond, it is a crime. Simple things are crimes. They are archaic laws. We are bringing everything to this House to bring them up to date.

This Oil Pollution Prevention, Preparedness, Response and Responsibility Bill has in it the workings of multiple agencies. Apart from the Attorney-General's Office and the consultants who are working on it, the Maritime Department of Guyana (MARAD) also worked on it. The Civil Defence Commission (CDC) had its input, the Coast Guard had its input, the EPA had its input, the Guyana Fire Service (GFS) had its input, the Guyana Police Force (GDF), the Guyana Energy Agency had its input, and the mining folks had their input. This was not something that was done by two people in a corner. This was broad-based work. When the Hon. Member, Mr. Holder, talked about being lazy, I think he was lazy to bring that nonsensical presentation. I would like to say that, apart from the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill that deals with the oil sector, oil spill deals with the maritime sector. In Guyana and the Caribbean, trade *via* sea is a big aspect of economic activities.

The oil spill regulation, pollution control, and all of these ... The contingency plan in this regulation is also nested in the USA's regulation. They have a specific part of it that speaks to the contingency plan. The same thing is in this Bill. In that contingency plan, we will have to do area control planning. If you have a spill in a particular sector, an area of the sea or close to the inland, you have to do control, you have to do response, you have to have online capabilities, you have to have everything – all the oil spill dispersions fluid in store, on the seas mobile units and onshore. All those things have to be put in place. Apart from just offshore, you have ports that store fuel, oil. This legislation also deals with that. It not only deals with the production of oil, drilling, and exploration. It deals with ports, port facilities, and onshore facilities, something that no speaker has said before. They just based it on ExxonMobil and its operations, but that is not the case with this Bill.

Mr. Speaker, I know you want to break for dinner. I am saying to you that I was obliged to respond to the two Members who spoke nothing but untruths and lies. I wanted to bring it to the floor and answer them, and to tell you that we support this legislation 100%, and we put it to the House for passage. Thank you. [*Applause*]

Mr. Speaker: I want to thank the Hon. Minister, especially for telling us it is time to break for dinner. Let us take a suspension for one hour, and we will be back here at 6.18 p.m.

Sitting suspended at 5.17 p.m.

Sitting resumed at 6.31 p.m.

Thank you, Members. Please be seated. I invite the Hon. Member, Mr. Patterson, to make his contribution.

6.32 p.m.

Mr. Patterson: Mr. Speaker, from the outset, we on this side of the House welcome any legislation that would lead to the betterment of the lives of the citizens of the country. We remained cautiously optimistic that this Bill, one of the last set of Bills that the People's Progressive Party/Civic (PPP/C) would be able to pass as a government for a long time, would have been progressive legislation. The PPP/C claims that they have been working on this particular Bill for over two years. So, one can imagine the complete disappointment of the nation when Bill No. 7/2025 was finally laid in Parliament, just about 14 days ago. This is not progressive legislation but rather a Bill to try and dig the PPP/C out of a hole which they dug for themselves.

Ordinary citizens were forced to take the EPA and ExxonMobil Guyana to court for them to enforce contract conditions set by our own EPA, conditions which the courts have upheld. Strangely, the PPP/C has joined the oil producers to appeal against the decision made by the court. Knowing fully well that there was a slim chance of a successful appeal against the court's decision and having no faith in their Attorney-General (AG)'s legal ability, they have brought this Bill in an attempt to neutralise the decision of Justice Kissoon in the successful action brought by Frederick Collins and Godfrey White against the EPA and ExxonMobil. This is similar to the recent Bill on Acquisition of Lands for Public Purposes, when it was obvious that the courts were willing to uphold the laws. While noting that they had no legal standing, they rushed to Parliament to change our laws, rather than obey the rulings of our court.

I see little value in trying to present a case to this Parliament in the hope that the PPP/C would have a change of heart and do the honourable thing, which would be to send this Bill to a select committee that would allow all citizens to have an input into the actions and remedies resulting from an unfortunate incident such as an oil spill. I will use the time allocated to me for the record to address the general public and expose what the dangers are for them with this Bill, since, in a very few short months, the public will have an opportunity to express themselves in the most meaningful way by bringing back accountability and transparency to our dear land. So, ladies and gentlemen. Mr. Speaker, this is the PPP/C to which we are about to say goodbye.

Sir, in 2009, the PPP/C signed a Memorandum of Understanding (MOU), a forest conservation agreement with the Kingdom of Norway. At the time, the PPP/C, ladies and gentlemen, was feted as champions of the environment, so much so that the leader of their party was awarded the label Champion of the Earth. Every environmental group was praising the PPP/C for their tree-hugging ideals. Fast forward 10 years, ladies and gentlemen, new pay masters have come along and the PPP/C, without missing a beat, is supporting legislation against its citizens, which has the effect of providing a safeguard for the same environment which they once championed.

Ten years later, new paymasters. They have thrown away their veil of champions of the earth and their environmental cloak and have actively gone with oil producers to defend a case against the parent company, Guyana [*Inaudible*]. This party that once shouted, save the trees, is now shouting, drill, baby, drill and by so doing, telling the polluters, if you pollute the environment...They are now saying to these

polluters, we have your back. Ladies and gentlemen, we have a government that is willing to sell our country to the highest bidder, irrespective of the consequences to the country. I am sure if some other group with the right money comes along and offers the PPP/C money to dump toxic nuclear waste in our country, the PPP/C would say, dump, baby, dump, once they can say how they can make money for their friends, family, and favourites. That is all they are interested in: money for the boys. This Government can be bought by the highest bidder.

Ladies and gentlemen, as you all know, this is an election year. Having failed to deliver on several important promises on their management of the oil and gas sector, they are rushing this Bill through Parliament today. This is so that when they go on their campaign trail, they can tell their supporters, we delivered on some promises. However, if you look at the PPP/C's manifesto – and I hope you would not ask me to quote the source, you are well acquainted with that – you can see how poorly they have performed. Number 1, on the PPP/C's promise on oil and gas, and I quote that book which you helped author:

“Immediately engage the oil and gas companies for a better contract administration and renegotiation,”

This is the PPP/C's manifesto. As soon as they entered office, they changed their tune. First, they denied. Do you remember, Ms. Ferguson? They denied it was in their manifesto. When we produced it, they went to sanctity of contract and a million other reasons they could not keep their promises. In that same manifesto, on the same page, they said:

“Establish a regulatory framework which is independent of politicians.”

This is the PPP/C manifesto, 5 years on, Sir. That required the establishment of a petroleum commission, and we have heard even more excuses why they cannot establish such a commission, including excuses such as the technical people will have control of the oil and gas sector. A third commitment that they had in their manifesto:

“Transparency and accountability for the oil and gas sector,”

Transparency: Well, we know where they stand on that. Private citizens have to move to the court to obtain information. The mover of this Bill, the Hon. Prime Minister, has promised this same House three times to provide information on the contract and agreement signed on the gas-to-shore project. Last time he got up and apologised to the

nation, almost broke into tears and said, I erred. Please forgive me. Then, of course, the Hon. Minister Indar – and I wrote it down – said that we are being disrespectful and shameful to the Prime Minister. Sir, what is more disrespectful and shameful than an Hon. Member to come and promise three times, including you...written to by the Clerk, and refused, not even refused... [Brigadier

(Ret'd) Phillips: (Inaudible)] No, Prime Minister. Now you are being deceitful.

Mr. Speaker: Hon. Member, you have twice used the word shameful to describe the Prime Minister and are now accusing him of deceit. Those words, you know, are unparliamentary. I allowed a couple of people, but now it is getting out of hand.

Mr. Patterson: Just for the record, when the Hon. Minister Deodat Indar used them, I wrote them down – disrespectful and shameful – you made no such comment. This is just for the record. Thank you.

Mr. Speaker: Just for the record, I will ask the Clerk to pull up the speech of the Hon. Shurwayne Holder, Chairman of the People's National Congress/Reform (PNC/R), this afternoon, and we will start the count, but for now, let us stop it.

Mr. Patterson: Sir, you can pull up everything. I hold no brief for Mr. Shurwayne Holder. Sir, I hold my brief, and I wrote it down. I thought you would have interjected at that time. You did not, so I said maybe it is an open game on those two words. Thank you very much, Sir. Accountability – this is the PPP/C and its promises. They boast about promises delivered. Not a single audit... [Ms. Teixeira: Speak to the Bill.] I am coming to that, Mdm. Teixeira. On accountability, not a single audit has been completed, despite the contract for the first audit being signed under the APNU/AFC's Government in 2018. It has not yet been finalised, and they are still talking about it.

I notice that the final report for the second audit is not publicly available. The initial report, the draft, has been on the Ministry's website for over a year. Seven years have passed, and the PPP/C cannot even be accountable to the nation. They will leave office, and it will take the new administration to complete what we started in 2018. Ladies and gentlemen, on the backdrop of these failed promises, the commonly held view is that Bill No. 7 of 2025 was laid here, and I restate them for two reasons, to neutralise the court hearing and for electioneering purposes, since this Bill fails to provide the necessary protection that our citizens have been demanding. Examining the various clauses of the Bill,

we can see the true intent of the PPP/C. Remember, this is a PPP/C that promised to regulate the oil sector, independent of politicians. This Bill establishes five new boards, the civil defence... [Mr. Nandall: (Inaudible)] Attorney-General, you can...

6.47 p.m.

This Bill establishes five new boards. The Civil Defence... Sir, Attorney General (AG), you can... [Mr. Nandall: The people right to abandon you.] Yes. No worries. You are lucky that Mr. Forde lent you his notes; if not, you would not be here, because you are here, you are telling Mr. Duncan about how much he failed. Without Mr. Forde's notes, you may not have been AG. Sir, this Bill establishes five new boards: the Civil Defence Commission, the National Oil Spill Committee, the Oil Spill Incident Board of Inquiry and the National Emergency Operations Centre. In total, I counted almost 40 members. All, other than four, are appointed by the Minister or are nominees of a government agency.

Ladies and gentlemen, not even the National Tshaos Council (NTC) was afforded the opportunity to name a nominee, even though several Indigenous villages will be directly affected in the event of an oil spill. Imagine, the Indigenous communities have no voice. Our Indigenous brothers and sisters who have been protectors of our forests and coastline for centuries cannot even be recognised, now that oil is being produced. Note, while we only, at the moment, have offshore production, this Bill is supposed to be a holistic one. It is supposed to cover any future production – both onshore and offshore. Sir, this Bill seems to be and appears all just simply to deal with the offshore aspect.

Should there be an oil discovery in the North Rupununi, as there was before in Hunt Oil, but it was not of commercial value, the savannah wetlands are at risk. The North Rupununi District Council has no say. The Indigenous villages of Three Brothers... There is the NTC starting here next week and we will take pleasure... [Mr.

Nandall: (Inaudible)] Sit and listen. ...in telling them how you consider them. The villages such as Imbotero and Morawhanna on the Barima River have no say. [Brigadier (Ret'd) Phillips: Go and ask them what they got from you and what they got from us.] Prime Minister (PM), you stay there.

If this Bill is further examined, Clause 21 states no transfer of liability, which renders the parent company's guarantee invalid. I give it to you, Sir, and to ladies and gentlemen –

not to them – they know exactly what they are doing. Yes, there is a Local Content Act, so all one has to do is to rent a citizen like the private sector has been complaining about. [Mr. Nandlall: Which section renders (*inaudible*)?] Sir, if a local subsidiary cannot foot the bill, it cannot transfer to the parent company the excess liability. In other words, if Exxon Guyana Limited cannot cover the cost, ExxonMobil International is completely off the hook – completely off the hook, Sir.

Clause 23: Filing a claim. [Mr. Nandlall: Did you read anything, brother? Read the Bill. Did you read this Bill?] There is a limitation of one year after the discovery or the event of an oil spill. Why only one year? Why the limitation? How did the Government arrive at the limitation of one year? Our Limitation Act provides for three years. How come they arrive at one year? Up to now, claims are still being filed today on the Macondo oil spill, almost five to seven years after. The Hon. Member, Mr. Duncan, raised it. In the Republic of Trinidad and Tobago the fisherfolk, a year after the spill are still able to file claims on the effects of the oil spill up to now. [Mr. Nandlall: That is one year to go before the board, boy. What is wrong with you?] Sir, one year before the board – what happens after the one year? [Mr. Indar: You have got to go to court. Are you stupid?] Well, Sir, that is exactly the point. You are asking, and I explained. You are asking our fisherfolk. [Mr. Nandlall: I am heckling.] You are asking our fisherfolk – Uncle Babu who has a fishing boat, and a year after an oil spill, no fish spawning. He realises that his livelihood has been decimated. The Hon. AG is saying that he has to carry the mighty Exxon Guyana Limited to court. That is what this Bill is, Sir. [Mr. Nandlall: How do you expect him to get compensation? How?] In other countries, the time to file a claim is not so limited as here.

In Clause 24 there is the Oil Spill Incident Board with a three-member board, including a nominee of the responsible party. [Mr. Nandlall: Read clause 23 before you read clause 24.] Sir, you have a chance to speak. The polluter or responsible party is a member of this board. Why have you not established an independent board and let the polluter, as everybody else, come to the tribunal and make his/her claim?

Clause 25(2):

“The findings and recommendations...”

From this three-member board,

“...shall not be binding upon the parties;”

[Brigadier (Ret'd) Phillips: Read the other part.] No, PM. You have a chance, so you can explain to the country, Sir. You set up an oil spill incident board, which includes the polluter on it and then when Board comes up with a finding, 90 days is given and you say whatever you discovered is not binding on you. What is the real purpose of the board? What is the real purpose of the board's findings? Then, of course, you are going to send poor Uncle Babu to court. Knowing the way our courts are, he is going to be languished there for 10 to 15 years because, of course, he will lose – he will lose... Well, of course, they would not have the same AG, so the chances of success would be greater. When governments lose, they appeal and that is a detriment to natural justice for the poor and suffering persons from pollution. The AG and Mr. Benn – I know the Hon. Member, Mr. Benn, will be here after soon. – can try to explain to the country why that is so.

