

THE
PARLIAMENTARY DEBATES

OFFICIAL REPORTS

VOLUME 107

PROCEEDINGS AND DEBATES OF THE THIRD SESSION (1983) OF THE NATIONAL ASSEMBLY OF THE FOURTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA

22nd Sitting 14:00 hrs Wednesday 1984-02-08

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

- * Cde. Sase Narain, O.R., J.P., M.P.,
Speaker of the National Assembly

Members of the Government - People's National Congress (58)

Prime Minister (1)

- Cde. Dr. P.A. Reid, O.E., M.P.,
Prime Minister

Other Vice-Presidents (4)

- Cde. H.D. Hoyte, S.C., M.P.,
Vice-President, Production
- Cde. H. Green, M.P.,
Vice-President, Social Infrastructure
- Cde. B. Ramsaroop, M.P.,
Vice-President, Party and State Matters
- * Cde. Dr. M. Shahabuddeen, O.R., S.C., M.P.,
Vice-President and Attorney General

Senior Ministers (6)

- Cde. R. Chandisingh, M.P.,
Minister of Education, Social Development and Culture
- Cde. R.H.O. Corbin, M.P.,
Minister of National Mobilisation
- * Cde. R.E. Jackson, M.P.,
Minister of Foreign Affairs
- * Cde. J.R. Thomas, M.P.,
Minister of Home Affairs
- * Cde. H. Rashid, M.P.,
Minister of Energy and Mines
- * Cde. C.B. Greenidge, M.P., (Absent)
Minister of Finance and Economic Planning

- * Non-elected Member

Ministers (7)

- Cde. U.E. Johnson, M.P.,
Minister in the Office of the Prime Minister
- Cde. Sallahuddin, M.P.,
Minister within the Ministry of Agriculture
- Cde. R.C. Fredericks, A.A., M.P.,
Minister of Youth and Sport within the Ministry
of Education, Social Development and Culture
- Cde. S. Prashad, M.P.,
Minister of Transport within the Vice-Presidency
of Social Infrastructure
- * Cde. Y.V. Harewood-Benn, M.P.,
Minister of Information and Public Service
- * Cde. Dr. R.A. Van West-Charles, M.P.,
Minister of Health and Public Welfare
- * Cde. K.W.E. Denny, M.P.,
Minister of Manpower and Co-operatives

Ministers of State (2)

- Cde. M. Corrica, M.P.,
Minister of State within the Ministry of Internal
Trade and Consumer Protection
- Cde. H.L.B. Singh, M.S., M.P.,
Minister of State within the Ministry of Regional
Development (Absent - on leave)

Parliamentary Secretaries (4)

- Cde. A.W. Bend-Kirton-Holder, M.P.,
Parliamentary Secretary, Housing, within the
Ministry of Health and Public Welfare
- Cde. D.A.N. Ainsworth, M.P.,
Parliamentary Secretary within the Ministry of
Education, Social Development and Culture
- Cde. B. Bhaggan, M.P.,
Parliamentary Secretary in the Office of the
Prime Minister
- Cde. J.B. Caldeira, M.P.,
Parliamentary Secretary within the Ministry of
Agriculture

* Non-elected Member

Other Members (23)

Cde. M. Ally, M.P.
Cde. M. Armogan, M.S., J.P., M.P.
Cde. B. Beniprashad, M.P.
Cde. A.A. Chin, M.P. (Absent)
Cde. J.P. Chowritmootoo, J.P., M.P.
Cde. O.E. Clarke, M.P.
Cde. E.B. Davidson, M.P.
Cde. H. Doobay, M.P.
Cde. A.B. Felix, M.P.
Cde. E.H.. Fowler, M.P.
Cde. P. Fredericks, M.P.
Cde. E.F. Gilbert, M.P.
Cde. J. Gill-Mingo, M.P.
Cde. A. McRae, M.P.
Cde. E. Melville, M.P.
Cde. J.M. Munroe, J.P., M.P. (Absent - on leave)
Cde. R.N. Primo, M.P.
Cde. P.A. Rayman, M.P.
Cde. C.G. Sharma, J.P., M.P.

Cde. B. Tiwari, M.P. Government Chief Whip
Cde. C. Vandenburg, M.P.
Cde. R.E. Williams, M.P.

Members from the National Congress of Local Democratic Organs (2)

Cde. R. Bishop, M.S., M.P.
Cde. B. Latchminarayan, M.P. (Absent)

Members from the Regional Democratic Councils (9)

Cde. K.N. Jones, M.P. (Region No. 1 - Barima/Waini)
Cde. K.V. Jairam, M.P. (Region No. 2 - Pomeroon/Supenaam)
Cde. C.A. Singh, M.P. (Region No. 3 - Essequibo Islands/West Demerara)
Cde. W. Bipat, J.P., M.P. (Region No. 4 - Demerara/Mahaica)
Cde. H.I. London, M.S., M.P. (Region No. 5 - Mahaica/Berbice)
Cde. I. Chowritmootoo, M.P. (Region No. 6 - East Berbice/Corentyne)
Cde. N.R. Charles, M.P. (Region No. 7 - Cuyuni/Mazaruni)
Cde. D. Abraham, M.P. (Region No. 8 - Potaro/Siparuni)
Cde. D. Hinds, M.P. (Region No. 10 - Upper Demerara/Berbice)

Members of the Minority (12)

(i) People's Progressive Party (10)

Minority Leader (1)

Cde. Dr. C. Jagan, M.P., (Absent)
Minority Leader

Deputy Speaker (1)

Cde. Ram Karran, M.P., (Absent)
Deputy Speaker of the National Assembly

Other Members (8)

Cde. J. Jagan, M.P. (Absent)
Cde. Reepu Daman Persaud, J.P., M.P.,
Minority Chief Whip
Cde. N. Persaud, M.P.
Cde. C.C. Collymore, M.P.
Cde. S.F. Mohamed, M.P.
Cde. I. Basir, M.P. (Absent - on leave)
Cde. C.C. Belgrave, M.P. (Absent)
Cde. H. Nokta, M.P.

(ii) United Force (2)

Mr. M.F. Singh, C.C.H., 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

14:00 hrs

PRESENTATION OF PAPERS AND REPORTS, ETC.

The following paper was laid:

Travel Tax (Amendment) Regulations 1984 (No. 4), made under section 57(13) of the Tax Act, Chapter 80:01, and published in the Gazette on 31st January, 1984. /The Vice-President, Production (Cde. Hoyte) on behalf of the Minister of Finance and Economic Planning./

PUBLIC BUSINESS

MOTION

APPROVAL OF ESTIMATES OF EXPENDITURE FOR 1984

The Speaker: Cde. Leader of the House, before I proceed to Public Business I wish to state that for consideration of the Heads, as provided for in the document that was circulated yesterday, you will have the necessary Ministers ready to proceed.

Secondly, if all the Heads and Divisions are completed I propose proceeding with the other matters on the Agenda.

The Assembly will now resolve itself into Committee of Supply to consider the 1984 Estimates of Expenditure.

IN COMMITTEE OF SUPPLY

Assembly in Committee of Supply

Cde. Reepu Daman Persaud: Cde. Chairman, with your kind permission I would like to raise a Point of Order. This has been a consistent position of those of us who occupy this side of the Assembly and it is premised on the Standing Orders, the Constitution, Mace, who is considered to be an authority on Parliamentary practice and procedure and, last but not least, the general precedent and convention of this Assembly.

I want, first and foremost, to refer you to article 165 of the Constitution which states—

The Chairman: Just a minute: What page?

Cde. Reepu Daman Persaud: In my book it is page 76. I do not know if it is the say in yours. Article 165 simply states:

(1) Subject to the provision of this Constitution, the National Assembly may regulate its own procedure and may make rules for that purpose."

The National Assembly, in keeping with that provision, has made rules and has approved rules. That brings me to Standing Order 65 which deals with Procedure in Committee of Supply.

The Chairman: What page?

Cde. Reepu Daman Persaud: Page 32. Standing Order 65 is pellucid and clear. I will not read the whole Order because I know you are conversant with it.

"(1) On consideration ... each head of expenditure shall be considered with the appropriate details, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the head then under discussion."

No Head, no sub-head, no item, escapes the concomitant of appropriate detail, detail which the word itself connotes, so that we ought to be able to examine the accounts of revenue and expenditure of this country intelligently and wisely. My submission, sir, is that these Estimates do not allow what has been the practice and what is, in fact, envisaged in the provisions of the Constitution, in the Standing Orders and in what Mace himself has written based on Westminster practice of which we are a part because, to cite Mace, I would cite the Standing Order which states that whenever there is a doubt we refer to Mace. It is actually written in our own book. So based on that I have made this statement.

There is just one example I want to give you. There are so many examples in these Estimates. If you look at Ministry of Finance, page 56. The first sub-head is 101 and it just says 31 positions, Administrative. There are no details on that. The general practice and form have been that each office --

The Chairman: You do not understand what it means?

Cde. Reepu Daman Persaud: It simply talks about "Administrative."

The Chairman: It has 31 at the side.

Cde. Reepu Daman Persaud: Who are they? What are their functions? What is their salary? It is a question of expenditure and when you look at the Estimates --

The Chairman: It is money provided to pay them for working.

Cde. Reepu Daman Persaud: In former Estimates one would have seen exactly what salary the particular position carried with it so that we could consider whether the person was properly paid or not. The civil servants have a voice in this Assembly in that they can speak through the Members of this Assembly in general terms.

1984-02-08

14:10 – 14:20 hrs

National Assembly

14:10 hrs

Cde. Reepu Daman Persaud: You would want to know how many Permanent Secretaries there are, how many Principal Assistant Secretaries there are, under which scale they are and so on.

The Speaker: What difference does it makes to the running of the Assembly?

Cde. Reepu Daman Persaud: Sir, this Assembly is called upon to approve money and we must be able to see if the Departments are under staffed, if they have over-drafts, if they are overpaid or underpaid. We must have all the details. This Estimates concerns vital information and lack of details can eliminate proper deliberation. I am inviting you with the greatest respect to exercise your power to postpone consideration of the Estimates. We have 91 days from the beginning of January in which to do the Estimates. January is gone, this is February and we have until the end of March to present the Budget. This is a clear violation of the rules and I am calling on the Minister of Finance to supply to this Parliament a more detailed Estimate so that we can have an intelligent, frank and fair examination of the Estimates. Unfortunately in the present form of the Estimates we cannot do that.

The Speaker: Cde. Persaud, I do not agree with you.

