



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

OFFICIAL REPORT

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION
(2020-2022) OF THE TWELFTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION
OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE DOME OF THE ARTHUR
CHUNG CONFERENCE CENTRE, LILIENDAAL, GREATER GEORGETOWN*

46TH Sitting

Wednesday, 13TH April, 2022

**PARLIAMENT OFFICE
HANSARD DIVISION**

The Assembly convened at 2.11 p.m.

Prayers

[Mr. Speaker in the Chair]

OATH OF A NEW MEMBER

Mr. Speaker: Hon. Members, I have received, from Lt. Col. Ret'd Joseph Harmon, a letter dated 26th January, 2022, resigning his post as Leader of the Opposition with effect from that date. That post has now become vacant. I have also received, from Lt. Col. Ret'd Joseph Harmon, a letter dated 14th March, 2022, resigning his seat as a Member of Parliament (MP) with effect from 15th March, 2022. With Lt. Col. Ret'd Harmon's resignation, a seat in the National Assembly has become vacant. The vacancy is, in accordance with Section 99A of the Representation of the People Act, Chapter 1:03, to be filled by a person whose name is to be extracted from the list of candidates from which Lt. Col. Ret'd Harmon's name was extracted. As Lt. Col. Ret'd Harmon's name was extracted from the A Partnership for National Unity/Alliance For Change's (APNU/AFC's) list of candidates, I have, in accordance with Section 99A of the said Act, called upon the representative of the said list, to further extract from that list the name of a person who is willing to become a Member of the National Assembly, to fill the vacancy in the Assembly.

Hon. Members, I have received, from Dr. Nicolette Odella Henry, a letter dated 10th February, 2022, resigning her seat as a Member of Parliament with effect from 31st March, 2022. With Dr. Henry's resignation, a seat in the National Assembly has become vacant. The vacancy is, in accordance with Section 99A of the Representation of the People Act, Chapter 1:03, to be filled by a person whose name is to be extracted from the list of candidates from which Dr. Henry's name was extracted. As Dr. Henry's name was extracted from the A Partnership for National Unity/Alliance For Change's list of candidates, I have, in accordance with Section 99A of the said Act, called upon the representative of the said list, to further extract from that list the name of a person who is willing to become a Member of the National Assembly, to fill that vacancy in the Assembly.

Hon. Members, following the resignation of Lt. Col. Ret'd Harmon and my call upon the representative of the list of the A Partnership for National Unity/Alliance For Change's list of candidates, I have been informed that the name of Mr. Aubrey Norton was extracted from the list and that Mr. Aubrey Norton was, on 6th April, 2022, declared by the Elections Commission (GECOM) to be an elected Member of the National Assembly. Before Mr. Norton can take part in the proceedings of the National Assembly, he will have to make and subscribe the Oath of Office before the National Assembly, as required by article 167 of the Constitution. As Mr. Norton is present, he can now make and subscribe the Oath which will be administered to him by the Clerk of the National Assembly.

The Oath of Office was administered to and subscribed by the following Member:

Mr. Aubrey Norton.

Hon. Members, following the resignation of Dr. Nicolette Odella Henry and my call upon the representative of the list of the A Partnership for National Unity/Alliance For Change's list of candidates, I have been informed that the name of Ms. Volda Lawrence was extracted from the list and that Ms. Lawrence was, on 6th April, 2022, declared by the Elections Commission to be an elected Member of the National Assembly. Before Ms. Lawrence can take part in the proceedings of the National Assembly, she will have to make and subscribe the Oath of Office before the National Assembly, as required by article 167 of the Constitution. As Ms. Lawrence is present, she can now make and subscribe the Oath which will be administered to her by the Clerk of the National Assembly.

The Oath of Office was administered to and subscribed by the following Member:

Ms. Volda Lawrence.

ANNOUNCEMENTS BY THE SPEAKER

Welcome to New Members

Mr. Speaker: Hon. Members, I offer my congratulations to the Hon. Member, Mr. Aubrey Norton, and welcome him back to the National Assembly. Congratulations, Hon. Member Ms. Lawrence and welcome back to the Assembly.

Hon. Members, I would like, on behalf of all of you and myself, to congratulate both Members, Mr. Aubrey Norton and Ms. Volda Lawrence, on their again becoming Members of this National Assembly. We welcome them and extend all our good wishes and best prayers to them in the performance of their duties.

Virtual Participation

Hon. Members, the Deputy Speaker of the National Assembly would be joining us virtually. Let us offer our prayers for his family. Most of them are stricken with the Coronavirus disease (COVID-19), but they are in good spirits.

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

- (1) Minutes of Proceedings of the 6th Meeting of the Committee of Selection held on Tuesday, 1st March, 2022.

[Speaker of the National Assembly and Chairman of the Committee of Supply]

- (2) Annual Report of the Public Utilities Commission for the year 2020.

[Prime Minister]

- (3) Annual Report of the Supreme Court of Judicature for the years 2016, 2017 and 2018.

- (4) Women and Gender Equality Commission Five-Year Strategic Plan 2021–2026.

[Minister of Parliamentary Affairs and Governance]

- (5) Treasury Memorandum Pursuant to Resolution No. 25/2021 dated 13th December, 2021, of the National Assembly on the Public Accounts of Guyana for the year 2015.

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

- (6) Audited Financial Statements of the Cheddi Jagan International Airport Corporation for the year ended 31st December, 2020.

[Minister of Public Works]

(7) The Public Health (Coronavirus) (No.3) Regulations 2022 – No. 8/2022.

[Minister of Health]

2.26 p.m.

(7) Audited Financial Statements of the Central Housing and Planning Authority for the year ended 31st December, 2019.

[Minister of Housing and Water]

REPORTS FROM COMMITTEES

The following Reports were laid:

(1) Report of the Public Accounts Committee in relation to the Appointment of Members to the Public Procurement Commission.

[Mr. Figueira – Chairman]

(2) Fourth Report of the Committee on Appointments in relation to the Appointment of Members to the Women and Gender Equality Commission.

(3) Fifth Report of the Committee on Appointments in relation to the Appointment of a Director to the Board of the Natural Resource Fund and a Member to the Public Accountability and Oversight Committee in keeping with the Natural Resource Fund Act No. 19/2021.

[Minister of Parliamentary Affairs and Governance – Chairperson]

QUESTIONS ON NOTICE [For Written Replies]

Mr. Speaker: Hon. Members, on today's Order Paper there are six questions. Questions number one to five are for written replies and question number six is for oral reply. Questions number one to five are in the name of the Hon. Member, Ms. Geeta Chandan-Edmond, and are for the Hon. Minister of Home Affairs. Question number six is in the name of the Hon. Member, Mr. Ganesh Mahipaul. The answers to these questions have been received and have, therefore, in accordance with our Standing Orders, been circulated.

(1) Fire at the Brickdam Police Station

Ms. Chandan-Edmond: It was widely reported at a press conference on the 3rd October, 2021, hosted by the Hon. Minister of Home Affairs along with members of the Disciplined Forces, that at least 80% of the Brickdam Police Station was destroyed by fire.

1. Can the Hon. Minister indicate the causes, conditions and circumstances surrounding the aforementioned fire and how did the Government manage the situation as it unfolded and its aftermath?
2. Can the Minister provide a detailed explanation as to why the fire at the Brickdam Station was not contained, having regard to the fact that the Central Fire Station is located a mere two minutes away from the Brickdam Police Station?

Minister of Home Affairs [Mr. Benn]:

1. The Brickdam Police Station fire was an act of arson, this was conclusive after the Guyana Fire Service would have carefully scrutinised the fire scene and meticulously analysed all data which was collected from the fire scene.
2. Among some of the reasons why the Guyana Fire Service was unable to contain the fire to the building of origin includes:
 - Gaining access to the compound which was due to rapid evacuation of occupants (ranks and personnel).
 - Vehicles and equipment being removed from the compound, impeding access because there was only one entrance and exit. (An exit needs to be provided.)
 - Age, configuration and figure load of the building.
 - The wind allowance.
 - Initially, failing to access open source of water.

(2) Fire Extinguishers at the Brickdam Police Station

Ms. Chandan-Edmond: It was widely reported at a press conference on the 3rd October, 2021, hosted by the Hon. Minister of Home Affairs along with members of the Disciplined Forces, that at least 80% of the Brickdam Police Station was destroyed by fire.

Can the Minister state the number of working fire extinguishers that were in place at the Brickdam Police Station prior to the 3rd October, 2021, and the location of each fire extinguisher?

Mr. Benn: There were a few fire extinguishers which were operable at the Brickdam Police Station, however, a few needed servicing. There were sufficient fire extinguishers on the premises, which could have extinguished fires in their incipient stages.

(3) Public Buildings to be Equipped with Fire Extinguishers

Ms. Chandan-Edmond: It was widely reported at a press conference on the 3rd October, 2021, hosted by the Hon. Minister of Home Affairs along with members of the Disciplined Forces, that at least 80% of the Brickdam Police Station was destroyed by fire.

- A. Can the Minister indicate whether an advisory has been issued under his hand or under his directives to ensure that all public buildings are fully equipped with fire extinguishers, an identified area to serve as a muster point, regular fire drills, the installation of sprinkler systems? If yes, can the Minister indicate the date such advisory was issued and provide to the House a copy of any such advisory?
- B. Can the Minister indicate whether consideration has been given to establishing a mechanism to examine all aspects related to fire safety, review of existing systems inclusive of building codes, an immediate assessment of all response mechanisms, remedial actions as well as a review of the available equipment and the human resource capacity?
- C. If yes, can the Minister indicate the findings made thus far, the composition of any such team, the criteria used in selecting the members of the review team, the date of commencement of the assessment and the timeline for the submission of any report on the aforesaid?

Mr. Benn:

- A. Fire prevention inspections are being conducted throughout the country by the Guyana Fire Service. These inspections would target both public and private occupancies. However, during such inspections recommendations are penned to the occupants of the aforementioned buildings to install smoke detectors, fire extinguishers, construct fire emergency plans and designate an appropriate area, away from the perspective premises (building) upwind as assembly points.
- B. Standards were developed for the establishing and enforcement as it relates to building construction in Guyana. Such standards for buildings are to ensure that buildings are safe and have means of escape and ample fire emergency systems in place. The rationale is to have building practitioners, consultants and homeowners to keep within the framework of the mentioned regulations. However, we do not have standardised building codes in Guyana, but a proposal was prepared and sent to the Office of the President last year for perusal and approval.
- C. The national Fire Advisory Board, which comprises nine appointed members, was given the responsibility to review and further implement standards and regulations to suit our local conditions. The Board convened April last and has been active ever since. The composition of the Fire Advisory Board saw members coming from the Guyana Fire Service, the National Bureau of Standards, the Ministry of Legal Affairs, the Ministry of Home Affairs, the Central Housing and Planning Authority, the Ministry of Human Services and Social Security, the Mayor and City Council, the Guyana Water Incorporated and the Environmental Protection Agency.

(4) Training Received by Members of the Guyana Police Force as Fire Responders

Ms. Chandan-Edmond: It was widely reported at a Press Conference on the 3rd October, 2021, hosted by the Hon. Minister of Home Affairs along with members of the Disciplined Forces, that at least 80% of the Brickdam Police Station was destroyed by fire.

Can the Minister detail the training received by all ranks of the Guyana Police Force in relation to their duties and the established protocols as fire responders in cases of a fire at their locations? Can the Minister indicate the areas of training received and the length of any such training?

Mr. Benn: The Guyana Police Force officers, as part of their basic training, are trained in respect of emergency responses including those for the occurrence of fires.

(5) Assessment and Standing Operating Procedures (SOPs) of the Guyana Police Force

Ms. Chandan-Edmond: It was widely reported at a press conference on the 3rd October, 2021, hosted by the Hon. Minister of Home Affairs along with members of the Disciplined Forces, that at least 80% of the Brickdam Police Station was destroyed by fire.

1. Can the Minister indicate what assessment has been done to determine the critical departments of the Brickdam Police Station that have been more significantly affected? Further, can the Minister advise on the Government's short, medium and long-term plans to address the needs of the critical departments?
2. Can the Minister indicate if the standard operating procedures were activated on the 3rd October, 2021, at the scene of the fire? If yes, can the Minister also indicate whether the Guyana Fire Service was the first responder?
3. Can the Minister indicate if the correct Alert Code was given as detailed in the protocols to the Disciplined Forces? Further, at what stage and what Alert Code was given?
4. Can the Minister indicate how many senior ranks within the Guyana Fire Service were on duty on the 3rd October, 2021, and the ranks of all senior officers who were on duty on the said date?
5. Can the Hon. Minister state whether the conduct of the staff of the Guyana Fire Service, who were on duty, was in conformity with the standard operating procedures of the Guyana Fire Service? If not, can the Minister advise what actions have been taken to address those officers who have breached their SOPs?

Mr. Benn:

1. A new eight story police station is to be constructed at Brickdam. Departments are now mainly housed in the historical barracks building which was saved from the fire.

2. First response was from the Guyana Police Force officers on route, followed by the Guyana Fire Service.
3. The alerts in respect of the fire were followed and the required ‘General Alert’ was issued.
4. There were twelve senior officers and forty-four other firefighting ranks on duty on 3rd October, 2021.
5. This matter is under review.

QUESTIONS ON NOTICE [For Oral Replies]

Mr. Speaker: Question number six is for oral reply. Hon. Member Mr. Mahipaul, you may ask your question of the Minister of Local Government and Regional Development who may respond.

Elections for Chairmen, Deputy Chairmen, Mayors, Deputy Mayors of the Seventy Neighbourhood Democratic Councils and Ten (10) municipalities.

Mr. Mahipaul: Thank you very much, Cde. Speaker. In keeping with the Laws of Guyana, Chapter 28:02, Section 28 (1) and (2) of the Local Authorities (Elections) (Amendment) Act 2018 – Act No. 10/2018, which states:

“(1) The councillors of every village council shall, as hereinafter provided in this section, elect out of their number a chairman and deputy chairman, of the council.

(2) The overseer shall not later than the 16th December of each year summon a meeting of the councillors for the ensuing year for the purpose of electing a chairman and a deputy chairman for the ensuing year and not less than three days’ notice of the meeting shall be given.”

The Local Authorities (Elections) (Amendment) Act 2018 – Act No. 10/2018, Section 2(b)

“(1) (a) Subject to paragraph (b) and (c), the Town Clerk shall in every year, not later than the sixteenth day of December, call a meeting of the City Councillors for the purpose of electing the Mayor and Deputy Mayor for the ensuing year.”

Could the Hon. Minister of Local Government and Regional Development, Mr. Nigel Dharamlall, MP, explain to this honourable House why were no elections for Chairmen and Deputy Chairmen, Mayors and Deputy Mayors, of the 70 Neighbourhood Democratic Councils (NDCs) and 10 Municipalities, respectively, held on or before 16th December, 2021, for the ensuing year 2022?

Minister of Local Government and Regional Development [Mr. Dharamlall]: Good afternoon, everyone. Thank you for the question. While it is the functional duty of the Minister of Local Government and Regional Development to appoint the day on which Local Government Elections will be held, during the period commencing 1st November and ending on 7th December of the third year in which the term of office of the current Council commenced, pursuant to Article 162 (1) of the Constitution of Guyana, the Elections Commission is vested with the power to administer and conduct elections in Guyana.

On 3rd December, 2021, the Chairperson of the GECOM, by letter, informed the Hon. Mohabir Anil Nandlall, SC, MP, Attorney General and Minister of Legal Affairs, the principal legal advisor of the Government of Guyana, that while the GECOM is cognisant of the legal requirement that Local Government Elections should be held in 2021, the GECOM was not in a position to do so since the agency was without a Chief Elections Officer (CEO), who is the officer required by law to manage the operations of the conduct of the elections in Guyana and to oversee the registration of electors. As a result, and for that reason, Local Government Elections 2021 were not held. In consequence, thereof, by Order No. 32/2021 dated 8th December, 2021, I exercised the powers that were vested in me, by Section 36A of the Local Authorities (Elections) Act, to postpone those elections. It may be apposite that I remind that Section 36A reads:

“Where the Minister is satisfied, on the advice of the Elections Commission, that it is impracticable to comply with the provisions of this Act or the Local Authorities (Elections) (Amendment) Act 1990 regarding the date for the holding of an election to elect members of a local democratic organ, he may, at any time by order, postpone such date to a date specified in the said order or to a date to be specified in a subsequent order...”

Thank you, Mr. Speaker.

Mr. Mahipaul: Cde. Speaker, my question was not related to the holding of Local Government Elections. My question was related to the holding of internal elections, within elected councils, for

the election of Chairmen and Vice-Chairmen of the respective NDCs, Mayors and Deputy Mayors within the respective municipalities. May I redirect the Hon. Minister to the question, could the Hon. Minister of Local Government and Regional Development, Mr. Nigel Dharamlall, MP, explain to this honourable House why were no elections for Chairmen and Deputy Chairmen, Mayors and Deputy Mayors, of the 70 Neighbourhood Democratic Councils and 10 Municipalities, respectively, held on or before 16th December, 2021, for the ensuing year 2022, in keeping with the Laws of Guyana Chapter 28:02, Section 28 (1) and (2) and the Local Authorities (Elections) (Amendment) Act 2018 – Act No. 10/2018?

Mr. Dharamlall: Mr. Speaker, elections were slated for 2021 and as per correspondence of the Chairperson of the GECOM I acted in that way. I have no other contribution on this issue.

Mr. Mahipaul: I know as per Standing Order, this is my final follow-up on the question. I wish to remind the House that in keeping with the laws of this country, internal elections...

Mr. Speaker: Are you reminding the House or the Minister?