There are claims against a surety. That cannot be transferred. In the oil industry, it is normal practice towards the end of the useful life of a Floating Production, Storage and Offloading (FPSO) – or any oil-producing – when the oil production reduces to a certain level, major companies such as Exxon Guyana Limited or [*inaudible*]... Right now, Liza Destiny 1 is producing at 150,000 barrels a day. When it gets down to 25,000 barrels a day, it is normal practice that it farms it off and give it to a smaller producer because the overheads to keep it going are not profitable. In that event, you are farming off... Of course, the liability when Exxon Guyana Limited farms it off, it is off the hook again, and it is giving it to a small "mom and pop" company who has limited assets. This Bill speaks nothing to that.

We, on this side of the House, really do want to support this Bill. We would really like to encourage and, of course, now I know time is limited on your side, I know that in another couple of months you will be on this side... Well, of course, we will go back to the original Parliament Building. [Brigadier (Ret'd) Phillips: Where will the Alliance For Change (AFC) be?] Oh, over there; right there. Who knows? I might be right where you are, Sir; and I will do a better job. I will do a better job. At least, I will have respect for this august Assembly. When I give my word, I will keep it to this House. There you go, Sir. We would like to encourage you and your party to send this Bill to a Special Select Committee as soon as possible. Obviously... [An Hon. Member (Government): Why? You have to propose why.] Sir, because we can make it better and we can make it perfect. Right now, what you have is simply an electioneering bill trying to outsmart the courts.

I brought to this Assembly an exact same motion that we should have parent company guarantees. You should hear the Hon. Members who are now championing – including the AG when he gets up to speak – they will now be championing the unlimited guarantees in this Bill. I would not even quote it. – I do not know how you allowed this here. At that time, they said that it was impossible. We are dreaming. They said that we will cripple the industry. I do not know if you can remember that. We would slow down oil production if we brought a bill that holds the polluter responsible. We will stop investments. There will be nobody who will want to come to do investment. It was just like when we proposed direct cash transfers. This same Government one-sided in their mouth said that it would cause inflation, *et cetera*. When the people spoke, they immediately brought cash transfers and championed it as if it were an original idea. [Mr. Mahipaul: Have you seen how they went silent?]

They know exactly what they are doing. I will close after this. The idea behind oil spill legislation is to ensure, in the unfortunate occasion if we do have an oil spill, that it covers the immediate issues surrounding an oil spill.

No one knows... I heard the Hon. Minister of Natural Resources waxing lyrically about a stacking stack, which literally is just a plug – a simple plug. You look confused. It is a plug. [Mr. Mahipaul: Ow, Prime Minister (PM)]

You look confused there. It is PM. He waxed lyrically about that. The idea is – why we on this side of the House and why citizens carry to the court –not the simple question of cleaning up the immediate pollutant. There are long-term detrimental effects that we have to mitigate against that are not immediately visible. The Government promised that they will do a baseline survey on our livestock, on our fishing stock. It was not done. Sir, I am just telling you about all the things you can do that you have not done. They promised, of course, as always, that they would do the Petroleum Commission – not done. They promised that they would do a gas-to-shore, and it would be up and operational by the end of November – not done. They promised us a bridge that would be completed...

[An Hon. Member (Opposition): Last year, November.] No. It was supposed to be since 2024, a year ago – not done. [Mr. Mahipaul: Not done.]

It does not even have a bicycle lane. Three or four – not even a bicycle lane they produced.

7.02 p.m.

They promised the citizens of Bamia that they would have a school completed. [Mr. Mahipaul: Not done, Sir.]

Not done, Sir. Next month, they promised the people in

Bellevue that they would have a pump station – not done. They promised us that they would have the Linden to Lethem Road completed. Not done. [Mr. Mahipaul:

They promised us a proper PM – not done.] No.

They never promised us that. No. Do not do that. I will stand and defend the Prime Minister (PM) on this. They never promised us a proper PM. [An. Hon. Member: They

promised us no blackout.] Sir, on that, thank you, very much for reminding me.

In closing, Minister Mr. Indar made mention about the Guyana Power and Light (GPL), and he made mentioned the barge that is oil-spilt in Tobago. I have it here. The exact same company... Let me put this here, just so Minister Mr. Indar is not here, but I am sure he will go back. ...that allegedly transported the fuel for GPL when the ship went aground and those things, GPL said that they do not have it, that exact same company is still carrying fuel, but here is the crook. The fuel... [Brigadier (Ret'd) Phillips: Get your facts in order.] The facts are in order. I have it right in front of me here and, if you want, you can challenge me.

[Brigadier (Ret'd) Phillips: Lay it over.] No. You can challenge me to name the principals publicly. Challenge me, PM. [Brigadier (Ret'd) Phillips: Lay it over.]

No. I am not laying it over. Challenge me publicly now to name the principals of the fuel supply company. No one is challenging me, you know. Name the principles of the fuel. The fuel is so poor and so dirty, right now, I am telling you, Sir. Up until last week, the plants in Kingston were down. They are dirty. That is why the 36-megawatt plants in Kingston are down. The engineers said, "Never in the history of GPL have they received such dirty fuel." All GPL is telling them to do is to buy new injectors.

Here is the crux of the matter, the owners of the powership... You can get up and challenge me anytime. PM, you can get up; you can get up here. Remember, we are streaming live and remember you can challenge me. The owners of the powership have refused to accept the fuel. Instead of them breaking the contract, they are continuing with it. That is what prompted the owners of the power ship to say, "Here now we do not want your dirty fuel; we want natural gas." The PM is there and the PM will be getting up to speak on it. I only brought that up – I was not going to mention it here – I was not going to mention it. However, the Hon. Member, Mr. Indar, waxed lyrically about it.

In closing, we would implore you, PM, to regain some of your once-admirable qualities. Implore your Colleagues to send this Bill to a special select committee, so that we can have a Bill which we are all proud of to protect our

environment, because this environment is not a People's Progressive Party/Civic (PPP/C), Alliance For Change (AFC) or A Partnership for National Unity (APNU) environment. This environment and this country belong to all of us. With those few words, I must say quite sadly, I cannot support the Bill in this form. Thank you. [*Applause*]

Mr. Speaker: Thank you, very much, Hon. Member Mr. Patterson. Hon. Members, let us ask the Hon. Minister of Parliamentary Affairs Governance to move that we suspend the Standing Orders to go beyond 8 o'clock.

Suspension of Standing Orders No.10(1)

BE IT RESOLVED:

“That Standing Orders No. 10(1) be suspended of the Twelfth Parliament to allow the sittings of the National Assembly to proceed beyond 8 p.m. until the business of today is completed.”

Ms. Teixeira: I was not prepared, Mr. Speaker. I would like to ask that the Standing Order be suspended to allow us to go until the conclusion of these Bills. Thank you.

Question put and agreed to.

Mr. Speaker: Thank you, Minister. Let me invite the Hon. Member, Mr. Robeson Benn, to make his contribution.

Mr. Benn: Thank you, Mr. Speaker and Hon. Members. I want to thank the Hon. Prime Minister and our comrades on this side for the opportunity to make a presentation on the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill 2025.

Maybe it is a bit of hubris for me to be speaking on these matters and also hearing the characterisation of our efforts in terms of finding oil and developing oil in Guyana. These are some things that generations of Guyanese have always wondered about – they wished that we would have a successful exploration, discovery, and development which is beyond merely exporting oil and benefiting from the exploitation of it; they wished that we will move on to oil refineries; they wished that we will move on to power, at perhaps half and then a third of what we are paying at the moment, out of our Wales petrochemical and refinery complex; that many of the products that we still ship raw from Guyana, including bauxite, will be shipped out on a refined basis at higher value and for greater benefit of the people of Guyana.

It is indeed still shocking for me to hear people say in this House, against all the facts on the ground and in the matter,

that the PPP/C is disadvantaging, under developing, robbing the people of Guyana and all of these terrible things I heard here today in this House. [**Mr. Nandlall:** (*inaudible*) it is coming from the other side of the House.] Well, now, what is that? What is that? Then, the Hon. Member, Patterson, stands here and vaunting about his expectations of coming back in this House as an Hon. Member and that the PPP/Civic will not be in place after the next elections. Given all of the things that we see happening in Guyana now at the moment, the miracle I speak of that is unfolding in this country – the miracle for people like you who never wanted it to happen. The people like you, who, when we said we had found oil, said that it was an election gimmick. That is what you said then – that it was an election gimmick – when all the efforts that we made, including me, personally, including sitting with former President Janet Jagan and signing the first documents for the exploration of offshore oil, not to mention going offshore and shooting seismics to find that oil.

It is a tragedy. Listening to all of you here and perhaps the people who are listening to this, it is a tragic comedy. What we heard here is just laugh stories, derision and insolence at something that we should be proud of as Guyanese. In spite of all our skirmishes, disagreements and all of these things, what is being said of this wonderful event, this very important development which is being used by the PPP/Civic Government to transform Guyana on the ground, in the air, in all the places, all over the country, including the Indigenous communities. Hon. Members, some of whom were previous Ministers and some of whom are learned in one form or the other, come here to make jokes, jocular, about this matter. It is indeed a tragedy. However, in my view, the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill is not anything; it is not a unique Bill here or in any other country which has been dealing with oil spills. We know of the serious impacts of oil spills. A long time ago, there was an Amoco Cadiz oil spill where 69 million gallons of oil were spilt off the coast of Spain. We had the Deepwater Horizon episode, where over 2,000 kilometres of the seacoast, from Florida to Texas, Louisiana was damaged. Many animals and birds, and a lot of effort, were put in place to solve that problem.

This Bill is not really different from that which exists in those other countries, in Trinidad. It is what exists in other jurisdictions. In the United States of America, they have something called the National Oceanic and Atmospheric Administration (NOAA). Then adjoint to that, in relation to these matters, there is the Environmental Protection Agency (EPA), which is something that we call the same thing here. Then, in response to issues of disaster preparedness,

response, recovery, and all of those things, they have something that they call the Federal Emergency Management Agency (FEMA). In this Bill, we are placing rightfully so for operational and preparedness, and a risk-averse response to these problems is the Civil Defence Commission. It is very simple – the Civil Defence Commission is parallel to all of those structures and arrangements which occur in those other jurisdictions. This is not a figment of some fevered imagination from somewhere. This, alas, is what exists in other jurisdictions. I do not know why we are spending so much time cursing at each other, bringing up all sorts of extraneous issues in relation to what is a very simple matter. This appears to be the tiniest of all the Bills we are supposed to be looking at today. We have not finished this one Bill. The time that we have spent on this already, I doubt that we will finish another one today. It does not help the public. It does not help the people we talk about and we say we love so much.

The legislation rightfully places the CDC as the agency which will be the corporate body for the administration and authority and the competent national authority in respect of these matters. Of course, in it at various places, there are issues about the national oil spill committee, the issues of the Director General of the National Incident Commanders and the various levels of incident command. It relates to the activation, operation, the relevant operations centre, and ensuring effective on-scene command. It establishes that it is not only related to facilities which will be online, on land, offshore, on ships – port or offshore – or any particular facility.

7.17 p.m.

I think even at a Guyana Power and Light (GPL) type facility where it relates to significant spills of oil. There is no ... **[Mr. Mahipaul: Sinister Motive...?]** It is exactly so. It is exactly so. That is the only word of truth which has come from the other side on this matter for the entire day. There are none. On the other side, everybody is there saying that they will not support the Bill. They will bring in things about the People's Progressive Party/Civic (PPP/C) not building a bridge in time and a promise not kept.

I want to say – first of all – that we keep our promises. We keep our promises to the people of Guyana. There may be delays; there may be people who do not want us to succeed; and there may be logistical and other imponderables not driven by what is happening in the country but externally. We keep our promises to the People of Guyana. We keep our

promises. Perhaps, the A Partnership for National Unity/Alliance For Change (APNU/AFC) in their time, somehow did not keep their nefarious promises. I could talk about sugar, of course, the Corentyne Coast and elsewhere. I could talk about the closing of the bauxite industry on the Berbice River which saw thousands of people being sent home without work. **[Mr. Mahipaul: Talk about Mr. Hicken and the state (inaudible)]** I want to talk about things relating to this Bill which matters now. I am talking about what you do not want to hear me talk about. Let us talk about those things. We accept that we have challenges. We identified that we would overcome our challenges. We identify that you can see on the ground in Guyana today, the progress and development physically. In the communities you can see where the oil money is going. I do not really want to talk about the bonus money and all those things which disappeared when the contract was signed by your side.

[Ms. Ferguson: Talk about Mr. Hicken (inaudible). Mr. Hicken is the wedding planner.] Mr. Speaker, could you advise me – is this debate about Mr. Hicken or any other person?

[Mr. Mahipaul: When is Mr. Hicken going home?]

This is why I said that you are not focused. You cannot succeed; you cannot develop; you are mean-spirited; and you cannot, and you will not be reappointed to govern in Guyana in this time and in this moment. You will not be back as a Government. If we are to see development, a clearer pathway and a better realisation of the dreams and visions of our people, we need to have better conversations and engagements in the National Assembly. We need to have that. We cannot continue to have the sort of debate that we are having now. We cannot continue to have these kinds of responses when there is – perhaps – a tragedy or difficulty that we had in the past.