Mr. F. Singh: I would like to support the last speaker and to say that I fully agree with him. I will give you just a little example. If I were to ask for details under every head you will get fed up with me. We used to have details in the past, why can't we be given such details now?

The Speaker: Cde. Hoyte, do you wish to say anything in support of the Estimates?

Cde. Hoyte: Cde. Speaker, this Matter has been going on for some time. This is the third time that Cde. Reepu Daman Persaud has raised this matter. You have already ruled on it and it is not for me to question.

The speaker: Cde. Attorney General, I would like to hear you on this matter so that I can advise myself.

Vice-President and Attorney General (Cde. Dr. M. Shahabuddeen): I understand, Cde. Chairman, that this matter has been the subject of full ventilation of the issue on two previous occasions. The only point I wish to make is this: When one reads the Standing Orders with the Constitution one has to remember that one has to give some sort of weight to considerations of convenience both from the point of view of the Opposition and from the point of view of the Government benches. If Cde. Reepu Daman Persaud would delve into the Estimates presented in the United Kingdom House of commons to discover how in fact the various elements of a head are set out, I believe he would see that they are set out without tedious details. I wish to be cautious and say that I had not anticipated this debate and I do not have with me a copy of the United Kingdom Estimates but I feel reasonably certain that those Estimates do not include a seriatim recitation of every single post of each department of each Ministry. If that were to happen, one would have a document extending over many many thousands of pages and I do not have any reason to believe that that is the way the matter is handled in England.

14:20 hrs

(Cde. Shahabuddeen continues)

I would think, Cde. Chairman, that the reasonable approach is this, the Government presents to the Assembly the information as to the expenditure which it proposes to incur. It can do so in various ways. Let us suppose that the method contended for by Cde. Reepu Daman Persaud is indeed the one used in England.

The Chairman: He is also saying that our estimate, in the past, has been one in which details were being given and we have suddenly changed the procedure. Therefore, that is not in keeping with the Standing Orders.

Cde. Shahabuddeen: It is not this Assembly which has changed the procedure. It is the Government which has changed the format in which it will present information to the Assembly. Nothing in the Constitution or in the Standing Orders hallowed consecrated that older method of presenting the information. The precedent was set for one Finance Minister by the previous Finance minister. They were never set by the assembly itself, really. So one Finance Minister is fully competent to vary the method which commended itself to his predecessor. I think that has been done.

I think the only room for argument here is whether the information is sufficient to ground reasonable debate. My submission is that it is. If Parliament in the United Kingdom – and I am assured that this is so by Cde. Hoyte who is more acquainted with this particular aspect – does not have need for all these reams of pages of information which would be required if Cde. Persaud is right, I do not see any reason why this honourable Assembly should burden itself with mounds and mounds of paper at a time when paper is scarce.

The Chairman: Cde. Persaud, I have heard you and the Attorney General who has advised me on certain matters. Two years ago I ruled on this matter. I see no good reason to change my ruling. I do not see any new ground advanced for a change. According to our timetable we will begin consideration of the Estimates with those Heads and Divisions in respect of which the Prime Minister is responsible.

Page 5.

HEAD 1 – OFFICE OF THE PRESIDENT

Question proposed that the sum of \$3,936.000 for Head 1, Office of the President, stand part of the Estimates.

Head 1, Office of the President - \$3,936.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 6

HEAD 2 – GUYANA DEFENCE FORCE

Question proposed that the sum of \$73,888.000 for Head 2, Guyana Defence Force, stand part of the Estimates.

Head 2, Guyana Defence Force - \$73,888.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 76.

DIVISION 501 – OFFICE OF THE PRESIDENT

Question proposed that the sum of \$42,600.000 for Division 501, Office of the President, stand part of the Estimates.

Division 501, Office of the President - \$42,600.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 7

HEAD 3 – OFFICE OF THE PRIME MINISTER

Question proposed that the sum of \$1,815,000 for Head 3, Office of the Prime Minister, stand part of the Estimates.

Head 3, Office of the Prime Minister - \$1,815.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 76.

DIVISION 502 – PRIME MINISTER

Question proposed that the sum of \$500,000 for Division 502, Prime Minister, stand part of the Estimates.

Division 502, Prime Minister - \$500.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 15

HEAD 11 – PUBLIC AND POLICE SERVICE COMMISSION

Question proposed that the sum of \$713,000 for Head 11, Public and Police Service

Commissions, stand part of the Estimates.

Head 11, Public and Police Service Commission - \$713,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Vice President, Production. Page 30.

HEAD 26 – MINISTRY OF AGRICULTURE

Question proposed that the sum of \$1,844,000 for Head 26, Ministry of Agriculture, stand part of the Estimates.

Head 26, Ministry of Agriculture - \$1,844,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 31.

HEAD 27 – AGRICULTURE

Question proposed that the sum of \$8,190,000 for Head 27, Agriculture, stand part of the Estimates.

Head 27, Agriculture – \$8,190,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 32.

HEAD 28 – LANDS AND SURVEYS

Question proposed that the sum of \$2,191,000 for Head 28, Land and Surveys, stand part of the Estimates.

Head 28, Lands and Surveys – \$2,191,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 33.

HEAD 29 – HYDRAULICS

Question proposed that the sum of \$818,000 for Head 29, Hydraulics, stand part of the Estimates.

Head 29, Hydraulics – \$818,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 80 – 84.

DIVISION 510 – MINISTRY OF AGRICULTURE

Question proposed that the sum of \$41,622,000 for Division 510, Ministry of Agriculture, stand part of the Estimates.

1984-02-08

14:20 – 14:30 hrs

Division 510, Ministry of Agriculture – \$41,622,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 84 – 85.

DIVISION 511 – MINISTRY OF AGRICULTURE – M.M.A. (I&II)

Question proposed that the sum of \$31,877,000 for Division 511, Ministry of Agriculture – M.M.A. (I&II), stand part of the Estimates.

Division 511, Ministry of Agriculture – M.M.A. (I&II) - \$31,877,000 – agreed to and ordered to stand part of the Estimates.

NATIONAL ASSEMBLY

14:30 hrs

The Chairman: Page 85

DIVISION 512 – MINISTRY OF AGRICULTURE – M.M.A. (III)

Question proposed that the sum of \$26,000,000 for Division 512, Ministry of Agriculture – M.M.A. (III), stand part of the Estimates.

Division 512, Ministry of Agriculture – M.M.A. (III) - \$26,000,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 85

DIVISION 516 – MINISTRY OF AGRICULTURE – FISHERIES

Question proposed that the sum of \$4,678,000 for Division 516, Ministry of Agriculture – Fisheries, stand part of the Estimates.

Division 516, Ministry of Agriculture – Fisheries – \$4,678,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 13.

HEAD 9 – AUDITOR GENERAL

Question proposed that the sum of \$2,275,000 for Head 9, Auditor General, stand part of the Estimates.

Head 9 – Auditor General – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 55.

HEAD 51 – MINISTRY OF ECONOMIC PLANNING

Question proposed that the sum of \$4,582,000 for Head 51, Ministry of Economic Planning, stand part of the Estimates.

Head 51 – Ministry of Economic Planning – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 100.

DIVISION 527 – MINISTRY OF ECONOMIC PLANNING

Question proposed that the sum of \$8,311,000 for Division 527, Ministry of Economic Planning, stand part of the Estimates.

Division 527, Ministry of Economic Planning – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 56.

HEAD 52 – MINISTRY OF FINANCE

Question proposed that the sum of \$16,250,000 for Head 52, Ministry of Finance, stand part of the Estimates.

Head 52 – Ministry of Finance – \$16,250,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 57.

HEAD 53 – ACCOUNTANT GENERAL

Question proposed that the sum of \$15,230,000 for Head 53, Accountant General, stand part of the Estimates.

Head 53 – Accountant General– \$15,230,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 58.

HEAD 54 – CUSTOMS AND EXCISE

Question proposed that the sum of \$5,132,000 for Head 54, Customs and Excise, stand part of the Estimates.

Head 54 – Customs and Excise– \$5,132,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 59.

HEAD 55 – INLAND REVENUE

Question proposed that the sum of \$11,477,000 for Head 55, Inland Revenue, stand part of the Estimates.

Head 55 – Inland Revenue– \$11,477,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 101 – 102.

DIVISION 528 – MINISTRY OF FINANCE

Question proposed that the sum of \$479,968,000 for Division 528, Ministry of Finance, stand part of the Estimates.

Division 528, Ministry of Finance – \$479,968,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 60

HEAD 56 – MINISTRY OF TRADE & CONSUMER PROTECTION

Question proposed that the sum of \$1,781,000 for Head 56 – Ministry of Trade & Consumer Protection, stand part of the Estimates.

Head 56 – Ministry of Trade & Consumer Protection – \$1,781,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 61

HEAD 57 – GUYANA NATIONAL BUREAU OF STANDARDS

Question proposed that the sum of \$700,000 for Head 57 – Guyana National Bureau of Standards, stand part of the Estimates.

Head 57 – Guyana National Bureau of Standards – \$700,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 103.

DIVISION 529 – MINISTRY OF TRADE & CONSUMER PROTECTION

Question proposed that the sum of \$100,000 for Division 529 – Ministry of Trade & Consumer Protection, stand part of the Estimates.

Division 529 – Ministry of Trade & Consumer Protection – \$100,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 74.

HEAD 70 – PUBLIC DEBT

Question proposed that the sum of \$10,000 for Head 70 – Public Debt, stand part of the Estimates.

Head 70 – Public Debt – \$10,000 – agreed to and ordered to stand part of the Estimates.

14:40 hrs

The Chairman: Vice-President, Social Infrastructure. Page 40.

HEAD 36 – MINISTRY OF WORKS

Question proposed that the sum of \$12,420,000 for Head 36 – Ministry of Works, stand part of the Estimates.

Head 36 – Ministry of Works– \$12,420,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 91 to 93.

DIVISION 520 – WORKS

Question proposed that the sum of \$5,853,000 for Division 520 – Works, stand part of the Estimates.

Division 520 – Works – \$5,853,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 41.

HEAD 37 – PLAN MAINTENANCE AND HIRE DIVISION

Question proposed that the sum of \$4,283,000 for Head 37 – Plant Maintenance and Hire Division, stand part of the Estimates.

Head 37, Plant Maintenance and Hire Division – \$4,283,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 95.