Mr. Mahipaul: The Hon. Minister through you, Sir.

Mr. Speaker: That is all right.

Mr. Mahipaul: Internal elections for Chairpersons and Vice-Chairpersons, Mayors and Deputy Mayors have nothing to do with the GECOM. It is the Town Clerk and Overseers who must administer these elections every year, as quoted earlier, by the laws of Guyana. I am kindly asking the Hon. Minister, who is responsible for the Ministry of Local Government and Regional Development, to tell the National Assembly and the people of Guyana why it is that internal elections for the election of Chairmen and Vice-Chairmen, Mayors and Deputy Mayors were not held on or before the 16th December. Perhaps, if he needs help, he can ask the Hon. Anand Persaud, his deputy.

Mr. Dharamlall: As I have indicated earlier, we were advised by the Elections Commission that elections, which were due in 2021, that is total Local Government Elections, were not possible and I acted on that advice. There was an order postponing... [**An Hon. Member:** *[Inaudible]*] That is correct. There was an order that was published on 8th December postponing those elections... [**Mr.**

Nandlall: [*Inaudible*] Thank you, Attorney General. ...which would have continued the life of the Council until such time that we have elections.

Mr. Speaker: Thank you very much, Hon. Minister. As far as I understand, the order continues the *status quo*. Hon. Member, you may proceed.

Mr. Mahipaul: Sir, I would like some clarity in terms of how many follow-up questions I have.

Hon. Members: [*Inaudible*]

Mr. Speaker: You may proceed.

Mr. Mahipaul: Sir, the precedence in this National Assembly has always been – I know of it from research – that should the Hon. Minister request to extend the life of these councils, he would submit a document to this House for ratification. To my knowledge, as a Member, no such document was submitted to this honourable House. The laws of Guyana are clear; they are pellucid. They state that internal elections for...

Mr. Speaker: You are now repeating this four times. The new question to the Minister is, why has a document not been tabled?

Mr. Mahipaul: Why has the document not come to the House and why have these Overseers and Town Clerks not held internal elections? It has nothing to do with the GECOM.

Mr. Speaker: Thank you very much, Sir. Hon. Minister, is there a document to come to the National Assembly for maintaining the *status quo*?

Mr. Dharamlall: Thank you, Mr. Speaker. On the 8th December, 2021, an order was gazetted to that effect.

Mr. Speaker: Thank you, Hon. Minister.

PERSONAL EXPLANATIONS

Mr. Speaker: Under Personal Explanations I had been asked some time ago by the Chief Whip of the Opposition and I told him we will hold it – I think it was Ms. Sarabo-Halley who had wanted to make a statement on Lt. Col. Ret'd Harmon when he offered his resignation.

Ms. Sarabo-Halley: *[Inaudible]*

Mr. Speaker: That is all right. Thank you.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE NATIONAL ASSEMBLY AND MOVED BY A MINISTER

Suspension of Standing Order No. 13

WHEREAS very important Committees Business (Motions) has been on the Order Paper since December, 2021 to date;

AND WHEREAS some of the aforementioned motions await the approval of the National Assembly in order to proceed with the nomination and appointment of three Constitutional Commissions as well as Statutory Bodies;

AND WHEREAS it is the intention of Government to have the motions adopted in order to allow for some of these Commissions and Statutory Bodies to commence their work.

BE IT RESOLVED:

That Standing Order No. 13 be suspended to allow the Assembly to consider the Committee's Business after consideration of Government's Business at its Sitting on 13th April, 2022."

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

Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]: Mr. Speaker, I have a motion calling for suspension of the Standing Orders, under this head read by the Clerk.

Mr. Speaker: I was just about to call on you. Hon. Minister of Parliamentary Affairs and Governance, you have the floor.

2.41 p.m.

Ms. Teixeira: Thank you once again, Mr. Speaker. As the Members of the Committee know, the motion has been circulated calling for suspension of Standing Order No. 13 which deals with the order of the business of the House. In this case, we are asking for the Committee's Business, where quite a few Committees' reports and their motions to be approved by the House have been waiting since December 2021. As you are aware Sir, and Members of the House, a number of these relate to constitutional bodies that have been waiting so that we could go through the procedures and appoint them. The Ethnic Relations Commission (ERC) has been waiting from December, 2021. This is a very important one; it will allow us to have the two-thirds majority support of this House so that we can go to the second stage regarding the appointment of the ERC members, and to bring those names back to the House in a second round. We have been unable to work on that because we have not gotten the approval of the House.

The second issue, of course, is the Police Service Commission that has been before the House since December, but because of heavy agendas and the budget and everything else, this is also one that has been waiting that is critical. The Committee on Appointment (COA), of course, also has one that I think is important for all of us in this House, which is the appointment of the Public Procurement Commission (PPC) for which the Public Accounts Committee (PAC) has finished its work unanimously as well. So, we have that to come forward as well as the Women and Gender Equality Commission. The first stage has to do with the list of entities so we could consult and bring back the names. Then, of course, the nominees from the Committee on Appointments regarding the Natural Resource Fund Act for directors of the board and a member of the public accountability and oversight committee. We are asking that the House allow us to suspend Standing Order No. 13 to allow for the Committees' Business to come up after Government Business at today's sitting. Thank you, Sir.

Mr. Speaker: Thank you, Hon. Minister. The motion is proposed.

Question put and agreed to.

Standing Order suspended.

INTRODUCTION OF BILLS AND FIRST READING

The following Bills were introduced and read the first time:

(1) Evidence (Amendment) Bill 2022 – Bill No. 3/2022

A Bill intituled:

“An Act to amend the Evidence Act.”

[Attorney General and Minister of Legal Affairs]

(2) Condominium Bill 2022 – Bill No. 4/2022

A Bill intituled:

“An Act to make provision for the horizontal and vertical subdivision of land and buildings into units for individual ownership and to make provision for the use and management of condominiums and matters connected thereto.”

[Minister of Housing and Water]

(3) Juvenile Justice (Amendment) Bill 2022 – Bill No. 5/2022

A Bill intituled:

“An Act to amend the Juvenile Justice Act.”

[Minister of Home Affairs]

(4) The Nurses and Midwives Bill 2022 – Bill No. 6/2022

A Bill intituled:

“An Act to make provision for the registration and regulation of nurses, midwives, nursing assistants and specialist nurses, and for related matters.”

[Minister of Health]

(5) Mental Health Protection and Promotion Bill 2022 – Bill No.

7/2022

A Bill intituled:

“An Act to provide mental health care and treatment for persons with mental illness and to protect, promote and fulfil the human rights of those persons during the delivery of mental health care; to provide for the establishment of the Mental Health Board; to repeal the Mental Hospital Ordinance and for related matters.”

[Minister of Health]

(6) The Radiation Safety and Security Bill 2022 – Bill No. 8/2022

A Bill intituled:

“An Act to provide for the safe, secure and peaceful uses of ionizing radiation, protect persons and the environment against the harmful effects of radioactive waste, establish the Radiation Safety and Security Board and for connected matters.”

[Minister of Health]

(7) Tax (Amendment) Bill 2022 – Bill No. 9/2022

A Bill intituled:

“An Act to amend the Tax Act.”

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

Mr. Speaker: Before we take Government’s Business, let me extend a welcome, on your behalf, to former Prime Minister Mr. Hamilton Green and give my *Salaam* to Brother Bilal: *As-Salaam-Alaikum*. Also visiting with us today is the former Member Mr. Harry Gill and former MP Ms. Cheryl Sampson; welcome.

PUBLIC BUSINESS

GOVERNMENT BUSINESS

Motions

(1) Approval of Guyana's Membership to the Commonwealth Association of Public Accounts Committees

WHEREAS, the Commonwealth Association of Public Accounts Committees (CAPAC) was founded in June 2015 with the aim of sustaining and promoting the highest principles of public finance in all Commonwealth Parliaments and thus ensuring that the citizens they serve benefit from strong and independent Public Accounts or equivalent committees;

AND WHEREAS, as decided by the Parliamentary Management Committee, the Parliament of Guyana made application on 27th January, 2020 to become a Member of CAPAC;

AND WHEREAS, for membership to any international organization or resolution of the Parliament of Guyana is required,

BE IT RESOLVED:

That this National Assembly approves of Guyana becoming a Member of the Commonwealth Association of Public Accounts Committees.

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

Mr. Speaker: Hon. Minister of Parliamentary Affairs and Governance and Government Chief Whip, you may proceed.

Ms. Teixeira: Thank you. Mr. Speaker. There is a motion before us on approval of Guyana's membership to the Commonwealth Association of Public Accounts Committees (CAPAC). When the PAC first met after the selection of the Committees, we found that there was a letter regarding the Commonwealth Association of Public Accounts Committees and we asked for guidance from the Parliamentary Management Committee. The reason being is that, what we learnt in January, 2020, after the Parliament was dissolved, there was a request by the former Speaker, we believe, to ask that Guyana join and become a member of the Commonwealth Association of Public Accounts Committees. The PAC correctly referred this to the PMC, the PMC then examined the

issue and made the decision in support of it on 27th January, 2021. It did want to have some matters clarified but it was supported.

Regrettably, after the meeting in January there was one more meeting on 17th March, 2021, where we had a quorum and then after that there was no quorum, based on the Standing Orders, until 19th January, 2022. Therefore, that led to an unfortunate delay in the motion coming before the House. This is a simple motion coming before the House. The CAPAC is designed to support the work of the Commonwealth Public Accounts Committees in promoting good governance implementing the declaration on these Committees contained in the communique of the November, 2013, Commonwealth Heads of Government meeting. The CAPAC is designed to support the work of the Commonwealth Public Accounts Committee. Therefore, we are, both at the Public Accounts Committee level and at the PMC level, in support of Guyana becoming a member of the Commonwealth Association of Public Accounts Committee.

We need to have the House's approval as per norm. In addition to that, just in case anyone wonders, we have been advised that this will not cost us. There will be no financial consequences as a result of us joining this organisation, and we will be allowed to have a Member of the PAC and a clerk from the Public Accounts Committee sit on this body, whether it meets virtually and or physically. We call on the House to support this. We believe this is a good initiative and it would help to strengthen the Public Accounts Committee of the Parliament of Guyana. Thank you.

Motion proposed.

Mr. Figueira: In relation to this specific motion, we on this side of the House do support this motion. It is a body, to which we believe, on the intended motion to come, we see an opportunity to pledge our disapproval of the amendments to the Standing Order which the Hon. Member would soon bring to this House; and we will register our complaint to this body. Thank you.

Motion put and agreed to.

Ms. Teixeira: My Chairman of the PAC, on the other side, gave warning of what they intend to do. If you join CAPAC, it is your business. Except when you do, when you sit at the CAPAC, you are representing the Parliament of Guyana, not yourselves. That is just a reminder. I just had to put that in; I could not let that just lie.

(2) Amendment of Standing Order No. 82 (Public Accounts Committee)

WHEREAS Standing Order No. 82 provides for the establishment of the Public Accounts Committee and defines its role and functions;

AND WHEREAS Standing Order No. 95(6) states that three (3) Members is the quorum on any Standing or Select Committee including the Chairperson “unless the Assembly otherwise direct;

AND WHEREAS Standing Order No. 83(5) provides in the Parliamentary Management Committee for a quorum of five (5) Members, of which two (2) must represent the Government, and, two (2) must represent the Opposition, one (1) of whom shall be the representative of the main Opposition party, and the Speaker and or the Deputy Speaker as the Chairperson of the said Committee;

AND WHEREAS due to the role and functions of the Public Accounts Committee, it would be appropriate to amend Standing Order 82 to provide for a similar quorum formulation as in the Parliamentary Management Committee:

BE IT RESOLVED:

That Standing Order No. 82 be amended as follows:

Standing Order	HOW AMENDED
82	By inserting immediately after paragraph (3), the following paragraph – “(4) A quorum shall be five (5) Members, two (2) representing the Government, two (2) representing the Opposition and the Chairperson.”

2.56 p.m.

Ms. Teixeira: The motion on the amendment of Standing Order No. 82 regarding the Public Accounts Committee, I have seen a number of reports in the press to do with what kind of dastardly plot the Government and Gail Teixeira have in trying to bring this amendment to the Public Accounts Committee. All I could think about, Sir, is that, maybe, the mental health bill is needed more badly in this House than before. Sometimes, one has to be careful about paranoia.

When we went through the constitutional reform in 1999/2001, the legal reforms that followed in the legislature and the amendments to our Standing Orders, this was an important issue in terms of recognising, in constitutional reform, that it was actually built in to do with parliamentary committees, the Parliament and the Parliamentary Management Committee (PMC). There was a reason, in the legislative reform process which followed, for ensuring that the Parliamentary Management Committee had a quorum not of three, which would have been the Chairman and two others, but a quorum of the Chairman and two from Government and two from the Opposition's side. Why did that happen? Why was that necessary? The belief and the opinion that was given then – and it was uncontested – was that this was the body that would manage the affairs of the Parliament, and this would not allow the Government or the Opposition to have a runaway train in the Committee. Therefore, it ensured that the Parliamentary Management Committee must have two Opposition and two Government Members in order to go forward. That has been the practice since these amendments were made, both in the Constitution and in the Standing Orders.

Why do we want to do it in the Public Accounts Committee? Let us explain why. I have already stated it in the press, but as a response to Mr. Figueira, who also went to the press prior to me - I am a Member of this House. This motion is not from the Public Accounts Committee. It is from me as a Member of the House, who has a right to bring a motion on the floor. Anybody has, once it is in order with the Standing Orders. In the Public Accounts Committee, the Government's expenditure is under scrutiny and the Opposition chairs the Committee. The Opposition has a right to do that, and the Government has to do that also. Anybody watching the live streaming of the Public Accounts Committee meetings will notice that, on both sides of the House, there is a lot of activity and attempts to get to the root of the problems and the way in which the financial management of a number of state agencies, including regional bodies, *et cetera*, is taking place. It is, therefore, maybe something we need to look at in terms of ensuring that because it is the Government's expenditure... It is not this Government's expenditure that is being examined in the

PAC now. We just finished 2016 and that report will come here. We are dealing with the 2017 and 2018 reports. This is not an issue of this Government being afraid of being scrutinised. You cannot say that because we are not at this Government's expenditure, which is from October, 2020 forward.

What this is attempting to do is to make sure that in the Public Accounts Committee, there is a recognition of both sides. The Government's side has an interest in making sure that when its expenditure comes up for examination, it is there to see it and to participate in it. It is just as it is the right of the Opposition to be there and to do what they have to do in the PAC. We have just gone through an online training course in the Public Accounts Committee about the role of the Public Accounts Committee, the issue of non-partisanship in the Committee, and the role we have to play. I know that the Members of the PAC have done it and so have I. Therefore, I hope that will keep us in line. The issue was stated, very clearly, in all of the training programmes that it is up to each individual Parliament to decide on the composition of its Public Accounts Committee and the rules that regulate it.

One of the comments that was made is that we are amending the Standing Orders. I am sure that my friend, Mr. Ramjattan, and Dr. Roopnaraine, who is not here, will remember that after the 2011 General and Regional Elections, when we were in minority, the two Hon. Members came to the House with amendments to the Standing Orders on the floor of the House to reverse the membership of the committees from what was five Government and four Opposition members. They reversed it the other way in every committee of the House. It was every Committee, except the PMC. Of course, in the Public Accounts Committee, they reversed it as well. On the question of whether I have a right to bring this without going to Public Accounts Committee, I am saying yes, I do, under the Standing Orders.

The second thing is that, in this House, it was done in the year 2012. [**Mr. Ramjattan:** I never touched this.] The Hon. Member said that he did not touch this, but he touched every single Committee. What is the problem? Are you getting semantic on me, Mr. Ramjattan? In every committee where the Government had a majority, suddenly it was reversed. Do you want me to list them, Mr. Speaker? We, as a Government, were in minority in every single committee of the Tenth Parliament of this House. So, do not come to me *holier-than-thou*. I am not buying the *holier-than-thou* argument because some of us have institutional memory. I see that Ms. Volda

Lawrence and Mr. Norton are here. They have been here before. You must learn from the institutional memory of this House. Then, chapter two came along. In 2015, after the A Partnership for National Unity/Alliance For Change (APNU/AFC) won the General and Regional Elections, they brought another motion to amend the Standing Orders in order to reverse to Government's majority and Opposition's minority. Is that not an interesting story? Is that not an interesting bit of history in this House? That was the fickleness that took place and now some people are saying there is some dastardly plot behind this.

Let me go further. I have heard that this is some attempt to delay the work of the Committee. We just dealt with a matter before this one which showed that a decision of the Parliamentary Management Committee could not have been implemented until a year later because of a problem of quorum. Here, you have the PMC, and the quorum is two Government Members, two Opposition Members, and one Chairman. In the Parliamentary Management Committee...Mr. Speaker, if you would allow me. Mr. Speaker is the Chairman of that Committee and not me. We met for the 2nd Meeting on 18th November, 2020. We met for the 3rd Meeting which was held on 27th January, 2021. We held the 4th Meeting on 17th March, 2021. The 5th Meeting was called on 21st April, 2021, 16th June, 2021; 23rd June, 2021; 28th July, 2021; 20th October, 2021; and 15th December, 2021. We met, but we could not have had meetings because the Opposition either had no representative or one representative. So, do not tell me who could cause delays and who could stymie the work. You did it for the last year in the Parliamentary Management Committee.