Speaking of that, I want to recall a particular one – the Omai Gold Mines spill. There were Members of the Opposition and some other persons who suggested they were Non-Governmental Organisations (NGOs), when the spill occurred and maybe 14 fishes died in Gilt Creek. They went to Bourda Market, bought some sea fishes, threw them on the gate at the front of Omai Gold Mines and said – you killed the fishes, and these are the fishes that you killed. They did not know the difference between bush fish and sea fish. They did not know the difference between Lukanani and Seaboss. I do not want to deride this but I am saying the problem is – people, particularly, on that side of the House, take delight when there is a difficulty and bring it to be ridiculed and not to the point where we cannot have substantive and rational debates to arrive at the conclusions

that we need in the House. That is the problem. [Mr. Mahipaul: What has this debate gone, Mr. Benn? How are you taking this debate to fish; we are taking about oil.] Yes. This is the problem. This is indeed the problem. [Mr. Nandlall: Mr. Benn, fish them up.] I can call a lot of fishes here, but I will not bother to call more fish.

I believe that this Oil Pollution, Prevention, Preparedness, Response and Responsibility Bill 2025 absolutely fits the type of legislative construct and architecture that we need to protect, to prevent and to respond to issues in relation to the challenges which exist and the growing type and nature of development that we have in the oil industry. It will get larger, bigger and more involved. Our people – workers and professionals – must be more skilled and aware of issues relating to the eco-system and the environment and its protection. Yes – indeed – on the PPP/C's side, we still have a Champion of the Earth – Dr. Jagdeo. There is a Champion of the Earth, Dr. Jagdeo. A long time before Congo and all those other countries, Guyana led the way in relation to issues respective to the protection of the environment and this is still recognised. Last night I attended a function where there were people from countries such as Ghana, Guinea, Congo and Vietnam. They came to Guyana to discuss issues in relation to environmental protection because we are a world leader in relation to environmental protection.

People talk about whether the Indigenous people will be impacted. They are benefiting from the sequestration of carbon dioxide in Guyana. We dealt with this and worked it out with the Norwegians to bring an income as a result of carbon sequestration. When one talks about what would be the impact on the northwest coast or any other place – which I doubt; it would be very minimal – in relation to medium and smaller oil spills, one must recognise that there were engagements with these communities on these issues. We went out into those communities and had discussions. At the National Toshao Council (NTC) Conference just now, their issues and interests in this matter will again be ventilated. We are not the responsible Government. We would not want to get into the challenges that they have on the Maracaibo with Venezuela nor on the Niger Delta with the bunkering of oil – as they call it – out there where the soldiers and police went chasing after all of them. We are developing a modern, safe and world- standard, as I would say, petroleum industry and Guyana. That is what is being done.

At one time in the world, there were 76 large oil spills. There are only about six or seven these days. The Hon. Member, Minister, Mr. Bharrat, spoke about the capping stack. We are one of 13 countries which have a capping stack ready to be

deployed in cases of a severe kick or spillage in the oil production platforms. There is derision when we talk about these things – the serious efforts such as us having industry standards amongst all the other countries in the world with oil development offshore at this time in being prepared or ready to respond to an oil spill.

It pains me, of course, that persons are not onside with the rational development of our industry. It pains me that reasonable criticism and the proper studying and documenting of information are not being made. I heard them say that there is some expert, Mr. Adams, who is the only person or the best person in Guyana to talk about oil development. [Mr. Ramjattan: He is by far superior to you.] Well, I do not know. [Mr. Ramjattan: He is superior to anyone of you there.] I do not know. He has not done anything yet though. He has not found anything yet. He has not done anything yet. [Mr. Ramjattan: If you want to talk about (*inaudible*) of the conversation; you exiled the man.] Sir, he had a job, and he has not done anything yet but to criticise unreservedly and irrationally. I do not want to talk about the man in the National Assembly. I am saying that this is a responsible legislation which... If you took the trouble, you would have brought it when you had the time to. We have brought it. With us, steady progress will continue in Guyana under the PPP/C for the benefit of every Guyanese person. Thank you, very much. [*Applause*]

Mr. Speaker: Thank you, Mr. Benn. Thanks for telling us of your history in this area. Hon. Member Mr. Nandlall, Attorney General and Minister of Legal Affairs, you have the floor.

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: Thank you, Mr. Speaker. It is with great pride and a deep sense of accomplishment that I rise to speak on yet another monumental piece of legislation that will regulate and protect our beautiful country, its pristine environment and the lives of generations of Guyanese in the future.

In the oil and gas sector, in less than five years, we have enacted a Local Content Act, a Natural Resource Fund Act, a Petroleum Activities Act and a new Model Production Sharing Agreement (PSA). Today, we are adding to that formidable statutory complement, the Oil Pollution, Prevention, Preparedness, Response and Responsibility Bill of 2025. As complex as they are, every one of them can withstand competent, technical and critical scrutiny from any quarter of the globe. It is with even greater sense of accomplishment that I say – while we may have been guided by international experts and models from different

jurisdictions in each of these legislations, there is a heavy Indigenous content that make them specifically tailored for Guyana's peculiar local circumstances. We were able to establish such a robust complex statutory framework within this timeframe and it is an accomplishment that must be lauded.

The truth of the matter is, from an international perspective, we entered this industry recently. With commendable rapidity, we have now become a serious player. We have had no time to incubate. Today, we are identified as the fastest-growing economy in the world and we have transformed into a significant petroleum producer with massive oil exploration, operations, drilling and production offshore while we are laying the foundation for a massive conversion of gas-to-energy onshore. Such an environment requires a strong, modern and resilient legislative framework. This is not only to regulate the industry but one to recognise the perils of the industry, provide a rigid network of protection against those perils and ensure that everyone involved in the sector operates safely and responsibly, and there is due protection accorded to the environment.

7.32 p.m.

We have heard much concern generated in the public domain – and rightfully so – in respect of disasters that may occur in the sector; the absence of a disaster preparedness apparatus, a legal standard by which operators are to be governed; inadequate insurance against such disasters; and a mechanism for compensation in the event of a disaster. I am pleased to announce, Mr. Speaker, that all of these very valid and crucial concerns are addressed in this Bill. That is why I am so disappointed. We are debating here such a landmark Bill, a Bill that lays the foundation for modern Guyana, in particular the oil and gas sector, and look at the attendance from the other side. Those who chose to speak on the other side on this matter, all they have done is regale us with irrelevance, make fun, make jokes, as though this here is some frivolity, not a matter of national importance. Hopefully, at the appropriate time, the people of this country will register their disgust at this type of leadership.

Mr. Speaker, experience worldwide has taught us of the grave risks that an oil spill poses. We have seen how devastating major oil spills can be to ecosystems and livelihoods. Guyana must learn from international best practices rather than from calamities on our own shores. Accordingly, this Bill has been crafted in keeping with modern international standards, drawing on the Polluter Pays Principle (PPP) and the framework of global conventions on

oil pollution preparedness and response. It has also benefited from the collaborative efforts undertaken by the Ministry of Natural Resources, the Attorney General's Chambers and the Ministry of Legal Affairs, the Civil Defence Commission in consultation with key stakeholders, including the Guyana Energy Agency, the Maritime Administration Department, of course the Environmental Protection Agency, the sector itself, the operators of the sectors, the licensees, and those who are operating in the sector. The aim is to ensure that oil companies operate at the highest level of safety and environmental responsibility, and that they bear full liability for any harm caused.

From the outset, we wish to make it very clear that sustainable development has long been a hallmark of our Administration. Long before oil and gas, we won international acclaim for our pristine forest and environment. Today, we are not only one of the first sellers of carbon credit on the global stage, we are perhaps one of the largest sellers. We are managing and will continue to manage our oil and gas sector to ensure that these internationally recognised environmental credentials remain intact. This Bill is intended to assist in the achievement of that core objective. The Bill is constructed on four imperatives, as stated in its title – prevention, preparedness, response and responsibility. These are not hollow words, but they are the pillars and policy objectives of the Bill. The Bill addresses the entire chain: preventing oil spills from happening; preparing an effective contingency plan in the case they do; mounting a swift and coordinated response if an oil incident occurs; and assigning clear responsibility, including financial liability, for any damage caused. This forward-looking Bill aligns with our Low Carbon Development Strategy.

Mr. Speaker, let me say also, as my distinguished colleague, the Hon. Minister of Home Affairs and a Geological Engineer, the Hon. Robeson Horatio Benn, correctly pointed out, we did not invent the wheel here. This Bill, while, as I said, it is peculiar to Guyana's idiosyncratic and dynamic local circumstances, it has all the underpinnings of what every modern legislation dealing with the issue embraces. I have the list of countries whose legislation we consulted in arriving at our own draft.

First of all, the original author of this Bill is a highly qualified and decorated expert in the field from the United States of America (USA). That drafter consulted legislation in the United States, in Canada, in Mexico, in Norway, in the United Kingdom (UK) and in Australia. We took the learning from all of those legislation that are decades in vintage, and we have incorporated and condensed them in

this, our own Bill. It took us some time. That is why I got upset when I heard, from that side of the House, the months and months of public servants' hard work, toiling late into the night, being reduced to the type of rancour, and whimsical, and fanciful, and disrespectful comments on this Bill. I do not think that they read it. It is by the compliments of professionals who worked on this Bill. Some of them are here – Mr. Michael Monroe, Mr. Satram, Mr. Bobby Gossai, and Ms. Joann Bond. Those are only some of them. We have the CDC Director; we have other persons. These people worked night and day to produce that which is before us here. They have come here to see their leaders ridicule their efforts, insult their efforts, and not even dignify it by reading the Bill. That must be disappointing. [Dr. Singh: But not in the least bit surprising.] Not surprising.

I remember even in the public domain, the Vice-President expressing the view that the Bill is taking a long time at the AG's Chambers. Yes, it took a long time because these professionals wanted to give the people of this country the best possible legislation. That is what we have here. Hopefully, Mr. Speaker, you will give me the time to deal with all the mistakes, the distortions and the misrepresentations that we have heard here tonight. I will try to go through the Bill as I answer some of what we have heard here tonight.

First of all, the preliminary part of the Bill is quite expansive. The definition section is a long section, and it defines, in the most expansive way, key and critical terminologies. For example, "responsible party" is given the widest possible definition. We have input in writing from the sector. Do you think they are comfortable with this Bill? I heard that we are selling out the country; this type of unadulterated ignorance. The definition alone is as wide as possible to bring within its embrace every person who is connected to the damage that eventually results. "Responsible party" is defined broadly. For "vessel", it includes any person owning, operating or chartering it. For offshore or onshore facilities, it includes the operators or the licensees. Even for the abandoned or decommissioned facilities or vessels, it includes those who are responsible immediately prior to the abandonment or decommissioning.

Even after the wells are closed down – if something is to occur *ex post facto* that closure – the last person who operated there will be held responsible under this Bill. The liability follows them long after they leave these shores. These are not ordinary provisions. We made sure we inserted them there to ensure that there is a catchment of liability, and that liability is not eluded in a quick way. This expansive

definition ensures that no one who contributes to a spill can evade accountability. In short, if you are involved in petroleum activities in Guyana, you will be held to the highest standards of operational safety and environmental responsibility. We know already from the Hon. Prime Minister about the governance structure that the Bill sets out. Again, my colleague, the Minister of Home Affairs, in his very informed presentation, aligned what we are establishing here to the structure that exists in America to deal with disaster preparedness. We are doing so.

As the Hon. Prime Minister explained, the Civil Defence Commission has been with us as an *ad hoc* body for a very, very long time. Now we are incorporating it into a statutory body corporate – giving it life, giving it character, giving it personality, and now cementing its place in disaster preparedness in our country. This Bill does that. Then it creates an entire structure that will be administered with the CDC in the lead. The GEA will be responsible for onshore, and MARAD will be responsible for offshore. You have the apex with these two pendulums that will be discharging the obligations under this Bill – the main mover and shaker. The Bill has a scheme that it is fashioned in accordance by and it starts with prevention and preparedness. We start with the position that prevention is better than cure. We now have a whole regime that prepares the sector, prepares the country, prepares the operators against an eventuality taking place.

Let me also say that we had to take into account the scope of the Bill. What will the Bill apply to? We all know that you can have an oil spill if you do not define it properly. Every day there are oil spills in Guyana. Your car would leak oil. That can be considered an oil spill. Someone taking home a bucket of diesel and they are met with an accident and it falls out, that can be considered an oil spill. Are those the incidents we want this Bill to apply to? You would have to activate now this entire legislative machinery to address a gas station where some negligent operator allows oil to be spilled in some drain. No. That is not what this Bill is intended to do. We have a regime, and the Environmental Protection Agency under the Environmental Protection Act, that adequately caters for those types of eventualities. This Bill is created specifically to deal with petroleum activities as contemplated and provided for in the Petroleum Activities Bill. That is the first thing we have to understand. It applies at that level, on those platforms, on that scale, and in that environmental and operational context.

7.47 p.m.

Mr. Speaker, I want to go to the main parts of the Bill. The Bill, of course, deals with preparedness and prevention, and it has all the sections there, the clauses that deal with that. Then it deals with oil spill responses, and details what must happen when an oil spill incident occurs. It empowers the Competent National Authority to coordinate and direct all the response efforts once a spill happens in accordance with a national contingency plan. Each operator has to provide a plan of their own, which will be merged into a national contingency plan. The Bill operates with a plan. It is not the capricious thinking, or reaction, or the arbitrary feeling of any single operator, or even the administrative agency. Every operator is required to produce a plan, and then there is a national contingency plan that will unfold if one of these disasters happens. It also has a notification process. How would the processes be activated, and how would the operators and the relevant agencies be notified in the event of an oil spill? All of that, or any oil disaster for that matter, or an oil spill incident, as the Bill defines it, has that regime laid out.

