

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[Volume 7]

PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA.

207th Sitting

2:00 p.m.

Thursday, 1980-02-14

MEMBERS OF THE NATIONAL ASSEMBLY (63)

Speaker

Cde. Sase Narain, O.R., J.P., Speaker

Members of the Government – People's National Congress (46)

Prime Minister (1)

Cde. L.F.S. Burnham, O.E., S.C., M.P.,
Prime Minister

Deputy Prime Minister (1)

Cde. P. A. Reid, M.P.,
Deputy Prime Minister and Minister of
National Development

Senior Ministers (11)

Cde. H.D. Hoyte, S.C., M.P.,
Minister of Economic Development and Co-operatives

Cde. S.S. Naraine, A.A., M.P.,
Minister of Works and Transport

Cde. B. Ramsaroop, M.P.,
Minister of Parliamentary Affairs and Leader of the House

Cde. C. V. Mingo, M.P.,
Minister of Home Affairs

*Cde. H. Green, M.P.,
Minister of Health, housing and Labour

*Cde. H.O. Jack, M.P.,
Minister of Energy and Natural Resources

*Cde. F.E. Hope, M.P.,
Minister of Finance

*Cde. G. B. Kennard, C.C.H., M.P.,
Minister of Agriculture

*Cde. M. Shahabuddeen, C.C.H., S.C., M.P.,
Attorney General and Minister of Justice

*Cde. R.E. Jackson, M.P.,
Minister of Foreign Affairs

*Cde. J.A. Tyndall, A.A., M.P.,
Minister of Trade and Consumer Protection

(Absent – on leave)

*Non-elected Ministers

Ministers (2)

- Cde. O.E. Clarke, M.P.,
Minister – Regional
(East Berbice/Corentyne)
- Cde. C.A. Nascimento, M.P.,
Minister, Office of the Prime Minister

Ministers of State (10)

- Cde. F.U.A Carmichael, M.P.,
Minister of State – Regional (Rupununi)
- Cde. P. Duncan, J.P., M.P.,
Minister of State, – Regional (North West)
- Cde. K.B. Bancroft, J.P., M.P.,
Minister of State – Regional
(Mazaruni/Potaro)
- Cde. J.P. Chowritmootoo, J.P., M.P.,
Minister of State – Regional
(Essequibo Coast/West Demerara)
- Cde. J.R. Thomas, M.P.,
Minister of State, Ministry of Education,
Social Development and Culture
- Cde. R.H.O. Corbin, M.P.,
Minister of State for Youth and Sport,
Ministry of National Development
- Cde. S. Prashad, M.P.,
Minister of State - Regional
(East Demerara/West Coast Berbice)
- Cde. R.C. Van Sluytman, M.P.,
Minister of State,
Ministry of Agriculture
- *Cde. F.U.A. Campbell, M.P.,
Minister of State for Information,
Ministry of National Development
- *Cde. H. Rashid, M.P.,
Minister of State,
Office of the Prime Minister

Parliamentary Secretaries (6)

- Cde. M.M. Ackman, C.C.H., M.P.,
Parliamentary Secretary, Office of the
Prime Minister, and Government Chief Whip
- Cde. E.L. Ambrose, M.P.,
Parliamentary Secretary, Ministry of Agriculture
- Cde. M. Corrica, M.P.,
Parliamentary Secretary,
Ministry of Education, Social Development and Culture
- Cde. E.M. Bynoe, M.P.,
Parliamentary Secretary, Ministry of Trade and
Consumer Protection.
- Cde. C.E. Wright, J.P., M.P.,
Parliamentary Secretary, Ministry of Economic
Development and Co-operatives
- Cde. J.G. Ramson, M.P.,
Parliamentary Secretary,
Ministry of Works and Transport

Other Members (15)

Cde. W.G. Carrington, C.C.H., M.P.
Cde. S.M. Field-Ridley, M.P.
Cde. E.H.A. Fowler, M.P.
Cde. J. Gill, M.P.
Cde. W. Hussain, M.P.
Cde. K.M.E. Jonas, M.P.
Cde. A. Salim, M.P.
Cde. E.M. Stoby, J.P., M.P.
Cde. S.H. Sukhu, M.S., M.P.
Cde. H.A. Taylor, M.P.
Cde. H.B. Walcott, J.P., M.P.
Cde. L.E. Williams, M.P.
Cde. M. Zaheerruddeen, M.P.

Members of the Opposition (16)

(i) People's Progressive Party (14)

Leader of the Opposition (1)

Cde. C. Jagan, M.P.
Leader of the Opposition

Deputy Speaker (1)

Cde. Ram Karran, M.P.
Deputy Speaker

Other Members (12)

Cde. J. Jagan, M.P.
Cde. Reepu Daman Persaud, J.P., M.P., Opposition Chief Whip
Cde. Narbada Persaud, M.P.
Cde. C. Collymore, M.P.
Cde. S.F. Mohamed, M.P.
Cde. I. Basir, M.P.
Cde. C.C. Belgrave, M.P.
Cde. R. Ally, M.P.
Cde. Dalchand, J.P, M.P.
Cde. Dindayal, M.P.
Cde. H. Nokta, M.P.
Cde. P. Sukhai, M.P.

(ii) Liberator Party (2)

Mr. M.F. Singh, J.P., M.P.
Mr. M.A. Abraham, M.P.

OFFICERS

Clerk of the National Assembly – Cde. F.A. Narain, A.A.
Deputy Clerk of the National Assembly – Cde. M.B. Henry

PRAYERS

NATIONAL ASSEMBLY

2.05 p.m.

STATEMENT BY MINISTER

Broadcast of the Proceedings of the Assembly without the Speaker's Permission
The Minister of Parliamentary Affairs and Leader of the House (Cde. Ramsaroop):

Cde. Speaker, yesterday afternoon you asked me to investigate the position pertaining to the broadcast of the proceeding of yesterday's Sitting. You had indicated that you had learnt that the proceedings were being broadcast but no request had been made to you for permission to broadcast those proceedings.

Under your instructions I had the matter investigated. It appears that the management of the broadcasting station, the G.B.S. Broadcasting Station, felt that the broadcast of the debate, or at any rate the highlights thereof, would be a matter of considerable public interest. In the circumstances, the appropriate technical arrangements were put in train. Unfortunately, however, it escaped the attention of the particular officer in charge of the operation of that station that he had to seek your prior approval and permission. As a result, the broadcast was made without such approval and permission.

During the course of the broadcast it was brought to his attention that the broadcast has not been properly authorized and could conceivably constitute a breach of privilege. On learning of this, the station brought the broadcast to an end. I understand that the management of the relevant broadcasting station, G.B.S., has since written to you apologizing for this omission.

(The Leader of the Opposition) rose - -

The Speaker: There is no debate on that statement.

Cde. C. Jagan: I just want to know if in the future in this debate whether that procedure is continuing in view of the fact that I raised this matter yesterday.

The Speaker: Cde. Ramsaroop, I think I mentioned to you when you alerted me that you proposed making this statement that I had received a letter from the broadcasting station apologizing for the omission which definitely is a breach of privilege and seeking my permission for the broadcast to continue today.

I ruled that if the proceedings are to be broadcast that time should also be given to the Opposition based on the principle that we have been adopting all the time, that is, two-thirds time the Government, one-third for the Opposition. Permission is granted today for live broadcast on that basis. Assuming you are allocated 120 minutes, then the Opposition must be allocated 40 minutes.

PUBLIC BUSINESSBILL – SECOND AND THIRD READINGSCONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA BILL 1980

A Bill intituled:

“An Act to enact a new Constitution of the Co-operative Republic of Guyana, to repeal the Guyana Independence Act 1966, the Guyana Independence Order 1966, and the existing Constitution, and to provide for matters incidental thereto or connected therewith.” [The Prime Minister.]

The Speaker: Are there any further speakers?

Cde. Reepu Daman Persaud rose - -

The Speaker: Reply from the Government, if any. Is there any reply from the Government?

Cde. Reepu Daman Persaud rose - -

Cde. Ram Karran (The Deputy Speaker): I rise on a point of order.

The Speaker: On a point of order?

Cde. Ram Karran: I wish to raise the point of privilege relating to the privilege of a Member of this House. The Standing Order deal specifically with the matter in which a Member who offends any of the Rules of the House should be treated.

In the present case where the hon. Member is about to speak and on previous occasions, Your Honour has failed to observe the Standing Orders and has taken powers that seem to breach these Standing Orders, or powers greater than the Standing Orders. The Rule states that if a member behaves in any manner not acceptable to the House or to the Speaker, the Speaker shall take certain actions leading up to the Member being named. I am referring to Standing Order No. 41.

In this case, the hon. Member, besides attempting to make an apology as Your Honour requested some time ago, was prevented from doing so have risen on several occasions. In one instance the Parliamentary Minister had actually agreed to give way to the hon. Member but, as I said, he was not allowed to make the apology. Having made the apology, Your Honour is contravening this Standing Order by saying that his having stayed such a long period to make the apology, Your Honour proposes to leave some time to consider the apology. That, to my mind, is completely contrary to the Standing Orders by which we are governed and I wish to urge Your Honour to abide by the Standing Orders and to allow the hon. Member to speak. He has a right to speak. I cannot see how a hon. Member can take a Motion, can vote, and can participate in every other way in this House and is not allowed to speak. It is not in keeping of the Standing Orders of this House and I urge Your Honour to permit the hon. Member to speak. He has a right and a privilege.

The Speaker: Does any Member wish to speak? Cde. Belgrave.

Cde. Belgrave rose - -

Cde. Ram Karran: I beg to tender this Motion.

[Cde. C. Jagan: No confidence in the Speaker.]

[Motion passed to Deputy Clerk.]

Cde. Belgrave: Cde. Speaker, I felt coming into Parliament this afternoon. Taking into account the importance of this Bill before the House, that it would have been a duty for the voices of all those who are part of this honourable House to be heard. Seeing the position taken by you, Mr. Speaker, I am a bit worried.

The Speaker: Cde. Belgrave, please speak on the Bill.

Cde. Belgrave: With great dissatisfaction, I join this debate asking certain questions. The question was asked before by myself, and was asked by many members of the Opposition. The question posed by me: Is it that this Constitution, which is being dealt with in this Parliament this afternoon, will change the economic situation that exists in this country? Is it that this Constitution, which was accepted by the Constituent Assembly, being a proposal, as we have mentioned before, put forward by the People's National Congress before the Constituent Assembly, will change the economic chaos that exists in this country that affects the lives of our citizens? Will it remove the long lines from the various shopping centres? Will it bring harmony and respect to home of the working class people, qualities which undoubtedly have been eroded over a number of years?

Cde. Belgrave contd.

Will it remove the respect in the homes, disrespect shown by husbands for wives, disrespect shown by wives for husbands, and children for their parents? There is total disrespect also in this Chamber. Will this new Constitution remove us out of the economic crisis we are in?

2:15 p.m.

Cde. Speaker, when I speak, I reflect my thoughts back to a speech which I made in this Parliament on the 21st July, 1978. I was speaking in relation to the Bill that came before this Parliament in relation to the Constituent Assembly and I asked some questions which were not answered. But I thought for a moment that the questions went down into the minds of those who sit on the Government Benches. The question I posed is clear, that the rightist People's National Congress have taken complete control. The leftist elements, the few that are there are somewhat sidelined. As a matter of fact, I raised this point with the Prime Minister himself and expressed the thought that he being a leader of the trade union, that his attitudes and his behaviour would be in the interest of the working class and he would see to it, that any action carried out by his organization would be for the total benefit of the working class. I quote some historical points, I spoke of Caesar and his best friend, and I drew to his attention those points, because u recognized that he himself today seems to have become a prisoner in his own camp.

A Bill of this nature, Cde. Speaker, is a retrograde step against the working-class interest. What this Bill seeks to do at the moment is to maintain the position of a privileged few against the background of the suffering of the masses. When this Bill shall have been passed, the Prime Minister becomes Executive President, and all those who stand around him, maintain their offices with dignity. I know for a fact that forty new cars have been ordered, new Datsun cars, in the economic crisis, where constraints must be looked at, where we must attempt to pull ourselves up by our boots, according to the remarks of the Economic Minister. We are not using the old cars for this new parade that we are going to have shortly. We are having some new press-button Datsuns, with press-button wind-up windows, fancy lights, all against the background of the serious sufferings of the masses in this country.

The Constitution speaks do well. Article 22 speaks about the right to work. This article is not the thought of the P.N.C. The right to work is an article in the Chapter of the United Nations, a covenant which this Government signed. Every citizen of any country that signed that covenant is entitled to that right, but we are putting it in a Constitution. What happened prior to this document being shaped? The right of workers to work was taken by the P.N.C. Government, let us take the Sancho issue. A group of workers who belonged to a particular trade union took action for recognition in relation to that particular enterprise. That enterprise dismissed two. Hold on. They stand dismissed to this moment despite a trade union is waiting on the hon. Minister to table in this House an important Bill in relation to the recognition of trade unions. One year has been completed and this Bill has not yet been tabled. The right of those workers to work has been taken away completely. The right of the families of those workers to enjoy the amenities of life, to which they are entitled, has been taken away. It was not taken away in

colonial times; it was not taken away in time of the P.P.P in office; it has been taken away in the time when the P.N.C. holds office.

What about the workers of the National Restaurant. The Minister himself paid visits, I remember at one time he said: let the workers picket, let the workers carry out their exercises, their constitutional right. Those women, mothers of sons and daughters, who were totally dismissed from that restaurant, until this day, stand dismissed. The recognition Bill has not yet reached this Parliament for discussion and debate.

Quite recently, some workers decided in the interest of their bauxite brothers at Linden to take some action to give them moral support in their case. The Linden workers finally won, which showed that they were on the right course from the initial stage. It was not the union that won it for them. The resolute stand of the workers win that fight at Linden. And some two-gun tooting individual, I understand, like skip-along Seymour in a Hollywood cinema, directed that those workers of the particular concern be dismissed forthwith. The T.U.C. is still fighting a battle for the right of those workers to work. *[Interruption.]* “Who cap fits let them draw the string.” Who wears “two-gun” in here? *[Interruption.]*

That is an important ingredient to understand. The Government signed the covenant of the United Nations, to give the workers the right to work; the Government says it respects the United Nations as the highest forum but over this period of time, the Government failed to respect the right of the workers to be employed in certain concerns when workers took action in relation to things which they said are inimical to their interests. How can one respect article 22 of this Constitution and feel that the Government will honour it when it comes into being as a law? We have always been saying in this House that the P.N.C. has absolutely no respect for the working-class.

I would have thought, as my colleagues would have thought, that discussions of this nature would not have reached this House at the moment. A Constitution of this nature is very ticklish. One would have thought the Government would have sought a debate to pass it today, then taken some time before taking it back in some way to citizens, so they themselves could have a look at it. Not because you are in a high order, you may be a legal brain, you know all in respect of all that is in the working people’s lives.

Cde. Belgrave contd.

2.25 p.m.

We thought for a moment that this Constitution would have been passed back to the trade unions to have a look at it. Not because the trade union leaders sit here in this Assembly, they share the views of all the various trade unions in this country. Cde. Speaker, it is this Government that is calling for production and productivity. It is this Government that is using the whip on the workers' backs, that they must produce more for the development of Guyana. These are Articles entrenched in this Constitution, they have the right to be involved and to have a say, yet, the Government is rushing through to catch the 23rd February for the big masquerade, so as to give the world the opinion that all is well in Guyana. Hundreds of thousands, maybe millions of dollars will be wasted for a big to-do in Guyana, according to my blue-shirted comrade – fanfare ad masquerade.