Mr. Speaker has been extraordinarily patient, convening meeting after meeting after meeting. We sat there and we waited, and we waited, and we waited. Sometimes there were excuses and sometimes there were no excuses. Sometimes one person from the Opposition walked in late and did not know what had happened to the other person. The 5th Meeting of the PMC, which should have been held on 21st April, 2021, was not held until 19th January, 2022. It was not over yet, Mr. Speaker. We called a 6th Meeting and there was no quorum. There was a 7th Meeting and no quorum. Please, gentlemen and ladies of this honourable House, this is a measure being introduced – it may have been an oversight of the Constitutional Reform Committee, who knows – to ensure that in the Public Accounts Committee also ... Let us look at scenarios. Suppose the PAC has a meeting, and, the Opposition does not come but the Chair of the Opposition is there. Does that mean, without this amendment, that we could push through and do what we want? Yes, it does,

according to the present Standing Orders. It is just like if you, the Opposition, is in the Public Accounts Committee and no Member comes from the Peoples Progressive Party/Civic's (PPP/C's) side, you will proceed, as you did in December, 2021, with a meeting with one item, in which you made a decision which, actually, you were not entitled to, in terms of putting an onus, a burden, on the Consolidated Fund, which you had no authority to do.

The issue is that the quorum being amended is not harmful. It, in fact, will make sure that both sides always have two on each side. You do not need to have everybody, but you need to have two on each side to make sure the work goes forward. As I said, if people are saying.... I read in the press...I do not know if the media report is correct about what Mr. Figueira said, about this being an attempt to stymie the work of the Public Accounts Committee. My question to the Hon. Member is: what were you guys doing in the PMC, which you stymied for one whole year? Work could not go on for one entire year. Maybe, it is a guilty conscience. Maybe, you are deflecting what you did in PMC onto the Public Accounts Committee. I really cannot analyse your mindset, but I would say that this would enhance the way in which we operate in the Parliament. It is no harm; it is not harmful to anyone. We went further to actually put in the motion the formulation from the PMC. In fact, this formulation mimics the formulation of the PMC – the Chairperson plus two Members of the Government and two Members of the Opposition. We did not go as far as the PMC, in the sense that one Member should be a representative of the main Opposition party because we noticed that in the PAC, it is only the main Opposition party. Of course, in future, it could be amended if there are other parties in the PAC on the Opposition's side.

I hope that I have assuaged the fears of the Opposition side, but if you see *bogeymen* everywhere, I cannot help you. If you are seeing *bogeymen* and *ghosts* everywhere, I really cannot help you. You have to decide whether it is fact and whether there is trust and confidence. The issue is that two on the Opposition's side, two on the Government's side and the Chairman, as a quorum, will lead to greater trust and confidence and will lead to certain ways in which we operate in the PAC, which would in no way harm the work of the Committee. I find the comments about stymieing the work of the PAC very strange because we have been working well. When it comes to draft work, I think the Opposition knows who does the draft work in some cases and who comes prepared to sit in some cases. So, it is not just, as the Opposition would like to put it over, that this is an attempt to stymie. I hope that the Members would have seen the light, but unfortunately, from the murmurs

of the other side, I do not have confidence in that. I wish to assure the Opposition's side that they may jump to the worst possible scenario, but this is not one of those. I believe the PAC is as important a Committee in the House as is the Parliamentary Management Committee. One deals with oversight of the expenditures of the State and the taxpayers' money and the other one deals with the management of this Parliament, this House. Both require collaboration and both require a recognition of both sides of the House, by ensuring that there are always two representatives each as a quorum. I do not think there is any harm in that in the Public Accounts Committee.

3.11 p.m.

Mr. Speaker, in closing, I wish to say that regrettably, I do not have a speaker's list and so I cannot advise you. All I can say is that I assume from my colleague, Mr. Jones, that it will be Government, Opposition, Government, and Opposition. We will just rotate through because I do not have the list. I have the list of my speakers, which I shared with Mr. Jones, but he was not quite sure, quite clear or ready and I have not had any further follow-ups. So, all I can suggest to you, Mr. Speaker, is that we go with Government, which I have done, and Opposition, Government, Opposition, Government until the speaker's list on this issue is complete, Sir. [*Applause*]

Mr. Speaker: Thank you, Hon. Minister. Hon. Member, Mr. Figueira, you have the floor.

Mr. Figueira: Thank you, Mr. Speaker. From the outset, let me assure the Hon. Member, Mdm. Teixeira, that we are not persuaded by her line of argument. I am happy to be back in this House, after a very long stay of almost two months of non-activity. This is the robust legislative agenda that the Hon. Minister of Legal Affairs promised this House. This is the active and more engaged Parliament that the Minister of Parliamentary Affairs and Governance promised the people of Guyana. It is another failed promise by this Administration. This approach to Parliament and, by example, this very motion that we are called to speak on here today, reaffirms this Regime's poor governance of the affairs of this country and its attitude towards transparency and accountability. This situation is further enabled by the many rejected motions and watered-down amendments to motions brought by the Opposition to this House. Before I venture further into my contribution on this motion that reminds me of our very own renowned poet, Mr. Martin Carter...I will leave Shakespeare to the big boys on that side. I am reminded of the very first line in one of his many masterful pieces where he stated:

“This is the dark time, my love,”

Guyana, we must all brace ourselves, but I am comforted that *with every dark cloud there is a silver lining*. It would be remiss of me not to welcome back to this honourable House, the most Hon. Ms. Volda Ann Lawrence to continue her service to the people of Guyana.

Mr. Speaker: Hon. Member, let me just caution those who are in the Gallery. I am sure that they were instructed earlier today that they are not supposed to bang the desks and take pictures. You are in the Gallery. If you violate the Standing Orders, we will have to ask that you be removed. Continue, Hon. Member.

Mr. Figueira: Thank you, Mr. Speaker. Those expressions of those who are here are happy and elated that good people have ...

Mr. Speaker: Hon. Member, are you challenging that ruling? As an Hon. Member of this House, one would expect that you would also contribute to upholding the rules until we change them.

Mr. Figueira: You did not allow me to finish, Sir.

Mr. Speaker: You may continue.

Mr. Figueira: I join my Colleagues, also, in welcoming to this House a friend, a comrade and the leader of our great party, soon to be Leader of the Opposition and, moreover, the President in waiting, Mr. Aubrey Norton.

This motion brought to this House by the Minister of Parliamentary Affairs and Governance, a sitting Member of the Public Accounts Committee, should, on its own, be of concern to all Guyanese. Is this normal? It certainly is not. I believe the people of Guyana, civil society, and other important bodies have missed the real deal behind this move in this motion. The Public Accounts Committee, as you are aware, Sir, gives oversight to the people’s money. A Committee that strives to ensure transparency, accountability, and good governance in a bipartisan way is now deliberately being politicised by the Minister, who should take the lead in ensuring governance and, moreover, good governance is achieved in this country. Mr. Speaker, politicians and, more so, aged ones should not use their influence or office to deny professionals their constitutional dues once they would have served.

The venom in this motion is partly birthed out of a decision derived from a meeting of the Committee for past members of the Public Procurement Commission (PPC) to be paid when the Minister with responsibility for governance was vividly absent. Instead of doing that, the Member brings into question her true role of importance to this very important portfolio. The Member's motion is to amend Standing Order 95(6), which deals with the quorum for the PAC, to mimic that of Standing Order 83(5) of the Parliamentary Management Committee (PMC). It is a committee which roles, functions, and objectives are vastly different and, as such, provides for five Members to be a quorum of which two represent the Government, two represent the Opposition, and the Speaker of the National Assembly or the Deputy Speaker of the National Assembly is the Chairman. Even the blind can see the mischief here. This Member knows fully well what she is doing, and it is *clothed in a veil* to deceive but we can see through the emperor's clothes. Light has shown in the darkness and the image is exposed. It is important to note that the current quorum for a meeting of the Public Accounts Committee requires three Members, irrespective of political affiliation. This makes it vastly different from all other committees of the Parliament and it provides for a more apolitical environment.

This Committee is not primarily concerned about party or party affiliations, but it is more concerned about doing the work expected to be done to improve the financial governance of this country. What its present construct does is compel all sides to be present because the work must go on. This is not what the PPP/C wants, and it is quite evident. They think the Committee meets too often and that it should not meet the 2020 and 2021 findings of the report of the Auditor General in a very short time. After sending home 85% of the accounting officers within a month of them being installed in August, 2020, this same Minister wants to dwell on years. It is one meeting a week on the 2016, 2017, 2018, and 2019 findings of the Auditor General for people who are no longer on the job. It is wasting time and holding up the work of the PAC. This is being proposed by the Minister, who is a Member of the Committee and whose party argued consistently in 2015 and beyond that Ministers of Government should not be Members of this particular Committee because it does not augur well for good governance. Today, we are seeing the attempts by the very Minister of Parliamentary Affairs and Governance seeking to control this Committee. She is a sitting Minister. She was a part of the arguments put in 2015 and beyond that Ministers of Government should recuse themselves from this very important Committee. It is irony at its best.

This motion seeks, I must repeat, to change the quorum from any three Members, be they from the Opposition's or the Government's side, to five Members. It is not just any five Members. The motion gives specificity to who should sit as this five – two from Government, two from Opposition, and the Chairman. It is a move that entrenches what my friend, the Hon. Mr. Ramjattan, calls *control freakism*. It is *control freakism* and it further adds to the destruction of the guardrails of our democracy. Historically, such a situation has never been part of the PAC, since its inception, across Governments until now, until we have this Minister responsible for parliamentary affairs and governance in this country. What a travesty.

This motion came to you, Mr. Speaker, *like a thief in the night*. Why, Minister Teixeira? Why did you do such? You are very much aware that this Committee has exhibited good camaraderie and there are amicable exchanges most of the time. Why did you engage in this left-handed and, some would say, sinister and pernicious act? We are persuaded and convinced that this move and the intent of this motion by the Hon. Minister is to paralyse the work of this Committee. This is what we consider to be a wicked act. It is wicked in its entirety, and we reject this motion.

This motion is one with which we, on this side, will always have a grave concern with regard to the future *modus operandi* of this Committee, good governance, accountability, and transparency. This is happening at a time when major Government investments are taking place without feasibility studies and with questionable spending of the people's money being done. This is the time that the Hon. Minister has chosen to bring such a questionable motion to this House. We have noted, with keen interest, that this motion has been brought directly to this House. As the Minister would have indicated – and it is noteworthy – none other than you, Mr. Speaker, is Chairman of the Standing Orders Committee, and it has never met a single time. This Committee has never met a single time since this Twelfth Parliament commenced. Additionally, what is equally concerning and a matter of significance, is the effect this motion will have by the mere non-attendance of Government Members. This is the hidden agenda in this motion. We are convinced, as I said, that the members of the PPP/C will stymie the functioning of the PAC, rendering it impotent and non-functional whenever they choose.

3.26 p.m.

I guess this is the new form of democracy. I guess this is the Hon. Minister's concept of good governance. The record of attendance of PPP/C Members' tardiness in the present construct of the PAC brings into question the reason behind this motion. The Hon. Member, Mr. Seeraj, was absent two times since the start of this Public Accounts Committee. The Hon. Members, Mdm. Teixeira, Mr. Datadin and Dr. Mahadeo, were absent three times since the start of this Committee. The Hon. Bishop Edghill has been absent four times...

Ms. Teixeira: Mr. Speaker, absent with an excuse is different from being absent. The Member must talk...

Mr. Speaker: Hon. Minister, you need to stand on a Point of Order, and if it is for clarification, I would have to ask the Hon. Member to give way.

Ms. Teixeira: Mr. Speaker, the Point of Order is in relation to Standing Order 40 and that has to do with a correction and not a clarification. It is a fact that....

Mr. Speaker: Hon. Member, the Minister wants to make a clarification correction. Would you allow her?

Mr. Figueira: Mr. Speaker, if the Hon. Member would allow me to conclude, I would capture what she is trying to bring to the House, Hon. Minister.

Mr. Speaker: Hon. Minister, I would have to ask the Hon. Member to continue. We could have that clarified by one of your other speakers.

Ms. Teixeira: I accept...

Mr. Figueira: Mr. Speaker, at...

Mr. Speaker: Hon. Minister, are you standing on another Point of Order?

Ms. Teixeira: It is Standing Order 41 (6):

“No Member shall impute improper motive to any Member of the Assembly.”

Mr. Speaker: Hon. Minister, I do not see that as imputing. You could have the clarification. Hon. Minister, could you please allow the Hon. Member to continue, and we can clarify this after?

Mr. Figueira: Mr. Speaker, I want to thank you and I want to applaud you for standing up and taking charge of the business in this House.

Mr. Speaker: Hon. Member, Mr. Figueira, I have not given you the floor as yet. I was asking the Hon. Minister to take her seat so that I could ask you to continue. I have not asked you to continue as yet. Hon. Minister, you could have one of your colleagues, who will present, clarify that. Hon. Member, Mr. Figueira, you may have the floor.

Mr. Figueira: I appreciate you giving me back the floor, Mr. Speaker. If the Hon. Member, Mdm. Teixeira, had allowed me to conclude, she would have been made aware that the absence which the records of the Committee of this Parliament have provided has substantiated all of the absences I have mentioned. It also included excuses from some of the said Members, but it does not negate the fact that they were absent. With this particular motion that the Hon. Member has put, “absent with excuse” would still handicap the work of the Public Accounts Committee with their non-attendance. I must state that those attendance pale in comparison to the Members on this side of the House who have attended to do the work at the bidding of the people of this country. The Hon. Member and I, Mr Patterson, have been absent only once since the start of the Twelfth Parliament. Since the commencement of the Twelfth Parliament, the PAC has been carrying out its mandate and meeting on every statutory date and our work has been executed in a very efficient manner, despite all the efforts made by the Hon. Members, on which my colleagues will give more clarity in their deliberations.

We see this motion and this attempt by the Hon. Minister of Parliamentary Affairs and Governance as deliberate and calculating. It is a failed attempt to camouflage the intended action of this motion, as another attempt has shown, which is to slow down the work of the PAC. The PPP/C led person and the mover of this motion, the Hon. Member, Mdm. Teixeira, even though she has been challenged for that leadership role by her other colleague, wants to ensure that fewer meetings are held. On occasions, if they do not want certain agencies examined, they could now prevent the work of the PAC by simply absenting themselves and not attending to do the work of the PAC, as the evidence of their attendance, which I aforementioned, states very clearly, very definitively and very pellucidly. We are convinced, more than ever, that this installed PPP/C Administration is not concerned with good governance, it is not concerned with transparency, and it is not concerned

with the accountability of the resources of the people of this country. This motion is clothed with wicked intentions, and it does not augur well for the work of the Committee and, by extension...

Mr. Speaker: Hon. Member, this is the second time you are using the word “wicked”, and this is imputing. So, you would have to withdraw that. As I am on the floor reminding Members of parliamentary language, earlier, I heard another word which was unparliamentary. I would not repeat it. Go ahead, Hon. Member.

Mr. Figueira: I am so guided, Mr. Speaker. I will repeat. This motion is not clothed with the best intention, and it does not augur well for the work of the Committee and, by extension, Guyana. In this regard, I cannot, I will not, and I ask – because I do know that they exist – the consciousness of those on the other side to think of Guyana, to think of its people and not support this motion. I thank you. [*Applause*]

Minister of Public Works [Bishop Edghill]: Thank you very much, Mr. Speaker. I rise to make my contribution to this debate. As I sat here and I listened to the previous speaker, the statements made, aligned alongside conduct of the Committee, justifies this motion. At every sitting of the Public Accounts Committee, the whole world has an opportunity to see and listen.

Traditionally, Mr. Speaker, and you have served on the Public Accounts Committee, the Public Accounts Committee is normally a bipartisan body that seeks to build consensus with a view of strengthening accountability and transparency, where strong recommendations are made to protect the public purse, where public officers work out their accountability, where systems are examined, and if there is breach, there are recommendations for strengthening them. It should always be a committee where consensus building and approach for Guyana’s development and protection of the public purse should be the number one priority. This Parliament, with all of its intrigues and all of the challenges it faces...we have never seen a Public Accounts Committee like this one before in the history of Guyana. We have had to come to this National Assembly, and we have had to come to this Parliament to ask that a chairman be removed because the then Chairman of the Public Accounts Committee was unwilling to comply with the Standing Orders and put a simple motion to the floor. He used his seat to abuse privilege and to suppress views of Members of the Government side. We have had to say to the current Chairman that if he continues to do the same

thing, the same treatment would be meted out to him. That is the gentleman to whom we just listened and who would not even listen to the Speaker.

I want to answer a couple of things that the Hon. Member said. We have never seen this rampant and pungent corruption as we are seeing today during the examination of the 2016, 2017 and 2018 period. On Monday, a former accounting officer had to answer to the Public Accounts Committee for why he gave, on 45 instances, contracts to the same contractor in 2018 and on 18 instances in 2017, when there were 39 other eligible prequalified contractors. That is the record this Public Accounts Committee is examining. It is rampant and pungent corruption. [**An. Hon. Member:** What does that have to do with the quorum?] I will come to the issue of quorum just now. At the level of the Committee, we have had to impose the rule that decisions are not made by the Chairman but by the Committee. If we did not enforce that rule, do you know what happened? Paragraphs that should have been examined and scrutinised were deemed closed by the Chairman and he was unwilling to allow a Member to ask questions on those paragraphs. The agency came back and spent six hours answering questions. You are talking about stymieing work. You wanted to ensure that those paragraphs were not examined because of the rampant and pungent corruption that existed during that period.

3.41 p.m.

I stand here this afternoon to support the motion, and we have to ask some questions. I do not enjoy the luxury of putting together some nice sounding speeches in a paragraph to come here. I enjoy the luxury of representing the truth and representing the people of Guyana, and I will use that luxury here this afternoon.