Clause 14, for example, mandates transparency and public information during an oil spill. The CDC must ensure that information about the incident and response is made available to the public in a timely manner. This is vital for public safety and maintenance of trust. We did not have to do this. Here we are putting it in the law. Normally, it is in the policy of a country. Here we are putting it in the law. It is part of the legal obligation of the CDC to keep the nation informed about the oil spill, what the responses are, and how bad it is likely to be, or when it is going to be brought under control – a statutory, mandatory, obligatory duty to disclose to the public information. Then, Part V of the Bill deals importantly with the concept of environmental restoration. I spoke at length about maintaining our environmental credentials. After the oil has been contained and removed, the job is not finished. Clause 5 has 16 provisions and focuses on restoring the environment in the aftermath of a spill. Clause 16 directs that once the oil spill cleanup operations are complete, the EPA shall lead the necessary actions to restore the natural environment affected.

The responsible party is obliged – that is, the party that would have been identified as the main causator of the issue – that person or that entity is obliged to take all required restoration measures in accordance with EPA's guidance and the Environmental Protection Act. In practice, this means the polluter must not only clean up the spill but must also help rehabilitate or compensate for damage to wildlife, habitats, and ecosystems. If mangroves, coral reefs, fisheries, or other natural resources have been harmed, the polluter must fund

and facilitate efforts to return them to health. By codifying post-spill environment recovery, the Bill ensures that the damage from an oil spill is not just halted but also remedied as far as possible. Our environment is precious, and this law demands that it be made whole again. You listened to the other side, did you get the impression that any of this is contained in the Bill? It is so sad. I feel for my country. Liability... [Dr. Singh: That is why they are over there.] I do not want them to even be there. They are not qualified to be there. Hopefully, very shortly, there will be an event that will level the playing field once again.

Liability for oil pollution damage: this has assumed, in a very twisted way, the centrepiece of some of the presentations. They have completely misrepresented what the Bill says. In fact, I do not think they spoke on the Bill at all. They just stood up and said that the Bill makes no provision for liability, that we sold out to ExxonMobil, and one set of foolishness about some decision of the court. Let me make it clear. There was a decision from the High Court of our country that says that you need an unlimited guarantee to be lodged to guard against environmental and other spills and other disasters that may occur. The concept of an unlimited guarantee or assurance is not a concept known to the commercial world. It is not an animal known to the legal world. It is a misnomer. It does not exist in practicality, and that is the problem with that ruling.

Mr. Speaker, we have heard about the Environmental Protection Act and how we are reversing the judgment of the court and all sorts of things. However, I have excerpts of the Act here, the Environmental Protection Act. In my presentation, I will show you where the Environmental Protection Act complements this Bill that is before us. Read section 23 and you will see that it expressly says that the EPA Act applies. Let us go to what the EPA Act says, because that is the Act that speaks to the assurance that was the subject of that court ruling. This is what section 31 of the Environmental Act provides:

“The Agency...”

Meaning the Environmental Protection Agency.

“...may include in any environmental authorisation...”

That is the environmental permit.

“...a requirement that the person (to) whom that environmental authorisation is issued shall provide financial assurance to the State.”

That is section 31 of the EPA Act. Section 31(2), the next subsection, provides that:

“A requirement under subsection (1)...:

That is the requirement for the financial assurance.

“shall specify the amount of financial assurance and may provide that the financial assurance may be provided, reduced, or released in stages specified in the environmental authorisation.”

Let me repeat that for those on the other side who are capable of comprehension. It states that the:

“...requirement under subsection (1) shall specify...”

The financial assurance shall specify the amount of the financial assurance. If there is a specification of an amount of the financial assurance, in God’s heavenly name, how could it be unlimited? Specifying an amount means that it is quantifiable, it is limited, it is confined. *Jeez*, this is English, this is not even law, and they do not understand that. That is what was before the court. This was the law. This is the law. In the face of this, how could there be financial assurance of an unlimited nature? Let me continue. Section 31(5) of the Act empowers the Minister to:

“make regulations as to the circumstances under which financial assurance must be required by the Agency, the terms and conditions of the financial assurance, and the effect of failure to provide financial assurance and for matters connected therewith...”

Where on this regime of language are you getting financial assurance of an unlimited nature from? You keep hearing this over and over again. That is why the decision was appealed, because it distorts the laws of this country, and no other investor will come to the sector – none – if there is a requirement in the laws of Guyana that there must be a financial assurance of an unlimited nature, because that animal does not exist. That operator, that investor, cannot satisfy that legal requirement. It would be highly irresponsible for such a decision to be left on the public record – highly irresponsible. When the matter was appealed, one of the first things that the appellate court judge did, one of the first things before even hearing the appeal, he said lodge \$2 billion. You do not even understand the implications of that. The appellate court is telling you already, even before hearing the appeal, that this thing is limited. Lodge \$2 billion – why do you think he said lodge

\$2 billion? It is because that is a limited, quantifiable amount, and it must bear a reasonable relationship with the risk that is involved. That is how assurance works. Go to the insurance company and tell them that you want to insure your house for an unlimited amount and see if they do not run you with a piece of greenheart wood. You will agree with me, Mr. Ramjattan.

I heard the Attorney General was cussed down, because the Attorney General tried to join the proceedings. Here it is. This judgment could possibly shut the industry down. You know you must, in your dumbest moments, appreciate the importance of this industry to the budgetary process of this country, and to everything else. If this industry could possibly be shut down, and the Government, which is a party to the contract that does not require that, seeks to intervene, the Government becomes bad. The Government must not protect its interests and the interests of Guyana in this whole situation. We must allow a decision to remain on the record that does not make sense in commerce and does not make sense in law. A Government must stand idly by and allow a national industry, a national asset, something that promises a bountiful future for Guyana, for the first time in its history, to be frustrated by an uninformed decision of the court, and the Government must not do anything. When the Attorney General tried to intervene at the level of the Court of Appeal, the Court of Appeal told me, no, you cannot be heard. I had to go all the way to the CCJ and I have the CCJ judgment here. This is what the CCJ said, and let me make it clear and put it on the record of this National Assembly, Sir. The CCJ identified the various interests in the matter.

It says that the licensees have an interest to protect. The litigants who move the court have an interest to protect. The EPA, which was a party originally, has an interest to protect. Now the Government is joining. On what basis? The Government is running the country. The financial assurance that the EPA Act speaks to, it says, must provide financial assurance to the State, not to the EPA. The EPA Act says it must produce this assurance to the State. If the drafter wanted to say to the satisfaction of the EPA, they would have said so. It is the Environmental Protection Agency Act, but the drafter said...

Mr. Speaker: Hon. AG, the Standing Order says your time is up.

Ms. Teixeira: Mr. Speaker, I would like to ask that the Hon. Member be given ten more minutes to conclude.

Motion put and agreed to.

Mr. Speaker: Hon. AG, you have ten minutes to conclude.

8.02 p.m.

Mr. Nandlall: Thank you. Sir, the law of this country says that the assurance must be given to the State. The Government is in charge of the State. How can you shut me out when what is before the court is the level and quality of that assurance that is for me to determine, not you nor the court. It is not for the judge to determine what the assurance is. It is for the Government to determine, but, obviously, the Government's decision must be reasonable. The Government must look at the risk and must require assurance that bears a reasonable relationship with such a risk. It must be commensurate at the level of liability calculation with that risk. That is how insurance works. When the Government is asking to be heard, the court says no. That is why we went to the Caribbean Court of Justice. The Caribbean Court of Justice says the Attorney General of Guyana performs a constitutional role as legal advisor of the State and guardian of the public interest.

A public interest may include several different facets, preservation of the natural environment being one of them. While it is true that the EPA can make submissions on this subject, it is evident that the Attorney General proposes to make submissions based upon the Petroleum Agreement made between Esso and the Government of Guyana (GoG), to which the EPA is not a party. You are going to shut down my agreement, you are going to shut down the lopsided agreement that you signed. We had to defend it. You are telling me that you do not even want me to be heard in the defence of that agreement, and you do not understand how wrong that is. *Oh*, Lord. I hope that I have put on the public record some clarity in relation to all of this that we have heard today. I will lay everything over. I spoke about the claims and the financial responsibility. I had to walk out of the National Assembly, unfortunately, when the Hon. Member, Mr. Patterson, was speaking because he was distorting simple English Language.

We have, very importantly, a mechanism that deals with how persons who are affected can claim compensation for damage occasioned by any oil spill bill. This is what took several months for us to determine, because we did not want to leave it for persons to go straight to the court. We did not want to leave it to that alone, because you have giants on one side and you have persons who may not be able to afford to go to the courts. We had to find a mechanism that meets this vacuum, and we created that mechanism of an Oil Spill Incident Board of Inquiry. Clause 23(1) states:

“Without prejudice to any other action with respect to the same matter which is lawfully available, a person affected by an oil spill incident to which this Act applies, may file a claim with the Oil Spill Incident Board of Inquiry in accordance with this Part”.

First of all, what we did here is to save your right to go to court. We saved it. We put it aside, without prejudice to that – your right to any action – so you do not have to go here. If you wish, this is a mechanism available to you right away. Let me read this carefully because the Hon. Member completely misinterpreted this:

“A claim under this section shall not be filed later than one year after the discovery of the oil incident or the discovery of the damage arising from the incident, whichever is first”.

My friend, the Hon. Member, Mr. Patterson, said that we have given the people one year only. This clause says that it may, not later than one year after the discovery. You can discover this thing 10 years after the incident. The damage that you occasioned, that you suffer, can occur 10 years after this Bill. When you discover it, you have one year to make a filing. That distinction is lost on the gentleman, completely lost, or if you get notice of the damage, you have one year. That does not affect your right, as I said, to go to the court. You have ordinary laws of the land tell you how many years you have to bring a case of negligence because that is what will happen here, negligence. That is the cause of action. You have the ordinary timeframe. The ordinary statute of limitation will apply.

This Board will make a determination based upon you presenting your case and presenting your evidence and the Board will make recommendations. You do not have to accept the recommendations. If you accept them, that is the end of the matter. If you do not accept them, go and have your day in the court. Go to the court. This was a mechanism to bring relief to those who may not wish to go to court, where it is a small spill or something the parties can quickly negotiate and come to a settlement. The financial responsibility, that is what I spoke about just now. It states right here:

“A responsible party...”

There is no limit on that, “A responsible party”, meaning a party that directly or indirectly caused whatever it is that happened.

“...shall maintain and provide evidence of financial assurance to the satisfaction of the Competent National Authority.”

The Civil Aviation Authority.

“Financial assurance shall be in accordance with the Petroleum Activities Act and the Environmental Protection Act.”

We heard in this House that we are overruling, and we are repealing the Environmental Protection Act. Here it is, in expressed language, that the financial assurance shall be in accordance with the very Environmental Protection Act that I just read out. Members in this House did not read the Bill.

“A person may claim directly against a surety of a responsible party...”

When there is an assurance or there is an assured, someone standing as a guarantor for you, a surety, you can go against the surety if the person directly responsible is not available, and it lists the circumstances.

“A person may claim directly against a surety of a responsible party where –

- (a) the responsible party who has been found liable to pay a claim under this Act, has failed or refused to pay the claim;”

We have not interfered. I heard we interfered with parent guarantee. The level of – I do not want to say ignorance, but the level of – misunderstanding. The parent guarantee is in the environmental permit. All the permits have that.

Speaking about safety, the Hon. Minister Vickram Bharrat spoke about the capping stack. Trinidad pumped oil for 100 years and they never had a capping stack in Trinidad. We have one in Guyana after pumping oil for five or six years, the only second one in this hemisphere. Still, we have not done enough. Go, read that Trinidad and Tobago never had. They are now depending on the one that is in Guyana. The Hon. Minister will tell you that we put that in the Yellowtail Licence as a requirement, as a condition in the license, that they have to bring a capping stack here or else we had to wait from one station somewhere in Texas, that would have taken about a dozen days to reach here. That is the level we have gone. We put stringent measures on the operators in the sector, yet you hear the ridiculous and outrageous contention that we are in bed with the sector.

I conclude by saying that this is one of our landmark pieces of legislation that we are passing in this particular

Parliament. It will go down in history. We will all be celebrated for it. It joins a list of equally fundamental pieces of legislation – the Local Content Act, the Petroleum Fund Act, the Natural Resource Fund Act, the Petroleum Activities Act (PAA), the model Production Sharing Agreements (PSAs) that we have put out there, and now we are adding to it the Oil Pollution Prevention, Preparedness, Response and Responsibility Bill. This Parliament, with the enactment of this and the others, would have done the people of Guyana proud. I thank you very much, Mr. Speaker. *[Applause]*

Mr. Speaker: Thank you very much, AG. Hon. Prime Minister, your conclusion.

Brigadier (Ret’d) Phillips[replying]: Thank you, Mr. Speaker. First, let me congratulate my colleagues on this side of the House for their presentations. Definitely, the Members on the other side of the House should take those presentations as a form of lectures that will enrich their understanding of the matter at hand. In the interest of time, I will not go through any rebuttal because it makes no sense. Our Members on the other side of the House went on a masquerade, a verbal masquerade. They took us all around, through all the streets of Georgetown, dancing, and not zooming in and debating the issue at hand, this most important Bill.

In concluding this debate, on the passing of the Oil Pollution, Prevention, Preparedness and Responsibility Bill 2025, I wish to reiterate that this legislation is visionary and progressive, ensuring our collective resolve to govern our petroleum sector with foresight, accountability and care for our environment. This Bill introduces a structured and enforceable framework that was mentioned before, that ensures every operator, vessel, and facility engaged in oil related activities, does so with a clear understanding of the responsibility to the people of Guyana. It empowers our institutions, particularly in the Civil Defence Commission, with the legal mandate to act swiftly in the event of an incident. It places the burden of restoration and compensation squarely, where it belongs, on the responsible party.

This is a Bill that protects livelihoods and secures the natural resources we all depend on for generations to come. As we debate this Bill and conclude the debate, only today, as fate would have it, we had a report of an oil spill and swift action. The Hon. Member who is not here, asked about time. The oil spill was promptly reported, and we were able to take swift action in an inter-agency coordinated manner to

deal with the oil spill at hand. It is reported in all the newspapers of today. Perhaps, if the Members would have read today's newspapers before coming here, they would have been in a better position to contribute to this debate.