DIVISION 522 – PLAN MAINTENANCE AND HIRE DIVISION

Question proposed that the sum of \$3,715,000 for Division 522 – Plant Maintenance and Hire Division, stand part of the Estimates.

Division 522 – Plant Maintenance and Hire Division – \$3,715,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Vice-President, Party and State Matters. Page 11.

HEAD 7 – MINISTRY OF PARTY AND STATE MATTERS

Question proposed that the sum of \$330,000 for Head 7 – Ministry of Party and State Matters, stand part of the Estimates.

Head 7, Ministry of Party and State Matters - \$330,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 12.

HEAD 8 – PARLIAMENT OFFICE

Question proposed that the sum of \$300,000 for Head 8 – Parliament Office, stand part of the Estimates.

Head 8, Parliament Office –\$300,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 14.

HEAD 10 – OMBUDSMAN

Question proposed that the sum of \$69,000 for Head 10 – Ombudsman, stand part of the Estimates.

Head 10, Ombudsman–\$69,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 17.

HEAD 13 – PUBLIC PROSECUTIONS

Question proposed that the sum of \$575,000 for Head 13 – Public Prosecutions, stand part of the Estimates.

Head 13, Ombudsman–\$575,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 18.

HEAD 14 – SUPREME COURT OF JUDICATURE

Question proposed that the sum of \$1,792,000 for Head 14 – Supreme Court of Judicature, stand part of the Estimates.

Head 14, Supreme Court of Judicature – \$1,792,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 19.

HEAD 15 – MAGISTRATES

Question proposed that the sum of \$1,832,000 for Head 15 – Magistrates, stand part of the Estimates.

Head 15, Magistrates - \$1,832,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 20.

HEAD 16 – ATTORNEY GENERAL

Question proposed that the sum of \$1,886,000 for Head 16, Attorney General, stand part of the Estimates.

Head 16, Attorney General– \$1,886,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 21.

HEAD 17 – OFFICIAL RECEIVER

Question proposed that the sum of \$260,000 for Head 17, Official Receiver, stand part of the Estimates.

Head 17, Official Receiver – \$260,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 22.

HEAD 18 – DEEDS REGISTRY

Question proposed that the sum of \$521,000 for Head 18, Deed Registry, stand part of the Estimates.

Head 18, Deeds Registry – \$521,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: The Minister of Education. Page 16.

HEAD 12 – TEACHING SERVICE COMMISSION

Question proposed that the sum of \$348,000 for Head 12, Teaching Service Commission, stand part of the Estimates.

Head 12, Teaching Service Commission– \$348,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 44.

HEAD 40 – MINISTRY OF EDUCATION, SOCIAL DEVELOPMENT AND CULTURE

Question proposed that the sum of \$23,166,000 for Head 40, Ministry of Education, Social Development and Culture, stand part of the Estimates.

Head 40, Ministry of Education, Social Development and Culture – \$23,166,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 45.

HEAD 41 – CULTURE

Question proposed that the sum of \$1,619,000 for Head 41, Culture, stand part of the Estimates.

Head 41, Culture – \$1,619,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 46.

HEAD 42 – NURSERY SCHOOLS

Question proposed that the sum of \$7,902,000 for Head 42, Nursery Schools, stand part of the Estimates.

Head 42, Nursery Schools – \$7,902,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 47.

HEAD 43 – PRIMARY SCHOOLS

Question proposed that the sum of \$38,084,000 for Head 43, Primary Schools, stand part of the Estimates.

Head 43, Primary Schools – \$38,084,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 48.

HEAD 44 – SECONDARY/MULTILATERAL AND COMMUNITY HIGH SCHOOLS

Question proposed that the sum of \$21,939,000 for Head 44, Secondary/Multilateral and Community High Schools, stand part of the Estimates.

Head 44, Secondary/Multilateral and Community High Schools – \$21,939,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 49.

HEAD 45 – TECHNICAL AND VOCATIONAL SCHOOLS

Question proposed that the sum of \$1,821,000 for Head 45, Technical and Vocational Schools, stand part of the Estimates.

Head 45, Technical and Vocational Schools – \$1,821,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 50.

HEAD 46 – PRACTICAL INSTRUCTION CENTRES

Question proposed that the sum of \$1,268,000 for Head 46, Practical Instruction Centres, stand part of the Estimates.

Head 46, Practical Instruction Centres – \$1,268,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 51.

HEAD 47 – TEACHER TRAINING INSTITUTIONS

Question proposed that the sum of \$1,699,000 for Head 47, Teacher Training Institutions, stand part of the Estimates.

Head 47, Teacher Training Institution – \$1,699,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 52.

HEAD 48 – PROBATION AND WELFARE SERVICE

Question proposed that the sum of \$454,000 for Head 48, Probation and Welfare Services, stand part of the Estimates.

Head 48, Probation and Welfare Services – \$454,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 96 to 98.

DIVISION 524 – MINISTRY OF EDUCATION, SOCIAL DEVELOPMENT AND CULTURE

Question proposed that the sum of \$3,906,000 for Division 524, Ministry of Education, Social Development and Culture, stand part of the Estimates.

The Chairman: Page 99.

DIVISION 525 -/SECOND EDUCATION PROJECT

Question proposed that the sum of \$4,755,00 for Division 525, Second Education Project, stand part of the Estimates.

Division 525, Second Education Project - \$4,755,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Ministry of National Development. Page 8.

HEAD 4 – MINISTRY OF NATIONAL DEVELOPMENT

Question proposed that the sum of \$5,910,000 for Head 4, Ministry of National Development, stand part of the Estimates.

Head 4, Ministry of National Development – \$5.910.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Ministry of Regional Development. Page 63.

HEAD 59 – MINISTRY OF REGIONAL DEVELOPMENT

Question proposed that the sum of \$4,064,000 for Head 59, Ministry of Regional Development, stand part of the Estimates.

Head 59, Ministry of Regional Development – \$4.064.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 103.

DIVISION 531 – MINISTRY OF REGIONAL DEVELOPMENT

Question proposed that the sum of \$92,000 for Division 531 – Ministry of Regional Development, stand part of the Estimates.

Division 531 – Ministry of Regional Development – \$92.000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 64.

HEAD 60 – REGION 1 BARIMA/WAINI

Question proposed that the sum of \$3,006,000 for Head 60, Region 1 Barima/Waini, stand part of the Estimates.

Head 60, Region 1 Barima/Waini – \$3.006.000 – agreed to and ordered to stand part of the Estimates.

14:50 hrs

The Chairman: Page 104.

DIVISION 532 – REGION 1 - BARIMA/WAINI

Question proposed that the sum of \$110,000 for Division 532 – Region 1 - Barima/Waini, stand part of the Estimates.

Division 532 – Region 1 - Barima/Waini – \$110,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 65.

HEAD 61 – REGION 2 - POMEROON/SUPENAM

Question proposed that the sum of \$8,103,000 for Head 61, Region 2 Pomeroon/Supenaam, stand part of the Estimates.

Head 61, Region 2 Pomeroon/Supenaam – \$8,103,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 66.

HEAD 62 – REGION 3 ESSEQUIBO ISLANDS/WEST DEMERARA

Question proposed that the sum of \$7,430,000 for Head 62, Region 3 Essequibo Islands/West Demerara, stand part of the Estimates.

Head 62, Region 3 Essequibo Island/West Demerara – \$7,430,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 67.

HEAD 63 – REGION 4 DEMERARA/MAHAICA

Question proposed that the sum of \$11,943,000 for Head 63, Region 4 Demerara/Mahaica, stand part of the Estimates.

Head 63, Region 3 Demerara/Mahaica – \$11,943,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 68.

HEAD 64 – REGION 5 MAHAICA/BERBICE

Question proposed that the sum of \$7,119,000 for Head 64, Region 5 Mahaica/Berbice, stand part of the Estimates.

Head 64, Region 5 Mahaica/Berbice – \$7,119,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 69.

HEAD 65 – REGION 6 EAST BERBICE/CORENTYNE

Question proposed that the sum of \$9,211,000 for Head 65, Region 6 - East Berbice/Corentyne, stand part of the Estimates.

Head 65, Region 6 East Berbice/Corentyne – \$9,211,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 70.

HEAD 66 - REGION 7 - CUYUNI/MAZARUNI

Question proposed that the sum of \$2,549,000 for Head 66, Region 7 - Cuyuni/Mazaruni, stand part of the Estimates.

Head 66, Region 7 Cuyuni /Mazaruni – \$2,549,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 71.

HEAD 67 – REGION 8 - POTARO/SIPARUNI

Question proposed that the sum of \$2,026,000 for Head 67, Region 8 - Potaro/Siparuni, stand part of the Estimates.

Head 67, Region 8 Potaro/Siparuni – \$2,026,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 72.

HEAD 68 – REGION 9 UPPER TAKUTU/UPPER ESSEQUIBO

Question proposed that the sum of \$2,834,000 for Head 68, Region 9 - Upper Takutu/Upper Essequibo, stand part of the Estimates.

Head 68, Region 9 Upper Takutu/Upper Essequibo – \$2,834,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 73.

HEAD 69 – REGION 10 UPPER DEMERARA/BERBICE

Question proposed that the sum of \$4,811,000 for Head 69, Region 10 - Upper Demerara/Berbice, stand part of the Estimates.

Head 69, Region 10 - Upper Demerara/Berbice – \$4,811,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: We will now go back to the Divisions. Pages 105 and 106.

DIVISION 533 – REGION 2 - POMEROOM/SUPENAAM

Question proposed that the sum of \$9,095,000 for Division 533 – Region 2 - Pomerroom/Supenaam, stand part of the Estimates.

Division 533 – Region 2 - Pomerroom/Supenaam – \$9,095,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 106.

DIVISION 534 – REGION 3 ESSEQUIBO ISLANDS/WEST DEMERARA

Question proposed that the sum of \$1,700,000 for Division 534, Region 3 - Essequibo Islands/West Demerara, stand part of the Estimates.

Division 534, Region 3 - Essequibo Island/West Demerara – \$1,700,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Division, Page 107.

DIVISION 535 – REGION 4 - DEMERARA/MAHAICA

Question proposed that the sum of \$2,390,000 for Division 535, Region 4 - Demerara/Mahaica, stand part of the Estimates.

Division 535, Region 4 - Demerara/Mahaica – \$2,390,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 108.

DIVISION 536 – REGION 5 - MAHAICA/BERBICE

Question proposed that the sum of \$1,060,000 for Division 536, Region 5 - Mahaica/Berbice, stand part of the Estimates.