Is this motion taking away any right from anyone? The answer is no. You could jump high, you could jump low, or you could run around the place and call the People's Progressive Party/ Civic (PPP/C) all the names you want 'In The Ring' or out the ring. The bottom line is, we must say to people that Mdm. Teixeira's motion should fail if it is taking away the right from anyone. If it is not taking away the right of anyone, it should succeed. Rather, Mdm. Teixeira's motion is seeking to prevent the abuse of privilege. If the context and the environment that prevailed in the past, in Public Account Committees (PACs), had continued then, perhaps, a motion like this would not have been necessary. Every onlooker, every Guyanese reviewing, will discover that, repeatedly, I

have had to say that, in this Public Accounts Committee, Members of the then Government, who are now in Opposition, answer for accounting officers. Previous accounting officers, when asked questions, the strategy was to obfuscate, divert, make excuses, spend time trying to miss the point so that the reality of what was being dealt with was not dealt with. When one sees that and there is a quorum that states that any three Members could show up, do you know what that could mean? If, for some reason, whatever is the cause, Members of Government are not able to show up, one will very well hear that the entire reports for 2018 and 2019 are closed, the paragraphs are closed, that the matter is finished, and that there will be no examination. That is what we are protecting here by this motion.

People are talking here about showing up. For the very same Chairman, if he wants to make a point about absent and present, the records and the minutes will show how many times during a meeting he has been out of the Chamber, and someone had to act for him. Being present to start a meeting and then disappearing is not being present. You have a responsibility as Chairman to carry out your functions. You come here with a straight face to accuse Mdm. Teixeira of absence when, really and truly, the hard work of putting together reports and fixing principles and concepts in a proper context are coming from the Government's side, and you are coming here to disgrace one of the most senior Members of this Committee by using unparliamentary language like 'wicked' and 'mischievous'. I find that behaviour to not only be filled with arrogance, but it is also obnoxious and must be renounced. Do not take away anybody's right. What is worse is that we are not examining the PPP/C Government, we are examining the A Partnership for National Unity/ Alliance For Change's (APNU/AFC's) record. It is clear that they do not want that to be examined. It is clear from what I am hearing because I come from a worldview that states:

“Out of the abundance of the heart the mouth speaks”

So, when I listen to people speak, I understand how they are thinking. The thoughts that are being put out here that says that we would use this to stymie the work... The intent of the APNU/AFC was to use any opportunity that became available to them to close paragraphs, avoid scrutiny, and push through this report with a mad rush so that the former public accounting officers would not have to be accountable and answer for their paragraphs. In this country, there is a difference between the truth and the truth that is told by some. It would appear that, for some people, their truth is whatever they would like to spin in a particular way and to use a narrative to reflect the

truth. But, in this National Assembly in the Public Accounts Committee, where the people's business is being addressed in full view of the public, the public knows the truth. We have to be careful about how we make nice sounding speeches, or read nice sounding speeches, because the time will come when we will have to account for our stewardship. Is there any right that is taken away? The answer is no.

Would this motion prevent scrutiny? The answer is no. As a matter of fact, it will enhance scrutiny. If Members of a previous government are sitting around, examining their own records in which many of them participated, in the current context where Members are making excuses for accounting officers and Government is not present, then one knows that will not enhance scrutiny; it will prevent scrutiny. This motion seeks to prevent that. This motion addresses the issue of abuse. I heard Mdm. Teixeira, and then I heard the current Chairman of the Public Accounts Committee spoke. Let us talk about this so that the Parliament will be edified, and the people of Guyana will know.

In December, by way of e-mail, we received notice about a meeting with a single item which had to do with payment of gratuity to Members of the previous Public Procurement Commission (PPC). I was a Member of the Public Accounts Committee that fixed the emoluments and benefit of members of the Public Procurement Commission. Gratuity was not included because only one person, who was the chairman, was intended to be fulltime. All the others were part time and had other jobs. That is a known fact throughout the country. In the absence of Government, the Public Accounts Committee went into error by doing two things.

Firstly, it made a decision that changed the emoluments and benefits of members of a Commission after the contract came to an end and they were no longer in office or employed. The second error is that the then Public Accounts Committee made a decision that made a call on the Consolidated Fund when the Constitution or Standing Orders forbids any such motion or Bills, except it has the approval of the Executive. Mr. Figueira believes that because he sits on a chair and he could shout people down, he could make decisions and the Government...

Mr. Figueira: Mr. Speaker, I stand on Standing Order 41 (6). The Hon. Member is imputing a false motion towards me.

Mr. Speaker: I have to hear him out. I do not see that as imputing. Go ahead, Hon. Minister.

Bishop Edghill: Mr. Speaker, if the unlearned, the untrained, the ill-researched, filled with arrogance or just mere political direction without the balance of dialogue, discussion, and consensus making... the Public Accounts Committee will fall into error over and over again. What is worst is that the verbatim transcripts will show to all of us in this House how many times the Chairman and Members of the Opposition had to be corrected for things they were attempting to do or preventing from happening because they were trying to be a *clean sheet on a dirty bed*. This motion is to protect rights.

I stand here to be proud of one thing and that is that I discharge my responsibility fearlessly and with diligence. For the Chairman to stand and talk about who is absent and who is present, he enjoys my absence. [**Mr. Dharamlall:** He is afraid of you.] He enjoys my absence because he is mortally afraid. I would like to remind him that the righteous is as bold as a lion. And the person who is shouting ‘murderer’, they shall go outside and say it. The person who is shouting ‘murderer’ should hang their face in shame because they are repeating a lie.

Mr. Speaker: Hon. Member, I allowed... There are two words that you will have to withdraw but go ahead. Hon. Members, again, there are a number of words being used [*inaudible*].

Bishop Edghill: I withdraw

Mr. Speaker: Thank you.

3.56 p.m.

Bishop Edghill: I want to make the point that I will continue to ensure that the people’s business is taken care of. We will ensure that the public purse is protected, and we will continue to uphold principles no matter who is involved. While we were examining Region 5, we, on the Government’s side, continued to press for the appearance of the then Regional Executive Officer (REO) and accounting officer to appear. The Chairman brought to the Committee a report from the Commissioner of Police from the year before which stated that the goodly gentleman was out of the jurisdiction. It was only after photographs were published on social media of the gentleman’s very presence in the country attending a funeral of a comrade in Linden, he then mysteriously appeared. The next photograph that appeared was not only of the gentleman, but of people who were knowledgeable of the gentleman’s appearance but who were making excuses for his absence.

Mr. Chairman do not come here and talk about the PPP/C trying to hide scrutiny. We are scrutinising the APNC/AFC. You do not want your rampant and pungent corruption to be examined by the Public Accounts Committee; you want to rush it through even in the absence of the now Government. That is what you want to do and that is the real issue here. The Standing Order states 'any three members', but only a Member from the Opposition can chair the Public Accounts Committee, or, in the absence of the Chairman, somebody else from the Opposition could assume the chair. At all material times, the business of the Public Accounts Committee will be chaired by a Member of the Opposition. But, in this three formal... of any three members, it means that the Chairman and two Opposition Members could meet and fall into error, like they did in December, and continue to fall into error and continue to go ahead without the participation of the Government.

This motion is saying that the Opposition will always have the chairmanship, but there must be a balancing act to ensure that: the Committee functions with some semblance of order, there is participation from all, constitutionality is ensured, the Standing Orders are followed, and the principles of accountability and transparency are upheld. And we must do this together. We need to restore order at the Public Accounts Committee and bring an end to the bullyism that has been taking place which seems to be a landmark because, when some people cannot improve their argument, because they lack the ability to articulate it, they resort to bullyism.

Mdm. Teixeira's motion is an order, and it is one that could only be served well. They are talking about when 2021 and 2022 reports come. They will still have the chairmanship. The Government will not be able to do any mischief without the Opposition if the balance continues, and the people's business will be protected. I support this motion, and I call upon all of us in this House, including Members of the Opposition, who see a *jumbee behind every bush*, to rise to the levels of objectivity, and let us do this together and restore accountability, transparency, and good order at the Public Accounts Committee. Thank you very much, Mr. Speaker. [Applause]

Mr. Speaker: Thank you, Hon. Minister. Hon. Members, before I call on the next speaker, I keep hearing some words that are unparliamentary. I am confident our vocabulary is not that limited. It is now 4.00 p.m., I want to take the suspension now. We will return in one hour. Arrangements are being put in place for persons who are fasting and want to break their fast at 6.06 p.m.

Sitting suspended at 4.02 p.m.

Sitting resumed at 5.19 p.m.

Mr. Speaker: Thank you, Hon. Members. Please be seated. Hon. Members, I would like to report that, during the break, we had the meeting to elect the Leader of the Opposition, and the Hon. Member, Mr. Aubrey Norton, was duly elected as the Leader of the Opposition. [*Applause*]

I take this opportunity to extend greetings on your behalf and on my behalf to the Hon. Member on his election as Leader of the Opposition. Hon. Member, would you like to say a few words?

Leader of the Opposition [Mr. Norton]: Since I will speak a little later, Mr. Speaker, I want to say thanks, first of all, to the Members of the Opposition who elected me unopposed, and special thanks to you for convening the session. I want to pledge that I will work in keeping with the Constitution of Guyana to realise what needs to be done as a Leader of the Opposition. Thank you.

Mr. Speaker: Thank you very much, Hon. Leader of the Opposition. We now resume the consideration of the motion to amend Standing Order No. 82. Hon. Member, Mr. Mahipaul, you have the floor.

Mr. Mahipaul: Thank you very much, Cde. Speaker. I rise on this side of the House to make my contribution to what I consider a very vexatious motion. Before I do so, permit me, as the first speaker after the break, to congratulate the Leader of the Opposition, who is also the Leader of the People's National Congress Reform (PNCR) and the Chairman of APNU, on his election recently as Leader of the Opposition. I have no doubt that Cde. Leader, Cde. Aubrey Norton, will serve us well and guide us in a direction to remove the People's Progressive Party/ Civic from Government.

Cde. Speaker, similarly, I wish to offer congratulatory greetings to the Hon. Member, Ms. Volda Ann Lawrence, on her return to the National Assembly. With her wealth of knowledge and experience, I have no doubt that she will also contribute to the removal of the People's Progressive Party/Civic from Government. Sir, we have a motion before us that was brought by the Hon. Minister of Parliamentary Affairs and Governance to change the Standing Order by way of amending Standing Order No. 82 and insert 82(4), whereby it seeks to insert that:

“A quorum shall be five (5) Members, two (2) representing the Government, two (2) representing the Opposition and the Chairperson.”

Before I go down into this motion, permit me, Sir, to say that the last meeting of the Public Accounts Committee was last Monday, two days ago. I vividly remember that it was the Hon. Bishop Juan Edghill who attempted to hoodwink the Public Accounts Committee in a means where he requested...

Mr. Speaker: Hon. Member, are you now imputing ‘hoodwink’?

Mr. Mahipaul: I withdraw it, Sir. I wish to say that the Hon. Bishop Edghill tried to bamboozle the Public Accounts Committee. What he did was to request of the Public Accounts Committee to finish early so that persons could go to prayer session. He said that it was prayer week or holy week and that persons should be given that opportunity. The Chairman of the Public Accounts Committee asked how many Members would like to go to prayer session and how many persons who were present there would like to go to prayer session. The Hon. Bishop Edghill said that a lot of Members made representation to him and that is why he raised it.

When he did that, I made a request of the Public Accounts Committee to ask openly how many persons present wanted to go to prayer session. We ensured we asked every Member present at the Public Accounts Committee. We had the Members of Parliament, who were five on the Government’s side and four on the Opposition’s side; and we had the advisors – three of them; we also had additional staff from the Auditor General’s Office; we had the parliamentary staff who are supporting us at the PAC; and we had the agency that we were examining. There was roughly a total of 30 to 40 people there. When the Chairman asked how many people would like to go to prayer session, only the Bishop put his hands up. I do not know if it was only Bishop Edghill who said there were many people who made representation to him, but there was a clear indication that the Hon. Bishop Edghill wanted us to finish PAC early.

I believe that the Government’s side wants to run from scrutiny of their accounts which will be coming up. We have the *Report of the Auditor General for the year 2020*, which has already been laid in this National Assembly, and which is a public document. That document is out for scrutiny. We also have, coming out on 30th September, the *Report of the Auditor General for the year 2021*. Right now, we are examining the *Reports of the Auditor General for the years 2017 and 2018*. As

we continue to work assiduously to get the work done, it is expected that, by probably year end or early next year, at the rate we are going, we should reach the *Report of the Auditor General for the year 2020*, and this seems to be what the Government is running from. That is why they brought this motion before us. It is in an effort for them to stay away from PAC so that we will not be able to reach their accounts before the next general and regional elections. They believe that the people will not know what it is that they are doing with taxpayers' money.

Sir, for 23 years the People's Progressive Party/Civic was in Government, before this installed set came here. For those 23 years, there was no attempt to change the Standing Order or to change what constitutes a quorum at the Public Accounts Committee. The Public Accounts Committee has been in existence in this country since 1963, and it was always any three members who would constitute a quorum for the Public Accounts Committee, but we do not want that now. The Government's side does not want that now.

5.28 p.m.

Let me look at this particular be it resolved clause. I refuse to believe that the Hon. Gail Teixeira with her wealth of experience in this honourable House and her service to this country for over 30 plus years, would craft something like this. I refuse to believe that, consciously, of course. This is saying that Standing Order 82 (4) would now read after this is passed, because they have the number, and you know it is either... They would often say something that you are known to have said in this House before, Sir. They would say: we would have our say, but they will have their way.

“A quorum shall be five (5) members, two (2) representing the Government, two (2) representing the Opposition and the Chairperson.”

If something is to happen to the current Chairman of the PAC, and God forbid because I do not want anything to happen to my good brother, but if something is to happen to my good brother, are you saying that we would never be able to have another PAC meeting? Because, in order for us to elect a new chairman, we have to quorate before we could elect another chairman. For us to quorate, we have to have a chairperson, That is what this clause is stating here. This clause is stating that you got to have two Members from the Government's side, two from the Opposition and the Chairman in order to quorate to have any meeting. Even if we have to elect a new chairman,

we have to have the old Chairman first. That is what this motion is stating; that is what the be it resolved clause states. It is going to be very difficult for us to have a PAC meeting. That seems to be what the Government's side wants to do. This is the first Public Accounts Committee that has put everything that is happening in the public domain. We have the *Facebook* live, and the parliamentary page that would normally put out everything that is happening at the Public Accounts Committee, which was an initiative of the current PAC, under the stewardship of Cde. Jermaine Figueira. So, the public is now able to see what is happening.

When we listen to what the Hon. Bishop Edghill said, one would believe that the PAC came into existence in 2015. I want him to remember that, every time we are examining these reports and now that we are at 2017 and 2018, it is my good friend, the Hon. Juretha Fernandes, who would go back and make reference to what happened in 2010, 2011, 2012, 2013 and 2014, which is far worse than what happened in 2015 to 2020. Let us not be bamboozled by the Bishop and his loud mouth. We know what happened. These reports are public, and we have access to them. I implore upon the people of Guyana to go to the Auditor General's website, download the Auditor General's report and read what transpired during their tenure when they were in Government before 2015. It is far worse than what the Auditor General has in his report for 2015 to 2019.

Let me tell you what they are running from. What I have before me is the Auditor General's report of 2020. This is a public document. The findings of the Auditor General, in 2020, would amaze you to know that we have our honourable friends on that side of the House standing and talking about accountability and transparency; standing and talking about what they would do right and what they would not do wrong; standing in the PAC like the Hon. Bishop Edghill and telling us that this should not happen and that should not happen and the likes. Let me go straight to his Ministry first; let me go to the Ministry of Public Works first. This is paragraph 482 of the Auditor General's report 2020, under his watch as subject Minister.

“The sum of \$53.683M was allotted for (i) payment of retention, and (ii) rehabilitation of bridges at Essequibo, Sophia, Friendship, Georgetown, Annandale, and Vryheid's Lust. Amounts totalling \$53.593M were expended as summarised in the table below:...”

And, the table is there for the... Understandably, time was imposed on me, so I would go to paragraph 483, which states:

“A contract was signed on 23 December 2020 in the sum of \$15.908M for the reconstruction of Sussex and Hog Streets Bridge. Two payments totalling \$8.467M, which represented approximately fifty-three percent of the contract sum, were made within one week of the signing of the contract...”

And, this is the same Hon. Bishop that complains bitterly about contract signing at the PAC, and the percentage that is paid to contractors.

“...however, the contractor did not provide a mobilisation advance bond and a performance security of twenty and ten percent of the contract price, respectively, as required. As a result, the Ministry would not have been in a position to levy on any bonds, should the contractor default. This is poor contract administration.”

Is nah me seh sah, it is the Auditor General of the Co-operative Republic of Guyana who is saying this. These are matters that we are constantly banging at the PAC that should not happen. The Hon. Bishop Edghill is the loudest person at the PAC with these kinds of things, but he is very quiet right now. Paragraph 484...

Mr. Speaker: Okay. You made a point but, as far as I understand, the process is that these observations are opinions of the Auditor General. That is why we have the Public Accounts to prosecute these opinions. I did not want to interrupt before because I tend to not like to interrupt speakers. The issue of publicising the proceedings of Parliament and the committees, which are opened to the public when they are, has been a decision of the Parliament and not any one person. While you give the Chairman a lot of credit, you should also give the Parliament credit for having an open Parliament. Thank you.

Mr. Mahipaul: Thank you Sir. I think you are absolutely correct to guide me that I should give the Parliament some credit for also making Parliament public and, of course, that is under your stewardship. Quoting from this document... This is a document that is public. I do not believe it is the opinions of the Auditor General but, rather, they are findings.