8.17 p.m.

More so, the fact that we established that they have not read or properly read the Bill itself. Furthermore, this Bill is a direct response to the increased activity within Guyana's oil and gas sector, as well as the growing volume of maritime traffic entering our ports. To put this into perspective, there was a time in our history when only seven vessels were called to our ports weekly. Today, the number has grown to over 52 vessels. In addition to this, some vessels pass through our waters without making port calls, exercising their freedom of navigation through the high seas. This also presents potential risks to our marine environment. This Bill, therefore, strengthens Guyana's legal framework, ensuring alignment with both regional obligations and international best practices.

As previously stated, the agriculture sector, especially our fisher folk, stands amongst the most vulnerable to the effects of an oil spill. Without legislation such as this, we leave wide and dangerous loopholes that may allow responsible parties to escape full liability or delay responses in the event of an incident. This Bill decisively closes those gaps, it makes provisions for clear assignment of responsibility, mandates environmental restoration and ensures that damages and associated costs are borne by the party responsible and not the public purse. This is especially crucial in coastal and riverine communities where the local economy and food security depend heavily on clean waters and marine life. I acknowledge that concerns have been raised publicly about the breadth and implementation of specific provisions, including the authority granted to the subject minister. I wish to state clearly that this Bill did not emerge from a vacuum; it was subjected to extensive consultation with relevant stakeholders across the public and private sectors. Their recommendations informed several of the revisions that have now been incorporated into the legislation. In fact, the Minister's power to make subsidiary legislation as provided for under clause 40 is a practical necessity, not an unchecked privilege.

International oil spill protocols and maritime regulations are constantly evolving. The provision that allows the Minister to adapt schedules and issue regulations when required ensures that Guyana positions itself to respond in real time to emerging risks and global best practices without needing to

amend the primary legislation each time. That said, the exercise of the authority will remain subject to judicial review, parliamentary scrutiny and public accountability.

Furthermore, the Bill established clear roles for oversight bodies such as the Civil Deference Commission and the Environmental Protection Agency with clauses that mandate interagency coordination, as you would have heard from the previous presentations on our side. I further cement this point to state that this approach is not without precedent, in fact, it mirrors best practices already adopted by leading maritime nations. The United Kingdom (UK), for example, uses ambulatory reference clauses in shaping legislation, allowing domestic laws to automatically reflect changes in international conventions like the International Convention for the Prevention of Pollution (MARPOL) Convention without requiring new Acts of parliament. Similarly, in the United States, the Oil Pollution Act of 1999 authorises the President and federal agencies to update regulations in response to emerging oil spill risks and global standards. Canada's Shipping Act also empowers the Minister of Transport to amend maritime environmental protection regulations in line with international developments. These examples demonstrate that granting limited regulatory flexibility is a globally accepted method to ensure that a country's legal infrastructure can keep pace with evolving maritime protocols without delay and without compromising oversight. Guyana is simply aligning with that standard.

The concerns raised about technical definitions and funding mechanisms are valid in spirit, but they are addressed in the architecture of the Bill. Again, I implore on Members on the other side to read the Bill. It is not too late to read the Bill. The requirement for a response plan, Part IV, the liabilities imposed on responsible parties – Part VI and the ability to recover public funds using clean-up operations, clause 22 of Part VI, all contribute to a coherent and enforceable structure. This legislation is a strong and responsive document designed to evolve with time and strengthened by the mechanisms for regulation, review and revision already built into its framework. The longer we procrastinate as a nation, we run the risk of a spill occurring – we had one this morning – and the judiciary will be left without substance to prosecute. Affected individuals from a spill will also be left searching for compensation. Our protected turtles are at risk, every species of fish is at risk, the soil is at risk, and the list can go on.

As we pointed out, the risks are not isolated to the waters. The Gas to Energy Project will be on stream soon, and the agencies involved will be a responsible party that needs to

comply with this legislation. Procrastination, postponing action today, only defers the consequence to a less prepared tomorrow. As a Government, we are accountable, and we do not run from accountability. We safeguard our people, and we balance that with the interest of our investors. We cannot gain the wealth of the oil and gas sector and not protect our environment and ecosystem. Fellow Members of Parliament, let us put subjectivity aside and be objective here. We are at risk. We cannot continue to be on the sidelines as leaders, knowing the potential disasters that are out there. The identified national authority, the Civil Defence Commission, has extensive roles and functions under this legislation. They are critical not just for oil spill response but also for other disasters that we face, such as flooding. As a responsible Government, we have already done a lot of work and, here, we have the Country Work Programme for Disaster Management 2021-2025, prepared under the leadership of yours truly.

I wish to reiterate the effectiveness of the passing of the Bill and the heavy requirements that are placed on the responsible parties. This is to ensure their compliance with international standards that the national authority will implement. It would be in their best interest that they maintain the oil spill plan and follow the guidelines, and they would not have to feel the financial burdens that this Bill places on them. They would have to finance replacing the environment to the way it was or as close as possible to the way it was before the spill. From \$100,000 to as much as \$2 billion fines will be implemented. They will be required to have insurance that can be claimed by persons affected by the effects of the spill and, at the same time, be safeguarded by the establishment of a board to curtail any unrealistic and unreasonable claims.

Mr. Speaker and fellow Members, the Oil Pollution Prevention, Preparedness and Responsibility Bill 2025 is, and I repeat is, a vital legislative step in securing Guyana's environmental and economic future in the face of oil-related risks. It represents a proactive, balanced and internationally aligned approach to managing oil spill threats whilst ensuring accountability and resilience. This Bill adds legal support to the CDC, which is identified as the national authority on oil spill related matters. This Bill is a testament to our Government's proactiveness. We cannot wait until a disaster comes and then implement legislation. We run the risk of having to expend billions of taxpayers' dollars to restore the environment or to deal with the effects of the spill without having anyone to be properly held responsible, not only to the government but also to those the spill has affected. We strongly urge the Hon. Members of the

National Assembly to support and pass this Bill in the interest of our nation. We will continue to work assiduously to fill gaps and safeguard the future for generations to come. At this stage, let me end by joining with the fellow Speakers on this side of the House, thanking all the persons who worked overtime on bringing this Bill at this important time in our country's future. I thank you, Mr. Speaker.

Mr. Speaker: Thank you, Prime Minister, Hon. Members, Oil Pollution Prevention, Preparedness and Responsibility Bill 2025, Bill No. 7/ 2025 has had its second contribution.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendments, read the third time and passed as printed.

8.32 p.m.

Advance Passenger Information and Passenger Name Record Bill 2025 – Bill No. 4 of 2025

Mr. Speaker: I now call on the Hon. Minister, the Attorney General and Minister of Legal Affairs, Mohabir Anil Nandlall, to move the second reading.

Mr. Nandlall: Thank you very much, Mr. Speaker. I rise to move that the Advance Passenger Information and Passenger Name Record Bill 2025, Bill No. 4 of 2025, published on 11th February, 2025, now be read a second time.

Crime has long been one of the significant challenges facing the Caribbean region. So much so that a symposium was specially hosted by Caribbean Community (CARICOM) Heads of Government in Trinidad and Tobago in April, 2023 to specifically address this issue. The symposium brought together most of the important functionaries, apart from the Heads of State, of course, the Attorneys General, Ministers of National Security, heads of law enforcement agencies and members of the judiciary from across the region. At the end of the symposium, it was agreed that crime and criminality were so endemic and their consequences so grave that it was described as a public health hazard, striking at the core of Caribbean societies. It was resolved that new and innovative measures had to be embarked upon if we were to tackle this phenomenon successfully. This engagement was followed up by another meeting at the Arthur Chung Conference Centre,

right here, in November, 2024. The second regional symposium on crime and violence as a public health issue, decided that the unacceptability and complexity of crime in Member States of CARICOM requires an urgent, coordinated, targeted and strategic plan to immediately reduce and bring it to manageable levels.

The Hon. Minister of Home Affairs and yours truly attended both of those engagements. The Hon. Prime Minister led us in relation to the first one. It was recognised at this high level of CARICOM that such a plan was necessary for the prosperity and sustainable development of Member States. At this meeting, the Government of Guyana committed to enacting this Bill, as well as others, to further bolster our country's and the region's fight against crime, particularly transnational organised crime. It was agreed that this model-generated legislation would be enacted across the region and become part of a regional law enforcement apparatus that would be activated in all the jurisdictions, as part of a continuous regional collaboration to tackle crime, in particular, organised crime. Three of the Bills for debate today are products of this regional initiative, with the Advance Passenger Information and Passenger Name Record Bill being the first. Expectedly, monitoring persons who enter and leave the region is crucial in the gathering of intelligence in the fight against, in particular, organised crime. Although the region has a comparably small population, a large number of persons pass through the region annually.

As reported in the *Guyana Chronicle* article, one million passengers transited through ports of entry in 2024. On 6th January, 2025, Guyana recorded 1,072,785 passengers who were processed across four key entry points: Cheddi Jagan International Airport, Eugene F. Correia International Airport, Lethem Border Crossing and Moleson Creek Crossing. Other countries within CARICOM have also seen an increase in travellers. For example, approximately 4.3 million tourists visited Jamaica last year. As reported in the *Stabroek News* article, 'Jamaica earned US\$4.3B from tourism in 2024' – 10th January, 2025 edition of the *Stabroek News*. This growth in the movement of people, while having its benefits, poses a threat to national security. It is therefore necessary for countries within CARICOM to have stringent border security laws which can prevent our countries from being exploited by terrorists and other criminal elements.

The purpose of the Advance Passenger Information and Passenger Name Record Bill is to mandate that a master, a captain or an agent of an aircraft or a vessel, provide the competent authority – the Chief Immigration Officer – and

the CARICOM Implementation Agency for Crime and Security (CARICOM IMPACS) with relevant advanced passenger information and passenger name record data relating to the passenger and crew, flight or voyage. Additionally, the Bill seeks to operationalise the CARICOM Advanced Passenger-Crew Information System, subject to international and national standards governing data protection. Advanced Passenger Information (API) and Passenger Name Record (PNR) are two indispensable weapons in any state's arsenal to combat serious crimes such as terrorism, drug trafficking, firearms smuggling and other transnational organised crimes.

The API consists of data detailing information concerning an aircraft or vessel, information concerning a passenger and crew member or any other person travelling in an aircraft or vessel and embarkation and disembarkation data. The API allows immigration, customs and other relevant authorities to identify persons of interest before arrival in a country or their departure, if they are transiting through the country. On the other hand, PNR is the record created by aircraft or vessel operators or their agents for each voyage or flight booked by or on behalf of any passenger in the reservation system, departure control system or equivalent system. Simply put, PNR is information provided by passengers and collected by airline or vessel operators or their agents. Like API, the collection of this information is useful to law enforcement to detect, investigate and intercept criminal activity. With this information, law enforcement agencies are able to analyse movement by persons and detect any suspicious activity. For instance, they will be able to detect whether a person frequently travels to a particular high-risk country and/or region, whether a person uses more than one passport and suspicious payments for tickets. The Advance Passenger Information and Passenger Name Record Bill was drafted using a model law developed by the CARICOM Secretariat under the guidance of the CARICOM IMPACS.

The Bill and model law reflect the realities of increased travel and international standards mandated by the United Nations Security Council through its various resolutions. Security Council 2178 of 2014 calls on US Member States to require that airlines operating in their territories provide advanced passenger information to the appropriate national authorities, in order to detect the departure from their territories or attempted entry into or transit through their territories by means of civil aircraft. Then I listed a number of other UN security resolutions, which I will omit to put on the record in the interest of time. It is important to note that the model law is an update to an earlier model that Guyana and other CARICOM states adopted pursuant to a decision

of the Conference of Heads of Government in 2006. The decision was part of the regional strategy for the hosting of the 2007 Cricket World Cup as a single domestic space. Accordingly, one of the components of this strategy was an advanced passenger information system, which ensured that standardised procedures would be applied at all ports of entry within CARICOM. Guyana gave effect to this strategy by passing the Immigration Amendment Act No. 7 of 2007, and the Customs (Advanced Passenger and Cargo Information) Regulations 2007.

These laws were passed almost 20 years ago and are limited in scope. Since their implementation, the global standard for the collection and sharing of passenger information has evolved. The main shortcoming of the current legal framework is that it does not address the collection and processing of passenger name records, the electronic transfer of the data or the role of CARICOM IMPACS. Importantly, it does not provide for the protection of personal data. Any successful security regime depends on the processing and sharing of personal data within a country and across national borders. This processing and sharing of information necessitate that the rights of the data subject are respected and that personal data is processed and shared in compliance with the Data Protection Act and international best practices. This ensures that personal data is handled securely and only used for the purpose for which it was collected. Consequently, this Bill proposes to replace our current framework, which is outdated and deficient in key areas, with a more robust and modern legislative framework. Significantly, this Bill is being replicated in legislative enactments across the region in establishing a common regime across the Caribbean.

As stated, the Bill gives effect on the CARICOM subcommittee on crime and was examined by the legal affairs committee of CARICOM, which consists of all the Attorneys General of the region. The Bill is quite extensive and I will try to go through the main provisions as quickly as I can.

Part I of the Bill provides for the Preliminary provisions. The Act applies to the collection, use, retention, transfer and protection of API and PNR data by the competent authority and CARICOM IMPACS.