What about the \$14 per day for the working class? Why could this money be not involved in finding ways and means to get the workers out of predicament they are in. they are spending more than they earn in some way. *[Interruption.]* Imagine you saying my leader said not a cent more. You are saying not a half cent more, because many Members of this House, the Finance Minister, the Economic Minister, the Prime Minister, expressed concern that in 1979 the workers would get as a package deal, \$14 per day. It took away the right of every trade union in this country to bargain as from 1976 for increased wages for workers. My union, of which I am an executive member, was called upon to freeze any thought of putting forward a memorandum for the increase of wages of all workers because, it was said, the T.U.C. had favourably bargained with the Government for a progressive increase, 1977, 1978, and 1979, from \$8.40 to \$11.00 on to \$14.00.

Today, the workers stand insecure within the various working concerns only to hear the Prime Minister say that only technical personnel, skilled personnel will be entitled to increases, the workers will have to slave harder to get an incentive. Do you know how much some of my brother workers got as an incentive for January, 1980? Let me inform this honourable House - \$2.40. Check it out with Guystac, to show that they produced and perished. A sum of \$2.40 in the month of January was paid to some workers, it is said, for their quality of work. The industry, I know, has undoubtedly made a handsome profit.

Cde. Speaker, there is no doubt about the fact that our people in this country are suffering. Why do we talk about Constitution now? Why not go down to the root of the suffering. It is not the Constitution that is the root of the suffering. The square pegs placed in round holes are responsible for the suffering, the rightist elements among the managers are responsible for the suffering, for the Constitution itself it says clearly about free enterprise, it speaks about the capitalist elements which will continue to rob the workers out of their rights in this country. It has a place in the society, the capitalist-run co-operatives, through which they are exploiting their workers. You are not looking at the co-operatives you formed. They have big international crooks and bandits at their heads. I understand Greenland has now become some

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other consortium so the name is not mentioned anymore. It is tied up in another consortium, so you cannot label him. You can't label the man green.

2:35 p.m.

What must be recognized at this point in time in our history is that the P.N.C. is not attempting to solve the crisis in our country.

What they are attempting to do is to escalate the situation some more. To my mind. Why? This is because, as I mentioned in my speech of the 21st July, 1978, the P.N.C. itself is turning to the right. It is controlled by the rightists in the organization; so as to ensure that their self interest is protected, they are forcing the organization to the right and all those who are leftist are either shot in the dark or physically lamed, rushed out for a little medical assistance here and there and back into Guyana to prop up the rightist position in Guyana, the petty bourgeoisie clique. Rushed out quickly by plane, rushed out for a little bit of medical attention in the night so that nobody can know, sneaked out like a thief in the night and then brought back into the country after they were physically lamed by the rightist elements in the P.N.C.

It is vitally important for us to understand in this turn of our history. I sounded that warning in 1978. I sound it again. No one will escape the wrath of the people in their final move. Cde. Speaker, you sat as the Chairman in this Constituent Assembly. You adjudicate on this Bill as a Speaker. You are supposed to be holding the scales evenly. But whenever the people are on the move, in any retrograde step against their development they will see you, Cde. Speaker, as their enemy too, because you were part and parcel of that Assembly which sat and drafted these atrocious laws to entrench some rightist elements in power for their own self interest. So the warning is not only sounded for those who sit there. The warning is sounded, Cde. Speaker, with all due respect to your honourable seat which you hold at the moment.

Cde. Speaker we move to the next article which speaks about the rights to leisure. Which one in this country, workers I am talking about – not the privileged few who end up at the Prime Minister's residence to play their lawn tennis in the afternoon, I am not talking about that group, I am speaking about the working class – can talk about this right to leisure. Does it exist? You put it in the Constitution. You have been talking about healthy minds make good workers. Exercise is good. I can remember when my good comrade over there was responsible, she had a lot of lectures about how workers must sneeze. It is that that talk is forgotten. The workers knock off at 4 in the afternoon and he gets home at 7 and you talk about the talk about the right to leisure. At 4 o'clock he is dismissed from work; at 7 o'clock he has not reached his home as yet because of the ugly state of transportation in this country, that nobody is looking into. I think Ramson holds office now.

Nobody is looking into the interests of the working class. If you are not looking into it now, then you are going to look into it when you are finished with the Constitution? When you are finished with this Constitution, the law will be so heavy you will be having the protection of the army and the police force, the military and the para military forces. You will be having the hand of a dictatorship when this Constitution is passed. If the situation is much more liberal now, and you are looking into the rights and interests of the people, you are going to look into them then? Rights written in a chapter and article in this Constitution are for window dressing. When the poor working-class people get home, they are so tired and hungry, no stage is set for that right, that opportunity for him to take part in the physical exercises. Sometimes he skips his meal to rest. And they talk about the right to leisure. Somebody gave them an idea to build some rest home for workers. By the time the worker would have reached that rest home, he would be close to Le Repentir or any other cemetery. [Interruption.] You are wasting time. By the time he would have reached that rest home that is to be built by the P.N.C., maybe in 1992 if it survives

that long, if it survives longer than this year, and it uses its dictatorship to give it the power to outlaw originations and lock up the progressives - - /Interruption./ Maybe, who knows, I might be earmarked after the Constitution. I might be making my last good speech in this House. /Interruption./ Of course, I am progressive. I am much more progressive than any one of you who sit on that Bench. There is absolutely no doubt about it. You know why? Because I started orientation in the days of my youth. I did not wait for orientation in my age. I started my orientation when I was a young man and this gives me the right to speak as a progressive. Am I right, Campbell? You know I am right. Yes, he was at the Mirror. He knows I am right.

The point is that you cannot speak about the right to leisure when you would not have laid the stage in the past for that. Would the people have leisure when the Constitution is finished? What time will it reach the people? It would not have reached the people because you have not laid your foundation. As I have said before, and my other comrades have said, this Constitution is only used as a window dressing to entrench others in power for their own personal aggrandisement.

They talk in the next article about the old people, old age, medical facilities, medical care. Shame! For this Government in power to be writing articles in this Constitution of this nature when we see day after day the old people are left uncared for in this society. Imagine, old age pension is still \$15 per month. Do you know how many old people have not tasted one ounce of cheese for about five or ten years? Social assistance, \$6.50 per month. You could not have seen fit to increase the assistance to the old people at that time, the destitute and all those who need to have the assistance. You have not seen it fit but now you recognize in the Constitution you are writing that the assistance is going to come speedily. By the time the assistance comes, according to your talk in Constitution, the much needed help for those old people will not be necessary because they would have all died out. What they will be needing will be assistance with funeral benefits. It is the P.N.C. that has been uttering in this honourable House and to the nation that it is building a new fantastic hospital for the benefit of the people. The eyesores we have, it is going to pull down in Georgetown and in Berbice. The money has been collected in national bingo. As a matter of fact, the Government becomes this legal gambler.

The Speaker: Two minutes more.

Cde. Belgrave: I will try to wind up in two minutes. The Government becomes the legal gamblers in this country – bingo and lottery. All the other gamblers have been outlawed. The legal gamblers are building a new hospital. Up to now, Cousin Hammie can only reach to casualty area. [Interruption.]

The Speaker: just a minute, Cde. Belgrave. Please let us have some order in the Public Gallery. If not, I will have to ask you to leave.

Cde. Belgrave: Cde. Speaker, I will have to ask for one minute. I had to stop for one minute. Cousin Hammie is right. I might end up in the casualty ward. But the point that I am putting over is that up to now they are waiting until this Constitution to think of medical care. What about the right that existed in this society over a number of years to take care of the sick. You go into the public hospital – Hammie doesn't visit; he goes only by the kitchen; he does not go further - and that hospital is in a state. A man got his leg broken; he went to the hospital for a broken leg; he is there for nearly three weeks and all he gets is vitamin tablets. He had not been attended to when I saw him three days ago. You are talking in your Constitution about the medical care you are going to give people. By the time the Constitution arrives, you will rest assured that this society may have passed on and maybe the new society will emerge.

As I wind up, I urge all those who understand my logic, and I know this too, the leftist elements in the P.N.C., that it is not too late for them to take their stand. Take it now for as I mentioned before, those boys are closing in on them and, brother man, do not doubt it, not only Belgrave will be destroyed, but they will be destroyed as was Mr. "T". [Interruption.]

The Speaker: Cde. Ally.

Cde. Ally: Cde. Speaker, I would like to just make a few points on this Draft Constitution which the P.N.C. does not have the mandate to draft. The P.N.C.'s justice means trying to seize more power from the people without the consent of the people.

I notice on page 37, the National Congress on Local Democratic Organs. This is just changing the name from local authority to Local Democratic Organ. This is something which I noticed. From GALA, it will be NCLDO. Only one thing is missing here. Some people on the Corentyne who have seen this say that the "P" should have been placed in the front, which means People's National Congress Local Democratic Organ. And this is true. Today, all the local authorities are all a set of nominated people, throughout the length and breadth of this country, from since 1970, with the fraudulent, so-called local government elections. Then, they had the Elections Commission which had the jurisdiction over the elections of the local government bodies. Today, the P.N.C. is seeking to take away that through this Constitution, deny the people that right, and if, then, the P.N.C. had the opportunity of doing what it did in 1970, let us just imagine what would be the position now under this new Constitution.

The Government is talking, the Prime Minister himself is shouting all over the place "produce or perish". The people who fall under these local authority areas today are catching hell because everything remains as it was. Where maintenance work is concerned the Minister of Agriculture knows that drainage and irrigation systems are not being maintained today. As a result, there are frequent droughts and floods all over the place. How are the people going to produce? When the people are making every effort to do so, the local authorities have not got the interest of the people at heart because the councilors of the type we have, are not involved in the field of agriculture. They are no involved in anything, whatever the case may be, so that they could have the necessary interest of the area.

Today, trenches used for drainage and irrigation, as I have said before, are there not cleaned. Many of them need redigging. As a result of that, even the punt carrying the irrigation pumps to pump the water cannot get into the field. The trenches are all silted up and some of them are clogged up with weeds and grass and what not. The people need efficient drainage but they cannot get it. As a result of that, crops fail; the agricultural machines, such as the harvester, the combine, cannot get into the field because the fields have mud. Right now, there are people who have their crops in the field in the Block III area and they are ready to harvest but the dams are still there ungraded. I would like to say that the people are ready to harvest but while the Cde. Prime Minister is calling for production, the local authorities are doing everything possible to destroy the people's crops. Now, the people want to use the dams, the bridges are in disrepair, people are trying to get their machines across, they cannot. I would like to say not only the trenches, dams and bridges but the kokers and koker boxes are today in disrepair. Cde. Speaker, I think our Prime Minister has the right to talk, because he is one of them - -

The Speaker: Cde. Ally, would you please proceed with the Constitution.

Cde. Ally: It is the Constitution I am dealing with. The Cde. Prime Minister in 1970, while I was campaigning for the local government elections in the Cumberland area, also was campaigning in that area. He came to me and said, "Roshan, why are you wasting time? You follow a stupid man like Jagan? You do not have more than three seats to get here whether you

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campaign or not. Three seats, and those were what we got, so he counted the votes before they were cast. This is the type of Government we have and so one can just imagine.

Cde. Ally contd.

2:55 p.m

I would like to say that the people today are saying that they are producing and perishing, and this is so. Let me touch on this other one here. On page 23, article 15(2), Government will put an end to exploitation of man by man. Who is the biggest exploiter today in Guyana? The Government. When will we put an end to that? Let us look into some of these things, for instance, pure water. People are suffering all over this country for potable water. They cannot get it but they will have to pay the rates. They are compelled to pay the rates. Irrigation water. The pumps are broken down, the people cannot get water but they will have to pay irrigation rates, otherwise, otherwise they will be taken to court. These are exorbitant taxes on consumer goods, taxes all over the place, people cannot eat today, they are starving because they cannot afford P.N.C. cards and bribes to get employment. If you haven't got a card, you cannot get employment. Even essential food items. You have to produce this card or you will have to give the necessary bribe before you get it. There are great shortages today in this country.

The Speaker: Cde. Roshan Ally, now that you have had ten minutes talking all manner of irrelevancies, will you come to the Constitution. I have given you a fair opportunity of speaking. If you have to continue on that matter, then I will not permit you to continue.

Cde. Ally: Cde. Speaker, I was talking about exploitation and they are all examples of exploitation. Anyway I would like to move on a little further. Page 33, article 59, Elections, "...Every person may vote at an election if he is of the age of eighteen years or upwards . . ." This is another thing. I just made mention of the local government elections and I know personally, even if I was placed in the lock-up because, of this, you cannot talk for your rights. Although it is here, it sounds very nice in the Constitution but in practice, what do we have. Many thousands of people turn up at the polling stations to vote and they are told, "you have already been voted for. Go home." And you are having other people casting four or five votes. How are you going to talk about people having the right to vote when they have been denied the right to vote by this present type of administration? And if this is the very type of administration for the elections that we are going to have, so as to place an Executive President in this country, one can just imagine what will be the situation.

I know that these things are worrying the people, the way the P.N.C. is behaving and drafting a Constitution. The hon. Member Mr. Feilden Singh said yesterday that we should be ashamed to be here and he said we should walk out of here. I would like to inform this House that the P.P.P. is not like that. If the people did not give the mandate to draft this, the P.P.P. would participate in this. The P.P.P. is representing at least 60 to 70 percent of the Guyana population today and if the people say they are not giving you permission to do this, they are working along with the present Constitution, the P.P.P. could not participate in the Constituent Assembly. We are not working contrary to the people's wish. We are working along with the people, consulting the people before we do something. The hon. Member yesterday was making a lot of noise that we should get out of here and what not. As a result of that, I noticed that the Chronicle stated this morning that, "P.P.P. ends boycott." But they did not say what sort of

boycott, what we are boycotting. We have a right to be here in Parliament and we are here in Parliament. Are we boycotting anything? I don't know what it is. I would like to say we are here and what we are here for, we are doing, exactly what the people want us to do. The people were not in agreement with this Constitution, the people gave us the mandate to say what was wrong in this Constitution and what is right and that is what we are doing here right now.

I would like also to make mention of one last thing before I take my seat and that is this. The P.P.P. is here, the P.P.P. is looking into the interest of the people and we are talking exactly what is going on in this country. We are in the field, we know what hardships the people are faced with, and we took this thing to the people. We did not leave it with ourselves. You handed it to us and we did not keep it to ourselves. The people are not in favour of most of these things save and except what they had before. Even that in which they had experience in this country, they are not in favour of even seeing the P.N.C. around this country much less in the House.

The Speaker: Cde. Ram Karran.

Cde. Ram Karran: Your Honour, our contention on this measure before the House is consistent and principled. Time has revealed very clearly that our position is correct. We assured the Guyanese people that the P.N.C. wanted to do two things by this measure, first it wanted to extend the life of the Government, it wanted to extend the life of this dead Parliament and to continue in office, secondly, it wanted to extend its hold on the Guyanese people, to have more power, to have power to get a grip so as to avoid having to hold elections under the current Constitution because it was so badly exposed in 1968 and again so shamelessly exposed in 1973. All that has come to pass. Because of this situation it must strengthen its position because as everyone knows the P.N.C. cannot face an election. My friends have pointed out very eloquently they cannot even face a local government elections. Even in the trade union movement they have raped democracy and some of the unions affiliated to that body do not hold elections so they cannot deny that the P.N.C. is a past master at cheating. It cannot play according to the rules, like little boys playing bat and ball, when you hit their wicket they either run away or put up a fight. It is tragic.

It is a tragic situation for our country and our countrymen. What they have done by strong-armed action in the past, by manipulation, they now seek to do by law and that is why this document has been presented to us. It proposes to do legally what it failed to continue to do manipulatively and administratively. This Government, this organization, which claims to be the "paramount" organization, has brought this country to a sorry state even though it blames all the ills that beset our society on external reasons. Take for example a big hullabaloo in the newspapers about criminals. Every criminal, who has been shot down, has been attacking some policeman. That has been extended to their disillusioned supporters who have turned away from them in case of Ohini, and their ambitious supporters like Teekah. We don't know who next. In bright daylight these things happen and they continue and all a policeman has to do is to shoot somebody and say he had a cutlass.