Mr. Speaker: Actually, check the first page. All auditors say are in their opinion. It is in his opinion; you should check it.

Mr. Mahipaul: Thank you, Sir.

Mr. Speaker: That is standard accounting auditing.

Mr. Mahipaul: Sir, I believe his opinion would be when he said this was poor contract administration, but his findings caused him to give that opinion. I am merely quoting what he found in his examination. Thank you, Sir, for permitting me to go to paragraph 484 of the Auditor General's report of 2020 under Ministry of Public Works.

“A contract was also signed on 23 December 2020 in the sum of \$15.991M for the reconstruction of Enmore School Street Bridge. Two payments totalling \$7.995M, which represented approximately fifty percent of the contract sum, were made within one week of the signing of the contract. However, the contractor did not provide a mobilisation advance bond and a performance security of twenty and ten percent of the contract price, respectively, as required. As a result, the Ministry would not have been in a position to levy on any bonds, should the contractor default.”

In the Auditor Generals' opinion, this is:

“This is poor contract administration.”

This is the Hon. Bishop who cries over and over about 2017 and 2018 reports, and says that we gave away contracts, and we paid this and that. Paragraph 485, and I wish if I had five hours to stand up here.

“According to the special conditions of the contracts for works on the bridges at Vryheid's Lust, Enmore, and Annandale, the intended completion dates were stated as six weeks after the issuance of the letters of commencement. However, the commencement orders were not provided for audit examination. As a result, we were unable to determine the commencement dates; and thus, the schedule completion dates for the contract.”

Paragraph 486 states:

“Further, the general conditions of the required notices of completion to be sent by the contractors, requesting the engineer to issue certificates of completion. However, neither notices of completion nor completion certificates were seen. As a result, we were unable

to determine whether the works were completed within the intended scheduled completion times.”

There are many more paragraphs here on the Ministry of Public Works. Do you see what I am telling you, Cde. Speaker? This is what the Hon. Edghill does not want us to get at. It is not isolated to his Ministry alone. I am now looking at the Office of the Prime Minister and I would love to see if the Prime Minister could smile as I read.

“The sum of \$900M was allocated under Programme 022 – Disaster Preparedness, Response and Management, Line Item 6292 – Dietary. The sum of \$4.647M was transferred from this Line Item, leaving a revised allotment of \$895.353M, which was fully expended. A summary of the expenditure is shown in the table below:

Particulars	No. of Transactions	Amount \$'000
Items purchased for relief hampers	27	890,822
Miscellaneous	12	4,531
Total	39	895,353

In addition, the items purchased via eleven payment vouchers processed for sums totalling \$213.852M were verified as having been received. However, the difference of fifteen payment vouchers processed for sums totalling \$577.070M were not presented for audit examination. As a result, it could not determine whether the items valued \$577.070M were received and properly accounted for.”

Cde Speaker, that is the Office of the Prime Minister, and it does not stop there. We would now move to the Ministry of Local Government and Regional Development, interdepartmental warrants. Paragraph 337 states:

“The Ministry issued 168 Inter-Departmental Warrants (IDWs) totalling \$371.718M for Regions Nos. 1 to 10 and Ministry of Public Infrastructure (MoPI) during the period under review. Financial Returns for fifty-three of these IDWs totalling \$70.844M were not presented for audit as detailed in the table below. As a result, it could not be determined if the funds were utilised for the purpose intended...”

“An examination of the Warrant Register revealed that of the 168 Warrants issued, 124 Warrants totalling \$342.486M reflected unexpended amounts totalling \$110.903M. However, the full amount of \$342.486M was reflected in the Appropriation Accounts as expended, resulting in the Appropriation Accounts being overstated by the amount of \$110.903M.”

5.43 p.m.

Cde. Speaker, as I said to you, these are the things they are trying to hide from the Public Accounts Committee and hide from the people of Guyana. The Ministry of Local Government and Regional Development, again – paragraph 348:

“The amount of \$6.550M was budgeted for Fuel and Lubricants for 2020. According to the Appropriation Accounts the sum of \$6.530M was expended as at 31 December 2020. However, according to the Fuel Register it was noted that the Ministry prepaid for fuel amounting to \$4.548M which was not received as at 31 December 2020.”

These are the things they are running from Cde. Speaker. I turn your attention to the Ministry of Health. Paragraph 705, Drugs and Medical Supplies... Where is my good friend, Hon. Dr. Vishwa Mahadeo, who also sits on the Public Accounts Committee, who drills the accounting officers about drugs and medical supplies, who questions the process and these interdepartmental warrants from regions to ministries and Materials Management Unit (MMU) and a host of other things? Listen to what happened in 2020, Sir. Paragraph 705:

“The sum of \$8.070 billion was allotted under Line Item 6221 - Drugs and Medical Supplies. Allotment transfers to this Line Item totalled \$52.959M, resulting in an increased revised allotment of \$8.123 billion. An analysis of the payments revealed that amounts totalling \$8.122 billion were paid, as summarised in the table below.”

There is the list of the persons who provided it. Listen to this, Mr. Speaker. Paragraph 707 states:

“As can be noted from the table above, drugs and medical supplies valued \$1.568 billion were paid for, but not yet received. However, only the sum of \$551.819M was covered by bank guarantees. As a result, should the suppliers default on the supply of goods amounting to the difference of \$1.016 billion, the Ministry could encounter difficulties recovering this sum.”

These are the findings of the Auditor General in 2020, Sir. This is what the People’s Progressive Party/Civic does not want the public to hear about. Given time constraints that are understandably imposed upon me, I cannot go through this entire document which is 574 pages. Five hundred and seventy-four pages of the Auditor General’s report that unearthed discrepancies and unearthed wrongdoings, I will say, on the Government’s side in terms of what they did with Government money. While all of this is happening, I can see my good friend, the Hon. Attorney General, is taking a nap. Notwithstanding him taking a nap, I wish to remind him that he has a responsibility to the people of Guyana and that is to prosecute defaulters. I hope that he will take heed to what I am referencing here and perhaps launch an investigation into his own colleagues and what is happening *under their watch*.

Cde. Speaker, I took the opportunity of telling you, this honourable House and the people of Guyana what is happening with our accounts now so that the public will understand why, after so many years of the PPP/C being in Government, only now they are coming to this honourable House to insert such an amendment to the quorum of the Public Accounts Committee. The Public Accounts Committee has the authority to examine these findings of the Auditor General. We want to do it in a manner where we are up to date with the Auditor General’s report so that when we find, and we get clarity and guidance, according to the Fiscal Management and Accountability (FMA) Act, the Procurement Act and the Stores Regulations, we will also be able to provide good guidance to some of these accounting officers we have now. Some of these accounting officers we have now are new to the system. That is why we have been working extensively to ensure that we reach with current day. It is so that when the advice is given to them, we do not expect to see a repeat in the next year from the Auditor General. The People’s Progressive Party/Civic does not want that. It does not want that. They are afraid because the public is seeing what is going on. They are afraid of us reaching this report and the one that is going to come out before 30th of September,

2021. That is the pivotal point and the most important point to note in this vexatious motion. It is unfortunate that the Hon. Teixeira – who said to us at a Public Accounts Committee meeting that she is the expert on transparency and accountability, and she was honoured along that line as an expert in transparency and accountability – would bring such a motion to this House.

Ms. Teixeira: Mr. Speaker, Standing Order No. 40. I stand on a point of order. I said that I was the Guyana expert on the Inter-American Convention against Corruption (IACC). I never said I was the expert on it.

Mr. Speaker: Thank you very much, Hon. Minister.

Mr. Mahipaul: I apologise.

Mr. Speaker: Hon. Member, yes, apologise and withdraw that statement.

Mr. Mahipaul: Thank you, Sir. I apologise and withdraw the statement. I thank the Hon. Member for reminding me that she is Guyana's expert on corruption, which really and truly means that she stands for accountability and transparency, or she should. That is what it means to me, Sir. I find it so strange that Guyana's expert would bring such...

Mr. Speaker: Hon. Member, what it means to you, you could keep to yourself. Do not make it out to be that the Minister promoted herself as Guyana's expert or the expert. She said that she was Guyana's expert on a convention. You may proceed.

Mr. Mahipaul: Thank you very much. I am sure that Hon. Teixeira treats that accomplishment – to be dubbed as Guyana's expert on corruption – as a privilege. I find it very strange that a person with such an accolade would bring such a motion to this House, attempting to tell this country that if the Government decides not to come to the PAC, there can be no PAC.

Mr. Speaker: Hon. Member, to continue you will have to get an extension.

Opposition Chief Whip [Mr. Jones]: Thank you very much, Cde. Speaker. I move that the Hon. Member be given five minutes to conclude his presentation.

Motion put and agreed to.

Mr. Speaker: Hon. Member, you may continue to conclude.

Mr. Mahipaul: Thank you, Cde. Speaker. I am saying, in a nutshell, that I find it very strange that the Hon. Minister of Parliamentary Affairs and Governance, with a wealth of experience in the governance system of our country, would bring such a motion to this National Assembly to basically say to us that if they decide not to come to the PAC, there can be no PAC. Is that the definition of democracy? The democracy of the PAC is for the Opposition to be allowed to scrutinise Government's spending. The PAC has to have that authority to scrutinise Government's spending. There is nothing that is stopping them from coming to the PAC. The PAC is every Monday, statutorily speaking. Every Monday is a meeting of the PAC at 10.00 a.m. Every Monday we have been having meetings of the PAC. There was one time when the motion was passed for us to have two meetings per week. What the Hon. Teixeira did was bring a motion to amend that motion and return it to once a week.

As an Opposition, we cannot make decisions without the Government having an input. Even if we make decisions one week without the Government's input, they will come in their full number the next week and overturn it with a motion from their side because they have five Members, and we have four Members. It was done before. Regarding this talk about scrutinising in terms of both sides having an input, if the Government wants to change any decision of the Opposition, they can do it. They did it before. This is a deliberate attempt to stop the PAC, to slow down the work of the PAC and to cause us not to reach to the 2020 report and the 2021 report. That is what this is about. Cde. Speaker, I am telling you that since the formation of the PAC, we have had meetings every Monday, save and except for when we had budget or when there was a holiday, *et cetera*. Sir, I am telling you that if this is passed in this House...

[The Hon. Member displayed a document.]

Mark my words here, today. Going forward, you will see a decrease in meetings of the PAC. Once Hon. Teixeira or Hon. Bishop Edghill cannot attend meetings of the PAC, they will tell their other three Members not to come and we will have no...

Mr. Speaker: Hon. Member, you are imputing a lot there. Would you like to kindly withdraw that, please?

Mr. Mahipaul: Sir, I withdraw with your guidance. It is my opinion that an act of that nature will occur where we will see a reduction in the number of times the Public Accounts Committee meets

and it will lessen the work, slow down the process and cause us not to reach the 2020 Auditor General's report and the 2021 Auditor General's report in a timely manner. The sole purpose of us wanting to reach there, if I may reiterate, is so that we can provide guidance to these Permanent Secretaries (PSs) and Regional Executive Officers (REOs) who are new to the job. With that, I wish to emphatically say no to this motion. I cannot support it. I believe it is null and void and *cannot hold water*. It is an act to basically take down the guardrails of democracy in this country. It is a sad day for Guyana. I thank you, Sir. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member. Hon. Members, I will have to take the suspension until 6.35 p.m. I am asking if we can be back promptly so that we could have a quorum at that time.

Sitting suspended at 5.57 p.m.

Sitting resumed at 6.47 p.m.

Mr. Speaker: Thank you, Hon. Members. Kindly be seated. Hon. Members, I do not have a list of speakers, but I know, from indications, we could have as many as six more speakers on this motion. Also, those who want to speak could press their buttons or stand. If there are more than one person standing, who catches my eye first, as according to the Standing Orders, I will give them the floor.

6.48 p.m.

We just had the Hon. Member, Mr. Mahipaul. I await an indication. The Hon. Member, Mr. Datadin, proceed.

Mr. Datadin: Thank you very much, Mr. Speaker. I rise to support the motion to amend the Standing Order as it relates to a quorum at the Public Accounts Committee. Like Member Mahipaul, I also sit on that Committee. Mr. Mahipaul led this House to believe and sought to deceive those who do not know better that what will happen if there is more participation is that, somehow or the other, there will be less transparency. The things are mutually exclusive. If there is more participation, there is going to be better transparency.

With the greatest respect to the Hon. Figueira, who is escaping before I tell him, he has no right to tell anyone about rigging, about votes and about transparency. These concepts...Clearly, he does not understand the meaning of those words. Let me give one example of what takes place at the PAC. All that Mr. Mahipaul make reference to would have to be answered by the relevant accounting officers. When we are considering the 2017 and 2018 reports, which, incidentally, we are doing together and which, in my humble opinion, does not serve the nation very well, the undue haste with which Mr. Mahipaul, the Chairman and the Members of the Opposition proceed does not allow for proper scrutiny.

Let me give you an example of how this worked. The accounting officer for Region 5, when we were doing it, we were told he could not be found. We were told he had been written to on several occasions. We were not sure where he was and so we could not have sent a notice. This was the second iteration of what happened. We were told, essentially, that he was here, he was not there, and he was overseas somewhere. We could not have had him come and answer. One of the major issues to be addressed was 18 contracts being awarded, on an emergency basis, in Region 5 to one single contractor. The accounting officer was apparently everywhere except where he could have been found. As it turns out, regrettably, there was a funeral in January in Linden. Attending that funeral, among others, was the Hon. Member Mr. Figueira. Mr. Figueira is a fan of Facebook, and he took pictures with everyone there, including Mr. Morrison. Mr. Morrison, who we, at the PAC, could not have found, appeared.

Mr. Speaker: Hon. Member, I prefer you not use a name but continue how you started.

Mr. Datadin: Mr. Speaker, I respect your direction, but who was the REO of Region 5 and the accounting officer who had to come? The world knows. As it stands, Mr. Speaker, I respect your guidance. The gentleman who could not be found appeared. We now have to go through a process. The paragraphs under scrutiny have to be opened, we have to recall those people from Region 5 because we could now ask questions of he who should answer, and the process must go forward. After being told, again, he could not have been found, he appeared magically. He appeared last Monday. He was asked about the 18 emergency contracts. He said it was an emergency in preparation for the Christmas rains that were expected on 23rd December. The gentleman, being of see-far capability, awarded these contracts in September, when he anticipated that emergency works would have been required in December. Bearing in mind, under the guidance, between

September and November, he would have had enough time to engage in a process of tendering, selective or otherwise, and he may have been able to avoid this foretold and anticipated emergency.

What happens at PAC is that we have to scrutinise a report. Scrutinising that report is fairly involved. I know that Member Mahipaul would like to say that the people do not want to go, or we will have less meetings. When we ask questions, as would happen at the PAC, the persons who are responding often ask for time to give an answer and for time to find the information. That means now what they say is they will give us in writing, which, respectfully, means nothing. You could offer or you could obtain no scrutiny. They give you an answer and you have to take it. What is wrong with us doing the people's work in a deliberate way? What happens if we also include more persons?

What happened that caused this and precipitated this? The nation has a right to know. There was an issue about payments to be made to the former members of the Public Procurement Commission (PPC). Those payments related to what they contended were an aspect of their contract. Minister Teixeira obtained from the Hon. Attorney General some advice on what could happen. There was uncertainty about a meeting in December and, as a result, the notice was not sent in time; it was not known. The Members of the Government's side did not go. At that meeting, a decision was taken about the payment which, respectfully, is contrary to law. Advice was sought from the legal officer to the Government. Member Mahipaul has a view which is very detailed and which he adumbrated at the PAC. Mr. Mahipaul being the expert in law, declared all of these things to be perfectly lawful, as he had proclaimed about the majority of 65 and the simple mathematics. We let that go because he is allowed his contribution, as non sequitur and, perhaps, as incapable of comprehension in law as it is. We ignored, however, the advice of a gentleman who is the Attorney General of this country.

What transpired on that day was a travesty. The PAC proceeded to do an illegality. Not only did they do that, but they also relied on the advice of one of the technical officers to the PAC, who himself was a former member of the PPC, which means he had an interest to serve. He did not declare the interest to serve, Mr. Mahipaul, because the agreement and the opinion was to his liking; he agreed with it. That happened. When we have to look at expenditure and when we have to take decisions, what is wrong with having both sides present for a quorum?

The history of the PAC is useful. The PAC, as Minister Teixeira said earlier, is unique in that the Opposition has the right to be the chair of this committee. The Chairman of the Committee guides the process. We all know how a chairman works. What should happen and what should take place...all of the consultations that were had for this change to take place was that we should have all of both sides of the House be present and participate. Mr. Speaker, you ask, why the rush? The answer is simple. We have a situation where years 2016, 2017, 2018, 2019 and 2020 are outstanding. For those years, the Opposition was in Government. They were the ones doing the expenditure and they are now the Chair of the PAC. The Opposition Member is, and he wants to move quickly. He wanted 2016 to be done. He wanted us then to proceed with the years two at a time. The years 2017 and 2018 are being done now. With the undue haste, Mr. Speaker, we lose the opportunity to scrutinise. It is clear that the Opposition does not want scrutiny; move quickly, gloss over everything, and then we get to the end. [**Mr. Mahipaul:** They have the majority]. I cannot help you if you do not understand. It is English. There is the issue of what happens when we ask questions.

7.03 p.m.