Part II of the Bill sets out the Administrative provisions of the Act and deals with the competent authority and the Passenger Information Unit (PIU). The competent authority for Guyana is obviously the Chief Immigration Officer – that is, the Commissioner of Police or the officer designated by

him. Pursuant to Clause four, the “Powers and functions of the Competent Authority” include:

- “(a) be responsible for overseeing and implementing the provisions of the Act;
- (b) establish protocols, standards, issue guidelines and technical requirements for the secure transmission, storage and processing of API and PNR data;
- (c) oversee the operations of the PIU in the performance of its functions;”

Conducting audits and inspections to ensure compliance with the Act and, (d) collaborating and coordinating with IMPACS, the regional supervisory authority. In carrying out its duties and functions, the Competent Authority must act in a manner consistent with the Data Protection Act and of course, we are familiar with the provisions of the Data Protection Act having recently passed it in this House.

“(7) The Competent Authority shall not take any decision-

- (a) that produces an adverse legal effect on a person or significantly affects a person only by reason of the automated processing of data; or
- (b) on the basis of a person's race or ethnic origin, political opinions, religion or philosophical belief, trade union membership, health, sexual life or sexual orientation”

8.47 p.m.

However, the Competent Authority can so act if failure to take decision would prejudice the public's interest, public safety and national security. Here, peculiar fundamental rights and freedoms of the individual are maintained, protected and preserved, and there will only be an invasion or an infringement if it is in the public's interest. If you look at your Constitution, you will see that your right to free speech is subject to a number of conditionalities, including 146, including anything that is in the interest of the public. So, when I tell you, Ms. Ferguson, Hon. Member, to be quiet, I have a right to do so in the public's interest because that is when you make unnecessary noise.

Clause 5 establishes the Passenger Information Unit, which shall comprise an immigration officer or a senior rank as a head, a Police Officer, a Customs and Excise Officer, the

Data Protection Officer, and any number of Immigration Officers and personnel as decided by the Minister. The Minister of Home Affairs is here with us and is following the Bill very closely as I speak.

Clause 6 sets out the functions of the Project Implementation Unit (PIU). These include receiving, storing, processing, analysing and managing all API and PNR data transmitted by an aircraft and vessel for the purpose of national security; and collaborating with the Competent Authority and IMPACS to ensure that the aircraft and vessel operators, passengers and crew members are aware of their obligation and comply with the requirements to enter and leave Guyana.

Like the Competent Authority, the PIU shall carry out its functions, activities and responsibilities in a manner consistent with the protection of personal data and principles of data protection detailed in our Data Protection Act. The PIU shall be equipped with a capacity to perform the task of tracking and monitoring and monitoring the data, capacity for 24/7 operation with procedures in place to minimise disruption in the event of an emergency systems outage or failure. The model legislation actually uses the term 24-7. Recognising the importance of protecting the personal data that will be shared within Guyana and across our borders.

Clause 7 provides for the appointment and functions of the Data Protection Officer. In addition to the provisions of Section 71 of the Data Protection Act, 2023, the Data Protection officer has the responsibility of, inter alia, monitoring the processing activities related to API data and PNR data, organising and providing training programmes, workshops and awareness campaigns to enhance the competent authority's and IMPACS' employees' understanding of data protection principles, obligations and best practices related to PNR data processing and providing national oversight for protection of PNR data. The officer shall also be the main point of contact for individuals, including passengers and crew members, regarding their rights and concerns and inquiries related to the processing of their personal data. To ensure that the Data Protection Officer can perform their duty competently, the competent authority at IMPACS shall provide this office with the necessary resources, authority and support.

Part III of the Bill covers the common provisions for API and PNR. Clause 8 mandates that,

“a master, agent or agent of an aircraft or a vessel shall provide to the Competent Authority and IMPACS via the CEMSIW electronic manifest

single window, the relevant API and PNR data relating to passenger and crew, flight or voyage, inclusive of the embarkation and disembarkation data.”

However, pursuant to Clause 9, Clause 8 does not apply

“...to an aircraft or a vessel which makes a technical stop if that technical stop is-

(a) required by any statutory or other requirement relating to navigation;

(b) compelled by an emergency, accident, unfavourable weather conditions or other necessity; or

(c) authorised by the Competent Authority.”

So, save these clear circumstances, you have to provide to a single window manifest operating apparatus the details which the Act requires. In these specified circumstances, one is exempted. Where a technical stop is made for any of the aforementioned reasons, the captain, agent, or master shall immediately notify the Competent Authority, comply with the directions provided by the authority, and permit disembarkation from the aircraft or vessel only if consent is provided by the Competent Authority. During the technical stop,

“...neither crew member nor a passenger on an aircraft or a vessel shall, without the consent of the Competent Authority, disembark the aircraft or vessel, and such person shall comply with any directive given by the Competent Authority.”

There is a penalty of a jail sentence if there is noncompliance. The only way you will not be required to give advance information is in these circumstances, and you have to get the prior permission of the competent authority in the country that you are going to disembark, and you will not be able to enter, unless that information is provided or the consent is received rather.

Clause 10 sets out a restriction on disclosure of data or documentation by the Competent Authority. Clause 10 requires the Competent Authority to ensure that all data and documentation obtained or generated in the course of its functions and responsibilities are treated as confidential and subject to non-disclosure obligations. When people get rejected from entering the United States, their passport pages can be floating around the place. We are putting a law in place to deal with that kind of situation. You could transmit that to your friend.

Personnel should refrain from disclosing any such (information) data or documentation, unless for instance, such disclosure is required by law or is necessary to safeguard national security, public safety or the prevention, detection, investigation or prosecution of serious crimes, including terrorist offences. This clause also provides for the measures that the competent authorities shall take to protect data. Such as establishing and maintaining appropriate technical, organisational and administrative measures to protect the confidentiality, integrity and security of the data.

Mr. Speaker, the Act lays out all the different processes. I think I have said enough so that the listener and my friends on the other side get a fair understanding of how detailed this legislation is and to what it relates. Of course, there is a regime of offences that is created. Obviously, a legislation of this type will be highly punitive because it makes no sense to establish such a strong, robust and detailed regime if you do not intend to enforce it and enforce it stringently.

The Bill provides a series of offences when there is non-compliance with the provisions of the Bill itself. The Bill also protects, and there is a clause in the Bill that speaks directly of the type of protection that is accorded to this information, and, specifically, it provides that ministers, politicians, government departments and identified agencies of the same genus are not to deal with or have access to this type of information. That is why the data protection mechanism is so firm and elaborate in its framework and presence in this Act, because you are dealing with sensitive, highly personal information, confidential information from persons across the globe. For good reason, politicians, ministers and those in Governmental offices should have no business with this information. It is primarily kept for the purpose of law enforcement to create a database that will be used regionally to deal with crime and criminal conduct.

With the passage of this Bill and the operationalisation of the Act, Government will be protecting our borders and strengthening our national response to combating serious crime in our country and the region. The Bill is a critical crime mitigation strategy of the Government that demonstrates we are prioritising regional security and playing our part in a common CARICOM security strategy. Such a strategy is indispensable as security within the region is necessary for the continued well-being of our people and the development of our countries. Moreover, as a member of the global community, we must continue to do our part in putting the requisite legal framework in place to process and share passenger information, in accordance with international standards. I have made reference to the United

Nations Security Council's regulations on this matter and the requirements set out by the United Nations to which we have all acceded, are embraced – formally and elaborately set out in this Bill. Once we pass this Bill tonight, they now will become part of the laws of our country.

As I said, Mr. Speaker, Guyana is not insular in the enactment of this Bill. This is taking place across the region. It is a product of the Heads of Government. It is a product of the Subcommittee on Crime, chaired by Prime Minister Mottley of Barbados and vice-chaired by our own President Ali. Guyana would be one of the first in the Caribbean to implement this regional initiative. With those few remarks, I commend the Bill to the House. Thank you very much. *[Applause]*

Ms. Ferguson: Mr. Speaker, thank you for the opportunity. I rise this evening from this side of the House to participate in a debate on this critical piece of legislation before us this evening, the Advanced Passenger Information and Passenger Name Record Bill, Bill No. 4/2025. The provisions outlined in this Bill clearly align with what the Attorney General just made mentioned, that is, Guyana's commitment to CARICOM and our treaty obligations. Particularly, as it relates to the strengthening of our crime-fighting capabilities through regional collaboration. I must, you know, put the Government's tension at ease that we on this side of the House welcome any new piece of law that would, more or less, benefit not only our people, but, by extension, the nation. Rest assured, I do not think we have any contention where this Bill is concerned.

9.02 p.m.

I guess my other colleague, who is scheduled to speak on this Bill, will address the most critical legal jargon which are contained in it. That being said, upon analysing the Bill, there are several key provisions that I must mention and probably just give a brief understanding from my vantage point. One such key provision has to do with the establishment of a Passenger Information Unit (PIU). In examining the Bill, I am of the view that this unit will be responsible for analysing and storing data transmitted by aircraft and vessels. It is also expected to include staff from the Customs Department, the Immigration Department, the Guyana Police Force, and Data Protection Officers.

The other key provision has to do with the integration with the Caribbean Community systems. I do believe that this Bill facilitates the sharing of travel data among CARICOM Member States to bolster regional security efforts. We just heard the Hon. Attorney-General clarify how the Bill intends

to work across CARICOM nations. The other key provision within the Bill has to do with cross-referencing and watchlists. Once this piece of legislation is passed, the Bill will allow for the collection of data to be cross-checked against both national and international watchlists, including those of the International Criminal Police Organization (Interpol), to identify potential security threats.

The other provision is that of the data protection measures. This Bill, when enacted, would include strict provisions to protect passengers' information, prohibiting unauthorised access by any Ministry or agency without a formal written request to the designated competent authority. The Attorney-General did mention that politicians, Ministers, and other senior officials in certain Government ministries will not be able to access these kinds of information, with the exception, allegedly, of the Guyana Police Force. In the Bill, also, is noncompliance penalties for submission requirements, which may attract fines of up to \$4 million or imprisonment of up to six months. When I looked further and analysed the Bill more deeply, I recognised there are concerns about the limitations. There are a few limitations that I am going to identify here. A deeper examination of the Bill has raised several concerns for me. I do hope that the Hon. Member in whose name the Bill stands will provide clarity during his rebuttal.

One such concern for me is the implementation timeline and infrastructure readiness. It is so laughable at times that the Members of Government will boast about the number of Bills they were able to pass over the five years. Just before taking my position here at the podium, I had the opportunity of reviewing the number of Bills debated and passed in this House since 2020 – it is close to 100. While they may boast about 100 Bills between August, 2020 to May, 2025, the reality is whether the enforcement and the implementation are there. This evening, we are actually debating a new Bill that is expected to be enacted shortly.

Mr. Speaker, there appears to be a recurring pattern – as I said before – of rushing Bills to the National Assembly without ensuring that the necessary infrastructure is in place. Since the commencement of the Twelfth Parliament, several laws have been passed, yet implementation has often been poor. On 7th April, we had the launch of the e-ticket application. During that week, I recall the Government announcing that over 500 persons had been charged or issued e-tickets. While that is good, what I do not get from the Government is continuous reporting on how effectively the system is working. I had my own experience a few nights ago. I was heading home; I did not jump the light, but

when I recognised... I heard this *poo poo* behind me. When I looked in my rearview mirror, I recognised it was the police, so I pulled into the corner. One officer came out of the vehicle and said that I had jumped the light. I did not argue, but he went back to his vehicle, got an instrument, brought it to me, and showed me what I just did. I apologised and he allowed me to proceed with caution. I just cited that example. That was close to midnight, a couple of nights ago. The officers, Mr. Benn, are working around the clock. Kudos to those officers who go way beyond. I believe, as I have said, the time has come for the populace to be kept informed as it relates to what is really happening when it comes to these new pieces of legislation.

The other limitation I recognised in the Bill is the absence of an operational timeline for the PIU. While the Bill mandates the establishment of the PIU, it lacks a definitive timeline for when this unit will become functional and how it will integrate with existing technological systems. I recall in this very Twelfth Parliament, we were told that Bills that came to this National Assembly would take effect from a particular timeline. For instance, I think there was a stipulation for the Single Window Unit. I do not see it in this Bill, but I stand corrected by the Hon. Member whose name the Bill is in.

The other limitation has to do with dependency on regional readiness. The success of the CARICOM Advance Passenger Information System (APIS) depends heavily on the preparedness of other CARICOM nations, which is likely to vary significantly.

The other limitation has to do with data sharing and privacy concerns. Although this Bill provides data protection, it also authorises sharing sensitive passenger data with international law enforcement agencies. This raises privacy concerns. Compliance with both national and international data protection standards must be ensured to prevent misuse. I am sorry that the Hon. Attorney-General is not in his seat. Sometime last week, we were all taken by surprise – the nation, that is – when a particular citizen who landed from the United States of America (USA) had her information shared across the social media spectrum. While we talk about privacy, security, and all manner of things, it seems to me that somewhere within the system, we have porous areas where the sensitive information of our people gets out to the public. I trust that with the passage of this new Bill, we will see the security and protection of persons' information.

The other limitation I recognised has to do with the enforcement and compliance challenges. While the Bill includes penalties for non-compliance, the Hon. Attorney-

General mentioned that its effectiveness will depend on the capabilities of enforcement agencies and the willingness of international carriers to comply with Guyana's regulations. Yes, Sir, we will have all these laws in place, but when we have friends, families, and favourites associated with those in Government, we will have things going through the cracks. I trust that we will see a stringent enforcement of this piece of legislation whenever enacted.

I was able to do a comparative analysis, and I trust that the recommendations can be taken on board. In reviewing similar laws enacted across the Caribbean, several areas for improvement have emerged. One such area is oversight and accountability. I recognised that in this Bill, there is no provision for oversight and accountability. It speaks about a competent authority. When I go to the preliminary section, where there are definitions for key terms that the Bill addresses, I recognise that the definition for competent authority has to do with the Chief Immigration Officer. I guess in this case that it speaks to the Commissioner of Police. I believe that they should have a body above the Commissioner of Police.