Division 536, Region 5 - Mahaica/Berbice – \$1,060,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 109 and 110.

DIVISION 537 – REGION 6 - EAST BERBICE/CORENTYNE

Question proposed that the sum of \$6,400,000 for Division 537, Region 6 - East Berbice/Corentyne, stand part of the Estimates.

Division 537, Region 6 - East Berbice/Corentyne – \$6,400,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 110 and 111.

DIVISION 538 – REGION 7 - CUYUNI/MAZARUNI

Question proposed that the sum of \$85,000 for Division 538, Region 7 - Cuyuni/Mazaruni, stand part of the Estimates.

Division 538, Region 7 - Cuyuni/Mazaruni – \$85,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 111

DIVISION 539– REGION 8 - POTARO/SIPARUNI

Question proposed that the sum of \$110,000 for Division 539, Region 8 - Potaro/Siparuni, stand part of the Estimates.

Division 539, Region 8 - Potaro/Siparuni – \$110,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 112.

DIVISION 540 – REGION 9 UPPER TAKUTU/UPPER ESSEQUIBO

Question proposed that the sum of \$747,000 for Division 540, Region 9 - Upper Takutu/Upper Essequibo, stand part of the Estimates.

Division 540, Region 9 - Upper Takutu/Upper Essequibo – \$747,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 113.

DIVISION 541 – REGION 10 UPPER DEMERARA/BERBICE

Question proposed that the sum of \$600,000 for Division 541, Region 10 - Upper Demerara/Berbice, stand part of the Estimates.

Division 541, Region 10 - Upper Demerara/Berbice – \$600,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 23.

HEAD 19 – MINISTRY OF FOREIGN AFFAIRS

Question proposed that the sum of \$19,137,000 for Head 19, Ministry of Foreign Affairs, stand part of the Estimates.

Head 19, Ministry of Foreign Affairs – \$19,137,000 – agreed to and ordered to stand part of the Estimates.

1984-02-08

14:50 – 15:00 hrs

The Chairman: Cde. Ramsaroop, I hope you have all your documents ready for the other matters on the Agenda.

DIVISION 508 – MINISTRY OF FOREIGN AFFAIRS

Question proposed that the sum of \$400,000 for Division 508, Ministry of Foreign Affairs, stand part of the Estimates.

Division 508, Ministry of Foreign Affairs – \$400,000 – agreed to and ordered to stand part of the Estimates.

15:00 hrs

The Chairman: Ministry of Home Affairs. Page 24.

HEAD 20 – MINISTRY OF HOME AFFAIRS

Question proposed that the sum of \$716,000 for Head 20, Ministry of Home Affairs, stand part of the Estimates.

Head 20, Ministry of Home Affairs – \$716,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 25.

HEAD 21 – POLICE

Question proposed that the sum of \$41,341,000 for Head 21, Police, stand part of the Estimates.

Head 21, Police – \$41,341,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 26.

HEAD 22 – PRISONS

Question proposed that the sum of \$4,773,000 for Head 22, Prisons, stand part of the Estimates.

Head 22, Prisons – \$4,773,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 27.

HEAD 23 – FIRE PROTECTION SERVICES

Question proposed that the sum of \$4,013,000 for Head 23, Fire Protection Services, stand part of the Estimates.

Head 23, Fire Protection Services – \$4,013,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 28.

HEAD 24 – NATIONAL REGISTRATION CENTRES

Question proposed that the sum of \$501,000 for Head 24, National Registration Centre, stand part of the Estimates.

Head 24, National Registration Centre – \$501,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 29.

HEAD 25 – GENERAL REGISTER OFFICE

Question proposed that the sum of \$337,000 for Head 25, General Register Office, stand part of the Estimates.

Head 25, General Register Office – \$337,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 79 - 80.

DIVISION 509 – MINISTRY OF HOME AFFAIRS

Question proposed that the sum of \$2,870,000 for Division 509, Ministry of Home Affairs, stand part of the Estimates.

Division 509, Ministry of Home Affairs – \$2,870,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 34.

HEAD 30 – MINISTRY OF ENERGY AND MINES

Question proposed that the sum of \$1,044,000 for Head 30, Ministry of Energy and Mines, stand part of the Estimates.

Head 30, Ministry of Energy and Mines – \$1,044,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 88.

DIVISION 517 – MINISTRY OF ENERGY AND MINES

Question proposed that the sum of \$12,346,000 for Division 517, Ministry of Energy and Mines, stand part of the Estimates.

Division 517, Ministry of Energy and Mines – \$12,346,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Ministry of Transport. Page 42.

HEAD 38 – MINISTRY OF TRANSPORT

Question proposed that the sum of \$2,002,000 for Head 38, Ministry of Transport, stand part of the Estimates.

Head 38, Ministry of Transport – \$2,002,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 43.

HEAD 39 – CIVIL AVIATION

Question proposed that the sum of \$4,469,000 for Head 39, Civil Aviation, stand part of the Estimates.

Head 39, Civil Aviation – \$4,469,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 93 - 95.

DIVISION 521 – TRANSPORT

Question proposed that the sum of \$5,125,000 for Division 521, Transport, stand part of the Estimates.

Division 521, Transport – \$4,469,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Ministry of Information and Public Service. Page 9.

HEAD 5 – PUBLIC SERVICE MINISTRY

Question proposed that the sum of \$1,774,000 for Head 5, Public Service Ministry, stand part of the Estimates.

Head 5, Civil Aviation – \$1,774,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 77.

DIVISION 504 – PUBLIC SERVICE MINISTRY

Question proposed that the sum of \$15,455,000 for Division 504, Public Service Ministry, stand part of the Estimates.

Division 504, Public Service Ministry – \$15,455,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 10.

HEAD 6 – MINISTRY OF INFORMATION

Question proposed that the sum of \$3,350,000 for Head 6, Ministry of Information, stand part of the Estimates.

Head 6, Ministry of Information – \$3,350,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 78.

DIVISION 505 – MINISTRY OF INFORMATION

Question proposed that the sum of \$250,000 for Division 505, Ministry of Information, stand part of the Estimates.

Division 505, Ministry of Information – \$250,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 35.

HEAD 31 – MINISTRY OF HEALTH, ENVIRONMENT AND WATER SUPPLY

Question proposed that the sum of \$3,645,000 for Head 31, Ministry of Health, Environment and Water Supply, stand part of the Estimates.

Head 31, Ministry of Health, Environment and Water Supply – \$3,645,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 36.

HEAD 32 – NATIONAL AND REGIONAL HOSPITALS

Question proposed that the sum of \$31,173,000 for Head 32, National and Regional Hospitals, stand part of the Estimates.

Head 32, National and Regional Hospitals – \$31,173,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 37.

HEAD 33 – OTHER HEALTH PROGRAMMES

Question proposed that the sum of \$15,753,000 for Head 33, Other Health Programmes, stand part of the Estimates.

Head 33, Other Health Programmes – \$15,753,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 37.

HEAD 35 – HOUSING

Question proposed that the sum of \$2,314,000 for Head 35, Housing, stand part of the Estimates.

Head 35, Housing – \$2,314,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 89 - 90.

DIVISION 518 – HEALTH, ENVIRONMENT AND WATER

Question proposed that the sum of \$24,318,000 for Division 518, Health, Environment and Water, stand part of the Estimates.

Division 518, Health, Environment and Water – \$24,318,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 53.

HEAD 49 – MINISTRY OF MANPOWER

Question proposed that the sum of \$12,300,000 for Head 49, Ministry of Manpower, stand part of the Estimates.

Head 49, Ministry of Manpower – \$12,300,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Pages 62.

HEAD 58 – MINISTRY OF CO-OPERATIVES

Question proposed that the sum of \$484,000 for Head 58, Ministry of Co-operatives, stand part of the Estimates.

Head 58, Ministry of Co-operatives – \$484,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Page 103

DIVISION 530 – MINISTRY OF CO-OPERATIVES

Question proposed that the sum of \$25,000 for Division 530, Ministry of Co-operatives, stand part of the Estimates.

Division 530, Ministry of Co-operatives – \$25,000 – agreed to and ordered to stand part of the Estimates.

The Chairman: Comrades and hon. Members, this completes consideration of the Estimates. Let the Assembly resume.

Assembly resumed.

The Vice President, Production (Cde. Hoyte): Cde. Speaker, I beg to report that the Committee of Supply considered the Estimates of Expenditure for 1984 and it was approved as printed.

Question put, and agreed to.

Motion carried.

NATIONAL ASSEMBLY

The Speaker: Cde. Hoyte.

Bills - Second and Third Readings

ACQUISITION OF LANDS (NOT BENEFICIALLY OCCUPIED)

A Bill intituled:

"An Act to make provision for the acquisition of land which is not beneficially occupied other than State Lands or Government Lands, so as to ensure rational use of such land and for matters connected there with. /The Vice President, Production./

Cde. Hoyte: Cde. Speaker, when this Bill came up for its Second Reading sometime late last year, at the request of the Minority Leader and other Members of the Minority Party I sought an adjournment to enable some consideration to be given to representations which they had made in respect of the Bill. The Government has given the most careful and anxious consideration to those representations but has come to the conclusion that in all the considerations the Bill should proceed. I have no doubt that the speakers from the Minority benches will elaborate the points which they made in respect of their contention that the Bill should be delayed. I would not repeat those arguments except to say that it is not sufficient for the Government to withdraw important legislation merely on the belief that some forces might be endangered. I think it is the duty of the Government to explain as fully and as carefully as possible the intent and purpose of its legislation so that people could understand that the legislation does not have any objectives, but rather is intended to serve the development process in the country.

This particular Bill has that intention. We have a provision in our consideration which prescribes and indeed ... us to ensure that land goes to the tiller. We also as a Government and a nation have identified agriculture as being the major area in which we should place most of our resources and our energies as far as the development of our country is concerned and to this end over the past five years or so this country has invested amounts approaching one billion dollars in providing vitally needed infrastructure in support of the activities of our farmers. The nature of our turn is such that even though we have abundant tracts of fertile lands - agricultural activities will not be successful unless the necessary drainage and irrigation facilities are provided and other important infrastructure. These facilities have been very costly.