We discovered, when we asked questions, that, in 2016, there were two scales, valued more than half a million United States Dollars, for which a contract was signed before an award was made. The payment took place simultaneously, in full, to a company in Jamaica. The scales, to this day, Mr. Speaker, have not been received. [**Mr. Mahipaul:** The scales are at Laparkan. They have to go and collect them.] When Member Mahipaul speaks so confidently that the scales are at Laparkan, I am wondering how he knows and why he did not, when he was in Government, deliver it to the Government. Laparkan is no arm of the Government. We have no scales. That is one instance.

The next thing we learnt at the PAC was that \$500 million was spent to build Durban Park. The sum of \$500 million was spent, in 2016, and we cannot account for any of it. We do not know where it is. They were not satisfied with that, Mr. Speaker. Having spent \$500 million for which there was no paperwork, except the cheque, they were unsatisfied. The now Opposition was in Government, and they were unsatisfied with that. Do you know what they did? They spent \$500 million more. We do not even the cheque now. Mr. Speaker, how do we request and how do we require the accounting officers to produce information when what we want to do is rush through it

all and gloss over it? The only way that we will maintain the intensity required is if they have to come back with the answers and come back with their documentation. [Mr. Mahipaul: What does that have to do with the quorum?] Member Mahipaul has finally had a light bulb moment. He has finally realised that with the amount of work that has to be covered, it is best done if we have both sides there and if we have no decision possible unless both sides are there.

The explanation, Mr. Speaker, is that we should have inclusivity. We should have more of the membership present before decisions could be taken. Before we get to the number of incidents involved, it is useful – I know Member Mahipaul is reluctant to read and comprehend – if he would appreciate that [Mr Ramjattan: *Inaudible*] No, he is reluctant. He has the ability, but he would not use it. Now, Mr. Speaker, forgive me, but what is being sought in this amendment brings it in line with other committees that are in existence, other parliamentary committees that do their work and other parliamentary committees that are expected to discharge functions. As it presently stands, either side can constitute a quorum, but, of course, the Chairman would have to be there. So, there could be three members of either side. What this asks is that they must be at least two of either side of the House. This is the scrutiny of the peoples' money; this is the scrutiny to which everyone is entitled. Now, we have to appreciate that the two things go hand in hand, the Members asking the questions and the responsible officers responding to them. To get the response, you need to give time and not close the paragraphs and not finish the questioning of the agency. With a quorum being required, it means that those things could not easily happen any longer.

To move the process forward, Minister Teixeira is including more inclusivity and more participation. That can only auger well for the PAC discharging its functions. We could all read the Auditor General's report. How do we get to the gravamen of what the concerns are? The Auditor General, in his reports, would usually say that contracts are not being managed properly. He would usually say that there has been more pay out than there should have been. Overpayments are a chronic problem, it seems. It is only when you ask the questions about who is responsible for it, what information they had present and the reason they made those decisions, could you ascertain, in a scrutiny of the report, what actually happened and what were the consequences. There are many instances where that opportunity is lost because of the undue haste with which we are proceeding. The nation hopes that we do a thorough job. The quorum, meaning how many people must be present so that you can work, is important. You cannot have either all Government

Members there working or all Opposition Members. Mr. Speaker, that does not work for transparency. Transparency means that both sides must be there. Transparency requires... [**Mr. Mahipaul:** The Government does not show up.] Mr. Mahipaul, I do show up. I do not ask useless questions and give commentary, but I show up.

We can look at some of the things that PAC has been dealing with. They do not want to hear about the drugs bond in Sussex Street. They do not want to hear that a year's rent was paid in advance. They do not want to hear that at the time the contract was signed, the property was not owned by the man who was the landlord in that contract. The advance matches the amount that had to be paid for the property. They do not want to hear that. Mr. Speaker, that is how, when you scrutinise the reports and you ask for the documents, you are able to identify. For the St. Roses High School, in 2018, the sum of \$53 million was paid to a contractor. When we look at what has happened, we all know nothing has happened since 2018. Not a single thing. The Auditor General declared the site to have been "abandoned" and it appeared as if no work has ever been done here.

We do not want to hear that, on an examination of the Ministry of Health, \$1.9 billion of the taxpayers' money was spent and the Auditor General is unable to say anything about the expenditure, because there is no value attached to what was received. He knows that, I believe, \$1.98 or \$1.95 billion was spent, but we do not know the value of anything that was received. The Auditor General cannot account for that. So, how do we get to the bottom of it? We have to ask the responsible officer for the records. Who was paid? How much was paid? We have to go through that process. We do not want to hear about companies that are supposedly bidding in emergency situations for construction of buildings. Regional office buildings were built in an emergency situation, in periods that take 18 months. There is no way the English language intended the word emergency to be used in those circumstances. We do not want to hear about vehicles that cost \$8 million to buy and cost \$10 million a year to service. We do not want to hear about that.

When these things come up, we see a report. We have nothing else but the Auditor General's report. We need to get the documents that relate to it. Member Mahipaul wanted to cite what he said was in the 2020 Auditor General's report. That report has not had the opportunity of having the relevant officers explain what has happened, and that is one year. There are recurring matters from 2016 that are still a problem in 2017, still a problem in 2018, in 2019, 2020 and all the way through. They have not been corrected. The people of Guyana deserve better scrutiny. The people

of Guyana deserve both sides being involved. The people of Guyana cannot afford a situation where the PAC committed an illegality. In the absence of the Government Members, a vote was done that is contrary to law. That cannot be allowed to continue. The occurrence of it on one occasion is too many, and it appears, respectfully, that, as long as the Government Members are not present, the Opposition knows how to do illegalities. It is a fair inference, I dare say. It happened on one occasion, and they did it on one occasion. Mr. Speaker, I would not say the next line I was going to say. I see you are poised. We get to the...

Mr. Speaker: Hon. Member, that is the problem with people anticipating, I was pointing because I was about to say that for you to continue, you will need an extension.

7.18 p.m.

Ms. Teixeira: Mr. Speaker, I would like to ask for the Hon. Member to have five more minutes to conclude. Thank you.

Motion put and agreed to.

Mr. Speaker: Thank you. Hon. Member, you may continue to conclude.

Mr. Datadin: Mr. Speaker, my profound apologies, Thank you for the extra time. What it states in the amendment, Your Honour, is worth repeating.

“(4) A quorum shall be five (5) members...”

There are nine Members in total, five Government and four Opposition.

“(4) A quorum shall be five (5) members, two (2) representing the Government, two (2) representing the Opposition...”

That allows for fair participation. That allows for a fair quorum. The previous way the rule was, Your Honour, is that three Members were required, and they could all be from one side of the House. That is unsuitable. That, in itself, inherently, lacks transparency. It does not augur well for public confidence. Both sides should be there. Then, Mr. Speaker, we have to accept the reality that if we allow only one side to form a quorum – either side – it would not to the benefit of the

nation. The amendment is to permit or require two from each side. That is eminently fair; it is democratic, and it allows for transparency. I thank you, Mr. Speaker. [Applause]

Mr. Speaker: Thank you very much, Hon. Member Mr. Datadin. Hon. Member Mr. Ramjattan, you have the floor.

Mr. Ramjattan: Thank you very much, Mr. Speaker. I want to, of course, immediately congratulate our new Leader of the Opposition and welcome Hon. Member Ms. Volda Lawrence back on stream. I want to also commend, from the statistics I heard about attendance, Hon. Members Mr. Mahipaul and Ms. Fernandes for being 100% present at the Public Accounts Committee.

For some of the speakers on the other side, it does appear that severe blackout moments are occurring in relation to their arguments on this issue. They are rather elusive moments because the entire nature and context of what is called the Public Accounts Committee is not understood and comprehended by them at all. Mr. Speaker, you would know, having been a parliamentarian for years, that the Public Accounts Committee is a committee that is *sui generis* and is unique. The access upon which its pivot rests is also to be advantageous to the Opposition – whosoever the Opposition will be. I just heard the Hon. Member, Mr. Sanjeev Datadin, talking about fairness, balance, and all of that. When we asked to just name one Member who will scrutinise the board for the Natural Resource Fund (NRF), they did not want to do that. Here it is that we have the Public Accounts Committee, which is to ensure the scrutiny of expenditures by the Government of the day, now being literally made *de minimis* in the context of this amendment which could be abused. It is not true for anybody to say that they are going to get more balance with their two Members being compulsory and mandatory before a meeting could be called. Their two or five Members could be there, and they could scrutinise too.

Mr. Speaker, that is why you would know that we expanded participation from seven to nine Members. The Coalition Administration extended it to nine Members so that there could be four Opposition Members and five Government Members. To that extent, the whole concept of participation is to have a certain set of numbers. The numbers include five or four Members, with five depending on whether one is in Government. This has been a time-tested proposition for the PAC. Since... [Mr. Mahipaul: Since 1963] ...1963 it was there. Also, it was for that reason that

the unique characteristic of it was that the chairperson must be from the Opposition. We have what is called the commencement of a process to derail the guardrails when they said, and brought by motion here, that if they have no confidence in the chairperson, he must go. That was how they ousted who the Opposition wanted.

This is an extremely dangerous development. It is a development that is now, in a sense, against the time tested. This is happening in England, the mother of all parliaments, whereby these things occur, and the attributes remain for centuries. Do you know what they want to do? They want to collapse the sacrosanct nature of the Public Accounts Committee. They want to rule by, what you call, the tyranny of the majority here. That is what we are having. It is what you call, rather than the rule of law, the law of the ruler. They now will ensure that this happens. The guardrails have already started to collapse. The Judicial Service Commission is not there. The Public Service Commission (PSC) is not there. The Teaching Service Commission (TSC) is not there. The Natural Resource Fund (NRF) Board is not there. The Local Content Secretariat is not there. The Petroleum Commission is not there. The Integrity Commission is not there. It has been almost two years. Yes, you could curse us and say that for a portion of our Administration we did not do it, but you promised that you are going to correct it. You know, Mr. Speaker, they have not.

I wish to state a little history. We had a robust parliamentary reform process. It started around 2002 and went up to around 2006. We had Sir Michael Davies, Mr. Pender, Mr. Bradford and all those other persons who were recruited via consultancies to write into our Standing Orders what should be recommendations. We agreed on three people as the quorum, not only because it was time tested since 1963 but also because we had rationalisations for it. I sent to you, Mr. Speaker, a copy of why that was so. A World Bank official called Mr. Rick Stapenhurst who had come to Guyana... I remember him being invited by the then President Mr. Jagdeo. We also had another person who was doing some research for Sir Michael Davies. His name was Mr. David McGee, and he wrote about the budgetary process. They talked about why it was necessary to have this process of a quorum. This was one of the arguments. I sent it to you.

“Small PACs are also believed to be less likely to work effectively because of their size.”

That is why it went up to nine Members.

“...small PAC may be confronted with a variety of problems: its members may have too many other committee duties and may not devote sufficient attention to their PAC work, its members may have commitments that prevent them from attending the committee meetings and preventing the PAC from reaching the quorum, or the committee may be dominated by government-affiliated MPs who have little intention of effectively scrutinizing the expenditures of the government that...”

... they come from.

That is what it is. You have, today, an amendment to a time-tested... From time immemorial, this thing was there. Why touch it? When we did what we did in relation to the amendments to committees and even to increase their sizes, we never touched the quorate proposition. We always left it to three because we found that it was enshrined by the time and also enshrined because of the common-sense approach. When you talk about the issue of fairness and balance, that is a sleight of hand. It is a complete sleight of hand to ensure, now, that controlling it by virtue of having two Members of the Government's side form a quorum could very well stultify and stifle the work of that Committee. We never wanted to deny Government's people their right to be in that PAC; they just have to show up. If they do not want to show up, in accordance with the nature and context of that PAC, the work will get done by three Members of the Opposition proceeding with it. If they do not want to show up, well that is it.

If you now go and implant in a Standing Order, which was there for such a long period of time, which was time tested and which is in accordance with all the other in the Commonwealth countries of the world, you are making, obviously, some oblique motive be your motivation. That is why it was very commendable when Mr. Mahipaul indicated what it is that is there. This reform process, which ensured that we did not touch the three Members who created the quorum, had tremendous good cogent and compelling reasons behind it. What the three-membered committee can do too, and it is written in the literature, is that it compels the Government Members, who might want to not be there, to come. That is what it does. When you have set up what you are now trying to setup and entrench the quorum to mean that two Members from the Government's side must be in this committee, it then ensures that you take away their compulsion of wanting to be there by virtue of staying away. As a result of them staying away, the work does not get done.

I really could not understand why is it that they put in this whereas clause which states:

“AND WHEREAS Standing Order No. 83(5) provides in the Parliamentary Management Committee for a quorum of five (5) Members....”

We are *talking apples and oranges*. The Parliamentary Management Committee (PMC) is a totally different *kettle of fish* from the Public Accounts Committee. To that extent, to put this as a red herring and non-sequitur to argue the case for the resolved clause, it is but a sleight of hand and a blackout moment for those who purport to talk about democracy but knows nothing about its institutional aspect. What we have here is the galloping erosion of our institutions in this Parliament.

7.33 p.m.

It is a rolling back of enshrining and the entrenchment of the Public Accounts Committee to do its work, especially in the context of Guyana now having so much more money as a result of that production agreement in petroleum which we signed on to. They are now going to want to do away with the scrutiny that can come by the virtue of the stifling and stultifying of the work of that committee. Could they really explain that whereas clause? The Parliamentary Management Committee is a committee, unlike the PAC, which tries to build the consensus in relation to how Parliament will be run. By the very nature of the Public Accounts Committee, one has to have fierce and fiery independent cause made on Government's spending. That is a component of democracy in relation to financial arrangements which is necessary. It does not have to have two Government Members, two Opposition Members and a Chairman. All the other committees have that, but they are trying to, as best as possible, steer our gaze away from their motivations of not wanting to do the correct thing. That steering of the gaze is like saying that the Parliamentary Management Committee has two Government Members, two Opposition Members and one Chairperson, and that we should put it like that. No.

I thought of it because I was in the criminal bar for many years, and it is the nature of why there is something called the presumption of innocence of accused people and why they have to be judged by their peers. It is because, when there is a prosecution by the State and all its resources, it could be disadvantageous for justice if one does not give the presumption and a jury to a minuscule accused. Similarly, here, the analogies have to be understood in the context that, the access upon

which public accounts committees all over the world is driven by the fact that the Opposition of the day must have that advantage... What we are seeing here now is a taking away... it is a roll back, a tremendous roll back and, of course, it is another aspect in this galloping erosion of institutional democracy. It must not be allowed.

Mr. Speaker, I also wish to touch on this aspect of the needs assessment. I come back a little on that. When we were doing the needs assessment of Parliament, during that very robust Parliamentary era of around the 2004- 2006 period and even extended, we made sure that we went into all these committees, and even the other committees which were created, for purposes of ensuring that there is an element of not a ‘tyranny of the majority’. That is why we have photocopies of the *Standing Orders of the National Assembly* and the introduction which is called ‘Note on the Standing Orders’. The *Standing Orders of the National Assembly* were amended in 2011 by the Special Select Committee on the Report of the Drafting Standing Orders. I was a Member of that Committee. The Hon. Member Gail Teixeira used to say that I never attended meetings.

“Members worked assiduously in conducting meetings over a four (4) year period where they carefully considered each Order: making deletions, insertions, and also ensuring that the language was gender neutral. Also included, for the first time, is a compendium of rulings by the Speaker.

On the 21st July, 2011, the Report of the Draft Standing Orders was adopted by the National Assembly.”

We adopted the report; we adopted it. I was trying my best to get the *Hansard* of that Standing Order Committee, but I could not have gotten it. It will obviously state therein the rational why we want a three-man quorum to make the work of the PAC move forward. So, we have it. It is written here by Mr. Sherlock Isaacs.

“These amendments were incorporated in the Standing Orders which have been reprinted for circulation to Members.”

...in the Tenth Parliament.”

[**Mr. Nandlall:** *Inaudible* law reform.] What law reform? As I am saying, it is a rolling back of the true democracy that we had in that period and the robust parliamentary *inaudible*. Why are you going to go and roll it back? There are almost *gobellion* in their propaganda that this is an evolution into a higher order. This is not so. It is reckless and it is a roll back. It is a retrograde step, and it should not be countenance by the parliamentarians here. I do not know if the younger parliamentarians of the Government side do not appreciate what we did during that constitutional and parliamentary reform process. It seems like they never understood it. It is important that we get there. We also inserted the Standing Orders Committee in Standing Order 89.

“There shall be a Committee to be known as the Standing Orders Committee to consist of the Speaker as Chairperson and not less than six (6) or more than ten (10) Members to be nominated by the Committee of Selection as soon as may be after the beginning of each Session. It shall be the duty of the Committee to consider from time to time and report all matters relating to the Standing Orders which are referred to it by the Assembly.”

Mr. Speaker, we created institutions like this in that parliamentary process – Standing Orders Committee. Is it there for decorative purposes? Are they just there to be on shelves, now, for the purposes of, not in any way, ensuring...? Now that we want a change, should it not have been the Standing Orders Committee, as a Sub-Committee, that should have dealt with this amendment before? I am very surprised at the Hon. Member, Ms. Gail Teixeira, for taking this course of wanting to basically do an amendment of an entrenched position, a parliamentary entrenched position. Just like how in our Constitution, we have certain entrenched clauses, we have entrenched Standing Orders. This is one of them. You feel, now, that you could come here by a majority and argue the case to say that it was changed, and the word is then spread around like gospel, even coming from the Hon. Member, Bishop Juan Edghill, that, indeed, this thing has godliness about it. It is the devil here and we must see under the veil what the devil is.