But we are not to discuss and debate these matters. This is not the forum for it. One would expect that the courts that are provided by the existing Constitution should be able to do these things. The Government seeks to silence the Catholic Standard, the Mirror and the newspapers opposed to its rascality. They try the courts to see if they will stop it but they are not

certain that the courts will continue to stop these things. After all, many of these people who have to dispense justice must remember the case of Thomas à Becket and Cardinal Wolsey. Those who, even though they are puppets, sometimes try to stand on their feet, and because they are not certain of their feeling, I do not think I should use the word loyalty, I know many of them are many of those who had to dispense justice. But all cannot flee. Some will have to stay and they can't take the criticisms from the people, some of them will try to stand up but the P.N.C. is not sure of these things and that is why it has brought all these matters in the Constitution. Certain things cannot go to court. The future President of Guyana can do anything, you can't take him to court. But it cannot go on. It will have to come to an end and I think the end is not very near.

They say those whom the gods will destroy they first make mad. What we see here, this piece of madness, cannot continue, cannot go on. We recall that in 1968, the hon. Prime Minister, "Doctor" Burnham, he was not "Doctor" then, he said: "I can't work with D'Aguiar, that right wing, I want to have the majority", and so he took a majority. The people did not - -

The Speaker: Cde. Ram Karran, will you stop a minute, please.

Cde. Ramsaroop, may I pass this note on to you so I could be advised what the position is. Please take this note. This matter was raised yesterday and I said I was going to cause an investigation to be made. I am not going to do that today. I will have to get an answer now or I will suspend for ten minutes until it is clarified.

Cde. Ramsaroop: Cde. Speaker, could you permit me a few minutes to have a word with my colleagues on this matter.

The Speaker: the Sitting is suspended for ten minutes.

Sitting suspended at 3.05 p.m.

3:10 p.m.

On resumption - -

The Speaker: Dr. Jagan, I understand this matter is rectified.

Cde. Ram Karran: I was saying that in 1968, the P.N.C. found it impossible to operate without a majority and so Peter D’Aguiar was rejected. The P.N.C. took its majority and as a result of its ineptitude, as a result of its incompetence, things continue to go the way they have always gone with this Government – to deteriorate.

Then my friends found another solution or another suggestion and they declared that “we cannot operate unless we have a two-thirds majority.” In 1973, they took the two-thirds majority with a massive rigging where the dead voted, the unborn voted. So much fraud was committed with the loss of two lives at No. 63 - - [Interruption.] The Houston by-election has been explained. Do you remember the case, sir, where a man went u to the strong man of the P.N.C. in 1973, “Chief, you know how hard I work for P.N.C. to get this election.” And the answer was “Man, I rig um. You ent do no work. I rig um.” That is a shameless approach to massive fraud, theft of ballot boxes.

I recall as one of the candidates in the areas when I came at the compound there to examine the ballot boxes, they were without locks. The locks were torn off, the seals that were put in by myself and other polling agents were destroyed. And these people have the shameless face to come here and talk about a new Constitution. Having failed again after 1973, they come now and they say they want a new Constitution. A new gimmick. But this is the last trick that the con men have to put over on the Guyanese people. The last trick. New Constitution. What does the new Constitution mean to do?

The hon. Attorney General has dealt with superficially with the paper. On April Fool’s day in 1978, they published a Bill that they want a referendum, a referendum to end all referendums as is required under the 1966 Constitution. Not only to end all referendums, but also to take away from the people the right which they have under the Constitution, that is, the right to free elections which has been the stumbling block for this administration ever since it came into office in 1964.

These things were done by the referendum, despite a massive protest by all sections of Guyanese people including lawyers, excepting, of course, the three lawyers engaged here, the three blind mice, and a few others outside who see nothing wrong in this fraud against the Guyanese people. They say this referendum related to the establishment and composition of Parliament. The critics dare not interfere with it. The whole electoral system was affected, the Elections Commission and election petitions. We saw what happened in previous cases. These articles, the amendment of which required a majority in this House and a majority of the electorate - - [Interruption.] The bogus referendum which I referred to had between seven and 13 percent of misguided, coerced and recycling supporters. You know it was monitored all over the country where Hammy did not go and terrorise the people; polling agents were there.

The Speaker: Cde. Ram Karran, you were not addressing me just now.

Cde. Ram Karran: My friend, the Minister of Labour, chased them out of the polling stations. What was declared instead? Not seven or thirteen percent. Seventy-five percent. I do not know what kind of blinkers they had on. Seven percent of the people voted and 98 percent were cast in favour of the P.N.C. I have the West Indian World. That is how they treated our Prime Minister. We ought to show some concern. “Kicks for Burnham and Kisses for Bishop.” That is how the world looks at it. And each of us is affected by this. They say 75 percent of the people voted and 98 percent voted for them. Another massive rigging and the product of that, the end result of that, we are debating here and everything has come true to form. The Constitution has been rigged so terribly that the rights which were enjoyed in the old Constitution, the 1966 Constitution, have been seriously abridged.

Talking about that, it will mean that the P.N.C. will prolong its carcass, cadaver, for a little while more, but the Guyanese people are not going to stand for it. They have changed everything in the Constitution which sought to prevent them from doing what they are doing. They are doing exactly what the current Constitution wanted to prevent them from doing and all this, as I said, is in spite of massive opposition which they faced.

The spokesman for the P.N.C. on this forum now turned socialist, I heard him using the term “socialist” so often, of course, he made sure that the Constitution provided for inheritance and property. One can understand that because that is the philosophy of the P.N.C. which shuts “socialism”. You know, sir, it is said that: “guinea bird na halla when she ah lay.” They are talking about socialism but they made sure about inheritance. That is why they talk about socialism. Who has inheritance? Only the followers of the P.N.C. have money to leave and property to leave. The rest of the Guyanese people will be destitute in no time. They will not have food to eat at the rate at which we are going.

My friend dealt with the need for a new Constitution. He said he dealt with the criticisms aimed at it but he has failed. He has failed hopelessly because he has astutely skirted around the criticisms which were made by all the people between referendum time and the present time. He does not say, sir, except that it is made in England, that is all he says is wrong with the Constitution although Mr. Singh said that it was made by Sonny Ramphal.

I want to ask the hon. Member Mr. Singh what is the difference. He accused us of not going to that circus. What is the difference between the 1966 Constitution and the Draft prepared by Ramsahoye in so far as the fundamental rights are concerned. The simple answer to Mr. Singh – and, sir, Mr. Singh has no credibility in this House as a Liberator member masquerading as a U.F. - -

3:20 p.m.

The Chairman: Cde. Ram Karran, you cannot attack a Member in the House. You talked just now about privileges.

Cde. Ram Karran: Ask him why he called me the day he decided to come in the House, The hon. the Attorney General has said that Guyana is littered with Constitutions. It is true. We all know that there have been so many Constitutions in Guyana but what he did not tell us was how vigorously Forbes Webber, whose name the Prime Minister sports at the moment, how he and his team fought against the removal of the 1891 Constitution in favour of the 1928 Constitution suggested by Winston Snell. He should have told us that. It was a new Constitution, but they resisted it and they must be sitting up in their graves, not turning, to see that people with their own name, Guyanese at that - - And they were fighting at the most difficult time in the colonial history when Britain was master of the seas and her empire extended throughout the world. That mighty force they fought against, they failed, of course, but now we have Muzorewas, whose navel strings are buried right here, doing worse than those whose name we sport. And they claim they are like Forbes Webber and those who went before. This is history repeating itself where we are rejecting something that is better, and there is no doubt that the 1891 Constitution was superior to the Constitution of 1928. My friend, the constitutional rigger cannot deny that. I use “rigger” in the sense of a trade, the riggers on the ships, cannot deny that that was an improvement; people who sing the sails.

The Guyanese people have spoken very eloquently at the referendum and in spite of that expression we are doing here what they have expressly forbade us to do. The Constitution is also littered with plagiarism. We have had considerable experience under the Dutch. We must have imbibed some of their culture or some of their systems. We have had considerable experience in 150 years under the British and we must have imbibed something from them, their traditions, their language, at least, we have, but our friends, the constitution makers, in fact, the hon. Attorney General, notwithstanding that, notwithstanding the national ethos we were talking about at the commencement of this exercise, flings us a French letter and “this comes from the French Constitution”.

It is a shame, isn't it? The Guyanese people said that they are not prepared, like Esau, for a mess of pottage to give away their birthright, but my friends on the opposite side are making sure that this birthright is taken away and they are given what instead? A monstrosity. It is not worth the paper on which it is written. This House should respect the views of the people. This House cannot talk of socialism, it cannot talk of rights which are enshrined only on the sea wall at Turkeyen, they must be enshrined in here. My friend at Attorney General tells us that these things that are written in the Preamble are there but the law as it will affect us is written in the Schedule.

And talking about that, he has confirmed very clearly that the right to work, the right to all these things, are merely Preamble. And that reminds me, Your Honour, that you have often refused to allow preambles to Motions submitted by Members of this House. I want to draw to Your Honour's attention, perhaps, the Chairman of the Constituent Assembly was not aware of

the Rulings of His Honour and Speaker and I draw your attention to this preamble with a view to Your Honour making a Ruling in keeping with those Rulings you have made in the past - -

The Speaker: I also wish to draw to your attention that you have three minutes more.

Cde. Ram Karran: The British overloads would not dare to do something like what they are doing. Let me recall. Our friends on the opposite side had, when this matter was raised, resurrected Bishop Ifill, how the Legislature at that time in 1961 did not invite public participation in this exercise. They have made a lot of excursions, some people call it streaking, throughout the country soliciting views from people. Am I to understand that what we see here are the views of the people? Surely not. What we have here is a naked P.N.C. draft and they have only been fooling the people as they always do.

I happen to belong to an organisation and I warned them in the T.U.C. I said, “You all are only making yourselves a fool. Burnham is going to fool you.” They didn’t take my advice. The Prime Minister said at the outset, “Oh, we are going to consult with the churches, we are going to consult with the T.U.C., we are going to consult with G.A.L.A., and we are going to bring all those organizations in the Parliament.” But they didn’t get that. The T.U.C. didn’t get that. They made sure that they get loyal puppets. GALA is the only organization which, I understand, under this Constitution will be given seats in Parliament.

The situation is that this excursion that went around the country soliciting people’s views was wasting time, particularly between the period of July 1978 and June 1979 when it did nothing. All was done in keeping with the P.N.C. tradition of making an excuse while it sat fiddling like Nero to give it an excuse at this time for the Constitution to be promulgated. That is all. Where are the views of these thousands of people who appeared before them in Lethem, and all over the country. They are not here. What we have is a naked P.N.C. Constitution draft.

3:30 p.m.

Cde. C. Jagan: I beg to move that the hon. Member be allowed another 15 minutes to continue his speech.

Cde. N. Persaud seconded.

Question put, and negatived.

The Speaker: Any other speaker?

Cde. Ram Karran rose.

The Speaker: No extension. Any reply from the Government Benches?

The Prime Minister: Cde. Speaker, what a planned discussing was a new Constitution for Guyana. However, this seems to have been misunderstood in some quarters and a number of vulgarities and vulgarisms were introduced. In spite of that, I shall attempt to deal with the Bill before the House and the Schedule thereto. It is not often that I agree with the hon. and learned Friend Mr. Singh but on this occasion I am forced to. There seems to be an inconsistency in the first place between a boycott of the Constituent Assembly and taking part in the debate here. There have been some points that have been made, notably by Cde. Feroze Mohamed, which should have been made in the Constituent Assembly. I must say that Cde. Feroze Mohamed, with whom I disagree, with whose there I join issue, at least made an attempt to be relevant in his contributions. [Applause.]

Now, the first question, I submit, to which we must address our minds is whether or not – and we must be dispassionate and objective in the processed adherence of the majority of people in Guyana to socialism, and I chose my words advisedly - the Constitution of 1966 with some amendments is the sort of document that we should have as we move forward to socialism as the supreme law of Guyana. I do not think that, except for the Leader of the United Force, that question has really been tackled by the opposition. We heard a number of irrelevancies and hypocrisies to the effect that the 1966 Constitution was all right. All right for what? Everything is all right. It depends upon the purpose for which it is to be used.

And here again we find inconsistency on the part of the members of the major Opposition. They boycott. That is right. I can't understand them. They boycotted the Constitutional Conference in 1965 in London and now have discovered, with an acuity of vision comparable to that of Rip Van Winkle awakened from I slumber, that the 966 Constitution is good. But goods for what? At least, the hon. Member Mr. Feilden Singh had the guts to say that it was good because it protected property rights. It was good because it was steeped in the tradition of conservatism because the ethos of reaction permeated it. At least, Mr. Feilden Singh is consistent. But what does the People's Progressive Party say? "We didn't go to the Constitution Conference in 1965 because it was a farce." But yet, out of that farce, there came forth a Constitution which is better than the present one which it is sought to have this House adopt.

Certainly, Cde. Speaker, we may have our differences of political attachments and loyalties, we may have our varying and varied emphases in terms of ideology, but certainly the people whom the P.P.P. is supposed to represent is entitled to better representation. The P.P.P. has shown itself completely irrelevant in this debate as it has become outside of this House. And

I can tell you why the members of the P.P.P. came here. The answer to this question was given, when they sneaked back into the House a few years ago, in a paper delivered by the so-called General Secretary, that this House will give them an opportunity for publicity. No one who claims to subscribe to socialism could accept that the 1966 Constitution is the bottle into which you would put the wine of socialism. If perchance the Opposition had said 1966 is not the sort of bottle but the sort of bottle that you are putting up now is not the bottle, but that has not been the criticism. The criticism is: let us go back to '66. I am reminded of a remark made by a certain Head of Government in the Caribbean to a certain President of a certain Latin-American country some years ago, that the P.P.P. is led by a number of petit bourgeois politicians. They cling to what came out of the Whitehall, what came out of London. However, I do not propose to start a kindergarten school. In the draft, there is declared an adherence to the principle of a multi-party state.

Now, the hon. the Attorney General, Cde. Shahabuddeen did show that there was a certain emphasis running through the 1966 Constitution, notably with respect to property. That is not the sort of Constitution, therefore, that we should have at this time. Secondly, when one picks up the 1966 Constitution it begins immediately with the profession of the belief in the Deity. I shall deal with the question of the Deity later. We cannot look at this Constitution and understand whence we came, and what we are striving after, and whither we are proceeding. There is no philosophical or ideological indicium as to our origins or to our goals. We are like Topsy, "just grew out of the world." Now that, of course, is the type of Constitution which usually came out of London on a country's accession to Independence.

In the draft which is before the House as a Schedule to the Act, however, one finds that there is a brief recital not only with respect to our origins but also with respect to certain significant dates and events in our history. One would have expected that any serious political party in this House discussing a Constitution – because little boots speak to say the Constitution is no good, throw it out, let the people rise - - We are going to have to have a Constitution, therefore, let us see what we can do with this document. I would have expected some type of examination of the document at least in the Second Reading. No one has questioned the recital which appears at the beginning of this Constitution, significantly because no one can fault it except to suggest that there may be other details and dates which may properly be added.

3:40 p.m.

There you have the setting for the document which is going to be the basis law, so to speak, of the Co-operative Republic of Guyana and then one moves on to the State and the Constitution. Quite frankly there is nothing much here or there about that. It is merely a description of the extent of the territory, the national flag, the national anthem, except perhaps for article 7 where it is clearly stated that it is the duty of every citizen of Guyana wherever he may be and of every person in Guyana to respect the national flag, the coat of arms, the national anthem and the Constitution of Guyana and to treat them with due and proper solemnity on all occasions.