The objective of making this heavy investment Cde. Speaker, is to enable people to go to the land and to use that land productively. A census recently concluded has shown that all over this country there are large tracks of land which are not beneficially occupied. Many of these tracts are in areas where massive investments have gone to provide the necessary drainage and irrigation facilities. These lands remain unutilised, not because there are no farmers or tillers who are ready and able to use the land, but because their owners have abandoned the lands. In many areas some of these are dead and the right of inheritance is obscure. Some have left this country and can be located in various other parts of the world and some lands have in fact never been utilised. For example, in all of our riverain areas there are tracks of lands - ownership to which was granted in colonial times by grants. We know that the colonial Government used the mechanism of a grant of land to returning soldiers after the European Civil War of 1914 - 1918 and 1938 - 1945 in which many Guyanese citizens participated. They went to fight for Guyana, they went to fight for democracy - on their return they were given tracks of land. Very few of them were farmers and it was almost a ... act to give those returning soldiers large tracks of land without giving them the material and financial resources necessary to develop the lands and in any case until fairly recent times and the necessary drainage and irrigation facilities to enable them to use the land beneficially.

An initial assessment shows that there were some 4,000 such grants involving a total acreage of some 200,000 acres. Some of the land remains abandoned, unoccupied ,not beneficially used, but recently there has been an undesirable development in that many of the people are squatting on those lands and we are getting an unorganized, if not disorganised kind of ... and one only has to go to the land Court to see everyday how four, five, six, sometimes ten persons are competing - each of them claiming to have squatted on the land ... thirty years. So Cde. Speaker, we seek to acquire not a new power but an extension power which existed since colonial times.

Cde. Hoyte continues

1984-02-08

NATIONAL ASSEMBLY

15:20 – 15:30 hrs

15:20 hrs

In 1905, for example, the colonial administration enacted the State Land Resumption Ordinance to provide for lands alienated by the State which had been abandoned by the owners. That Act was not vigorously enforced and in any event it had one great defect in that it put the emphasis on abandonment of ownership rather than upon beneficial occupation, so that, even though the land was not beneficially occupied, so long as somebody came along and claimed to be an heir, claimed to have some legal right, the Act was not enforced. So the land remained unutilised and de facto abandoned.

What we are seeking to do now is to ensure that all lands which are capable of being brought under cultivation in support of our agricultural efforts are in fact so brought under cultivation and that all land which in a way which is productive, that there ought to be no square inch of land which is benefitting from massive investments made by this nation which we ought to allow to remain idle.

And so this legislation is before this House to confer upon the Government I would say the duty to ensure that our agricultural lands are beneficially occupied. I think that it would be wrong to stress this point which was made to me by the Minority Leader about people fearing that the Government is going to take away their lands. I do not think there is any real justification for this fear since the Government is in the active process of distributing lands to the landless. I think that all over this country farmers know that as a fact, in all the regions. Every month I attend the M.M.A. board meeting in Region 5 and there is on the Agenda a Paper for the conferring of titles to farmers for land in the M.M.A. areas. More and more land is being brought into cultivable state, so to speak, and distributed to the farmers. So that this power which the Government is assuming is one which would enable it to accelerate the process of distribution. More than that, it would enable it to ensure that occupation and utilization of the land proceed in a rational way, not in a disorderly and inefficient manner.

I would like to draw attention to some particular provisions of the Bill which are designed to ensure the utmost fairness to people who might have an interest in the land. In the first place, where the Commissioner of Lands has reason to believe that lands are not beneficially occupied the law requires him to make an investigation.

He cannot sit down in his office and make a decision. He cannot make a decision based on an anonymous letter or hearsay. He has to make a physical investigation and put up a proper report. Having concluded from all the evidence available that the land is not beneficially occupied, he then has to issue a public notice informing the public and more specifically designed to inform all persons who have a legal interest, or claim to have a legal interest, to the land, of his conclusion and also sending a registered letter to the last known address of any person who is known to have some kind of claim or legal title to the land and, if such address is not known, to post up a conspicuous manner on the land they said notice. This is a procedure which is well known in the procedural parts of our law relating to notices which would affect people's interest in land.

Where the Commissioner declares that the land is not beneficially occupied, the notice which he publishes will have to contain some fairly precise information so that there could be no misunderstanding, there could be no confusion. He has to describe the land by physical and bounds - the land bounded on the East by Cde. Jagmohand's holding and on the West by Cde. Brown's holding and on the North by some known creek. He has to make that kind of description or a reference to a particular plan so that anybody who is interested can go and ascertain with precision which land it is the Commissioner is alleging to be not beneficially occupied.

More than that, he has to indicate in his notice the manner and the time within which he requires the land to be beneficially occupied. So you will notice that having determined that the land is not beneficially occupied he does not go and without further ado acquire the land. He serves notice upon those who claim to be the owners of the land that they should beneficially occupy it. And, of course, that notice is published in the Gazette and in one of the daily newspapers. As I said before, the notice is sent to the owner or person alleged to be owner, the person alleged to have some legal claim to the land and if he cannot be found that notice is put up a conspicuous place on the land.

Cde. Hoyte continues

1984-02-08

NATIONAL ASSEMBLY

15:30 – 15:40 hrs

15:30 hrs

Cde. Speaker, the law proposes the Bill with a certain flexibility to everybody because the whole of the legislation is based on the foundation of reasonableness. Even after that notice is published, where a person shows sufficient cause why the acquisition should not proceed, then the Minister has the power to have the other evoked. More than that, Cde. Speaker, there is another discretion given to the Minister where he can look at the circumstances of the case and he would cause the notice to be amended and evoked if he is satisfied that that alleged non-beneficial use has resulted from some reasonable cause. One can imagine a case where the owner of that land might have been hospitalized for a long time could not transact business and therefore could not allow the land to be cultivated by others. The point I am stressing here is that this legislation has reasonableness and flexibility build into it throughout. It seeks, Cde. Speaker, as I said to ensure that we make the optimum use of all the land which we have in this country which are capable of producing food. We have said in this Assembly, as the Cde. Prime Minister was at pains to stress, the importance of food in this country. I know that our comrades on the other side will not find fault with that thesis. So I would like to commend this Bill to members. I would like to assure them that the intention is not to take away land, but rather to ensure land is used by our farmers to the best possible advantage, to make sure that land which is abundant for any purpose can be redistributed in any fashion to our farmers and generally to make sure that we can accelerate the development process of the food development in our country.

The Speaker: Question proposed.

Cde. Reepu Daman : Cde. Speaker, our view is on this side of the Assembly, that the Bill is untimely and unnecessary. It is brought at a time in our history when the agricultural sector is in a depressed state. Farmers are without vital inputs including machinery and so on. Then there is the well known problem of drainage and irrigation. The Government will be better advised to pursue a programme of encouraging use by providing within its constraint such services including loans and aids to motivate farmers to make full use of all available fertile land.

The national area of Guyana is 53 million acres of which 710 Thousand acres are classified as crop land. Of this amount of 710,000 acres, 46 percent of this, 445,000 acres are supposed to be under cultivation. Of this 46 percent is said to be under rice cultivation, that is 210,000 acres roughly, 13 percent is under cane cultivation and the rest in other crops of which coconut is the largest. Land under forest accounts for 75 percent of the territory, 45 percent is designated as crown land under the Land and Surveys Department of the Ministry of Agriculture. About 90 percent of the maximum land is owned by the state, 90 percent of the national territory is owned by the state. The remainder which is 10 percent is free-hold. Private land is used primarily for housing and agriculture and located mainly in the coastal and riverain areas near the coastal belt. This is about 820 acres which is only 2 percent of the national area.

Mr. Speaker, Guyana has no land problem, the state has large areas which can be allocated to farmers and which can be established as state farms. There is no evidence with conviction that there is a land distribution problem in this country. Determination to pursue this Bill will lead to greater fear and frustration. It will undermine the right to inheritance and will definitely not succeed in moving the farmers to produce, for this Bill is not well thought out. If pursued, it will be another great blunder on the part of the P.N.C. What is needed, Cde. Speaker, is dialogue with the farmers to ascertain their problems and they have got a number of problems. The Government will have to get closer to the farmers and try to win their confidence. The farmers will have no other interpretation to this Bill save and except the measure that it may be used to their detriment. It cannot be assumed that the Ministry of Agriculture will always have a Minister who is legally trained so that he can deal as effectively with all the ramifications and intricacies of the Bill. In his very presentation one can say that he was exercising a judicial myth. The Agriculture Ministry has had many casualties and I have lost count of the number of Ministers who have held that portfolio.

15:40 hrs

(Cde. Reepu Daman Persaud continues)

But I am sure the Cde. Vice President cannot and will not expect those of us on this side of the Assembly to move with that kind of unsafe assumption. Therefore, we would have to take into account that one day the Ministry of Agriculture will once again wander into the hands of a layman, without any legal background, and he can simply say that the Government enjoys the power to acquire and you either occupy or I acquire. For these reasons one has to warn against a Bill of this nature. It has tremendous power and never before have we had in the statute of the land a Bill of this kind.

This is a Bill of sweeping powers and one which can be used willy-nilly to the detriment of those who occupy. ... is assured in the Constitution and the United Nations Charter - I looked at it - gives people the right to ownership.

Another limit to this Bill can be that that right can be denied because if this law is enforced, for one reason or another, then ownership can come to an end. Those are not fears without grounds but those are fear based on real and deep considerations. I am looking at the Bill for the People's Progressive Party, for the people of this country, dispassionately so that all the warnings, all the fears to which we are pointing can be looked at.

Despite the fact that the Cde. Vice President has decided to pursue the Bill, I will still urge at this point, it is now being debated, that it be referred to a Select Committee of the Assembly. As I was saying, you need dialogue with the farmers so that if a survey is carried out the Government will be able to ascertain why in many areas the land is not occupied or beneficially utilised. Invite those in occupation and help sort out their difficulties and inspire them to occupy and produce. I think this is sound advice. I was really hoping for a new approach to agriculture. Let us have a new and serious approach, an approach founded on sincerity and an approach which would have as its only consideration the development of the country for the betterment, welfare and well-being of all the people. I never like any measure that hinges on coercion or fear. The Vice President should try to win farmers for production instead of bringing measures to coerce and drive them from the land. The Ministry of Agriculture records the greatest casualties of Ministers as I have been saying. One can only hope that the present incumbent will acknowledge our experience on this side, our association with the farmers.

The fact that those who are in the leadership of the Rice Producers' Association are close to the P.P.P. is history. The very Leader of the P.P.P. was President of the Rice Producers' Association. What is more is, when the British Government restricted him to Georgetown and he could not go out of the area, he contested the Rice Producers' election and won overwhelmingly. I am talking of the year 1956. It is not something new.