I was able to make some comparisons with a few countries in CARICOM. In the Cayman Islands, the Advance Passenger Information Law of 2018 designates the Joint Regional Communications Centre (JRCC), an operational agency of CARICOM which speaks about Implementation Agency for Crime and Security (IMPACS), as the entity responsible for collecting and collating Advance Passenger Information (API) data on behalf of the government. The JRCC coordinates with carriers and foreign law enforcement partners to prevent the entry or departure of individuals who are likely to pose a security risk. While the JRCC operates under the auspices of CARICOM IMPACS, the degree of its operational independence within the Cayman Islands' legal framework is not explicitly detailed in the available information.

I now turn my attention to the Immigration Act of Saint Lucia, which was amended in 2018. It empowers the Chief Immigration Officer, typically the Superintendent of Police, to oversee the implementation of immigration provisions, including those related to API. Their Act allows for the appointment of additional Immigration Officers as deemed necessary by the Cabinet. While the legislation outlines the powers and responsibilities of the Chief Immigration Officer, the extent of their independence is from political influence, but it is not explicitly specified in the available information.

9.17 p.m.

Lastly, Saint Maarten is in the process of developing its legislation for API and PNR data management. It has draft legislation that is currently being prepared. Once this is enacted, the law is expected to establish an oversight authority that will be responsible for managing API and PNR data to ensure compliance with security standards and also aid in facilitating international cooperation. Their draft is currently under review. I guess it is going to be made available, probably sometime.

My recommendation is that the Government should consider the establishment of independent oversight bodies, either at the level of the special select committee, or I think, there is the Parliamentary Oversight Committee on the Security Sector, which has never met since the commencement of this Twelfth Parliament, or the judiciary, which will aid in maintaining and auditing these entities to ensure transparency and prevent misuse.

Implementation and enforcement clarity: I recognise there is a gap where this particular area is concerned. The enforcement mechanism is quite vague. I am sorry that the Hon. Attorney-General is not here. It is unclear which agencies are responsible for ensuring compliance. My recommendation is that there should be a clearly defined agency role and established procedures for monitoring, enforcement, and redress.

Mr. Speaker, every time I get the opportunity to speak on Bills, I always make reference to public awareness and stakeholders. The Hon. Prime Minister, in his closing remarks regarding the first Bill we just concluded debating, said that a wide range of consultation was held. However, when I did my fact-checking, I recognised it was just a few entities, like the Maritime Administration Department, and I am trying to remember the other two areas – and I think the Civil Defence Commission was one such area. I did not see any private sector entity mentioned. Sometimes when we come to this National Assembly, we must come with the truth because I like to keep the Government in check.

The other recommendation I would like to make is public awareness and stakeholder engagement. Even though this Bill has been tabled for some months now, I am sure if we were to do a survey out there with our people, many of them would be unaware that we are passing such a Bill here this evening. We have no one else but ourselves to blame. As lawmakers, I think it is equally important, whether it is the Government or the Opposition...We have constituents. We have people who are out there looking for information, and

anything that we pass in this National Assembly will affect the lives of our people.

We have a duty and responsibility to ensure that we educate, inform, and sensitise our people. Not when an act is committed, then you would say to persons, you have been charged under section X of Y law. It is unfair to our people. Even though the Government has limited time remaining as the government in office, I trust that it can utilise its time wisely. Rather than using the Department of Information (DPI) and the National Communications Network (NCN) for other purposes, let us use these media to get positive information out there and to educate our people. I believe it is time that the Government engage in a transparent consultation process to gather – that is what they should have done from the beginning – input and build.... We talked about trust earlier this evening. However, if we are doing the wrong things, how do we expect to build trust? I trust that the Government would see the need to take some of these recommendations on board.

In conclusion, while the Advance Passenger Information and Passenger Name Record (API/PNR) Bill 2025 is a step in the right direction towards enhancing Guyana's border security, a truly robust and effective law must address the concerns and limitations outlined, as I shared earlier today. If the Government is genuinely committed to enacting impactful legislation that reflects international best practices and respects human rights, I urge that the identified gaps be addressed and that bipartisan consultation be pursued moving forward. With those few words being said, Mr. Speaker, this ends my presentation. Thank you very much, and may God continuously bless us all. *[Applause]*

Mr. Speaker: You too. Thank you very much, Hon. Minister...Hon. Member.

Ms. Ferguson: *[Inaudible]*

Mr. Speaker: I had a pause there. There is nothing wrong with me saying Hon. Minister to you because you were. Hon. Minister, Mr. Indar, you have the floor.

Mr. Indar: Thank you very much, Mr. Speaker. I want to thank you for allowing...

Mr. Speaker: Sorry, Minister. I think I skipped perhaps one of the more important persons. It was supposed to be the Hon. Member, Mr. Robeson Benn, the Minister of Home Affairs.

Mr. Indar: He could come after me since I am already at the podium.

Mr. Speaker: Go ahead, Hon. Minister Indar.

Mr. Indar: Thank you, Hon. Minister Benn. Mr. Speaker, I will restrict my comments to the aviation aspect to make sure that the points raised by the previous speakers, the Attorney-General and the Member of Parliament (MP), the Hon. Member, Ms. Annette Ferguson... My contribution would be strictly nine points. These points were raised by the Guyana Civil Aviation Authority (GCAA) with respect to this particular Bill. The Bill has wider-reaching implications, like security and so on, but I will concentrate my comments on the aviation sector.

The first thing I want to say is that the Bill, although it has specific provisions, is not in isolation from the other aviation global convention and apparatus that exist s globally and regionally. The first thing I want to talk about is that Guyana is a signatory to the Chicago Convention. We have some obligations under that Convention to develop and maintain a robust aviation security system in an effort to reduce threats, and to ensure preventative security measures are implemented to guard against unlawful acts and against any civil aviation apparatus, which includes Guyana. This Advance Passenger Information and Passenger Name Record Bill directly supports these obligations by providing the legal framework for early detection of security risk, screening of passenger information before boarding, and information sharing with security agencies as recommended under the ICAO Global Aviation Security Plan (GASep). The abbreviation ICAO means the International Civil Aviation Organisation, which is the umbrella organisation that Guyana is also a part of.

The second point is the alignment with international best practices supported by the International Air Transport Association (IATA). The provisions there ensure that Guyana's passenger data requirements are standardised, they are predictable, and they do not impose undue burdens on airlines. This Bill supports that. The API/PNR Bill supports the international standards supported and promulgated by IATA to ensure that the requirements for Guyana's passenger data are clear, consistent, easy for airlines to comply with, promote smooth airport operations, reduce airline confusion, and strengthen Guyana's reputation as a secure and internationally connected destination. The Bill does not impose any undue burden on airlines. It simply aligns Guyana with internationally accepted best practices.

The third point is this advance passenger information and passenger name record, what we call PNR and API, as referred to in the Bill. These systems enable authorities to

identify potential threats before arrival at any destination. They allow for proactive and intelligence-driven measures to strengthen aviation and border security in Guyana, the region, and the rest of the world. The API, which is the Advance Passenger Information, and the PNR, which is the Passenger Name Record, these systems that are part of this Bill, allow authorities to screen passengers before their arrival, identifying potential security threats early and preventing unlawful acts against civil aviation apparatus throughout the world. They support risk-based aviation security by helping Guyana meet ICAO's Annex 9 and Annex 17 obligations. We are a part of ICAO, as I mentioned, and Annex 9 and Annex 17 obligations are supported by this Bill. Without the API and PNRs' screening, authorities would be forced to react after threats arrive, increasing the risk to other passengers, aircraft, and national security at home, regionally, or abroad.

The fourth point is that the Advance Passenger Information and Passenger Name Record Bill complements the Civil Aviation Act of Guyana. The Guyana Civil Aviation Authority's National Civil Aviation Security Programme (NCASP), which we have in place, the Bill helps to strengthen it, in terms of all the passenger screening and ensuring that the aviation security measures that we have in place are intelligence-driven, and also internationally compliant. This Bill supports the ICAO standard, and the API/PNR Bill provides the data and screening tools necessary to support the objectives of the National Civil Aviation Security Programme of Guyana. It enhances the ability for risk management at airports.

The fifth point is the coordination between aviation authorities, or what we call the competent authorities, among countries or states. This Bill assists with that. Immigration authorities sometimes have operational collection of passenger information and data at borders. The Civil Aviation Authority of Guyana retains oversight of the aviation security standards under this National Civil Aviation Security Programme that we have in place currently, so that authorities can work together. These are also promulgated by ICAO standards and the obligations under the ICAO to have sharing of information between authorities.

The sixth point is the strengthening of regional collaboration through the Caribbean Community (CARICOM) Advance Passenger Information System by integrating it with Guyana's new system that is detailed in this Bill, so that there could be information sharing and collective risk management across member states. That is achieved in this

Bill as well. The CARICOM APIS enables real-time sharing of passenger information across the regional security agencies. It would strengthen Guyana's ability to detect cross-border threats and enhance collective aviation and border security across Member States in CARICOM. This Bill supports that effort as well.

9.32 p.m.

The seventh issue that the Civil Aviation Authority in Guyana picked up in support of the Bill is that it complements the Multilateral Air Services Agreement (MASA) by ensuring that while regional air travel is liberalised, security is strengthened through early passenger screening, which is a critical part of what this Bill helps us to do. It is early passenger screening, real-time information sharing, and it helps protect the integrity of the free movement of people and manage the risks within the CARICOM Member States. This Bill supports that effort as well.

The eighth point that I would like to bring to the floor is that the Bill promotes public confidence in the aviation sector, with the growth that we are seeing, and the strengthening of the security apparatus with early risk detection. The Advance Passenger Information and Passenger Name Record Bill builds on public trust and supports growth in the sector. Guyana is a tourist destination too, and that confidence is something that passengers will look forward to. The Bill supports it in terms of the international airlines and investors that are most likely to expand their services when a country meets the International Civil Aviation Organisation security standards. Once a country is a part of the ICAO apparatus and the security standards, it gives confidence to people coming into this market.

Finally, there is the obligation of aircraft operators to submit API – Advance Passenger Information – or Passenger Name Record data. The Bill makes it mandatory for aircraft operators to submit passenger and crew information before arrival or departure, ensuring that authorities can conduct security screening in advance to protect our borders and aviation system. This is an obligation, and this Bill aligns with the ICAO international standard and supports pre-emptive security measures without delaying legitimate travel. Mr. Speaker, this Bill fits neatly with our international convention requirements, and with ICAO's standards that they have put out and with which countries must comply.

Our Civil Aviation Authority has given this Bill a thumbs up because they feel and have seen the provisions of the Bill

meeting those standards, the annex, and the obligations under the conventions that we are signatory to regionally and globally, and they have advised me as Minister to support this Bill in the House fully. I ask my colleagues to support this Bill in the House fully. Thank you very much. *[Applause]*

Mr. Speaker: Thank you very much, Hon. Member, Minister Deodat Indar and now for the Hon. Minister of Home Affairs, Mr. Brindley Horatio Benn.

Mr. Benn: Thank you, Mr. Speaker and Hon. Members. Mr. Speaker and Hon. Members, the Advance Passenger Information and Passenger Name Record Bill 2025 is an arrangement legislation which was long in coming, given the fact that when we had the Cricket World Cup, we did have an Advance Passenger Information system in place designed for the protection of the event in itself. It suggested and identified for ourselves the necessity to make sure – given changes and risks in relation to civil aviation – that it would be wiser, with the advent of increasing challenges on the question of climate security, that well before people came to any territory – any country in the CARICOM region, and particularly Guyana – we would be able to know who is coming and filter and scrub the names against persons of interest, persons who may be on a watch list for various reasons, and be able to take the requisite action in relation to sequestering, taking care of, deflecting or refusing those persons as necessary in the interest of the security of our countries.

Of course, as was said before quite clearly, this comes along with the commitments in relation to the International Civil Aviation Organisation, and the International Air Transport Association's requirements in relation to civil aviation, both with respect to the passengers and with respect to the crew. It has echoes in relation to passengers who come in by boats, particularly for the Caribbean region, where there is a lot of tourist traffic, large cruise vessels, and so on, coming to those countries on a daily basis. For us, in many ways, at this time, while we are largely along the way towards digitalising, as we say, and towards having our Embarkation/Disembarkation Cards (ED Cards) being electronically activated, and that with the new e-passports which we are bringing into vogue, we are now more able to faster process and identify persons of interest and normal passengers in relation to making sure that the flow through the airport is faster, to ease passenger worries, stress, and energy after long flights. They would be able to come to the airports, and the seaports too, in the case of other territories, much faster.

I am happy that the Attorney-General was so clear and emphatic in relation to the requirements of the Bill, supported, too, by Minister Indar. I have to point out and thank Ms. Ferguson, Hon. Member on the other side, for finally coming around to a position on a Bill which she could support in this House. I would say that the questions in relation to the passenger name record and the other information are ensconced, too, in our relationship with CARICOM IMPACS and the Regional Security System (RSS). Even now, much information that we get in relation to persons of interest is pegged, is screened, is related to the other territories, because we have to give that information to IMPACS when it comes through CARICOM IMPACS, to scrub and identify for us to be able to take action where necessary.

The legislation is not much different, in spite of what Hon. Member Ferguson said, from the other territories. There are oversight mechanisms and arrangements in relation to it, and our engagements also go beyond issues with respect to CARICOM IMPACS and the Regional Security System and reach all the way to INTERPOL. The questions of the competent authority, which are contained in Part II of 'Administrative', are not really different from those which are present in other territories, and which are alias at the Crime Review Centre at CARICOM IMPACS. At 4, the requirement in a situation where a PIU is not established or operational, the competent authority shall process API and PNR data and should coordinate with IMPACS in carrying out an assessment of passengers, prior to their scheduled arrival and departure from Guyana to identify persons who require further examination by the competent authority, and also analyse API and PNR data for the purpose of updating or creating new criteria to be used in the screening process.