However, where I think Mr. Feilden Singh seeks to break a lance, and wisely so, because of his own ideology position, is with respect to Chapter II where one finds the principles and bases of the political, economic and social system. What do we hear from the P.P.P. about the bases? Absolutely nothing, a sea of irrelevancies or should I say a desert of irrelevancies with no relieving oases. Significantly, Cde. Speaker, we find undeniably, sovereignty is attributed to the people. And here we are dealing with principles, the right to form political parties, and for the first time in the constitutional history of Guyana there is introduced the concept of participation in the Government and governance of the country of certain socio-economic agencies not merely of a national character but of an undeniably working-class character.

I refer to the co-operatives and the trade unions whose role is generally alluded to in the proposed article 11. One may say that that is a declaration but it is against this declaration that subsequent legislation may be passed. It is against this declaration that the administration itself is supposed to operate, and against the various declarations which appear in Chapter II the third-line People's Progressive Party fails to recognize, but not Feilden Singh because his consistency will not permit him not to recognize, the important article 18 which refers to the fact that is for social use and must go to the tiller. Has it missed the Opposition that article 14 deals with the goals of economic development while article 13 deals with the goals or objectives of political development and article 12 for the first time in the history of the constitutions on this country gives a specific and important place to local government?

Obviously, if you are speaking of emphasizing the power of the people and encouraging the participation of the so-called lowliest of the lowly in the Government, you have got to start from the agencies which are closest to the people almost in the physical terms. In no other Constitution which has been promulgated in Guyana has there been an attempt to define clearly the important role of local government agencies and at the same time to ensure, by means which may be humanly faulty but at least divine in their intention, that the local government agencies participate in national decision making.

I forgive my young friend Feroze Mohamed – when he alleges that there has been no economic revolution in Guyana. There is a certain puerility about some people who believe every revolution has to be a revolution of arms. The Pocket Oxford Dictionary should correct that illusion and delusion. The right and the duty to work, the right to leisure, the right to social care, and medical service in the case of old age and disability, the right to housing, etc., these things are declared as rights. It is not suggested for one moment that all these rights have been

fulfilled. For instance, not every Guyanese is properly housed. We are stating objectives, also I this Chapter.

Significantly, to remove all doubt, especially since we have been heir to the British system of jurisprudence which all of that implies and infers in ideology and philosophical terms, we put in in the proposed draft article 39, which you will forgive me for reading in extensor: “It is the duty of Parliament, the Government, the courts and all other public agencies to be guided in the discharge of their functions by the principles set out in this Chapter, and Parliament may provide for any of those principles to be enforceable in any court or tribunal.” You will recall that the Cde. Attorney General spoke about the two opposing concepts of and perceptions of property. No aspersion is being cast on our courts. The line of decisions is a line that flows from the Privy Council which the Opposition did not want to abolish as an appeal court. You see the petit bourgeois who masquerade as socialists! They don’t want to abolish a foreign court of appeal, they don’t want to lower the voting age in 1973 to 18 years, and they don’t want to get rid of a Constitution whose premises are anti-socialist. Not everyone who cries Lord, Lord, shall enter into the kingdom. Render your hearts and not your garments. The important thing about article 39 is that the courts are told clearly in handing down decisions: you don’t go and say, well, there is a presumption that there is the sanctity of private as distinct from personal property. If there is to be any presumption where there are casts of doubt, rather they should turn to what lies beneath article 18, that land is for social use and we must go to the tiller.

3:50 p.m.

An attempt criticism was made of the fact that we have preserved inheritance and the right to own personal property. I confess our manifold sins and wickedness for having copied those provisions from the Soviet Constitution, the Cuban Constitution, the G.D.R. Constitution, the Bulgarian Constitution. We have sinned. These neophytes who perhaps have hardly reached the higher level of intellectuality than that one finds in the first standard, some in here and talk about Constitutions, and this, and they don't even know that this is common currency. What the socialist is against is not personal property, property for the use of persons. The socialist is against the use of private property for exploitative purposes. But then the little descendants of Duns Scotus, they mix up personal and private. Oh, great thing, inheritance. Shahabuddeen probably has a lot of land to inherit in the mouth of the Essequibo and that is why he put it! On the other hand, this polyglot opposition by which we have been attacked made a point at their public meetings during their referendum campaign that the right to inheritance would be abolished and amongst those who laid that accusation at the door of the People's National Congress were several leading members of the People's Progressive Party. [Interruption.] I wouldn't say that the would-be hon. Leader of the Opposition is consciously prevaricating. That would be to credit him with an omniscience and omnipresence of which he is incapable.

Now, Cde. Speaker, I said already that the P.P.P. has become irrelevant and may I observe this, that every time the P.P.P. speaks, I am reminded of an incident which took place during one of the election campaigns. A young fellow came up to me and said: "Look, comrade, I is a P.P.P. but when the P.N.C. win, ah hope you ent going to treat us too bad." There is this psychological attitude that "we are always going to be in the Opposition." I promise I am not going to lock them up. I haven't locked them up yet in spite of all they say, Guyana hasn't a single political prisoner. Of course, if they breach the law for defamation, and they pay for that, we don't imprison people for debt, we merely levy on their substantial property like that which Cde. Narbada Persaud runs, the New Guyana Company.

Now, Cde. Speaker, the principles and the bases are set out and there is a clear statement that the Parliament, the administration, government agencies, and the courts, must act within the four walls, so to speak, of the principles there adumbrated. There is a declaration amongst those principles with respect to the equality of women. Various bits of legislation have to be passed to implement that. It is not merely good enough to say that we agree that women are equal, but right in this Constitution one finds the consistency of the original draftsmen in that whereas previously only a male could give his spouse Guyanese citizenship, now a female can give her spouse Guyanese citizenship.

The Speaker: There is an indication from the Leader of the House that he wishes to say something.

Cde. Ramsaroop: Cde. Speaker, as you are aware, the Suspension is normally taken at 4 o'clock. May I move that we suspend standing order 9(2) to enable the Cde. Leader to complete his winding-up presentation.

Question put and agreed to.

The Prime Minister: Now, we come to consider the appositeness of the draft to the philosophy of socialism when we are dealing with rights. It has been said of course that the purpose of the referendum was to remove the entrenched fundamental rights. During the course of the referendum campaign there was a clear and unequivocal denial. Fact sheets 2 and 3 published by the People's National Congress said clearly that there was no intention to remove such rights as were described as fundamental rights in the Constitution of 1966 and also in the Constitution of 1961. But I have only said, not as beautifully as did the Cde. Attorney General, that those rights are not worth a tinker's cuss unless they are married to economic rights and social rights. They are a bundle of rights, they are formal rights. What do they mean? You can have freedom of speech; as a concomitant you can also have freedom of starve. I remember the late D. N. Pritt once discussing with me the attitudes of the British as against those of the Russians and pointing out that whatever had been said with or without justification about human rights in the Soviet Union, at least, there was an undeniable emphasis on the economic rights of the citizen in the Soviet Union.

First, we had certain traditions in Guyana, consequently rights like freedom of speech, etc., freedom of expression, freedom of assembly, must be maintained. That is in accord with traditions. What is unique in the circumstances of Guyanese constitutions, however, is the emphasis that has been placed on economic rights in this Draft Constitution. Let us have an argument that these economic rights which we purport to put in to the draft are not wide or numerous enough. Let us have an argument that perhaps it is misconception to combine the right to work with the duty to work. Let us have arguments of that type and quality. But alas both this honourable House and the public of Guyana have been robbed of the opportunity of a keen debate on these vital and relevant matters. Instead what do we hear? That there is a trampling of workers' rights, says a member of the Guyana Labour Union, one of my constituencies. He had nothing to say but had to say something.

4 p.m.

Cde. Speaker, there is a clear indication in these declaratory sections of the socialist thrust that is intended.

P.M.contd.

We are not even discussing at this point. Of course, this calls for a certain niceness of mind and intellect. We are not discussing at this moment implementation. We are discussing principles in a Constitution. Suppose “X” is a murderer, or “X” some time is going to become a murderer. Does that affect the validity of “X’s” argument some years before that murder is wrong? That calls for a certain finely-tuned mind and when we find opposition for the sake of opposition, we can’t get this sort of argument, we can’t get this sort of debate. I think there is hope for young Feroze Mohamed. In time, he will grasp these things, but not the others, the balding and graying ones, the gap-toothed and the toothless.

Let us look at the question of the Deity which has been raised specifically by my hon. and learned Friend Mr. Feilden Singh. I don’t know whether it was of any significance that the other section of the Opposition did not allude to this question. I do not know. But I think a fetish is being made of this question of a Deity and as in the days of the Inquisition, God is being called in to support the nefarious, material, mischievous intentions of wicked men. It is declared in the Constitution that Guyana is a secular State. What does that mean? It means that we have no State religion. It means further that Guyanese citizens, a majority or minority it matters not, and free to believe in God or not to believe in God. I don’t have to make an asseveration as to my beliefs but certainly he who wants to be agnostic or atheist has as much right to live as he who believes in the Deity. It is not as if there were an asseveration in the Constitution in favour of atheism or agnosticism or free thinking and significantly I think in proposed article 145 it is clearly stated that if this Constitution by and large were to be passed, that there would be freedom to worship, freedom to believe and not to believe.

I am no constitutional lawyer nor have I ever been a constitutional lawyer, but I would not be bold enough to say that there is no Constitution in today’s world which hitches itself to a belief in the deity. But certainly I would say that if there are such Constitutions, they are very few. Maybe the present Constitution of Iran and maybe the proposed Constitution of Pakistan, when it does get a Constitution. And I would purport to say that those who put up this draft first of all were being logical and, secondly, were keenly aware of the provisions of article 145. No one is going to be hampered. The same political party which put up the Draft, and I shall say a word or two about the Draft later – is the same political party that, for the first time in the history of this country, recognized non-Christian holy days as holidays. If you read the British Constitution you will find nothing about the Deity and I would like to say quite clearly that there is no intention to hurt the feelings of those who believe in a deity or those who claim to have a belief in the deity. None whatever.

For instance, surely the Archbishop of Canterbury believes in the deity. Not this one I am speaking of particularly, the one before him. I am not suggesting that this one does not, but the one to whom I am making particular reference is the one who went before him, but while he opposed a contribution of the World Council of Churches to the liberalization movements in Africa, he was shelling out through Christian Action to those jokers out here, £928 for them to oppose the referendum in Guyana. Well, if that is going to be my company so far as the belief in the Deity is concerned, so help me God I prefer to change my belief. As I said before, not

everyone who crieth, Lord, Lord, shall enter the Kingdom and we are not about to impose a theocratic Constitution on the people of Guyana.

A word about the Draft in this context. It has been alleged that this Draft is being imposed by the People's National Congress. One of the reasons, as you, Cde. Chairman, would know in another capacity, for the length of time between the institution of the Constituent Assembly and its meeting, was to allow submissions not only of ideas and proposals but of drafts if necessary. It was said that only the P.N.C. submitted a draft. It was as if to say only the P.N.C. came first. Are you going to blame the P.N.C. for being the only organization that thought of submitting a draft? Cde. Speaker, there is no point in having some crooked logic as to why some people did not participate in the Constituent Assembly.

When those same people participated in the colonial Legislative Council whose powers were severely limited, weren't they participating in a pot, according to their own definitions? And whether they like it or not, a Constitution is going to be passed by this House, so they might as well make an attempt to influence the type of Constitution and speak on behalf of the people they purport to represent, otherwise it is a derogation of a duty. Do they think all this hop-scotch talk is going to affect the passing of the Constitution? When we come to the point of amendment, those who participated will find that amendments which they suggested are acceptable to the majority, and those who participated will also discover that many changes were made in the original P.N.C. draft as a result of the discussions which took place between the P.N.C. team and the non-P.N.C. team. We cannot cover up our ignorance and stupidity by such transparent buffoonery.

4:10 p.m.

Cde. Speaker, I would like us now not necessarily to examine the Schedule, article by article, but rather to deal with another question which was raised during the course of the referendum campaign. Of course those rascals in Christian Action who sent £928 to support their fellow rascals said that the purpose of the referendum was to remove the need for the popular vote for changes in the Constitution. As will become palpable during the course of the Committee Stage, there are several articles which are entrenched by referendum. A preliminary count, perhaps a cursory count on my own part, shows that there are at least ten, then a cursory count, fourteen are entrenched by two-thirds requirement. The principle of entrenchment by two-thirds or by the referendum has been retained. In fact, there are now some new articles which are entrenched by referendum but, you know, there is a saying in Guyana that if people do not like you they give you basket to carry water. The members of the Opposition had nothing substantial or substantive which to oppose so they said the P.N.C. wants to entrench itself so it holds a referendum to remove the need for all referenda, even though before the campaign began the People's National Congress said that was not the case.

P.M. continues

Now, having proved to be the lineal descendants of Ananias by his inside and outside wife, Sapphira, they called to their supporters another accusation. Said the Leader of the People's Progressive Party at a considerably large mass meeting of 50 persons, 70 percent of which consisted of critical P.N.C. workers, the P.N.C. Constitution now is giving the President absolute power. Now, what absolute power does the President have? Let us look at it. There is a book: "Who Runs may Read." There is a Constitution Draft: who sits may read and who is awake. What powers has the President got that the Prime Minister does not have? The President will appoint the Judges. So does the Prime Minister now; he appoints the Chancellor. We do consult the Leader of the Opposition; his views are taken into account before the Prime Minister makes the decision.

Of course, we have a little weakness on the part of the Opposition that where the present Constitution says "after consultation with that is translated and transliterated to mean "on the advice of". Though we went to different schools, we did differently in our examinations. The Prime Minister now appoints the Chancellor and the Chief Justice. So what? The Prime Minister now appoints foreign representatives of the country under the 1966 Constitution. The President will do the same. The Prime Minister can dissolve the House at will although the proclamation appears over the signature of the constitutional President, but all the world knows and the Constitution provides that that can only be done on the advice of the Prime Minister.

What new powers? Perhaps this is one that if the House passes a law the President can veto it. That is new, yes, but that is a concomitant of the executive presidency. Can they show me which other Constitution in the world with an executive presidency that does not provide for a veto by the Executive President. Can they show me? Reading is a difficult exercise. That is why I sometimes think our percentage of literacy is overstated. But there is a provision that if within a certain period that same legislation is passed by the House by a two-thirds majority that the legislation will become law. Is that any more power? And yet the Leader of the Opposition gets on the street corners and says that Burnham will get more power than Carter and this and that - -

The President shall not be subjected to criminal proceedings or civil proceedings. That is standard. So far as Presidents are concerned that is standard throughout the world and it is a mere sort of carry-over of the British principle that the Crown can do no wrong, but when he comes out, it is another matter. He can do plenty wrong. Now, they say, he can't be impeached. Sure they say that, but they also provide for his removal. Power and ultimate power must lie somewhere. Where does the Opposition want us to put it? In the hands of the balding and greying, the irrelevant Opposition? I remember when I sat on the Opposition Benches the then Premier – but he never got higher than that – said to me: "We were elected to rule and rule we will."

Mutatis Mutandis, I repeat the statement.

Another criticism is that there is a provision for the Prime Minister at the time of the promulgation of the Constitution to become the first Executive President. Well, if the Opposition

had carries out its duty to be present at the Constituent Assembly to show us some other transitional form, we would certainly have been amenable to reason. For instance, one finds a very interesting provision in the first Constitution of Zambia where it is specifically stated: and the first President shall be Kenneth Kaunda. We are not putting in that the first President shall be Linden Forbes Sampson Burnham because he is not immortal. He may not be Prime Minister and he may not be interested in being Prime Minister or interested in being President. How else are we going to get transitional provisions?