If then the P.P.P. which has been here for more than 30 years his influence in certain areas, one would expect that the Government in all honesty and sincerity will acknowledge that influence and persuade those who can inspire and move the farmers to get them to move into active production. I make these statements very sincerely and honestly.

The pertinent point against the Bill is that it has been brought at a time when, for valid reasons, hundreds of farmers have been forced to discontinue cultivation. These reasons range from no drainage or poor drainage and irrigation to no irrigation as well. I do not think it is necessary for me to point to all the areas. Nearly 70 percent of the rice area is without drainage and irrigation, which would mean that only 30 percent enjoys reasonable drainage and irrigation. The M.M.A. has a far way to go. I know of the scheme. I remember moving a Motion for the early implementation of the scheme. The Cde. Prime Minister was the Minister of Agriculture then. His contribution and my contribution are on Hansard. You can see what I said then. I pointed out that any delay would result in what we face now. There are no access roads, tractors and combines cannot go into many, many areas. Recently, in December/January, farmers wanted water in Black Bush and they could not get any help. They were only hoping that rain will fall and save them. Their crops were invaded by rats. There was no help there again. These are all things that lead to the farmers not occupying and beneficially using the land.

I repeat again this afternoon that we have got a country which still has many skilled and hardworking farmers. They can save this country. They can save this country. They can transform this economy. They can bring prosperity to this land and we must do nothing to push them further away from the land. That is my greatest fear. For these reasons I still urge that the Bill be referred to the Select Committee. There is an absence of fertilisers and other inputs, not ignoring the decade old complaint of complete absence of genuine farmers' involvement and the absence of democracy.

1984-02-08

15:40 – 15:50 hrs

The agricultural sector suffers from a multitude of defects and what is worse is if the Government has not acquiesced in any way to farmers' representations and protests.

15:50 hrs

(Cde. Reepu Daman Persaud continues)

Whether control is paramount to get the farmers on the land together with the necessary infrastructure works – this has not been approved. After nineteen years the Government cannot point to a single area where it has completed drainage and irrigation work. MMA project is still behind schedule up to 1978. Farmers are suffering a great deal and they are not being considered for compensation. The Minister of Agriculture must be aware that only recently at Garden of Eden the ... was thrown out and the farmers suffered great losses. The farmers have openly complained about these matters and have indicated that they cannot afford to produce at a loss particularly when production cost exceeds income.

Those who are leaving the land are the small farmers. What is more Cde. Speaker, is that the bigger farmers are not going to be affected. They have got the equipment, they have got the capital. I would like to make the point that in debating this bill that all problems must be examined.

I have looked at the bill and I know of the implications of the bill. Let me refer to one of the clauses where the Minister has reason to believe, either on information provided by the Commissioner or otherwise, that any land is not beneficially occupied, he may declare by a notice that, if such land is not beneficially occupied in such manner, and within such period, not exceeding one year, as may be stated in the notice, the land will be compulsorily acquired by the State under the Act. A notice must also be published in the Gazette and affixed on the land so that he can act on information from the Commissioner or he can act on his own.

I am not saying that if he goes on his own he would not get information, but what I am saying is this bill is not confined to the Commissioner and his team making investigations and reporting to the Minister. In fact, I feel this power is too much for any Minister.

Cde. Speaker, for this reason I have tabled an amendment – in that amendment, I am proposing and when it comes I will say a little more about it. I am proposing that the power – the power to determine whether lands should be compulsorily acquired should be given to a tribunal. A tribunal headed by a Judge of the High Court so that that tribunal can listen to evidence.

1984-02-08

15:50 – 16:00 hrs

Where there is clear evidence that the lands have been abandoned and there is no likelihood of utilisation surely it will not need such a long process to determine what should be done bearing in mind that it has been lying idle if the Minister is right for so many years. All that will happen is that you will have a ... that will be impartial.

This bill is open, it is wide, the bill is not confined to the size which the Minister has alluded. Where is the provision to rescue and protect farmers who have been hard hit? It seems as though we are going to have a case of small farmers becoming employees of land lords and this will make them suffer.

Cde. Speaker, reference is made to the 1939 Act, I would think that if the government is going to pursue the acquisition, then Sir, compensation should be based on the 1981 value of the land so that if you are going to acquire land, it must be promptly and adequately compensated and the whole question of property tax is now based on that amendment which came to this House last year. I want then to as the Cde. Minister this afternoon to consider sincerely the points I have made. The Bill places too much power in the hands of the Minister. There is no guarantee that the bill will operate in this way as not to affect small farmers with small plots of land.

NATIONAL ASSEMBLY

16:00 hrs

There are a number of constraints there – materials, costs and so many things. In many, many areas people are ready and willing to build but the inputs are just not there and the finance as well is not there. I think that you are aware, Cde. Speaker, that insurance companies – or many of them – have stopped giving mortgages and so this Bill with sweeping power is dangerous.

In these circumstances, we are compelled to oppose it and to do so strongly but, in opposing it, we want to persuade the Government to look at it rationally, to consider our proposals for reexamination of it and, indeed, if the Government is not prepared to do that, then to accept our amendments so that the provisions of the Bill can be handled and adjudicated on by a tribunal headed by a legally trained person of the calibre of a Judge of the High Court.

The Speaker: When you put the Amendment you will deal with that aspect. Comrades and hon. Members, do we proceed until this Bill is determined or shall we take the break?

The Vice-President, Party and State Matters (Cde. Ramsaroop): We recommend that we proceed until the measure is completed.

The Speaker: Hon. Member, Mr. Singh.

Mr. M. F. Singh: Mr. Speaker, I have listened to the honourable Vice-President and I have listened to the last speaker and I must say that I understood, appreciated and found merit in what both speakers were saying. I understand partly the rationale behind the Bill, as enunciated by the hon. Vice-President because if we take a case where the Government has spent a lot of money to put in the infrastructural works, drainage, irrigation and all the access roads in a particular area and a piece of land in that area remains unoccupied, abandoned, without being beneficially used, in those circumstances who can dispute the fact that it is unfair for the Government to have spent so much money to put in infrastructural works and for the land to be left idle? I understand that, but I also understand that there could be very valid reasons why land may not be occupied in the absence of proper infrastructure on both sides.

As a lawyer, I am concerned that justice must not only be done but must appear to be done. The power of acquisition is given ultimately to the Minister who is a politician, a political animal, a member of the governing party which says that the party is paramount, the party is above all else. Under the Bill, the Minister makes a decision. His decision is final. There is no appeal from his decision. In my humble opinion the final decision as to acquisition should rest with an impartial tribunal so that justice not only is done but appears to be done. We have a High Court. Mr. Speaker, you know that; I know that. We have judges. What, therefore, could be the objection to having a High Court Judge hear the matter? After all, there are legal implications in any question of acquisition. The Minister himself has said that anyone who has any right, title or interest in the land has a right to be heard. The Bill also says so. Why then should not the matter be heard by a tribunal with legally qualified personnel? Claimants will then have the right to a legal representative. The Minister alluded to this in respect of the Land Court. In the Land Court persons have a right to take lawyers to represent them. Not all of us are articulate enough to put forward what may very well be a very legitimate legal claim. Therefore, to my mind, since law is involved, there should be a tribunal with legally qualified personnel who can bring judicial minds to bear on the matter.

We do not, in this Parliament, make laws in relation to any particular Minister. We make laws to ensure. Indeed, even though Parliament is sovereign, we make laws to ensure for all time unless Parliament sees fit to change them. We now have a legally qualified person responsible for agriculture. We appreciate that, but none of us will live forever. I thought only recently that my days were numbered. None of us will occupy the position we now occupy forever. I know that there will come a time when I will not be sitting in this Assembly.

When one thinks in these terms one sees the need for the kind of thing I am suggesting. That is why I appeal to the Government to put the power of acquisition in the hands of an impartial tribunal with legally qualified personnel. It is not necessary that all be legally qualified but at least they should be persons who can bring judicial minds to bear on the matter. In this way, as I say finally, justice will not only be done but will also appear to be done.

The Speaker: Cde. Hoyte.

Cde. Hoyte: Cde. Speaker, the Government does not see the question of agriculture development as being a party or partisan one and I would like to give that assurance to my good friend, Cde. Reepu Daman Persaud. I, for one, hope that as we proceed with the various projects and programmes for agricultural development that I can count on him and his colleagues to ensure that those projects and programmes are successful because they are being implemented in the interest of our farming community and of all the people of Guyana. That is why I cannot accept the argument which is based upon fear and suspicion. If we are agreed nationally that agriculture is important, if we are agreed at all levels that we need to do everything possible to support our farmers, well then I think that our duty is to go out and instill them with confidence and not with fear and suspicion.

I have said that the Government stands by its record in the area of land distribution and in the development of infrastructure in support of agriculture. I do not accept the statement of Cde. Persaud that hundreds of farmers are forced to flee the land. My experience is to the contrary. He spoke about the need for dialogue and I could not agree with him more. During the brief period I have had the honour to be responsible for agriculture. I have held meetings with hundreds of farmers all over the country. I remember so well a meeting which was attended by over one hundred farmers at Bush Lot, a meeting which was organised by my colleague Cde. Chowritmootoo.

(Cde. Hoyte continues)

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NATIONAL ASSEMBLY

16:10 – 16:20 hrs

16:10 hrs

The constant demand was for land and more land. People are clamouring for land and the General Manager of the MMA Authority has told me that there are at this moment over 1,000 applications by people for land in Region 5. Therefore, the Government has a duty to facilitate and accelerate the process by which we distribute land to our farmers, and this is precisely what we are trying to do. It is true that there are many areas in which we do not have all the Drainage and Irrigation facilities and supporting infrastructure. But I would like to say that since the People's National Congress came into office the areas which are now served by Drainage and Irrigation facilities have expanded dramatically. We have put every investment in Tapacuma, so that the average yields have come up from sixteen to nearly thirty bags per acre. I do not need to stress the investment in the MMA. Everyone knows the great problems we are having and the great details with which we are proceeding to implement that scheme.

Now, it is true that we have unlimited quantities of agricultural lands in this country. Cde. Persaud rightly referred to the fact that we have a large land space, but not all of that land is cultivable. The cultivable land in the sense of land which is suitable for agriculture and which has the necessary infrastructure, is fairly limited. That is why we are insisting that where the nation has invested heavily in providing the infrastructure we must ensure that all the lands available for that infrastructure are properly utilised.