All of these are reasons why we should not persist with this amendment. It should have gone to the Standing Orders Committee. I must commend my friend, although they laugh at him and say he is playing a lawyer, because he is smart enough to understand that, in the written way it is done here, the formulation means that if that Chairperson is not there, there could be no meeting. It is important for that to be amended also. This amendment has tremendous detrimental impacts in relation to our financial scrutiny by this committee.

This is an important committee, probably the most important committee of Parliament, the Public Accounts Committee. It is the Parliament in the Executive branch that spends the money. It is an Opposition branch, as it were, to ensure that it is scrutinised properly and, though there could be five Members from the Government's side in that Committee, the whole tenor and the whole context of why it is needed is for that access to give balance to the Opposition side. What we are doing here is making *de minimis*. It should not be supported. This is a dastardly development of our financial affairs in our Parliament. Thank you very much, Mr. Speaker. [Applause]

Mr. Seeraj: Thank you very much, Cde. Speaker, for allowing me this opportunity to make my contribution to the amendment proposed by the Hon. Minister of Parliamentary Affairs and Governance. I find it almost laughable that the Hon. Member, Mr. Ramjattan, would stand and, with a straight face, talk about the tyranny of majority. It seems as if the honourable gentleman is suffering from selective amnesia.

In the period under the Ramotar Administration, him among other Hon. Members proudly stood in the National Assembly and used the tyranny of one to cut as they saw it and to cut major transformational projects that were designed to improve the life of Guyanese people. They cut with that tyranny of one and used it to do *horse-trading* – if I do not get this, you are not going to get that – thus threatening the Donald Ramotar Administration at every corner in order to bring it down if they did not get their way. Now, the honourable gentleman stands there and speaks about the tyranny of the majority as if we on this side invented that and as if we on this side are trying to do things not to the betterment of our people.

Mr. Speaker, he said they had increased the numbers of the Public Accounts from seven to nine Members in a laudable way, and then in the next sentence he tried to knock us down for moving the quorum from three to five. If it was right and if it was correct to move it from seven to nine, if the same logics apply, why is it wrong to now move the quorum from three to five? They cut the Amaila Falls Hydropower Project and the specialty hospital and, today, the gentleman speaks about blackout in figurative way. Blackout would have been a thing of the past. The high cost of energy would have been a thing of the past. What is more important to note is that would have happened under the A Partnership for National Unity/ Alliance For Change (APNU/AFC) Government if they had proceeded with the Amaila Falls Hydropower Project. They probably

would have been in Government up to now with low electricity rates and a specialty hospital, just to name two.

The former Prime Minister used to take a lot of pride in demonstrating in the National Assembly... It was not a hatchet; it was a scissors. In 2020, the people of Guyana wielded the biggest scissors and cut them out of the Government; they knocked them out completely. The Audit Act of 2004, Act No. 5, and the Fiscal Management and Accountability Act of 2003, both speak to the submission of the Auditor General report and stated, conclusively and definitively, that the Auditor General's report for the proceeding years must be laid in the National Assembly before 30th of the following year.

7.48 p.m.

In making the presentation, some Members of the Opposition seem to be arguing against their own proposition. Whilst the Hon. Mahipaul was speaking about the People's Progressive Party/ Civic wanting to delay discussion on the Auditor General's report, in order for us to not come to 2020, he brought the 2020 report. He brought 2020 report to this National Assembly and, by extension, to the people of Guyana. The Audit Act, Act No. 5 of 2004, and the Fiscal Management and Accountability Act of 2003, both facilitated the bringing of the Auditor General's report to the people of Guyana before the 30th of the preceding year. To argue that we will not get to the 2020 report or the 2021 report by 2025 or 2024 is a moot argument. The 2020 report is already with us. The Hon. Member used it and I am happy that he did. What the Hon. Member did not tell the people of Guyana is that, for the year 2020, the Auditor General's findings most likely would have been related to the performance of the APNU/AFC, because the APNU/AFC was in Government, legally, up to March, and was squatting in Government from March to August. That is when most of the spending eluded parliamentary scrutiny. It eluded parliamentary scrutiny in the year 2020. The Budget for 2020 was laid in Parliament, I think, in September 2020, and this Administration came into Government then. A lot of the spendings and a lot of the reports that the Auditor General highlighted, when we get to 2020, will be another matter because the Hon. Members of the Opposition might want to rush it through, as they want to do now.

I recall, a few weeks ago, in this current PAC, when the Auditor General laid the performance audit as it related to the cash grant of 2020, the Hon. Member, Mr. Ganesh Mahipaul, was ecstatic

when he read in the report that there were a lot of illegalities pointing to corruption in the disbursement, as highlighted in the report. He wanted to run to the press. Someone must have whispered to him that this audit was done when the APNU/AFC was in Office, and he went quiet. The Hon. Member was in high praise of the Auditor General for bringing out this report. When he saw the date of the report, the gentleman went very quiet. We heard no further discussion on that matter. We have to be very careful when we are talking about these things.

I hear an issue about attendance. Coronavirus disease (COVID-19) offered us the opportunity to partake in parliament and in Committee's discussion on a virtual basis. The physical presence of a Member is not testimony to whether the Member is in attendance or not. While Hon. Member, Mr. Ramjattan, spoke about 100% attendance of Hon. Member Ganesh Mahipaul and Ms. Fernandes, which is of course laudable, the attendance of the other Members was not far behind. Though they might not have been there physically, they were attending these sittings of the Public Accounts Committee on the virtual platform, so much so that I recall the Hon. Member, Minister Bishop Edghill and, to a lesser extent, the Hon. Member, Mr. Sanjeev Datadin, complaining bitterly about how the *Zoom* platform was placing them at a disadvantage because they were not getting the floor when they indicated an intention to speak, and that they were muted in some instances. In one instance, the Hon. Minister of Public Works was taken off the meeting completely. The virtual platform, while it can be used advantageously, in some instances, there are a number of shortcomings in other instances.

During the course of the examination of the Auditor General's report, there have been, over the years, a number of issues highlighted which led to improper fiscal management. In some cases, the Auditor General's report pointed to corruption, not only negligence in terms of following proper financial management itself, but, sometimes, the downright distortion of the management of the rules and regulations that govern financial management to facilitate corruption in many instances.

Even as we are currently examining the 2017 and 2018 reports, I made mention, in one instance, where a brand-new motorcycle was bought for \$260,000 and, in one year, \$370,000 was spent in repairs. In two other instances, for the same years, brand new motorcycles were bought at \$211,000 and \$260,000 was spent in repairs. I raised one issue with a bus, a David 'G' bus, where, in the course of two years, \$10 million was spent on repairs only. The sum of \$10 million was spent on

repairs for the bus and the accounting officer said that they spent \$10 million to save \$4 million. I wonder how it is that one can really practice prudent financial management when one is spending \$10 million to save \$4 million. That is why this country ended up like that under the Government of the APNU/AFC from the period of 2015 to 2020. During the period 1962 to 1992, we know what happened.

First of all, whilst we speak about 1963 and the Public Accounts Committee coming into place, we must also speak about the Auditor General not being allowed to do audits of the books of Guyana during that period leading up to 1992. I think the gentleman, Mr. Anand Goolsarran, complained bitterly during that period about not being allowed to do his work. Financial accountability for Government received tremendous attention and mechanisms were put in place to enhance scrutiny from that period of 1992 to 2015.

Now we are having enhanced scrutiny, once again, from the period of 2020 to currently. We might want to speak about these things, but the record is there to show which administration was pushing for government scrutiny, or scrutiny of government spending, and which administration made conscious effort to stymie the work of the Auditor General and not even present reports, as the law required, in a timely manner to the National Assembly. That is why in that period, in the 80's, no Auditor General's report was ever laid in the National Assembly. That led to a breakdown in financial management and the country being driven into poverty, so much so that even those who were supporting the People's National Congress (PNC), at that time in the government, were forced to move towards electoral reform to ensure the return of democracy and a government by the people, for the people, as happened at the start of 5th October, 1992.

We are currently at a period where we want to enhance scrutiny. We on this side of the House feel that enhanced scrutiny of Government spending will create an opportunity for Government to become more efficient in spending and accounting. We believe on this side that, if we are held accountable, we will be able to do better and, by doing better, we will be able to find favour with the people of Guyana, election term after election term. I think it is of critical importance that the Government must be held accountable. That is why we, on this side of the House, want to promote scrutiny of Government spending and we want to bring accounting officers to the books. We want them to be made accountable to the people. Year after year, I am certain that we, on this side of the House, will get better and better at government spending because whatever we do will be

scrutinised by the Opposition and by Members of the Government. Going through the Auditor General's report, recommendations will be made, and, for those recommendations, we will see that they are enforced. Right now, we can say that, based on the examination of the Auditor General's report, there is room for improvement. That is why we are promoting training of accounting officers, whether they are Permanent Secretaries or Regional Executive Officers with their staff, to interact with the Accountant General's office and to interact with the Audit Office of Guyana. At the level of Cabinet and at the level of Government, we are ensuring that these things happen because we want to stay in Government; we want to be accountable for government spending; we want to be efficient; we want to be scrutinised; and we want the people to hold us to proper governance. In having proper examination of the Auditor General's report, that will help us in the process of providing good governance and that will help to make us more electable as the time comes.

Mr. Speaker, the arguments presented against the motion were basically going into examination of the Auditor General's report, which I do not want to get into. I want to say that I support the amendment, as proposed by the Hon. Minister, and I am certain that Members of the House will find it favourable and vote in favour of its passage. Thank you very much. *[Applause]*

Mr. Speaker: Thank you, Hon. Member. I now call on the Hon. Member, Ms. Volda Lawrence.

Ms. Lawrence: Thank you, Mr. Speaker. As I rise to add to the motion before the House:

“Amendment of Standing Order No. 82 (Public Accounts Committee)”

This motion is under the hands of Hon. Gail Teixeira. Allow me to thank all those persons who expressed sentiments for my return to the office. **[Mr. McCoy: (Inaudible)]** Thank you very much, Member of Parliament (MP). Let me say to you, and to the nation at large, that I am grateful that we do have a Rights of the Child Commission which protects our children and, secondly, to let them know that I certainly will continue to work in the best interest of the people of Guyana and of my party.

Having said that, I stand here to say to this House that today is not a good day for the Public Accounts Committee of the Parliament of Guyana. I say that having had the privilege of serving

on that Committee for over a decade and serving with persons who are in this House today and some who have left the House for other pastures.

8.03 p.m.

Mr. Speaker, I do not know why I am having competition on the floor; I absolutely do not know. Let me just say that, over several years, we may not have started off in the Public Accounts Committee to operate in a bipartisan way, but we certainly did find our way. We found our way whereby we were able as a country to stand out, not only in this region but across the Americas, as one of the parliaments with the best Public Accounts Committee that operated in a bipartisan manner. Sir, as I sat here, I read the motion, but then I heard the speakers before me and I became a little confused as to what we were debating. Out of the many speakers today, I thought we were debating the Public Accounts Committee's report. It was the two speakers on the other side – the Hon. Member, Ms. Teixeira, and the Hon. Member, Bishop Edghill – who really told us why we are here debating this motion.

While the motion states that we must seek to bring the quorum of the Public Accounts Committee in tandem with that of the Parliamentary Management Committee, so that we can be able to ensure that both sides have a say in the decision making – from the PMC in terms of the parliamentary business, and on the PAC in terms of the Auditor General's report and any other matter that is before the Public Accounts Committee – the crux of the matter has to do with a decision that was taken at the 26th Meeting of the Public Accounts Committee. That is why we are here with this motion and nothing else. It has nothing else than what transpired at the 26th Meeting. We heard from the Hon. Member, Bishop Edghill, I think it was, that the notice for that Meeting was sent out and it had one item on the agenda. That item was to discuss the payment of gratuity to the persons who served on the Public Procurement Commission. That notice was sent to all Members of the Public Accounts Committee. I have not heard anyone say that they were not in receipt of the notice, and hence, they were in receipt also of the agenda item.

Mr. Speaker, allow me to go to the Minutes of the 26th Meeting. It states that the Chairman of the Public Accounts Committee, Mr. Jermaine Figueira, MP, was in place, and other Members from the People's Progressive Party/Civic (PPP/C), the Hon. Member, Ms. Gail Teixeira, MP, Minister of Parliamentary Affairs and Governance and Government Chief Whip, participated virtually; the

Hon. Member, Bishop Juan Edghill, Minister of Public Works, participated virtually; the Hon. Member, Mr. Sanjeev Datadin, participated virtually; and the Hon. Member, Mr. Seeraj and the Hon. Member, Dr. Mahadeo were there. It also goes on to state that present were, from A Partnership for National Unity/Alliance For Change, Mr. David A. Patterson, Ms. Juretha Fernandes, Mr. Ganesh Mahipaul, who are all Hon. Members. Also at that Meeting were the advisors: Mr. Deodat Sharma, the Auditor General; Mr. Sukrishnalall Pasha, the Finance Secretary, who participated virtually; Ms. Jennifer Chapman, the Accountant General, who participated virtually; and then there were the officers from the Auditor General's office and the Clerks, *et cetera*. What we ought to take note of, however, is the details. It is the details. It states at item 3:

“...CIRCULATION OF DOCUMENTS

3.1 The following documents had been circulated prior to the meeting:

- (i) Notice of the 26th Meeting dated November 20, 2021 and
- (ii) Letter dated November 25, 2021...”

Mr. Speaker, this is where the crux is. It states:

“...(ii) Letter dated November 25, 2021 from Mr. Sukrishnalall Pasha, Finance Secretary, Re: Gratuity for Members of the Public Procurement Commission...”

I will come back to this. The matter at hand that we are hearing as to why this motion was brought to ensure that the Government's side is always present whenever there is a holding of the Public Accounts Committee, according to the Members on the other side, is because the Public Accounts Committee, in the absence of the Government Members, agreed to pay gratuity to the persons who were Commissioners on the Public Procurement Commission. That is the crux of it. They are saying that they had no right to do so because what they have done is violate the Constitution, violate [**An Hon. Member:** *(Inaudible)*] I am coming to it, Sir. They have ensured that, without consent, they have placed a burden on the Consolidated Fund for which they do not have any right to do. Sir, if they did not have a right to do it, then we would expect that if the Finance Secretary received a letter from the Public Procurement Commission requesting the body which has the authority to negotiate with it, its gratuity, payments and allowances, *et cetera*, then the Finance

Secretary should have so advised the Chair of the Public Accounts Committee; but he did not do so, because he too was a Member of the PPC.

To come here and beat up on the Opposition and say that it used its numbers in the Public Accounts Committee to give these members gratuity because no Government Member was there, come on. Mr. Speaker, the Finance Secretary is a creature of the Senior Minister in the Office of the President with Responsibility for Finance. How can the Finance Secretary send a letter which ought not to be sent, according to the Members on the other side [**An Hon. Member:** *(Inaudible)*] I wish she would stop shouting, Mr. Speaker, so that I can continue to speak. I have the floor.

Let me go on to justify what I am saying because in the very Minutes, we see, listed here is the [**An Hon. Member:** What are you talking about?] Oh, what I am talking about? I am asking you to go to the Minutes. [**Mr. Hamilton:** *(Inaudible)*.] Yes, I am not here to talk about what is in the Auditor General's report, Hon. Member. I am here to speak to the motion and what is being implied on the floor, that it is the Opposition that is trying to ensure that it does things behind the back of the Government Members. [**An Hon. Member:** *(Inaudible)*.] It is amazing what the Parliament has turned to. It is truly amazing. [**Mr. McCoy:** Look at you. Amazing? A woman who used to lift up she clothes in protest; you talk about amazing?] I guess we are talking about each other. Mr. Speaker, just bear with me for a minute. May I quote item 5 of that said Minutes of the 26th Meeting? It reads:

“...CONSIDERATION OF GRATUITY FOR MEMBERS OF THE PUBLIC PROCUREMENT COMMISSION...

Item 5.1 states:

““...A Member stated that the PAC, in the Eleventh Parliament discussed the scope of works for the Commission. Based on the discussions, contracts were prepared for the Commissioners. The Member opined that the Committee might have underestimated the magnitude of the work, thereby omitting gratuity from the Commissioners' contract. Members thereafter supported the request for the payment of gratuity to the Commissioners.

5.1.1 The Chairperson indicated that the issue should be addressed in keeping with Article 212Z(8) of the Constitution of Guyana, which states that *“The emoluments and allowances payable to the members of the Commission shall be determined by the Public Accounts Committee in consultation with the Commission”*.

In addition, Article 149(B) of the Constitution of the Republic of Guyana stipulates that *“Every public sector worker shall enjoy an absolute and enforceable right to any pension or gratuity granted to him or her under the provision of any law or collective agreement of any kind whatsoever”*.

5.1.2 Following a discussion that ensued, the Committee agreed that gratuity for the Commissioners of the previous Public Procurement Commission should be paid at a rate of 22 1/2% per month retroactive from 2016 to 2020...”

As we heard from the Members on the other side, what the PAC did at that meeting was that the Opposition sought to take advantage of the absence of the Government Members and, as a result of them passing that which I read, they acted in contravention of their purpose, and that is, they have placed a burden on the Consolidated Fund; they have no right to do so; as a result of that, we, the Government must now police the Opposition Members of the Public Accounts Committee; if we are not there, nothing should happen.

8.18 p.m.

I want to say to the people of Guyana that, today, they will pass the motion, but Guyana will have taken a step backward from progress. Let me also say, to those Members on the other side, that the Public Accounts Committee is a committee which examines the work of all ministries in terms of their spending after the fact. As time rolls on, from time to time, you will find the Opposition scrutinising their own term in office. That does not happen in Guyana alone, it happens all over the world where there are Public Accounts Committees. In other instances, they would be examining the Government of the day; that does not happen in Guyana alone, it happens all over the world in all Public Accounts Committees.