A criticism was made and a complaint with respect to the fact that this Parliament becomes the first Parliament under the new Constitution. That is old hat. That is what happened in 1966. It has always happened that the Parliament or legislative body in existence at the time of the promulgation of the Constitution, if that promulgation takes place prior to an election, succeeds itself but only for the period between the promulgation and the holding of elections. For instance, one will remember that in 1966, when the new Constitution was promulgated, the Leader of the People's Progressive Party, who had no status, became the Leader of the Opposition without election. One could elect to believe, if one were to listen to some of these criticisms, that what is proposed is that this Parliament or Legislature will continue in aeternum.

4:20 p.m.

The Prime Minister contd:

The provision is as follows there are a few amendments that are to be proposed on my behalf by my much more competent, honourable and learned comrade, Dr. Shahabuddeen. The promulgation can take place before elections to straighten out some traditional matters. The Prime Minister at the time of promulgation will become the Executive President. But right in this law, it is going to be stipulated that the dissolution of the House, after which there will be an election within three months, can take place no later than the 26th October, 1980. That is in keeping with the provision which we passed here.

The Speaker: Time.

Cde. Ramsaroop: Cde. Speaker I beg to move that this speaker be given 15 minutes to continue his presentation.

Question put, and agreed to.

The Prime Minister: Cde. Speaker, therefore, the House cannot continue beyond the 25th October, 1980, and the Prime Minister who becomes Executive President cannot continue as Executive President unless he is elected in an election, which has to take place within three months of the 25th October, 1980. [Interruption.] Entrenched whom? Against an irrelevant political entity whose new-found allies have now rejected them because of their irrelevancy? Entrenched against people who cannot even read a Constitution though we have an official language in which the Constitution is drafted? What need is there for any jiggery-pokery? There was some phrase they had yesterday about confidence tricksters. That reminds me. There was a certain Guyanese businessman whose store need to be broken into every night. You know how he settled it? He appointed a watchman, old break and enter specialist. It takes a bunch of confidence tricksters to attempt to pontificate on who are confidence tricksters. [Interruption.] I am going to give you some teeth, free medical attention: I am going to give you a wig all. It is easy to come here and talk about confidence tricksters but the language is pellucidly clear as the Prime Minister of the Co-operative Republic of Guyana is wont to say.

Let us talk about qualifications for Parliament, let us talk about the financial position, let us talk about a Police Service Commission, a Public Service Commission, a Judicial Service Commission; let us talk about these. Incidentally, as in the case now, on all of the Commissions, those who come under the jurisdiction of the Commission will be consulted. In the case of the Public Service Commission, the body or bodies which represent them will be consulted. Similarly, informally, it will be done with the Police commission. With the Judicial Service Commission, it is done with respect to one member, the Judicial Service Commission, it is done with respect to one member, the body or bodies who appear to the President to be representing those who can practice or those who practise as attorney-at-law will be consulted. I haven't really been touched because whether it is socialism or capitalism, it is the right thing to consult those will fall under the jurisdiction of these Commissions. This is not a matter of ideological conflict or argument. All the fears that were expressed have now been proved illusory or wickedly manufactured by those who had other motives. There are no reasons for complaint by the reactionaries and the conservatives about the principles under Chapter 2 and I look forward

with interest to see how long the concubinage between the extreme right and the extreme left will last in Guyana. Already, I understand, some who think they are extreme left are saying that they are looking at some who are extreme right especially at that minuscule group led by one who once said in this House it is easier to stop tomorrow than to stop communism. Apparently, to his mind both have stopped. The world stood still for him. Probably the day the world stood still. That is where we are going to find consolation.

We thought we heard, Cde. Speaker, the black Guyanese grandson of Christopher Columbus say that a Constitution is not going to affect the economy. Every school boy knows that the introduction of a Constitution is not going to give you more dhal tomorrow. It is not going to give you more tinned milk; it is not going to give you more bhaji, or bora, or rice; it is not going to give you more juice coming from the juice mill. [Interruption.] The purpose of the Constitution is first of all is to set out what are the objectives of a society not merely in political terms but also in social and more particularly in economic terms. You set out your objectives.

The Prime Minister contd:

When, to bring it to a level which can easily be understood, Mohamed Ali sets out as his objective to knock out his opponent in five rounds, that is not the end to the matter. The point is he then has to go and perform. He knows what his objective is, Cde. Speaker. /Interruption./It sets the objectives, it outlines, so to speak, the parameters within which it is hoped the administration will operate.

4:30 p.m.

Of course, it can and will eventually affect the economic structure and the emphasis is on use of land rather than hoarding of the land. Of course, it will affect the economic structure. Of course, it will eventually, eventually but not immediately, affect, say, production. When you don't have tenants who are exploited by landlords who don't observe the rules of good estate management, sure but it was never intended, comrade juice mill, that the Constitution would make milk and honey flow. In any case, milk and honey must be a most unpleasant drink for us Guyanese – non-alcoholic, only for the pandits, officially. It has also been passing by said that the problem is the I.M.F. Young Feroze Mohamed said that. His ardour is to be excused and understood. Though his contribution was an outstanding one, he also had a brief against which he had to speak on certain matters. I understood. I have been that way before. But what has the I.M.F. to do with the Constitution? They told you to say so. Say your piece. Life is hard outside. But perhaps I may accept the challenge, but not for any length of time, and say that if the P.N.C. Government of Guyana has committed a crime by coming to an arrangement with the I.M.F. so has the Government of Jamaica, so has the Government of Yugoslavia, so has the Government of Romania, so has the Government of Tanzania, and so many Governments. And be it noted young Mohamed that one of the original architects of the I.M.F., though they did not join eventually, was the Soviet Union. Cambodia or Campuchea, whichever one you like, Vietnam, all of them are members of the I.M.F. but “their eyes pass the P.N.C.”

The Cubans took seventeen years to write a Constitution. The P.N.C. takes two and a half years and you hear a hue and a cry. Dictatorship, political prisoners, blah, blah. The Soviets change their Constitution ever so often to meet the changing circumstances. The dyed-in-the-wool conservative masquerading as Marxist-Leninist says that a Constitution written essentially in Britain fifteen years ago is good enough for us. /Interruption./Sacred. What does an Atheist know about sacredness. Borrowed word and concept. The whole approach by the Opposition has been one of an attempt to denigrate the Government, denigrate the P.N.C., not to consider the substance. Why should we therefore by sleight of hand or anything attempt to entrench ourselves? I say this today, that as long as the People's Progressive Party exists, the P.N.C. will be automatically entrenched by its ally the P.P.P. /Interruption./They know it. One of them admitted to me that he has no interest in coming over here. Then we hear the mealy-mouthed appeals for national united front. You know, Cde. Speaker, you mustn't be heavy all the time. There must be some little titbits. The greatest difficulty between the worst possible alternation and the P.P.P. is that the P.P.P. insists that whatever front you have, you must have the P.N.C. there. /Interruption./Now why do we want to entrench ourselves? The P.P.P. is supporting our

entrenchment. But let me say the P.N.C. does not abrogate to itself omniscience, omnipotence, or omnipresence. The P.N.C. appreciates that the leader of the P.P.P. has done something in his time. But some people make very good bridesmaids but never brides, but still they should be part of the matrimonial entourage on terms to be decided by the bride. After all, it is the bride's wedding not the bridesmaid's wedding.

The People's National Congress is always willing to consider reasonable proposals from a party that still has some support though it has become largely irrelevant. Let me give some advice again. Let me first of all say this. What has been the P.P.P. contribution on this Constitution? Has it been a proper critique based on ideology positions. No, it hasn't. You see, the P.P.P. is aging or has aged and all it does is to turn on from time to time the relevant tape recorder. It is true that sometimes the voices differ but, you know, some reference was made to Esau. Do you remember what Isaac said? The hand is the hand of Esau but the voice is the voice of Jacob. The tape recorder changes, the voice changes but it is the same old tune – a nineteen-thirty-something be-bop.

The P.N.C. is willing to have dialogue to consider proposals but two things I must state. Let us approach these matters with some degree of seriousness if not profundity. If we are going to discuss a Constitution, let us discuss a Constitution. Secondly, what is the point in starting an anti-fascist front with a number of fascists against the allegedly fascist P.N.C., and then coming round the corner to say: national front. Whenever the P.P.P. runs out of steam, it says: only a national front.

Cde. Speaker, you see how silently they sit and listen. According to the principles in Wydeman and Wallpole, when there is silence as a reaction to certain statements, that silence amounts to corroboration and acceptance of the truth of the original statement. It isn't on those terms we'll work with the P.P.P. Let them understand it straight. You can't eat your cake and have it. You can't call a woman a prostitute suffering from the worst diseases and then go and say: Darling, I love you. She wouldn't understand the concept of love. Maybe she would understand another currency. But the P.N.C. is not to be bought.

We are accused of being fascist, and right wing. So says young Belgrave, not so young now because I see a few silver threads amongst the black. The P.N.C. has turned right. Now show me what in this Constitution is right in spite of the difficulties, economic that we are having. Look at the things that have been done. We haven't built palaces. The Prime Minister lives in a box once inhabited by the Director of Agriculture now Minister of Agriculture and apparently to get a better place, better to turn Minister rather than Prime Minister. Look at the houses that have been built for poor people all over this country. Is that a policy being carried out by a rightist government? When we face Alcan and Jagan haggled about how many thousands he should get to run his office, is that the attitude of a rightist party? When we faced the music with Reynolds, and we faced the music with Bookers and told Bookers: right, you are not going to get a cent for an inch of Guyana land whether it was on a lease, a licence or a transport, and you are not getting a cent for one blade of cane. Is that the attitude of rightist government? That is why the P.P.P. is becoming irrelevant, because its own supporters are beginning to see that it is not speaking the truth. Would a rightist government do that with Alcan, Reynolds, Bookers, C.D.C.,

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4.30 – 4.40 p.m.

all those boys? What for? Young man, you are now learning. You've got a big button. You'll have to get a big head.

The Prime Minister contd:

4:40 p.m.

Now, therefore, maybe this Constitution offers the P.P.P. an opportunity to co-operate on sensible terms but this I warn them. Stop this vulgar abuse and let us get down to tackling the serious economic problems in Guyana. Could one say that? Didn't the Prime Minister, up to the 1st January, say quite straight to the people what were the economic ills and what he thought were the solutions? Why is that economic problems faced in Cuba are a concomitant of the world economic situation but those in Guyana are a result of the rightist tendencies of Burnham? Stop being so simple and simplistic. Sometimes when I hear these criticisms I am reminded of a statement that you can take a man out of the colony but you can't take the colony out of certain men. It is all right if Cuba has problems. It is all wrong if Guyana has problems. It must be Burnham. Its all right if the growth rate in the U.S.S.R. is much lower than it was and they have to import twenty-five million tons of grain from the U.S.A. That is bad weather. But let the rain fall in Guyana and the rice crop be affected. Its Burnham. Let your wife leave you – its Burnham. "I know the man, you know the man, all alive know the man."

Certainly, this is reducing politics to a low level and does not bespeak seriousness on the part of the People's Progressive Party which has had something of a not unattractive past. Today, as we approach the tenth anniversary of the first republic in the English-speaking Caribbean, today, as we approach the tenth anniversary of the first co-operative republic in the world, on behalf of the vanguard party, the leading party, the party that has lead this country to Independence and to republican status, and into the Security Council of the United Nations, and into the co-ordinating bureau of the Non-Aligned movement, where we have been from the year that we joined, on behalf of that party, I offer the hand of co-operation. But let not friendship be mistaken for weakness.

Question put.Cde. Ramsaroop: Division.Assembly divided: Ayes 37, Noes 16, as follows:Ayes

Cde. Zaheeruddeen

Cde. Willems

Cde. Walcott

Cde. Taylor

Cde. Sukul

Cde. Stoby

Cde. Salim

Cde. Rayman

Cde. Jonas

Cde. Hussain

Cde. Gill

Cde. Fowler

Cde. Field-Ridley

Noes

Mr. Abraham

Mr. Singh

Cde. Sukhai

Cde. Nokta

Cde. Dindayal

Cde. Dalchand

Cde. Ally

Cde Belgrave

Cde. Basir

Cde. Mohamed

Cde. Collymore

Cde. N. Persaud

Cde. Reepu Daman Persaud

Cde. Carrington

Cde. J. Jagan

Cde. Ramson

Cde. Ram Karran

Cde. Wrights

Cde. C. Jagan - 16

Cde. Bynoe

Cde. Corrica

Cde. Ambrose

Cde. Ackman

Cde. Van Sluytman

Cde. Prashad

Cde. Corbin

Cde. Thomas

Cde. Chowritmootoo

Cde. Bancroft

Cde. Duncan

Cde. Carmichael

Cde. Nascimento

Cde. Clarke

Cde. Mingo

Cde. Ramsaroop

Cde. Naraine

Cde. Hoyte

Cde. Reid

Cde. Burnham - 37

Agreed to.

Bill read a Second time.

The Speaker: The Sitting of the House is suspended for 30 minutes.

Sitting suspended at 4.47 p.m.

5.17 p.m.

On resumption ---

Assembly in Committee

The Chairman: Comrades, let us have some order.

Clauses 1 to 3 agreed to and order to stand part of the Bill.

Clause 4

Cde. Shahabuddeen: Cde. Chairman, on behalf of the Cde. Prime Minister, I beg to move the amendment to this clause standing in his name.

Amendment –

That the following clause be substituted for clause 4:

“Appointed day. 4. The President shall be proclaimed on a day, being a day not later than 6th October, 1980, for the coming into operation of the Constitution.”,

Put, and agreed to.

Clause 4, as amended, agreed to and order to stand part of the Bill.

Clauses 5 and 6 agreed to and ordered to stand part of the Bill.

Clause 7

Mr. M.F. Singh: There is an Amendment in my name, sir. I beg to move the Amendment standing in my name in respect of clause 7 which is to delete subsection (9) and renumber subsection (10) as subsection (9). This is necessary because of an Amendment I am moving when we come to Article 142 of the Draft Constitution when I will speak more fully on it, but in respect of that Draft 132, there is no provision for appeals to the Court and for prompt payment of adequate compensation. In fact, it is covered here by this subsection (9). So if my Amendment to 142 is carried, (9) must come out because (9) controls 142 at the present moment. It relates to prompt payment of adequate compensation and ties in with a change in Article 142. Article 142 as proposed by me is really what was in the old Constitution and it does provide for appeals to the Court.

Cde. Shahabuddeen: Cde. Chairman, I regret that I am unable to support the Amendment. My inability springs from the basic rationale which both the Cde. Prime Minister and I gave in proposing the new Constitution. The Amendment, like the clause to which it relates, concerns a matter of most fundamental importance to the whole Constitution, namely, property in its relation to the ideology which should govern any Constitution. Very briefly, what is involved here, if the Amendment proposed by my hon. and learned Friend is accepted, is, in effect, an attempt to perpetuate the very ideology in the existing Constitution against which the proposed Constitution is very largely directed. For those reasons, I am unable to support the proposed Amendment.

Amendment –

That subsection (9) be deleted and subsection (10) renumbered as subsection (9),

Put and negatived.Clause 7, as printed, agreed to and order to stand part of the BillClause 8

Cde. Shahabuddeen: Cde. Chairman, I beg to move the Amendment standing in the Cde. Prime Minister's name. I do believe that in his very able and lucid address this afternoon he explained as fully as necessary the reason for this amendment, namely, that there is a certain wisdom and convenience in so arranging matters that we can promulgate the new Constitution a little while ahead of the dissolution of the existing Parliament.