Cde. Persaud did raise the question of compensation. The Bill does provide for compensation. He felt that we should not use the existing Act and the existing compensation mechanism and procedure. Now I do not agree with him that in the first place there is a great deal of misunderstanding about the level of compensation which is available under the current legislation. I have myself read the nonsense by people who come to this country and do not understand. They come to this country and write all kinds of things that are not true. I think that in most cases one finds that what comes out as the compensation amount is pretty much less than the normal value. But we need to go forth.

In this country the nation provides, social infrastructure, roads, electricity supply, water supply and so on in various areas, but when those facilities are provided the people who benefited directly and immediately are not called upon to pay and therein lies the difference between our citizens and a citizen in let us say, in the United Kingdom. In the United Kingdom when these facilities are put in the people who benefit, the last owners, the house holders and rate payers are required to pay the capital cost of some part of it through what is known as a betterment levy and so people get a great benefit for which they themselves do not make any individual ...

I remember some years ago when the Government wanted to acquire a piece of land from a citizen and that citizen said he wanted \$3 million, I was highly amused. I said to him \$3 million? He said yes Comrade, there is road, water supply, buses pass there, you can get transportation easily and I pointed out to him that the records had shown that the cost of the property when he purchased it was \$10,000, 20 years ago and when he acquired there were no roads, water supply, electricity and so on. I asked him whether the benefit he got was not made by the whole nation. I think we need to be reasonable about this. The compensation must be shared not only to the person who owns the land but to the entire nation.

Now, I wonder why that legislation is untimely and unnecessary. As I have said, there is a great number of people more than 1,000 people in Region 5 who want land and there is land along the Berbice River for example, you cannot find the owners, they are dead and gone and many years passed with nobody every bothering to go after that land. Nobody wanted it. Their kit and kit are scattered all over the face of the earth. We need to be able to freely untie that land from legal tangles in ensuring that people are able to use the land. I cannot accept, too Cde. Speaker, that we need to have all these inputs otherwise people cannot go to the land. Thousands of small farmers are cultivating their land without tractors, combines and so on. We are not talking about the small farmers to which Cde. Persaud alluded, these are the people we want to put on the land. We want to put their roots down and we want them to remain on the land. So for these reasons, I think that the legislation is very timely and it is urgent. Some of the matters raised by Cde. Persaud and Mr. Fielden Singh are mattes that can be properly dealt with and in this case Cde. Persaud raised the important question about agrarian reform. I wish to inform this house that the

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16:10 – 16:20 hrs

Government is working abreast on the question of agrarian reform. An internationally known expert Mr. R. ...who has been made available by the Government and who is a teacher at the Faculty of Laws at the University of Nairobi, and is one of the leading experts on the question of agrarian reform has been working with us for the greater part of last year. They have submitted early this year a draft interim report which they will be inspecting and they will be returning sometime around the second quarter of 1984 to review the matter and ideas and to have a document which will eventually be debated in this Assembly with our friends.

NATIONAL ASSEMBLY

16:20 hrs

(Cde. Hoyte continues)

As I said, this is not a partisan matter within the context of the agrarian reform policies. We would be dealing with all the question of big land owners and small land owners, the question of having an on-going tribunal to deal with the whole question of land distribution, land allocation and the beneficial and proper utilization of land. It is for that reason that I have a difficulty in accepting the proposal that this matter of deciding on what land is not beneficially occupied should be passed to a tribunal or to a Judge of the High Court. In strict theory it sounds good, you have an independent judicial officer standing above the political scene who will arbitrate and give even-handed justice. Fine. But in practical terms I do not think that it is something which can be done. For one reason, the Judges are hard-pressed with their own judicial work and I think my friends who are still practicing will tell you about the great backlog of work. The Registrar has not been able to serve summations to deal with the whole backlog of rates and taxes and every day we get complaints and reports from the Local Authorities. More than that, we have a Land Court which was expected to adjudicate on titles along the Coast and other parts of this country under the Land Registration Act. I think the experience has been that that Land Court has not been able, not through any fault of the Judges themselves or the judicial officer, but because the system is too cumbersome. I am told by the Commissioner of lands that it will take 150 years to give all the titles which are supposed to be given in the various zones at the rate we are going.

Obviously we cannot wait that length of time. Some of us would like to see that land system rationalized and streamlined in our lifetime. Therefore, that is one area in which the Commissioner of Lands and Surveys is doing some very intense work to try to see if we can speed up the system by using all the technical things he knows about but I can only talk to you in a general layman's way.

Cde. Speaker, I do appreciate the points made by my friends on the other side. I would urge them to forget suspicion and fears and to join us in ensuring that this legislation which is going to be administered in a public way - there is no way any Minister can go and merely seize land, it has to be a public process.

I do not see the Government or the Minister being able to put a notice in the newspapers and say that citizen "A" is not beneficially occupying his land when everybody is able to see that that man is planting his land. That would not be politically done and there are limits to what even a Government can do. Politics still remain the art of the possible and some things are just not possible.

I would say, therefore, that we need to proceed with the Bill, we need to ensure that it is fairly administered. I think the need for publication is perhaps the greatest and I want to give the assurance that that will be done. The Minister really does not have all this excessive power Cde. Reepu Daman Persaud spoke about, because he has to act, the legislation says, on the advice of the Commissioner or otherwise. But that otherwise does not mean that he can lie down and have a dream. Obviously, it has to be through information, concrete and reasonable information provided, let us say, perhaps by the agricultural officer in the area, by the Local government people, and that information has to serve as the basis of his notice . So all that piece of legislation seeks to do is not to saddle the Commissioner of Lands alone, although he has the responsibility. The legislation is saying in some cases the Minister could use other people to obtain his information but that does not lead to some kind of informality, some kind of situation where information cannot stand the light of day.

Cde. Speaker, I think I have replied to the main points made by my friends, except to say finally that in the whole question of dialogue, we have also had dialogue at their request with the representatives of the National Farmers' Association and they were quite upset over what they term to be a delay in proceeding with this legislation. In fact, I do have a file with correspondence from them in which they are telling me about people, by name because they are interested in individuals, who are waiting to get land and are waiting, they say, on this legislation. /Interruption/ We are talking about farmers. What I am saying is that I do have a file, growing everyday with letters, from people who are clamouring for land and we would like to satisfy that need in the national interest.

Question put. and agreed to.

Bill read a Second time.

NATIONAL ASSEMBLY

16:30 hrs

Assembly in Committee

Clause 1 to 3, agreed to and ordered to stand part off the Bill.

Clause 4.

Cde. Reepu Daman Persaud: Cde. Speaker, it would appear having heard the Minister and I hope I am interrupting him right - but he was alluding the House to investigations and the importance of experts to frame legislation ultimately in which such tribunal will be set up. I hope I interpret that right and secondly, one of the reasons why it is not possible to get the High Court Judge to head such a tribunal is because they are so heavily set. My answer is simple - find more judges. My second answer is if you cannot get the existing judges then appoint someone from the practicing bar. In fact, that can be easily done, but as I said and I repeat that an independent tribunal would really alleviate fears so that we can look at the Bill objectively. There are people who have lands but who have not occupied them until today and there is evidence of this in West Coast Berbice and these are complaints that have come into us. I have done some investigations into this and that is the reason why we are so concerned.

Cde. Speaker, when one holds such power, it can be misused and it can be a threat and it indeed can be putting fear in the minds of those who have to function. Talking about Regional Officers - the Minister himself said people are concerned about individuals going to report and that kind of thing. You can also have Regional Officers acting in a partisan way. It means this exercise of investigation would be falling in the hands of people of a lesser ... and so they can report inaccurately to the Minister who exercises these powers.

I still feel, Sir, that an independent tribunal would be ideal and proper for this would be the best way of reaching a conclusion. I would like at the same time to remove two amendments in the third line. The words confiscated and substitute compulsory. I formally more this amendment.

Cde. N. Persaud: I second the amendment Cde. Speaker.

Cde. Hoyte: Cde. Chairman, what I was saying was that the use of the judicial procedure is a cumbersome one. The whole question here is one of speed and expedition but with fairness and in public ... I was not only saying that the Judges are hard pressed - those of us who have practiced in the courts of law, the techniques by which we could have a matter drawn out for long periods, especially when we are not ... What I am saying is we want without no doubt informality for a process which is quay side judicial, quay side administrative but it is necessary to be fair. The thing will have to be shown to be fair in practice and I am sure that when the implementation comes about people will see that and it is for that reason that really I cannot at this stage accept the proposals of my friends except to say that one of the recommendations of the experts that we are get into the question of reforms - now you are not dealing with a little bit of land here and there. As a matter of fact, you are dealing with a whole country and therefore you will have to have a set of rules. These rules might even be legal rules for land distribution and so it will be carried out of the administration of the clerk reform.

All of us talk about the farm. All of us talk about improving the quality of life and I think this is an area ...

I just want to say to my friend that sometimes we got a lot of information. People make allegations here and there and we need to be very careful about how we accept that information. The land occupied by the Guyana Libyan Company - it is a Company n which the Government of Guyana has the majority shareholding. It was part of the MMA scheme which was provided with secondary works under an agreement with the Democratic Peoples' Republic of Korea when those works were completed and that part of the MMA had all the facilities ... and it is not true to say that they were neglected - it was a case where a lot of money had been spent.

NATIONAL ASSEMBLY

16:40 hrs

Amendment put, and negative.

Clause 4, as printed, agreed to and ordered to stand part of the Bill.

Clauses 5 to 14 agreed to and ordered to stand part of the Bill.

Assembly resumed.

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

The Speaker: Comrades and hon. Members, the other Bills are very small. I do not know if you want to do them or to take a break.

Cde. Ramsaroop: I would recommend that we take a break.

Sitting suspended at 16:44 hrs.

17:05 hrs.

Sitting resumed --

INTOXICATING LIQUOR LICENSING (AMENDMENT) BILL 1983

A Bill intituled:

"An Act to amend the Intoxicating Liquor Licensing Act." /The Vice-President, Production, on behalf of The Minister of Finance and Economic Planning./

Cde. Hoyte: Cde. Speaker, the Intoxicating Liquor Licensing (Amendment) Bill 1983 seeks to amend the Act in three ways. The first is to confer upon the Controller of Customs and Excise a power to compound summary offences. This will enable him to accept a monetary compensation from any person who transgresses the provisions of the Act, who pleads guilty to that transgression and who is willing to pay a fine without having to go through the processes of the Court.

The second amendment, in clause 3, seeks to amend section 32 of the Act to enable a fee to be required for the application for a grant or renewal of an off-licence.