As was said, in establishing the PIU, the PIU shall consist of the following persons, and who are mostly related to the security ministry – the Ministry of Home Affairs in our case – an immigration officer of senior rank who shall be the head of the unit, a police officer, a customs officer, an excise officer, and a data protection officer, and such number of immigration officers and personnel as the Minister may determine. We have, of course, great interest in avoiding issues in relation to the prevention, detection, and investigation of issues of terrorism and serious crime, which are the principal issues in terms of the PIU. The results of the screening of the PIU have to be submitted to the law enforcement issues in collaboration with the competent authority and CARICOM IMPACS. This goes, as was said, for aircraft operators, vessel operators, passengers, and crew members.

The section continues in respect of the collaboration with the competent authority, sharing of information, liaising and collaborative exchange of information, and the updating of that information in respect of issues for data security, integrity, and making sure that the issues in terms of data protection, that the data is not inadvertently shared or lost or anything in relation to the functions of the persons related for ensuring that the data is protected from cyber or any other attacks or failures. In terms of the restrictions on the disclosure of data, the competent authority has to ensure that the data and documentation obtained or generated... is treated as confidential, and that such data and documentation is subject to non-disclosure obligations. There must be a personnel refrain from disclosing any confidential data or documentation, except as provided for by subsection (2). Which...

“...expressly authorised by an enactment or with the explicit consent of the parties involved.”

There are situations where the competent authority may disclose confidential data or documentation under the following circumstances– when required by law or a court order; when necessary to fulfil the purposes for which the data or documentation was collected, provided that such disclosure is in accordance with the Data Protection Act 2023, in our case, and when disclosure is required to safeguard national security, public safety, or the prevention, detection, investigation, or prosecution of serious crimes, including terrorist offenses. The Attorney-General did go through many of the specifics of the proposed legislation in some detail. I want to refer to some concerns Hon. Member Ferguson expressed.

9.47 p.m.

The question of implementation timelines will be identified clearly. I have to say that much of this are in the face of things in our relationship with Caribbean Community Implementing Agency for Crime and Security is present, that the Passenger Information Unit operational conditions, I just expressed those in terms of what the PIU is supposed to do, particularly in the case of the question of privacy. I do not think the system that we have and the people who we have working with us have anything to do as far as I know in relation to sharing any information of any person who may have recently been forced to come back to Guyana. We cannot speculate as to how the information came back. I know that there are a lot of people in the ports, in the United States of America who are Guyanese. In the wider scheme of things in today's social media landscape, the sharing of

information on *TikTok* and all other platforms is one which results in information going around fairly quickly, and perhaps not as originally intended.

I do not think I need to go into the questions of the porous areas and the question of enforcement. I think that even now, based on the requirement, as I said, for the embarkation/disembarkation (ED) card information to be shared *a priori* before a person leaves the jurisdiction, the country from where the person is leaving or even while he/she is at the airport, the information could be shared in the airport or on the plane, that some aspects, as I said of this requirement are already invoked. There is also the Joint Regional Communications Centre, which too is involved as a part of the Regional Security System and the CARICOM IMPACS in relating information to us in assuring our security in relation to persons who may want to come to Guyana in the first place through our border management system, for immigration services and also in relation to passenger manifest information which is shared again, *a priori* or during flight time before people arrive in Guyana.

With that, Mr. Speaker and Hon. Members, while the legislation is comprehensive, outlined and very highly detailed, I think the information in print and the explanations given in detail by the Hon. Attorney General and Minister of Legal Affairs stand to our best benefit in being able to move it to passage, so that we could have in place, in our national legislation what are indeed needed to improve issues of security against crime and violence in our country. Thank you, very much. [*Applause*]

Mr. Speaker: Thank you, very much, Minister of Home Affairs. Now for the Hon. Member, Mr. Ramjattan.

Mr. Ramjattan: Thank you, very much, Mr. Speaker. I want to, first of all, commend the Hon. Attorney General and Minister of Legal Affairs for bringing this Bill to the august Assembly. I think in the world that we are now living in, especially after 9/11, it is fundamental that the identities of those that travel, – whether it be by boat or cruise ship, airplane – the destination that they are going to, the people must know who are coming in. From a perspective that crime and security require collaboration at all levels – local, regional and international – it is at this modern time a fundamental that we get that collaborative architecture to help support the decrease in crime and the improvement of security that we get a Bill such as this coming here for support.

I want to commend my Colleague, Ms. Ferguson, for indicating certain concerns she has. I would like to tell her

too that, as the former Minister of Public Security, these concerns are minimal to the extent of the elaborate architecture here and the collaboration that we are going to get from, especially the sub-agencies of impacts, that is, the Implementation Agency for Crime and Security in the Caribbean. These sub-agencies that will help fundamentally to ensure that this sort of collaborative effort of knowing everybody, the identities and so much other things, so that we can shore up confidence that the persons coming, transiting or departing are people who we will not suffer risks from or if there are risks we are going to deal with those as the information comes.

The Regional Intelligence Committee (RIFC) and the Joint Regional Communications Centre help in that process. The architecture done here, as presented by the Hon. Attorney General and Minister of Legal Affairs, are consistent with the CARICOM and other states that have this legislation. This is to ensure that these sub-agencies act together – jointly and severally. We have an obligation in Guyana to give information to other countries, to RIFC, the JRCC and IMPACS as to who are leaving the country. This is to the extent of whether that person could be a person of some character, that one can do some checks when the person lands in Barbados and things such as that. We have certain obligations to ensure that we make this thing happen. For a greater security, we sometimes have to give a bit of our liberty because things cannot really work out security wise unless there is information going out; privacy sometimes being taken up; and, in a sense then, one's liberty can be proscribed in that minimalist way.

I believe that the right balance has been struck especially by the CARICOM Advanced Passenger Crew Information System. As a former minister, I would recall discussions within this aspect of the matter of how much are we going to give up for the sake of security. Quite frankly, when one is in an airplane, he/she wants to land safely and does not want any risky characters to be in there with him/her. If one does not know the risky characters, at least the RIFC, JRCC or IMPACS or even as provided for in this, the International Criminal Police Organisation to give you quick information. Sometimes, it is fundamental that we do give a little liberty to ensure a greater security. Of course, we live in a sort of a surveillance world. Everything we do, somehow someone is surveying us. Notwithstanding that, a lot of people may want to say that we should not be living in a surveillance world. For a safer world, in view of all the crime and insecurities that occur, we have to do these sorts of security apparatuses; we have to do these sorts of architectures in the laws so that we could have, of course, a safer world.

I am glad that there are certain provisions in the Bill which takes care of the sensitivities of privacy and so on. That is provided for in clause 12, as stated by earlier speakers. The risk assessment of passengers and crew before the scheduled arrival and departure from Guyana to identified persons who require further examinations, potential involvement and terrorist-related activities and serious crimes are what we are trying to block. When we do that, we must do it in a very sensitive way and that is why it is provided for in that same clause 12. It provides that the data should not be processed in a manner that reveals sensitive personal information of the person, such as race, political opinion or religious views.

I recall reading a number of articles in newspapers, international newspapers – *The Economist* and so on, whereby this religious view was a fundamental bias. A person with a Muslim name, a beard and all of that was being held, locked up... did not want him to travel. We should not be doing that, unless we have substantive evidence that is probative and not prejudicial because the man has a beard and his name is Kadir Khan or whatever. This clause is important for me. I want to also recognise that government departments and Ministers should not get the information because, of course, when they do get the information – information is power. Sometimes they like to get into these things to know what the specifics of that person are or the political opponent or dissident are and they misuse them. I can only recall one incident of my good friend, Mr. Patterson, being held up at the airport and not being allowed to travel and so on. Whatever that was, we are hoping that that incident does not reoccur because he is a political opposition.

In any event, as the Hon. Member, Mr. Benn, said that we are going to move the conversation and move on the development, let us move on from that. I want to commend the fact that we have a Bill that supports all the conventions provisions that we are obliged to attend to at the ICAO and the various other conventions and so on. This Bill, in my opinion, measures up to the standards of those and, to that extent, we now need a concrete infrastructure that is going to be on the physical side to ensure that these provisions are given teeth and that we will have professionals who are going to be manning and managing this Bill as it was, and that we do not have bias, politicised people who are going to do the things that will cause further distrust and the deficiency of confidence. I am hoping that we are going to ensure that happens and that we professionalise all these units – the Passenger Information Unit, the competent authority and somehow give them training, if they have not gotten as yet, that is required to make this Bill which will turn into an Act

upon the ascent of the President; a workable, operational and the best advantage to Guyanese; of course, CARICOM and the further international world. Thank you, very much. I give my full support to this Bill. [Applause]

10.02 p.m.

Mr. Speaker: Thank you, very much, Hon. Member Mr. Ramjattan. Hon Members, at the end of this Bill we will adjourn. Hon. Minister of Legal Affairs and Attorney General, Mr. Mohabir Anil Nandlall.

Mr. Nandlall (replying): Thank you, Mr. Speaker. I want to thank my Colleague, the Hon Minister of Home Affairs for his contribution. I want to thank the Hon. Member, Ms. Annette Ferguson and the Hon. Member, Mr. Khemraj Ramjattan, for their contributions and their staunch support that they have lent to this Bill. I am happy that neither of the two speakers on the opposite side were able to point to a singular provision in this Bill that they find objectionable in. I am particularly pleased that they were unable to point to any provision that even by implication they can point to as jeopardising the information of a personal nature that would be transmitted in the infrastructure that this Bill creates.

Mr. Ramjattan, in particular, has this tendency of accusing our Government of being invasive of having some type of streak that he calls *control-freakism*. I am happy that the Hon. Member has seen the commendable and distinct effort to insulate the information transmitted and transmissible under this Bill, and the regime of protection that occurred to that information. I am happy that the Hon. Member could have pointed to specific provisions that robustly protect that type of information from political interference and political access even governmental access. The portal that will be created here is going to be manned by the Chief Immigration Officer, the Immigration Department, customs and the other technical personnel involved in border security and processing activities. The information is going to be shared among those persons and with their counterparts in other countries as well as the central data base that is going to be manned by IMPACS and similar agencies. There is nowhere in the Bill for there to be a penetration of the confidentiality that cloaks the type of information that is transmitted.

There is a provision in the Bill that authorises a depersonalisation of information after the expiration of the six months period identified. The information would lose its personal character and only a person going into the data base would hardly know to whom that information relates, until a similar set of information comes back into the system. That

is a type of inbuilt mechanism that is in the system that is going to be created to ensure protection.

It would be seen that several references are made to data protection legislation and every country in the county in the Caribbean is required now to have data protection laws; we have passed ours in Guyana. Right across the region, this information in addition to the regime of protection in which this Act accords, there is also a regime of protection by law that is afforded under the data protection legislation across the region. That legislation will have to be activated and that is one of the main reasons why there has been a slow implementation of this Bill across the region, because not every Caribbean territory is up to speed with their data protection legislation. However, they are getting there and we will be there very shortly. As I said Sir, this is a regional Bill, so it is common throughout the region and it will be administered, enforced, implemented and executed regionally. All members of state of CARICOM are part of this initiative.

I heard from the Hon. Member, Ms. Annette Ferguson, about her concern regarding implementation of legislation. I am happy that the Hon. Member recognises that we are enacting legislation at a very fast pace. At least the Hon. Member recognises the volume of work that is being done on this side of the House; and no doubt the Hon. Member poke from her knowledge of the same lack of effort between 2015 to 2020. I could count on my fingers the number of Bills that were passed. This Bill and all the other Bills that are on the agenda could have been passed. They got into government in 2015 and it was already accepted that we discovered oil in commercial quantities. When we first made the announcement, as my brother the Hon. Member, Mr. Robeson Benn, pointed out, they said it was an election gimmick. Obviously, when they got in, they signed this agreement described as the most lopsided agreement in the world. They got a signing bonus; they stashed away; and they did not disclose it to the public. They moved into production, but they did not enact a single piece of legislation in relation to the sector – not one piece of legislation.

The Hon. Member, Ms. Annette Ferguson, when you complimented us earlier on the number of Bills, I think you were generous enough to identify the figure of 100, but we may have surpassed that. However, when you compare that to the five that you have passed in your five years, it is indeed a staggering accomplishment. I want to thank the Hon. Member for being objective and of being magnanimous. That aside, the point raised about

implementation is a valid one and I recognised that. I want to assure the House and to assure the public out there that we are working assiduously and feverishly to ensure that the implementation of these Bills is done as well. Right now, we are building out for example the infrastructure for the implementation of the data protection legislation and that is a massive undertaking. These things have to be done right across the region because when one starts to collect the data one is collecting data from the tip of Waini, the tip of the map to the bottom other end of the map – east, west, north and south. The infrastructure in place has to pick up that information, store it, resolve it and protect it in accordance with laws. A massive outlay of legislative infrastructure training, staffing details, *et cetera* have to be done. We are doing it but, as I said, it is a lot of work to be done. We are moving in that direction.

Mr. Ramjattan made a point that I want to respond to but I cannot remember what it is now. With those few remarks, I am happy that the Bill has received the unanimous support of the House and I commend the Bill for its passage. Thank you, very much, Mr. Speaker.

Mr. Speaker: Thank you, very much, Hon. Attorney General and Minister of Legal Affairs.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendment, read the third time and passed as printed.

ADJOURNMENT

BE IT RESOLVED:

“That the Assembly do now adjourn to Friday, 23rd May, 2025, at 10.00 am.”

Brigadier (Ret'd) Phillips: Mr. Speaker, I ask that we adjourn the Sitting of the House of Assembly to Friday 23rd May, 2025, at 10.00 am.

Mr. Speaker: Hon. Members, the House stands adjourned until 23rd May, 2025, at 10.00 a.m. Have a good night.

Adjourned accordingly at 10.17 p.m.