Amendment –

- (a) That subsection (4) be renumbered as subsection (7)
- (b) That the following be substituted for subsections (1), (2) and (3):

“(1) Notwithstanding any difference between the composition of the existing Assembly and that of the National Assembly established by the Constitution, with effect from the appointed day and until the National Assembly sits for the first time after the first election held pursuant to the provisions of Article 60(2) of the Constitution, but subject to subsection (5), the existing Assembly shall be deemed to be the National Assembly established by the Constitution (referred to in this section in respect of that period as ‘the transitional National Assembly’).

(2) Without prejudice to the generality of subsection (1), the persons who immediately before the appointed day were members of the existing Assembly shall with effect from that day be members of the transitional National Assembly, and all questions concerning membership and functioning of the transitional National Assembly shall be regulated as nearly as may be practicable by the existing law applicable in the like case to the existing Assembly.

(3) All matters pending before the existing Assembly immediately before the appointed day may be continued and completed by the transitional National Assembly.

(4) Unless and until the transitional National Assembly otherwise resolves, any person who is a member of that Assembly by virtue of subsection (2) shall be deemed to have made and subscribed before the Assembly the oath referred to in Article 167 of the Constitution.

(5) Unless sooner dissolved by the President pursuant to the provisions of Article 70(2) of the Constitution, the Parliament constituted by the President and the transitional National Assembly shall stand dissolved on 26th October, 1980.

(6) The first election of members of the National Assembly pursuant to the provisions of paragraphs (3) and (4) of Article 60 of the Constitution shall be held on such day as the President may be proclamation appoint, being a day which he considers to be as early as practicable after the holding of the first election of members of the regional democratic council or of the National Congress of Local Democratic Organs, as the case may be.”

Put and agreed.

Clause 8, as amended, agreed to and order to stand part of the Bill.

Clause 9 agreed to and ordered to stand part of the Bill.

Clause 10

Cde. Shahabuddeen: Cde. Chairman, on behalf of the Cde. Prime Minister, I beg to move the amendment to this clause standing in his name. This is consequential on the amendment proposed and carried to clause 8.

Amendment –

That in subsection (2) all the words after the word “vacant” be deleted and the words “and may be filled as nearly as practicable in accordance with the provisions of Article 70 of the existing Constitution”,

Put, and agreed to.

Clause 10, as amended, agreed to and ordered to stand part of the Bill.

Clause 11, agreed to and ordered to stand part of the Bill.

Clause 12

Cde. Shahabuddeen: Cde. Chairman, on behalf of the Cde. Prime Minister, I beg to move the amendment standing in his name to subsection (1) of clause 12.

Amendment –

That in the sixth line of subsection (1) “they” be substituted for “he”,

Put and agreed to.

Clause 12, as amended, agreed to and ordered to stand part of the Bill.

Clauses 13 to 16 agreed to and ordered to stand part of the Bill.

5.30 p.m.

Clause 17

Cde. Shahabuddeen: Cde. Chairman on behalf of the Cde. Prime Minister, I beg to move the Amendment standing in his name to the clause. This is a tidying-up operation.

Amendment –

That in subsection (1), the words “corresponding commissions” be substituted for the words “service commissions and the Elections Commissions respectively.”,

Put, and agreed to.

Clause 17, as amended, agreed to and ordered to stand part of the Bill.

Clause 18

Cde. Shababuddeen: I beg, on behalf of the Cde. Prime Minister, to move the Amendment standing in his name to this Clause. May I explain that there is a typographical mistake in the formulation of the amendment. There is one word which came out wrong in the 9th line from the top; the word “it” should be “they” – “as if they had been commenced”. Subject to that correction, I do move.

Amendment –

That the following be substituted for clause 18:

| | |
|-------------------------------|---|
| “Continuation of Proceedings. | 18. Where any proceedings are pending immediately Before the appointed day before any court, body or authority in respect of which a corresponding court, body or authority is established by or under the Constitution, these proceedings may on an after that day be continued and completed by or before such corresponding court, body or authority as if they had been commenced in or before such corresponding court, body or authority: |
|-------------------------------|---|

Provided that in the case of any proceedings before any court, tribunal or the Ombudsman (including any disciplinary proceedings) where the hearing was partly completed immediately before the appointed day (in this section referred to as “the original hearing”), no person shall take part in the continued hearing, either as the sole or other member, as the case may be, of the corresponding court, body or authority established by or under the Constitution unless he has also taken part in the original hearing, and where the original hearing cannot be so continued the hearing shall be recommenced.”,

Put, and agreed to.

Clause 18, as amended, agreed to and ordered to stand part of the Bill.

Clauses 19 and 20 agreed to and ordered to stand part of the Bill.

Clause 21

Cde. Shahabuddeen: On behalf of the Cde. Prime Minister I beg to move the Amendment standing in his name to this clause. It is a tidying-up amendment.

Amendment –

- (a) That in subsection (1) the words “by the prescribed authority” be deleted and the word “duly” be inserted after the word “amendments”,
- (b) That in subsection (2) after the word “shall” the following be inserted:”, subject to any further revision in accordance with law.”,

Put, and agreed to.

Clause 21, as amended, agreed to ordered to stand part of the Bill.

Clause 22 agreed to and ordered to stand part of the Bill.

SCHEDULE

The Chairman: Cde. Attorney General, we have now moved on to the Schedule. Do you have any proposals as to the manner in which we should take this?

Cde. Shahabuddeen: Yes, Cde. Chairman, regard being had to the fact that this House has notice of full amendments from two quarters only, I think we would proceed by making for amendments to relevant article is to be proposed by the intended movers in the numerical sequence. If that were agreed, we could take the Schedule as a whole and then, as we come to them, between my hon. and learned Friend Mr. Feilden Singh and myself, we could then divide that aspect of the work and make the burden more light for the House. The position then, as I understand it, is that I am going to put the whole Schedule and, on so far as the amendments are concerned, we will rise in respect of the various proposals. The first amendment there relates to Article 13.

The Chairman: The other position is, the Hon. Member Mr. Feilden Singh has in the Preamble raised a question.

Cde. Shahabuddeen: This amendment relates to Article 13.

The Chairman: I have that, but there is also another amendment there too.

Cde. Shahabuddeen: This amendment relates to Article 13.

The Chairman: I have that, but there is also another amendment there too.

Cde. Shahabuddeen: Yes, but I have two other amendments on that page. There are also two amendments to Article 24, and the third amendment on that page is to Article 25.

The Chairman: Page 11 of the Schedule, Arrangement of Articles.

Amendment –

(a) Article 13

That in the title of the article, for the words “Goal of political development”, the following words be substituted, “Objective of political system”,

(b) Article 24

That in the title of the article, for the words “social care and medical services”, the following words be substituted, “medical attention and social care”,

(c) Article 25

That in the title of the article, for the words “Medical service”, the following words be substituted, “Duty to improve environment”,

Put, and agreed to.

Arrangement of Articles, page 11 of the Schedule, as amended, agreed to and ordered to stand part of the Schedule

Preamble.

The Chairman: There is an amendment by the Hon. Member Mr. Feilden Singh on page 20 so I will take that first.

Mr. M.F. Singh: There is an amendment standing in my name which I would like to move in respect of the Preamble. Much has been said about this. I think the House knows all the arguments for and against. My amendment is that after the first paragraph, we put in, “Acknowledging our reverence for the Deity;”. All the arguments have been advanced before. We start this Parliament with prayers. We feel we should at least start the Constitution with a reference to the Deity. I don’t think I should repeat what has been said before by me except to say not only do I want the Amendment but I have been asked by even supporters of the PNC to move this amendment.

Amendment –

That the following be inserted after the word, “Guyana,” and before the word, “SALUTING”:

“ACKNOWLEDGING our reverence for the Deity;”,

Put, and negatived.

Preamble, as printed, agreed to and ordered to stand part of the Schedule.

CONSTITUTION OF GUYANAArticle 13.

The Chairman: The next amendment is on page 22.

Cde. Shahabuddeen: The amendment is in large measure a tidying-up operation.

Amendment –

That the following be substituted for the marginal notes:

“Objective of political system”,

Put, and agreed to

Article 13, as amended, agreed to and ordered to stand part of the Bill

Article 19

The Chairman: Mr. Singh, I think you have an amendment to Article 19.

Mr. M.F. Singh: In fact there are two amendments, one circulated yesterday and one today. I would like to withdraw the amendment which was circulated yesterday in my name and to put forward the amendment which has been circulated today in my name, in that in Article 19 which reads at the present moment: “Every citizen has the right to own personal property which includes such assets as dwelling houses”, after “dwelling houses”. I move that we add the words “and the lands appurtenant thereto”, and then go on “farmsteads, tools and equipment, motor vehicles and bank accounts”.

We feel that not only should they own the dwelling houses but it should be spelt out. If we are going to spell out “dwelling houses”, we should spell out also that the land on which those dwelling houses stand should also be personal property. After all, we all know that mortgages on land and buildings and so on. Quite apart from that, and we do feel the Guyanese people would be reassured if they know that not only the houses but the land on which the houses stand will be their to pass on, they have the right of inheritance. I move the amendment standing in my name.

Cde. Shahabuddeen: We agree. As the leader of my party explained earlier this afternoon, what the People’s National Congress is opposed to is the amassing of power so as to constitute some economic leverage to be used for the exploitation by the owner thereof. We are not opposed to the ownership of reasonable assets for the use by people for themselves or for their families and that is why, to begin with, we have inserted this provision in the Draft Constitution relating to the right to own personal property. My hon. and learned Friend discussed this matter with me and my side and we are very happy to support this amendment he proposes on the ground that it expresses even better the idea that we had on this point. It is fully consistent with the respect we have and entertain for a man’s right to own personal property for his personal use and that of his family. We support it.

Amendment –

That on page 23, after the words, “dwelling houses”, the following be inserted:
 “and the lands appurtenant thereto”.

Put, and agreed to.

Article 19, as amended, agreed to and ordered to stand part of the Schedule.

Article 24Article 25

The Chairman: On pages 24 and 25 there are two Amendments by the Cde. Attorney General. They are merely consequential because they have already been changed on page 11:

Article 24

That in the title of the article, for the words, “social care and medical services”, the following words be substituted:

“medical attention and social care”

Article 25

That in the title of the article, for the words “Medical services”, the following words be substituted:

“Duty to improve environment”.

The Chairman: These amendments are made and they stand part of the Schedule. I think there is an amendment to Article 42. Page 27.

Article 42

Cde Shababuddeen: I do beg to move this. This is a tightening-up of the language here.

Amendment –

- (a) That in paragraph (1)(b), the words, “continued to be”, be substituted for the word “become”,
- (b) That paragraph (2) be deleted.
- (c) That paragraph (3) be renumbered as paragraph (2), a full stop be inserted after the word “prescribed”, and the remainder of the paragraph be deleted.

Put, and agreed to.

Article 42, as amended, agreed to and order to stand part of the Schedule

Article 47

The Chairman: Cde. Attorney General, page 29, the next amendment.

Cde. Shahabuddeen: The next amendment I put is to article 47. The amendments are set out at page 5 of the Cde. Prime Minister's notice of amendment. This matter relates to citizenship. They are technical matters.

Amendment –

- (a) That in paragraph (2), the asterisk after “1965” be deleted, and the footnote be deleted,
- (b) That in paragraph (3), for the words, “Save as may be otherwise provided by Parliament, the following be substituted: “The”,
- (c) That before the full stop at the end of paragraph (4), the following be inserted, “or by deleting any country therefrom”,

Put, and agreed to.

Article 47, as amended, agreed to and order to stand, part of the Schedule.

Article 48

Cde. Shahabuddeen: Page 30, Article 48. There are two sets of amendments already accepted by the House to Article 42. I do move.

Amendment –

That in paragraph (b), for “articles 41” the following be substituted: “article 41 (in so far as it relates to persons to persons who became citizens of Guyana by virtue of articles 21, 23 and 24 of the Constitution of Guyana annexed to the Guyana Independence Order 1966)”,

Put, and agreed to.

Article 48, as amended, agreed to and ordered to stand part of the Schedule.

Article 52

Cde. Shahabuddeen: The next amendment I beg to move is that given notice of by the Cde. Prime Minister in relation to Article 52 of page 31.

Amendment –

That in paragraph 1, for “and 185”, the following be substituted, “, 185 and 186”.

Put, and agreed to.

Article 52, as amended, agreed to and ordered to stand part of the Schedule.

Article 55

Cde. Shahabuddeen: I beg to move the amendment (if we turn to page 32 of the Schedule) to Article 55.

Amendment –

That the word “Whenever” be substituted for the words, “The first meeting of the National Assembly shall be held as soon as practicable after”, and after “61”, the following be inserted:

“the National Assembly shall hold its first meeting at the time appointed under Article 69(1)”,

Put, and agreed to.

Article 55, as amended, agreed to and ordered to stand part of the Schedule.

Article 60

Cde. Shahabuddeen: I now invite the House to turn to page 33, Article 60 and I beg to move the amendment thereto standing in the name of the Cde. Prime Minister.

Amendment –

(a) That in paragraph (3), for the words, “As soon”, the following be substituted: “On such day as the President may by proclamation appoint, being a day which he considers to be as early”,

(b) That in paragraph (4), for the words “As soon”, the following be substituted: “On such day as the President may by proclamation appoint, being a day which he considers to be as early”,

Put, and agreed to.

Article 60, as amended, agreed to and ordered to stand part of the Schedule.

5.50 p.m.

Article 72

Cde. Shahabuddeen: I now beg to move the amendment proposed by the Cde. Prime Minister to Article 72 at page 35.

Amendment –

That in paragraph (1) all the words ending with “Government” be deleted and after “Guyana” the following be inserted:

“(save for any areas excluded by it)”,

Put, and agreed to.

Article 72, as amended, agreed to and ordered to stand part of the Schedule.

Article 75.

Cde. Shahabuddeen: The next amendment I propose on behalf of the Cde. Prime Minister relates to Article 73 at page 36. I beg to move.

Amendment –

That in paragraph (1), a colon be substituted for the full stop at the end, and the following proviso be inserted:

“Provided that Parliament may make provision for any areas which do not form part of any region to be represented on the regional democratic council of any region to be represented on the regional democratic council of any region near to which it is situate for such purposes as Parliament may prescribe”,

Put, and agreed to.

Article 73, as amended, agreed to and ordered to stand part of the Schedule.

Article 80

Cde. Shahabuddeen: Cde. Chairman, I now beg to move the amendment standing in the Cde. Prime Minister’s name to Article 80 at page 37.

Amendment proposed.

Mr. M.F. Singh: I got this amendment yesterday and I am worried and I find myself unable to support it. The original article 80(1) reads:

“The members of the National Congress of Local Democratic Organs shall be elected by and from among the members of the local democratic organs.”

What are we doing now? We are changing that to say that they should be elected from members of such local democratic organs as may be prescribed by Parliament. We are being selective. Why? Parliament will be controlled by the Government. Why are we going to give the Government the opportunity to select those local organs that it feels like selecting? Why should we not leave it that all should be included? It leaves the way wide open for the Government to (exclude any local democratic organ, which we understand to be equivalent to the) local government council, if it feels that any particular local democratic organ is not favourably disposed to the Government. I would like to be corrected if this is not so. It is technically possible for the Government to use this amendment to exclude any such local democratic organ and in view of that, if that is so, and as I read it, the Government can be selective, then we cannot support this amendment.

The Chairman: Yes Cde. Attorney General, any reply to this observation?

Cde. Shahabuddeen: I think Cde. Hoyte would be better equipped to do this.

The Chairman: Cde. Hoyte.