The third amendment seeks to increase the application fee for a grant of a certificate or the issue or renewal of a licence for a hotel, restaurant, member's club, tavern or spirit shop. The licences over the years have been ridiculously low and so the Bill seeks to increase the licence fee for the initial grant from \$5 to \$500 and for renewal from \$5 to \$150. Those are the amendments. I commend them to the Assembly.

Question proposed, put and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

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

CUSTOMS (AMENDMENT) BILL 1983

A Bill intituled:

An Act to amend the Customs Act."

/The Vice-President, Production, on behalf of the Minister of Finance and Economic Planning/

Cde. Hoyte: Cde. Speaker, the Customs (Amendment) Bill 1983 is designed to strengthen and facilitate the collection of duty. It seeks to insert a number of sections into the Act, sections 253A to 253E. The purpose of these new sections is as follows: First, to impose a penalty for the non-payment of duty; Secondly, to facilitate the early recovery of duty where a person is about to leave the country while being indebted to the Comptroller; Third to enable the Comptroller to issue a certificate certifying the amounts owed to him by any debtor and to have that certificate enrolled in the records of the High Court; Finally, to empower the Comptroller to obtain moneys due to him by way of garnishment in the way an ordinary judgment debtor can garnish.

These are the provisions of the Bill, which I commend to this Assembly.

Question proposed, put and agreed to.

Bill read a Second time.

National Assembly

17:10 hrs

Assembly in Committee

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

SPIRITS (AMENDMENT) BILL 1983

A Bill intituled.

"An Act to amend the Spirits Act." /The Vice-President, Production, on behalf of the Minister of Finance and Economic Planning/

The Speaker: Cde. Hoyte.

Cde. Hoyte: Cde. Speaker, the Spirits (Amendment) Bill 1983 seeks to amend the spirits act by inserting a provision to permit the Comptroller of Customs and Excise by accepting a monetary compensation from a person who is in breach of the provisions of the Act. The Minister will launch a formal procedure in the Court of summary jurisdiction. It is this simple amendment which is now before the Assembly.

Question put, and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

STATE PENSIONS (AMENDMENT) BILL 1984

A Bill intituled:

"An Act to amend the State Pensions Act." /The Vice-President, Production, on behalf of the Minister of Finance and Economic Planning/

The Speaker: Cde. Hoyte.

Cde. Hoyte: Cde. Speaker, under the State Pensions Act, the maximum amount payable is fixed by the Act at \$262, so that there is a certain rigidity imposed by the legislation. This amendment seeks to empower the Minister responsible for Finance to be able to propose to the Assembly the limitation so that the limitation would be fixed by the Assembly and not by formal legislation.

I would propose by way of Order so that this amendment does not seek to increase the actual amount now payable, but it seeks to empower the Minister by way of order to ask the Assembly by an affirmative vote to increase the amount to something that is reasonable.

Question put, and agreed to.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

CONFIRMATION OF CONSUMPTION TAX (AMENDMENT) (NO. 1) ORDER 1984 (NO.

2)

"Be it resolved that this National Assembly in accordance with section 5 of the Consumption Tax Act, Chapter 80:02, confirm the Consumption Tax (Amendment) (No. 1) Order 1984 (No. 2), which was made on 13th January, 1984 and published in the Gazette on 14th January, 1984." /The Vice President Production, on behalf of the Minister of Finance and Economic Planning/

The Speaker: Cde. Hoyte.

Cde. Hoyte: Cde. Speaker, this Consumption Tax Amendment Order of 1984 seeks to tidy up a situation and give the Minister responsible for finance a greater administrative flexibility in dealing with the fluctuations in prices of petroleum products. Now, from time to time the consumption tax is fixed upon petroleum products and of course the price of those products keeps fluctuating. Now, it is not desirable that every time the price of petroleum products rise or fall there should be adjustments, because this happens several times a week. The Minister has the power to adjust the consumption taxes downwards and upwards whenever the price of say petrol or diesel rises. So that by doing that the price to the consumer remains the same. The increase is not passed on, but that increase is absorbed by a reduction in the revenues. For some reason, the power was not conferred on him with respect to gas oil and kerosene. This order seeks to give him the flexibility so if the price of gas oil went up what the Minister would do initially is adjust the consumption taxes without any increase to the consumer of the kerosene and gas oil prices.

National Assembly

17:20 hrs

Question put, and agreed to.

Motion carried.

The Speaker: Cde. Ramsaroop.

Suspension of Standing Order No. 46(2) and (3)

Cde. Ramsaroop: Cde. Speaker, I move that paragraphs 2 and 3 of Standing Order 46 be suspended to enable this measure, Dependents' Pension (Amendment) Bill 1984 to be taken through all its stages.

Question put, and agreed to.

Motion carried.

DEPENDANTS' PENSION (AMENDMENT) BILL 1984

A Bill intituled:

"An Act to amend the Dependants' Pension Act."
/The Vice President, Production, on behalf of the Minister of Finance and
Economic Planning/

Cde. Hoyte: Cde. Speaker, the Dependants' Pension Act in its present form covers only persons who might be described traditionally as Civil Servants. However, there are other persons in the employment of the State who would wish to contribute to this Fund and benefit from its operations. This Bill, therefore, seeks to enlarge the scope of the Act to facilitate the entry of such persons into the Fund. More specifically, it permits persons who are employed by the Fund itself, the Secretary, Clerks and other employees, to contribute to the Fund and to benefit from the Fund. It also empowers members of the disciplined services to contribute to the Fund and to benefit from the Fund. It has a general provision which will enable the Minister, by Order, to declare from time to time certain other categories of public sector employees who could become eligible for membership of the Fund.

Finally, Cde. Speaker, it enlarges the powers of the Directors to lend. At present they can lend only on the security of mortgages. What this amendment seeks to do is to give them greater powers in terms of collateral security. These are the amendments proposed and I would ask Members of the Assembly to support the Bill.

Question proposed, put and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without amendment, read the Third time, and passed.

Suspension of Standing Order No. 46(2).

Cde. Ramsaroop: Cde. Speaker, I move that Paragraph 2 of Standing Order No. 46 be suspended to enable this Tax (Amendment) Bill 1984 to be taken through all its stages.

Question put, and agreed to.

Motion carried.

TAX (AMENDMENT) BILL 1984

A Bill intituled:

"An Act to amend the Tax Act." /The Vice-President, Production, on behalf of the Minister of Finance and Economic Planning/

Cde. Hoyte: Cde. Speaker, this Bill arises from one of the Budget measures announced by the Cde. Minister of Finance and Economic Planning in the Budget Statement. It seeks to amend the Tax Act by increasing the licensing fee for betting shops, as they are properly known, from 4250,000 to \$350,000.

Question proposed, put and agreed to.

Bill read a Second time.

Assembly in Committee.

Bill considered and approved.

Assembly resumed.

Bill reported without Amendment, read the Third time and passed.

Suspension of Standing Order 23(2)

Cde. Ramsaroop: Cde. Speaker, I move that Paragraph 2 of Standing Order No. 23 be suspended to enable this Motion to be taken.

MOTION

AFFIRMATION OF THE TRAVEL TAX (AMENDMENT) REGULATIONS 1984

"Be it resolved that this National Assembly, in accordance with section 57(13) of the Tax Act, Chapter 80:01, affirms the Travel Tax (Amendment) Regulations 1984 (No. 4), which was made and published in the Gazette on 31st January, 1984. /The Vice President, Production, on behalf of the Minister of Finance and Economic Planning/

1984-02-08

17:20 – 17:30 hrs

Cde. Hoyte: Cde. Speaker, the Travel Tax (Amendment) Regulations 1984 is a result of the proposals made by the Cde. Minister of Finance and Economic Planning in his Budget Statement. The Regulations seek to increase the travel tax from \$25 to \$50.

Question put. and agreed to.

Motion carried.

National Assembly

17:30 hrs

The Speaker: Comrades is it agreed that we do the Appropriation Bill?

Comrades and Honourable Members indicated in the affirmative.

SUSPENSION OF STANDING ORDER NO. 12

Cde. Ramsaroop: Cde. Speaker, now that the Estimates have been drafted, it is necessary under paragraph (2) of article 218 of the Constitution for the Appropriation Bill to be introduced to the Assembly to provide for the issue from the Consolidated Fund for the sum necessary to meet the expenditure as approved and for the amount required. I have consulted members and there is full agreement of the Bill being disposed of at this time. Consideration of the Bill under the Standing Orders is a mere formality. Cde. Speaker, as we have passed the time and stage on the Order Paper for the Introduction of Bills it is necessary for Standing Order No. 12 which sets out the order of business to be suspended to enable the bill to be tabled at this stage. I therefore seek your permission to move the suspension of Standing Order No. 12.

The Speaker: Leave is granted. Cde. Ramsaroop I think you have to move the suspension of the Order.

Cde. Ramsaroop: I now formerly move that Standing Order No. 12 be suspended to enable the Vice President, Production to introduce the 1984 Appropriate bill at this stage.

Question put and agreed to.

Standing Order No. 12 suspended.

INTRODUCTION OF BILLS – FIRST READING

The following Bill was introduced and read the first time:

Appropriate Bill 1984 – Bill No. 4/1984. /The Vice President, Production/

PUBLIC BUSINESS

BILL – SECOND AND THIRD READINGS

A Bill intituled:

"An Act to provide for the issue from the Consolidated Fund of the sum necessary to meet the expenditure (not otherwise lawfully charged on the Consolidated Fund) of Guyana for the financial year ending 31st December, 1984, estimates whereof have been approved by the National Assembly, and for the appropriation of that sum for specified purposes in conformity with the Constitution." /The Vice President, Production/

1984-02-08

17:30 – 17:40 hrs

Cde. Hoyte: Cde. Speaker, in accordance with paragraph (2) of Article 171 of the Constitution, I signify that Cabinet has recommended the Appropriation Bill 1984 for consideration in the National Assembly. I will now present the Bill to the Assembly and move that it be read a Second Time.

Question put. and agreed to.

Bill read a Second time.

Cde Hoyte: Cde. Speaker, I beg to move that the Appropriation Bill 1984 be read a third time and passed as printed.

Question put. and agreed to.

Bill read a Third time.

ADJOURNMENT

The Speaker: Cde. Ramsaroop.

Cde. Ramsaroop: Cde. Speaker, I beg to move the adjournment of the House to Wednesday 15th February when some private matters will be dealt with.

Adjourned accordingly at 17:35 hrs.