The Minister of Economic Development and Co-operatives (Cde. Hoyte): Cde. Chairman, I would like to allay the fears of the hon. Member Mr. Feilden Singh and to say that the kind of discriminatory possibility to which he referred does not really arise when one looks at the whole scheme of local Government as set out in the Constitution because Article 12 makes it quite clear that local Government is to be an integral part of the democratic organization of the State and running right through the Constitution is the theme of the importance of local government is the political and democratic scheme of the State. Under Article 13 it will be seen that the Constitution directs that the political system should be so organized that it provides opportunity for the participation of as many citizens as possible in the management and decision-making processes of the State. And when we come to Chapter VII, which is the Chapter which sets out the whole concept of local democracy, we see two things, first, that local government is conceived in an entirely different way from that perception which regulates the local government in the country today, and secondly, we see that under the Constitution, local government is intended to work very close collaboration with central government in a kind of symbiotic relationship.

The reason for the amendment which is being proposed to this article is every simple and has to do with the way in which local government is projected to be organised in the country. First of all, it will cover the entire country. That is provided for in the Constitution, that it shall cover the entire country as far as practicable. Secondly, local government will be so organized that large numbers of people are to be involved at the very base so to speak. In the thinking of the Government, and that thinking has been informed and influenced by the recommendations of the Guyana Association of Local Authorities and its affiliates, and persons, who have had close

connection with local government for many years, you will have at the base, so to speak, large numbers of people involved in the day to day management of their community.

It is proposed that there should be six sectors of local power starting with a core sector, which will be known as the neighbourhood committee. We are talking about very small geographical areas where people know one another and where elected councilors would have a duty with respect to the management of a very small area. Then, expanding centrifugally from that core sector, local government would spread out to the neighbourhood council areas and beyond the neighbourhood council areas to the community areas, and beyond the community areas to the districts, and beyond the districts to the sub-regions.

6 p.m.

Now within that structure, obviously, at the national level where one is going to have the National Congress of Local Democratic Organs, one can have represented on that national body people from every single local democratic organ, because the local democratic organ starts with what I call the core sector, the neighbourhood. What is proposed is that one will take some larger sector because as the sectors expand they link with the smaller sectors so that at any given level you have a direct link going right back to the core. What is intended is that there should be a larger sector which would comprise, so to speak, the electoral college for electing people to the National Congress of Local Democratic Organs. To do it any other way would have a National Congress which is completely unwieldy and impracticable really to operate. Far from there being anything sinister here, what we are trying to do is to ensure that local government is linked institutionally with central government and that there is an organization which can in practice make a positive contribution to that harmonization of activities between local government and central government.

Amendment –

That in paragraph (1), for, “the local democratic organs”, the following be substituted:

“such local democratic organs as may be prescribed by Parliament”,

Put, and agreed to.

Article 80, as amended, agreed to and ordered to stand part of the Schedule.

Article 97

Cde. Shahabuddeen: I beg to move the amendment proposed by the Cde. Prime Minister to article 97 at page 41.

Amendment –

That in paragraph (2) the words, “performing the functions of the office of President under articles 96 or 179 or assuming the office of President under article 95”, be deleted, and the following be substituted:

“assuming the office of President or performing the functions thereof under articles 95, 96 or 179, as the case may be,”,

Put, and agreed to.

Article 97, as amended, agreed to and ordered to stand part of the Schedule.

Chapter X

Cde. Shahabuddeen: I beg to move the amendment proposed by the Cde. Prime Minister to Chapter X at page 41.

Amendment –

That the subheading “General provisions as to the Government of Guyana” appearing above article 99, be deleted.

Put, and agreed to.

Chapter X, as amended agreed to and ordered to stand part of the Schedule.

Article 103

Cde. Shahabuddeen: I beg to move the amendment proposed by the Cde. Prime Minister to Article 103 at page 42.

Amendment –

- (a) That “101(1)” be substituted for “101”,
- (b) That “either” be deleted, and
- (c) That “from among persons who” be deleted where this expression occurs for the second time,

Put, and agreed to.

Article 103, as amended, agreed to and ordered to stand part of the Schedule.

Article 106.

Cde. Shahabuddeen: I beg to move the amendment proposed by the Cde. Prime Minister to article 106 at page 42.

Amendment –

That in paragraph (3), for the words, “There shall preside at meetings of the Cabinet”, the following be substituted:

“Cabinet meetings shall be presided over by”,

Put, and agreed to.

Article 106, as amended, agreed to and ordered to stand part of the Schedule.

Article 109

Cde. Shahabudeen: I beg to move the amendment proposed by the Cde. Prime Minister to article 109 at page 43.

Amendment –

That the following words be deleted:

“(other than the functions conferred by this article)”,

Put, and agreed to.

Article 109, as amended, agreed to and ordered to stand part of the Schedule.

Article 139.

The Chairman: The next amendment is yours, I think, hon. Member Mr. Singh.

Mr. M.F. Singh: Subparagraph (1) of article 139 on page 51 makes an exception in respect of National Service. We have always been against compulsory National Service and so we are proposing the deletion of this subparagraph.

Cde. Shahabuddeen: Cde. Chairman, we have had extension arguments on this subject in the Constituent Assembly and I doubt whether it would be wise for me to weary this House

with a repetition of them. For the reasons expounded there, and that was a Committee of this House, I regret to say that my side is unable to support the proposed amendment and therefore we will oppose it.

Amendment –

That paragraph (1), subparagraph (1) on page 51 be deleted,

Put, and negatived.

Article 139, as printed, agreed to and ordered to stand part of the Schedule.

Article 142.

The Chairman: Next is Article 142. Hon. Member Mr. Singh.

Mr. M.F. Singh: This deals with the same thing, National Service. This is on page 55. At paragraph (2) (a), subparagraph (ix), they are saying this spells it out.

The Chairman: Am I correct? I think you are also deleting article 142(1). I think that is your new amendment, about adequate compensation and things like that, and then you go on also to subparagraph (ix).

Mr. M.F. Singh: Thank you very much sir. On article 142 (1), I gave an indication about it when we were dealing with the Bill itself. I think I would like to read this as it stands here now:

“No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law which provides for compensation for the property or any interest in or right over property so possessed or acquired and either fixes the amount of compensation or specifies the principles on which the compensation is to be determined and given and no such law shall be called in question in any court on the ground that the compensation provided by that law is not adequate.”

Here we have an acknowledgment that there should be compensation and acknowledgement that the amount of compensation should be fixed, but there is nothing about whether the compensation fixed is adequate or represents what is a fair value. There is nothing at all about that here. There is a specific provision saying that whether you like it or not you have got to take it and you cannot appeal to any court of law against the quantum or anything in connection with the compensation even though they are acknowledging that you must get compensation. That is why we feel very strongly about this. You should have a right to question the amount of compensation which the law the Government wants to give you. It should say here how you should be paid it. Under this, you can be paid it in bonds over a period of a hundred years. Anything can be put in a law. That is why we wanted the Constitution to spell it out as it was spelt out before. My amendment is in fact saying the same thing but adding to it that the compensation should be prompt and it should be adequate and there should be a right to go to the court in order to question it if you are not satisfied with it. That is in effect the

amendment to article 142(1).

Sir, I don't know whether you want to put that and then I will go on to the other one. [Pause.] The other one is on subparagraph (ix). That talks about the exception, that nothing contained in or done under the authority of any law should be allowed to be inconsistent with or contrary to the preceding paragraph which deals with taking away of property. Subparagraph (ix) states:

“in consequence of any law requiring an employer to remunerate his employee during any period of compulsory national service which the employee has undertaken;”

6.10 p.m.

There the word “compulsory” is used, that is why that sends the message to us that there is some intention to make National Service compulsory and, without repeating myself, that is why we object to this and would like to have it deleted.

Amendment proposed.

Cde. Shahabuddeen: Cde. Chairman, here again the amendment proposed by my hon. and learned Friend deals with matters which are fundamental to the whole concept of the new Constitution. We had these matters discussed at some length in this House already. However, I do want to make the point that my hon. and learned Friend seems to be under the impression that paragraph (1) of Article 142, which he read out at length, is something terribly new, and so I think it is right to disabuse the mind of anyone of such an impression. That paragraph from the Draft Constitution which he read out is not at all new. It is a reproduction word for word of the corresponding passage in the existing Constitution as last amended on this point in 1975.

I think I should read the amendment which was made in 1975. It was made by the Constitution (Amendment) Act 1975, No. 35 of 1975. Section 2 of that Act amended article 8 of the Constitution by substituting for paragraph (1) these words. These are the words and hon. members may wish, as I read along, to compare what I read with what is now in article 142, paragraph (1), which my hon. and learned Friend read out. These are the words which the 1975 Act substituted for paragraph (1) of article 8 of the existing Constitution. I now read them.

“No property to any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law which provides for compensation for the property or any interest in or right over property so possessed or acquired and either fixes the amount of compensation or specifies the principles on which the compensation is to be determined and given and no such law shall be called in question in any court on the ground that the compensation provided by that law is not adequate.”

If I am right in thinking that the words which I have read from the 1975 amendment are identical with the words in the Draft Constitution, it would seem to me that the issues which are sought to be agitated by my hon. and learned Friend were issues which should and could have been raised in 1975 when the law was enacted. It does not preclude him from raising these issues again but it seems to me it does preclude him from raising those issues on the basis that we are putting now something in the Constitution which perhaps was not there before.

The Chairman: He is merely thinking that you may change your mind.

Cde. Shahabuddeen: For all those reasons, even at your own suggestion, Cde. Chairman, I do feel constrained to oppose the amendment proposed.

Amendment –

That the following be substituted for paragraph (1):

“(1) No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except by or under the authority of a written law and where provision applying to that acquisition or taking of possession is made by a written law –

- (a) requiring the prompt payment of adequate compensation; and
- (b) giving to any person claiming such compensation a right to access, either directly or by way of appeal, for the determination of his interest in or right over the property and the amount of compensation, to the High Court.”,

That sub-paragraph (ix) of paragraph (2)(a) be deleted,

Put, and negatived.

Article 142, as printed, agreed to and ordered to stand part of the Schedule.

Article 146

The Chairman: Cde. Attorney General.

Cde. Shahabuddeen: I now beg on behalf of the Cde. Prime Minister to move the amendment in his name to article 146 on page 62.

Amendment –

That the following be inserted before the full stop at the end of paragraph (2)(c) :

“or officers of any corporate body established on behalf of the public or owned by or on behalf of the Government of Guyana”,

Put, and agreed to.

Clause 146, as amended, agreed to and ordered to stand part of the Schedule.

Article 154

The Chairman: Hon. Member Mr. Singh, I see you had Article 154 yesterday but you do not have it repeated today. Are you withdrawing it?

Mr. M.F. Singh: Today’s notice complements yesterday’s. It relates to National Service.

Amendment –

That the definition of national service at the end of the article on page 72 be deleted.

Put, and negatived.

Article 154, as printed, agreed to and ordered to stand part of the Schedule.

Article 155

Cde. Shahabuddeen: Cde. Chairman, I beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 155 at page 72.

Amendment –

- (a) That in paragraph (2) the following be deleted, “article 60(3) or article 60(4)” and the following be inserted: “paragraph (3) or (4) of article 60”,
- (b) That in paragraphs (3), (4), and (5) the following be deleted: “or is nominated for election as”,

Put, and agreed to.

Article 155, as amended, agreed to and order to stand part of the Schedule.

Article 156

Cde. Shahabuddeen: I beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 156 at page 74.

Amendment –

- (a) That in paragraph (1)(a) a colon be substituted for the semicolon at the end and the following proviso be inserted:
“Provided that, if the President certifies that the member had resigned for the purpose of giving further services to the public, the member, if otherwise qualified, shall be eligible to be re-elected to the Assembly in accordance with any provision made under article 63;”,
- (b) That in paragraph (1)(h) after “Speaker,” the words “Deputy Speaker,” be inserted, and “Parliament” be substituted for the words, “the National Assembly” wherever these words appear,

Put, and agreed to.

Article 156, as amended, agreed to and ordered to stand part of the Schedule.

Article 160

Cde. Shahabuddeen: On behalf of the Prime Minister, I beg to move the amendment standing in his name to article 160 at page 79,

Amendment –

That in paragraph (3)(g) the word, “democratic” be inserted after “regional”,

Put, and agreed to.

Article 160, as amended, agreed to and ordered to stand part of the Schedule.

Article 161

The Chairman: There are two amendments to article 161, one by the Cde. Attorney General and one by the hon. Member Mr. Feilden Singh. Has there been some consensus? Is there any formula that you could work both amendments together and one person could propose it? It would be so much more convenient.

Cde. Shahabuddeen: I would ask to delete these words from the penultimate line of (a) of the circulated notice of amendment to article 161. Delete after the word “member”, the word, “and” and then delete the other words in that paragraph because they are incorporated in my friend’s amendment. Delete: “and delete ‘(excluding the name of the President)’”.

The Chairman: Let me see if I have the words right. Article 161, paragraph (5), will read as follows:

After “acting” insert:

“, in the case of a member to be appointed in respect of the list in which the name of the President was included as a Presidential candidate, in his own deliberate judgment, and in the case of any other member.”.

Cde. Shahabuddeen: Put a comma and then full stop, the full stop outside the quotes.

The Chairman: And that is it?

Cde. Shahabuddeen: The rest will remain.

The Chairman: I then delete “(excluding the name of the President)” from your amendment.

Cde. Shahabuddeen: Delete, “and delete’ (excluding the name of the President)”. Subject to that qualification I would beg to move the Amendment standing in the Prime Minister’s name.

Mr. M.F. Singh: rose –

The Chairman: Do you withdraw your amendment?

Mr. M.F. Singh: On the basis of his amendment, you can go ahead and then mine will follow his.

The Chairman: I will put the amendment by the Cde. Attorney General.

Amendment –

(a) That in paragraph (5) after “acting” the following be inserted:

“, in the case of a member to be appointed in respect of the list in which the name of the President was included as a Presidential candidate, in his own deliberate judgment, and in the case of any other member.”.

(b) That in the proviso to paragraph (5) the word “paragraph” be substituted for ‘subsection’,

Put, and agreed to.

The Chairman: I proposed the amendment by the hon. Member Mr. Singh:

In paragraph (5) delete the words “the member of the Assembly whose name (excluding the name of the President) appears first on” and substitute the words “the person who under such provisions as may be made under Article 63, has power to identify persons to fill casual vacancies among the seats of members of the National Assembly from”

Cde. Shahabuddeen: May I just point out what I believe are two little typographical mistakes in the circulated notice of amendment. In the third line I believe my friend intended to put a comma after “who” and I believe he meant to spell “article” in the following line with small “a” following the style. We are supporting that.

Amendment –

That in paragraph (5) the words “the member of the Assembly whose name (excluding the name of the President appears first on” be deleted and the words “the person who, under such provisions as may be made under Article 63, has power to identify persons to fill casual vacancies among the seats of members of the National Assembly from” be substituted therefor,

Put, and agreed to.

The Chairman: Article 161 will be amended in two ways: as proposed by the Attorney General and as proposed by the hon. Member Mr. Feilden Singh.

Article 161, as amended, agreed to and order to stand part of the Schedule.

Article 164

Mr. M.F. Singh: Article 164 is the next one. It is on the back of the page.

The Chairman: Here again we have two amendments. Cde. Attorney General, any accommodation on this one?

Cde. Shahabuddeen: I do regret to say that we are unable to support this amendment.

The Chairman: Let me put the one that is negatived first. Hon. Member Mr. Singh.

Mr. M.F. Singh: I would like to put the Amendment to Article 164 standing in my name. briefly, this article deals with the procedures for altering this Constitution. There are three ways you can alter this Constitution: by a simple majority; by a two-thirds majority and, in respect of the most entrenched clauses, by a referendum. Those articles which require a referendum are listed at the present moment here in 164 (2)(a). Article 164 (2)(a) does not include article 70. What does article 70 deals with? Article 70 deals with prorogation and dissolution of Parliament and it also deals with the life of Parliament. Article 70(3) states:

“Parliament, unless sooner dissolved, shall continue for five years from the date when the Assembly first meets after any dissolution and shall then stand dissolved.”

We think that this is a very important article. The present Draft provides for it to be changed in paragraph 164(2)(b) which can be done by a two-thirds majority. It can also be done the other way. I do not know whether the Attorney General wants me to go into the mechanics. It can be done in two ways: either by a two-thirds majority or by a simple majority and going to a

referendum. I want to say that it should be entrenched so that it could be done by a referendum and a referendum alone. That is how it was in the old Constitution before the referendum. We would like to return to that position where that clause is entrenched, the five year term of office of the Government is entrenched, the five year term of office of the Government is entrenched. It does not preclude the Government because under the same article, in times of emergency and war or anything else article 70(4) provides:

“During any time when the President considers that Guyana is at war Parliament may from time to time extend the period of five years specified in the preceding paragraph by not more than twelve months at a time;”.

Parliament in time of war, by a simple majority, can go ahead and extend it. But, other than in time of war or unusual times like that, we want it to be subject to the voice of the people in a referendum and that is why we want to move it into the upper category of strongly entrenched articles. The hon. Prime Minister assures us that the referendum has been put back. We want to put back the five year term of office into that article. That, in fact, is the purpose of the amendment.

Amendment –

That “70” be inserted in paragraph (2)(a) after “66,” and

That “70”, be deleted in paragraph (2)(b) after “69,”

Put, and negatived.

The Chairman: I will put the amendment by the Cde. Attorney General.

Amendment –

That for paragraph (2)(b) the following be substituted:

“(b) articles 3, 4, 5, 6 and 7, 10 to 17 (inclusive), 19 to 49 (inclusive), 52 to 57 (inclusive), 59, 60, 62, 63, 64, 65, 67, 68, 69, 70, 72 (in so far as it relates to the number of regions), 90 to 96 (inclusive), 98, 108, 110, 116, 120 to 163 (inclusive, but excepting article 132), 168 to 215 (inclusive, but excepting articles 173, 185, 186, 192(2) and (3) and 193), 222, 223, 225, 226, 231 and 232 (excepting the definition of “financial year”),”.

Put, and agreed to.

Article 165, as amended, agreed to and ordered to stand part of the Schedule

Article 177

Cde. Shahabuddeen: I return to article 177 on page 90 and beg to move the amendment standing in the name of the Prime Minister.

Amendment –

- (a) That in paragraph 91) the words “designating a Presidential candidate (hereinafter referred to as a “Presidential list”)” be deleted;
- (b) That in paragraph (1) “the” be substituted for “that”;

- (c) That before the full stop at the end of paragraph (1) “named in the list” be inserted;
- (d) That in paragraphs (2)(b) and (3) “Presidential” be deleted wherever it appears before “list” or “lists”;
- (e) That in paragraph (3) after “equal” where it last occurs the words “in either of the circumstances aforesaid” be inserted.

Put, and agreed to.

Article 177, as amended, agreed to, and ordered to stand part of the Schedule.

Article 179

Cde. Shahabuddeen: Cde. Chairman, I beg on behalf of the Prime Minister to move the amendment standing in his name to article 179 on page 92.

Amendment –

- (a) That in paragraph (1) the words “If the members of the National Assembly whose names appear as candidates on the same list as that of the President at the last election held pursuant to article 60(2) resolve, upon a motion supported by the votes of a majority of all of them,” be for the words “IF the Cabinet resolves, upon a motion supported by the votes of a majority of all the members of the cabinet”;
- (b) That in paragraph (1) “the Prime Minister” be inserted after “investigated and”;
- (c) That in paragraph (1) “or under the law of any other country in the Commonwealth” be deleted;
- (d) That in paragraph (3) “Where the Cabinet resolves” be deleted and “Where the Prime Minister informs the Chancellor that a resolution has been passed pursuant to paragraph (1)” be substituted;
- (e) That in paragraph (3)(b) “the Cabinet shall elect” be deleted and “shall be elected by the members referred to in paragraph (1)” be substituted;
- (f) That in paragraph (4) the words after “proposed” be deleted and the words “by any of the members referred to therein at any meeting of such members convened by the Prime Minister.” Be substituted,

Put, and agreed to.

Article 179, as amended, agreed to and ordered to stand part of the Schedule.

SUSPENSION OF STANDING ORDER

Cde. Ramsaroop: I beg to move the suspension of the relevant Standing Order to enable us to go beyond 6.30 in order to complete this Bill.

Question put, and agreed to.

Standing Order No. 9(2) suspended.

CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA BILL 1980

Article 182

Cde. Shahabuddeen: Cde. Chairman, I beg to move the Amendment standing in the Prime Minister's name to article 182 at page 94.

Amendment –

That in paragraph (3) after “holds” the words “or performs the functions of” be inserted.

Put, and agreed to.

Article 182, as amended, agreed to and ordered to stand part of the Schedule.

6.30 p.m.

Article 185

Cde. Shahabuddeen: Cde. Chairman, I beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 185 at page 97.

Amendment –

That the words in paragraph (1), “is qualified to be appointed as a Puisne Judge of the High Court” be deleted and the following be substituted:

“holds such qualifications as may be prescribed by Parliament”,

Put, and agreed to.

Article 185, as amended, agreed to and ordered to stand part of the Schedule.

Article 186

The Chairman: And now we have two amendments to article 186, one by the hon. Member Mr. Singh and one by the Attorney General. Is there any agreement. No? Hon. Member Mr. Singh.

Mr. M.F. Singh: I beg to move the amendment standing in my name. Article 186 (1) reads thus:

“Parliamentary Secretaries may be appointed from among persons who are elected members of the National Assembly or are qualified to be elected as such members.”

This is a departure from the existing position where Parliamentary Secretaries have to be appointed from among elected Members of the House. We already have provision whereby Ministers can be appointed from persons who are qualified to be elected as Members of the House. We call them technocrats as a loose term and we see them sitting there, I think from the hon. Member Mr. Mingo coming back here. All those are technocrat Ministers non-elected Ministers. We are now extending this to Parliamentary Secretaries. I think it is wrong to extend it in such a way that we might well have a House where the majority of the officials in the Government. From Bench, the officials, are really non-elected people, people who were not chosen by the electorate of the country. There is no limit to the number of Ministers who could be appointed as technocrat Ministers. I am using the word as I said, loosely. We are not extending it so that there will be no limit to the number this is wrong. It will lead more and more to a non-representative Government, a Government non-representative of the people and the electorate, not elected at an election.

That is why we say “Fair enough, we have to live with what is there now, but don’t let us extend it any further.” The amendment which follows that, the deletion of 186(1), the amendment would be consequential because (3) would then have to come out and (4) would be renumbered as (3). I beg to move those amendments standing in my name.

The Chairman: I will put the amendment by the hon. Member Mr. Singh.

Amendment –

- (a) That in paragraph (1) a full stop be inserted after “Assembly” and the remainder of the paragraph be deleted,
- (b) That paragraph (3) be deleted,
- (c) That paragraph (4) be renumbered as paragraph (3),

Put, and negatived.

The Chairman: I will now put the Attorney General’s amendment.

Amendment –

- (a) That in paragraph (3), the article “an” be inserted before “elected” and the article “a” following “elected” be deleted,
- (b) That the words in paragraph (4), “of paragraphs (1), (2), and (3)”, be deleted,

Put, and agreed to.

Article 186, as amended, agreed to and ordered to stand part of the Schedule.

The Chairman: Cde. Attorney General.

Cde. Shahabuddeen: Cde. Chairman, if it meets with your convenience and that of the House, I propose to put both amendments together. One relates to article 189 and the other to article 190. They are both at page 100.

Article 189Amendment –

That in paragraph (1) (c) the words “and not” be substituted for the word “or”;

Article 190Amendment –

That in paragraph (2) after “provision” the words, “in any case not falling within the preceding paragraph”, be inserted,

Put and agreed to.

Article 189 and 190, as amended, agreed to and ordered to stand part of the Schedule.

Article 197

Cde. Shahabuddeen: Cde. Chairman, on behalf of the Cde. Prime Minister, I beg to move the amendment standing in his name to article 197 at page 106.

Amendment –

- (a) That the word “or” at the end of paragraph (iii) of the proviso to paragraph (2) be deleted;
- (b) That paragraph (iv) of the proviso to paragraph (2) be renumbered as paragraph (v);
- (c) That after paragraph (iii) of the proviso to paragraph (2) the following be inserted as paragraph (iv);
- “(iv) any continuance in office effected pursuant to paragraphs (i), (ii) and (iii) may from time to time be extended in like manner as hereinbefore provided; and”;
- (d) That in paragraph (5), for the words “Chief Justice or the Chancellor” the following be substituted:

“Chancellor or the Chief Justice”,

Put, and agreed to.

Article 197, as amended, agreed to and ordered to stand part of the Schedule.

Article 202

Cde. Shahabuddeen: On behalf of the Cde. Prime Minister, I beg to move the amendment standing in his name to article 202 at page 114.

Amendment –

That paragraph (3) be deleted,

Put and agreed to.

Article 202, as amended, agreed to and ordered to stand part of the Schedule.

Article 205

Cde. Shahabuddeen: On behalf of the Cde. Prime Minister I beg to move the amendment standing in his name to article 205 at page 116.

Amendment –

That in paragraph (2) after “appointment” the words “under paragraph (1) be inserted,

Put, and agreed to.

Article 205, as amended, agreed to and ordered to stand part of the Schedule.

Article 207

Cde. Shahabuddeen: Cde. Chairman, I now beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 207 at page 117.

Amendment –

That in paragraph (2)(a) the word “after” be substituted for “in”,

Put, and agreed to.

Article 207, as amended, agreed to and order to stand part of the Schedule.

Article 211

Cde. Shahabuddeen: Cde. Chairman, I now beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 211 at page 119.

Amendment –

That the following be inserted as paragraph (6):

“(6) In this article reference to the office of Deputy Commissioner of Police are reference to the office, however styled, that ranks next in seniority in the Police Force after the officer of Commissioner of Police, provided that there may be more than one office of Deputy Commissioner of Police and that, if there are more than one such office, the holders thereof shall rank among themselves according to the date of their respective appointments.”,

Put, and agreed to.

Article 211, as amended, agreed to and ordered to stand part of the Schedule.

Article 212

Cde. Shahabuddeen: I now beg on behalf of the Cde. Prime Minister to move the amendment standing in his name to article 212 at page 120.

Amendment –

That paragraph (9) be deleted,

Put, and agreed to.

Article 212, as amended, agreed to and ordered to stand part of the Schedule.

Article 218

The Chairman: Hon. Member Mr. Singh.

Mr. M.F. Singh: Mr. Chairman, I beg to move the amendment standing in my name in respect of article 218(1) at page 125. Again this is a departure from the existing position. It reads:

“The Prime Minister or any other Minister designated by the President shall cause to be prepared and laid before the National Assembly before or within ninety days after the commencement of each financial year estimates of the revenues and expenditure of Guyana for that year.”

The present Constitution provides that it should be sixty days. We would like to see that period of sixty days remain. We know that there has been an increase in spending and all the rest of it but we feel it still should be possible to keep the figures and the accounts up to date, to keep them nicely prepared and ready but we do not think that from the end of the financial year in December that it could take up to ninety days for you to bring estimates to Parliament here.

We have always been complaining about this. By the time they get to us, they almost need amending again, and shortly thereafter, we have supplementaries and all the rest of it. We have gone through all these years with sixty days and we would like to keep sixty days, not three months, in the new year for the Government to bring the estimates before Parliament. We think a period of sixty days is quite enough and we should not extend it to ninety days.

Amendment –

That in paragraph (1) the word “sixty” be substituted for “ninety”,

Put, and negatived.

Clause 218, as printed, agreed to and ordered to stand part of the Schedule.

Article 220

Cde. Shahabuddeen: In relation to article 220, I beg to move the amendment standing in the Cde. Prime Minister’s name.

Amendment –

(a) That the words, “and unforeseen”, appearing in paragraph 91) be deleted,

(b) That in paragraph (2) the words “the President” be substituted for “him”,

Put, and agreed to.

Article 220, as amended, agreed to and ordered to stand part of the Schedule.

Article 226.

Cde. Shahabuddeen: Cde. Chairman, I now ask to move the Amendment, standing in the Cde. Prime Minister’s name, to article 226 at page 129.

Amendment –

That the following be substituted for paragraph (2):

“(2) The President may, after consulting a Commission, make rules relating to the procedure of the Commission and disciplinary offences within the jurisdiction of the Commission, including the punishments for such offences and the procedure relating thereto, and, subject to any rules so made, the Commission may regulate its own procedure.”

Put, and agreed to.

Article 226, as amended, agreed to and ordered to stand part of the Schedule.

Article 232

Cde. Shahabuddeen: Now finally, Cde. Chairman, I beg on behalf of the Cde. Prime Minister to move the amendment standing in his name in relation to article 232 at page 132.

Amendment –

(a) That in paragraph (1) before the semicolon at the end of the definition of “election”, the following be inserted:

“, the National Congress of Local Democratic Organs or other elected body established by or under this Constitution, as the case may be”.

- (b) That in paragraph (1) after the definition of “law” the following definition be inserted:

“‘Local democratic organ’ means any local government authority;”

- (c) That in paragraph (5)(a) after “Assembly” the following be inserted:

“or of the Supreme Congress of the People”,

- (d) That before the full stop at the end of paragraph (7), the following be inserted:

“, and, in the case of the Public Service Commission, the Teaching Service Commission and the Police Service Commission, shall be without prejudice to power hereby conferred on the President to remove any such officer from his office in the public interest”

- (e) That the following be substituted for “No” at the beginning of paragraph (8):

“Subject to article 226(6), no”

Put, and agreed to.

Article 232, as amended, agreed to and ordered to stand part of the Schedule.

The Chairman: I will now put the Schedule, as amended.

Schedule, as amended, agreed to and ordered to stand part of the Bill.

Assembly resumed

Cde. Shahabuddeen: Cde. Speaker, I beg on behalf of the Cde. Prime Minister to report that the Constitution of the Co-operative Republic of Guyana Bill 1980 was considered in Committee clause by clause and was passed with amendments. I now move that the Bill be read the third time and passed as amended.

Question put.

Cde. Ramsaroop: Division.

Assembly divided: Ayes 37, Noes 2, as follows: -

Ayes

Cde. Zaheeruddeen

Cde. Willems

Cde. Walcott

Cde. Taylor

Cde. Sukul

Cde. Sukhai

Cde. Stoby

Cde. Salim

Cde. Rayman

Cde. Jonas

Cde. Hussain

Cde. Gill

Cde. Fowler

Cde. Field-Ridley

Cde. Carrington

Cde. Ramson

Cde. Wrights

Cde. Bynoe

Cde. Corrica

Cde. Ambrose

Cde. Ackman

Cde. Van Sluytman

Cde. Prashad

Cde. Corbin

Cde. Thomas

Cde. Chowritmootoo

Cde. Bancroft

Cde. Duncan

Cde. Carmichael

Cde. Nascimento

Cde. Clarke

Cde. Mingo

Cde. Ramsaroop

Cde. Naraine

Cde. Hoyte

Cde. Reid

Cde. Burnham - 37

Noes

Mr. Abraham

Mr. Singh - 2

Motion carried.

Bill read the third time and passed as amended.

ADJOURNMENT

Resolved, “That this Assembly does now adjourn to a date to be fixed. /The Minister of Parliamentary Affairs and Leader of the House.”

Adjourned accordingly at 6.45 p.m.