I do agree with the Chairman of the Public Accounts Committee, the Hon. Mr. Jermaine Figueira, when he asked the question, why is it that the mover of the motion, who is a Member of the Public

Accounts Committee, did not seek to have this matter discussed at the Public Accounts Committee instead of bringing it to the National Assembly, where there is a majority, so we could have this tit for tat – you did this when you were in office, and you did that while you were in office – because that is what we heard here today. We did not hear a clarion call to say, look, this decision that was taken by the Public Accounts Committee, we need to review it; we did not hear that. Do you know what? When this Twelfth Parliament began, His Excellency the President came to this Parliament and he asked that we seek to work together; that we would have differences but we must put the country first.

Cde. Speaker, I am asking today, the manner in which this motion comes to the House, by a Member of the Public Accounts Committee, having built our Public Accounts Committee, of which this said Member participated in those many, many years [**An Hon. Member:** *(Inaudible)*] Oh no, it is not about pity, it is about country. Let me say to you, Mr. Speaker, my birth certificate – not the ones that are printed now; some which have one signature and the others have another; some which have one barcode and the others do not have a barcode; one where we see no separation of duties, with one person scrutinising, approving and signing; I am talking about my birth certificate, a real birth certificate – states that I, Volda Ann Lawrence, am a citizen of this country. They may pelt their stones, but I will speak in this Assembly, or I will speak outside of this Assembly, but no one would stop me from speaking.

The Hon. Gail Teixeira, who brought this motion and asked that we give consent to restructure the Public Accounts Committee's quorum to that of the PMC, this very Hon. Member, stood in this House today and told us of issues which the PMC has. If one member does not turn up, that the PMC... Let me paraphrase. She said that if only one Member from the Opposition turns up, then they would not be able to have a meeting because the quorum is two from the Opposition, two from the Government and the Speaker. She indicated to this House that there are problems in terms of a quorum for the PMC, but yet, has come and asked us to do the same thing to the PAC. I find it quite alarming, because I am quite certain... You see, the PAC is a Committee where we, all of us, whether in Government or out of Government, get to sit and watch how the system can be manipulated, how the regulations can be abused, and the laws can be set aside, and at the end of the day the Minister gets the blame. At the Public Accounts Committee, over the many years, those of us who sat there and recognised that, we understood that there is no sense in this thing being a

PPP/C and an Opposition story, or an Opposition and the APNU/AFC story. When we go to the PAC, we have to put the country first, and we built on that – both sides of the House. I have always been proud to be a Member of the Public Accounts Committee of the Parliament of the Co-operative Republic of Guyana.

So, Mr. Speaker, I ask the Hon. Member, why are we here with this? Why could there not have been a discourse at the Committee level? How could you now turn around and blame a decision made, when that decision was made based on advice by the advisor to the Committee. There were several other meetings after this meeting, and my question would beg, was this matter discussed? Was it brought up when the minutes were read at the next meeting? Why is it that we are here discussing one of the pillars of our Parliament, where we should be adding more blocks to it and going higher instead of tearing down what was already built? [**An Hon. Member:** *(Inaudible)*.] One day I would answer all of you, not today, one day. [**Mr. McCoy:** Now, answer now.] [**Mr. Ramson:** Answer now.] No, you do not dictate to me. I am all woman; you do not dictate to this woman; not this woman.

The work of the Public Accounts Committee, to all of us – because we are a very young nation, and we have much to do with the pillars which we should have in place to allow us to organise, execute and scrutinise the work that we do, especially when we are spending taxpayers' money – we need to build on it and not break it down. We need to improve on it, not fight among ourselves about that, because persons will use it against all of us in here, irrespective of where we sit; they will use it. What is it that we are going to achieve by ensuring that the Public Accounts Committee cannot sit unless there are Members on the Government's side present? What will we achieve given the history of the PMC? Mr. Speaker, I cannot support this motion, because it does not take our country forward, rather, it takes our country backward. Thank you. [*Applause*]

Mr. Nandlall: Sir, I rise to speak on the motion that is before us. It is a very small motion in size, numbering just about two lives, but I think we spent over six hours in debating what I considered and still consider to be a simple, non-contentious, non-controversial motion. Our parliamentary system has two main functions to perform – one is legislative and the other one is accountability. The Public Accounts Committee is one of the main avenues by which the Parliament exercises the accountability function.

In the 1980 Constitution, going back all the way to our pre-independence Constitution, there is created an Auditor General's office. The function of that office is to do the *ex post facto* audit of public expenditure and, in the previous constitutions up to the 1980 Constitution, a report had to be prepared by that Auditor General and handed to the Minister of Finance. In the 1980 Constitution, there is no mention of a Public Accounts Committee, but the Standing Orders prescribed that the report is sent to the Public Accounts Committee, a standing committee of the National Assembly, and examined by that Committee.

In the 1999 to 2001 constitutional amendments, we made two fundamental changes in that regard. Firstly, we changed the process, in terms of to whom the Auditor General is to submit his report, and we moved it from the responsibility of the Minister of Finance, obviously to augment greater independence and accountability, and we placed that functional responsibility with the National Assembly itself. That is why Sir, you, I believe, your office is the recipient of that report, from where it is transmitted to the Public Accounts Committee.

8.33 p.m.

The Constitution itself, also reposed in the functional responsibility of the Public Accounts Committee, the authority to determine the parliamentary budget of the Audit Office, as well as to regulate some important functions and responsibilities of that Office. That Public Accounts Committee is invested with great powers to summon Ministers and public officers before them and to interrogate on any matter arising out of, or in connection with the Auditor General's report. I heard a lot about accountability here tonight. Those two major accomplishments, or those major accomplishments, that occurred between 1999 to 2000, all designed to enhance accountability and transparency, occurred under a People's Progressive Party/Civic (PPP/C) Government. If we want to do a comparison with what existed before, then we have 10 years where no Auditor General report was submitted at all. In fact, there is a circular in the public domain, under the hand of the then Minister of Finance, advising the Auditor General not to do the public accounts of Guyana. That is the sordid record of the period from 1980 to 1992. Mr. Speaker, we did not only amend the Constitution and our...

Ms. Lawrence: Mr. Speaker.

Mr. Speaker: Hon. Attorney General, we have the Hon. Member rising on a point of order.

Ms. Lawrence: Thank you, Mr. Speaker. The Hon. Attorney General indicated that there is memorandum from a Minister of Finance that is circling around, where he/she instructed the Auditor General not to do any Auditor General's report. I have never seen a copy of it. If he has a copy of it, could he please share it with me? To come here and say that...

Mr. Nandlall: I have seen it, Your Honour. I could picture it – it was done on a manual typewriter; it was a memorandum. In fact, I am informed by the Hon. Member, Ms. Gail Teixeira, that in the 1992 audit report – the first that was presented after a 10-year hiatus – the then Auditor General made an endorsement to that effect. If I get my hands on it, I will produce the document.

Mr. Speaker: Thank you, Hon. Attorney General.

Mr. Nandlall: Your Honour, these are matters of public record and there is no need for us to go back and question them. The same way we must not question that elections were rigged in Guyana from 1968 to 1992; we must never go back and question these things. We were talking about rolling back. When you want to talk about electoral democracy and the absence of it, and then you want to deny that, I believe that is rolling back. Do not come here with a straight face and want to speak as though the world begun from 10 years ago. Guyana is a young nation, but it has a history.

Let me get back to the task as hand. Again, there were wide ranging democratic, constitutional reforms that made the Parliament a much more effective oversight mechanism as a democratic institution. In the new Constitution, Standing Committees were created. A Standing Committee on Constitutional Reform and Sectoral Standing Committees were created, all to be chaired by Government and Opposition, on a rotating basic, to oversee the functioning of government. That was never there in our system. It is the PPP/Civic Administration that brought those reforms into being, to democratise our country and to bring greater transparency and accountability to government. Many references have been made to the amendments that were done to the Standing Orders. Mr. Ramjattan boldly took ownership of them. It was a complete misstatement. It was done, of course, in a bi-partisan way, but it was done at the behest of the People's Progressive Party/Civic Administration.

All the reforms that he read from, and the reports that he read from, were all commissioned with the blessings of the People's Progressive Party Administration. That is compared with – he spoke about a 'blackout' – from 1968 to 1992 when there was a 'blackout' on democracy in Guyana.

When you want to speak about a 'blackout', yes, there was a 'blackout', but it was during that period. There was light and illumination beginning from 1992. It may have been slow, it could have been much more rapid but there is where we were, and here is where we are today, in a far better place than where we were 30 to 40 years ago.

We increased the membership of the Public Accounts Committee from seven to nine. We kept, however, the quorum at three. What is the purpose of a quorum? The purpose of a quorum is to ensure that meetings must not go ahead, meetings must not be proceeded with unless there is a certain level of participation. Why is that? Because meetings, as the name suggests, brings together different and competing interests. A meeting, where one side is there, moreso in a parliamentary sitting where there is multi-partisanship, cannot be a meeting in a true sense of the word. Meeting is the bringing together of competing various and varying interests. The whole rationale behind the origin, evolution and development of the principle of quorate and quorum, is to ensure that there is a minimum possible widest participation at that meeting. Applying that principle, why is it, in a Parliament that has more than two parties, at a minimum two large Parties, you do not want equilibrium in the representation at the most minimum level? What is the rationale for that?

We did not want rigged elections but there were rigged elections. There are many things that we do not want but we have to live with. We live in a progressive, dynamic society and we have to change. Every day we hear about inclusive governance; every day we hear about greater participation; every day we hear about more inclusivity; every day we hear about wider consultation, a more transparent government and a more accountable government. If there is a smaller quorum as opposed to a larger quorum, which one would assure the achievement of those concepts and ideals, tell me? Is it not greater representation? We moved it for that reason, from seven to nine. What is so horrendously wrong in changing the quorum from three to five in the first place? Would that not ensure greater participation; would that not be better for a democracy, and would that not be better for greater inclusivity? What is wrong in principle, in adding to an increase in the number and in the membership, you now add the element of parity and equity? Tell me, what is wrong with that in principle?

The Hon. Member, Ms. Volda Lawrence, posed the question: Why should a meeting not be able to proceed in the absence of a government? I ask the reverse question: why should a meeting of the Parliament be allowed to proceed in the absence of any side, if we are striving for greater

inclusivity as a Parliament? We must go back to the principle. I will deal with the Hon. Member, Mr. Ramjattan, in a few minutes. I just want to get the concepts out. I have been interrogating them as I sit here, and I am not hearing principled arguments. I am not hearing logical arguments. I am hearing historical antecedence and justifications for what it was before. I want to know what is wrong with this, going forward.

Right now, what is the complaint that we have heard? We have heard the complaint that, the Opposition now... Let me reverse a little to say, a fundamental function of the Public Accounts Committee is that it must be chaired by the Opposition. We have not altered that fundamental principle. It remains a unit to be chaired by the Opposition. This proposed amendment does not alter that in any way; that is maintained. There is the Opposition now chairing, and they are scrutinising and interrogating their own year in government. They want to do so by themselves. How is that justifiable with all the high-sounding ideals that I have heard, all about the rolling back of democratic credentials and the rolling back of a constitutional democracy? How could that ever be justified? The three of you are scrutinising yourselves and you want to continue. And all we are asking, look, it is your years, let the Government be present. Government – as you know; you had a brief stint, fortunately or unfortunately – you know how pressing it is.

We must never sacrifice the sacrosanct concept of transparency and accountability at the altar of speed and expediency. There is no great rush to do the peoples' business, Hon. Member, Ms. Volda Lawrence. You spoke glowingly about your birth certificate. My own is similarly scribed and I owe the same duty to the people of my country. I say to you and to the people of my country that our interest would be collectively and better served if both sides are allowed to participate in equity and in parity in the scrutiny of the public accounts of our country.

Moreso, and my argument applies with even greater force, when the focus is on your years. That is incestuous for you to scrutinise your own accounts. It goes against every principle that you are espousing in opposing this amendment. The same will apply, the same sloth – and when I say sloth I mean deliberate sloth, constructive sloth – when you reach the Government years. The same way you will not be... The Hon. Member, Ms. Volda Lawrence, said something which I want to repeat. She said she has been there for 10 years, and she knows full well – and I have no doubt to question her – that the system can be manipulated, the law set aside, and the Minister gets the blame. If you know that is what takes place in the Public Accounts Committee, why do you not want everyone

to be there? Why do you want one side to be there? Why do you not want the Government to be there to protect their fellow Minister. You said that the Minister is being lynched. Here it is that you are advocating a position that facilitates the lynching of the Minister. The arguments that you are advancing are not gelling; they are not making sense. I have looked at our composition. I have looked at Guyana's composition in terms of its Public Accounts Committee and we have one of the largest Public Accounts Committees in the region, in the entire Caribbean – Barbados has 13; we have nine; and Trinidad has eight. What is wrong? We have a vibrant system.

8.48 p.m.

Why is it that those people's budget is bigger than ours? Is it that they have much more work? Up until now, I cannot... I am looking at all the notes that I made and none of the speakers on that side have advanced any principled arguments about why we should not increase and why we should not have parity at the level of representation.

We heard a lot about the Standing Orders as though the Standing Orders are written in stone. Standing Orders are regulations; they are rules. We have to govern the way that we function. The Constitution authorises us to do so, and we do so by Standing Orders. We have the authority to change it. Nothing is crafted in stone. Do you not want greater inclusivity? That is what this does. The argument that we changed everything, but we left this... We cannot leave it there forever. Is that the intention? We bring new laws every day. For today alone, all of those are new laws. There are seven bills and all has to do with law reform. The law and regulations must always remain constant. They must always remain dynamic. They must always be subject to change to meet the exigencies of the evolution of our society. That is what we are doing here. There is no sinister motive behind this measure. I am hearing all types of things. Some persons spoke about attendance and that the Chairman will have to be present all the time. That should not be a problem because Hon. Member Mahipaul says that you all have 100% attendance, so, the Chairman will have to come every time. It is as simple as that, or he may authorise someone to represent him. [**Mr. Mahipaul:** *(Inaudible)*.] The heaven will not fall, Mr. Mahipaul. This is minimum requirement.

I also heard Mr. Ramjattan. I must commend the Hon. Member that when he speaks... If one does not know Mr. Khemraj Ramjattan, does not know about his antecedent, and what he did just a few months ago in 2020, one would really take him seriously. When the man started to expound about

his democratic credentials and that we are galloping the erosion of constitutional democracy... I am so grateful that these proceedings are being streamed live because the Guyanese people saw. This is a gentleman, in conspiracy with others, who attempted to hijack an entire election. He went to his office... **[Dr. Singh: He was just saying goodbye.]** Yes. He went to his office, called a staff meeting to bid them goodbye. He bid them farewell because he heard that the Chairman of the Elections Commission would have soon declared the results in favour of the People's Progressive Party/Civic. He was bidding them goodbye, and he even proceeded to say that he knows that he has some friends on the other side, because he grew up in the PPP/C, and that he knows that those 'boys' would not mistreat him. He was not worried about himself, but he asked them to take care and he thanked them. Less than 24 hours after, the gentleman was on a Trinidadian television/radio broadcast, with Fazeer Mohamed, being interviewed. He absolutely denied ever saying so. He said that he was trying to tell them that, after they won the election, he was going to the Prime Minister's house. He was bidding them farewell as the Minister of Public Security because he was going to take up the mantle of Prime Minister. This guy wants us to take him seriously. He was speaking so emphatically about democracy.

This is a guy who, as then Minister of Public Security, sighted a few Russians being brought here to corrupt the elections process. Where is the Hon. Member, Mr. Christopher Jones? Mr. Ramjattan and Mr. Christopher Jones used to be on a television programme and on *Facebook*, along with the other Hon. Member who is now suspended, and rightfully so. What is his name? **[Mr. McCoy: Lampy and Pampy.]** Mr. Duncan. Do you remember, Mr. Jones? They saw 15,000 dead people vote. I had to go on *Facebook* to ask the people of Guyana to go and look outside because 15,000 dead people were walking somewhere and we could not hide them. These are the persons who are coming here to speak to us about democracy, about transparency and about accountability. Here it is that we have a good measure and they are seeing all types of *jumbies* in what we are proposing. They are accusing us of corruption when we have... I do not want to get involved in the procurement of drugs, Hon. Member Ms. Lawrence. The sum of \$650 million... They walked into the hospital as said 'order the drugs', forgetting about the Public Procurement Commission and the procurement rules and the procurement laws of this country. They bought it from a particular company in Trinidad and Tobago for \$650 million when the market value was \$350 million. When the question was asked, they said the other \$300 million was to send it by air freight to Guyana.

We could have bought four planes with the money. From Trinidad and Tobago, a 45-minute flight...

Then, *oh* my Lord, there is the drug bond. My honourable colleague, Mr. Datadin, spoke about the elements of the contract. A sum of \$14 million per month was paid in rent for a wooden house in Charlestown. The man did not even own it when the contract was signed. They said it was filled with drugs and pharmaceuticals. The Speaker did not believe us when we made the complaint in the National Assembly. He did not believe us. He instructed a special team to go there to find where the drugs and the pharmaceuticals were. When we went there, there were only condoms and lubricants there – expired ones at that. We had to end up defending the matter in court. They had to defend it in court. Not to mention the fact that the contract was a hidden one. We had to wrench it away from the then Minister in the National Assembly and threaten to take him to the Committee of Privileges because he was refusing to answer the questions. [**Ms. Lawrence:** (*Inaudible*)] Hon. Member Ms. Volda Lawrence, you know that very well. You were put to replace him because of that. [**Mr. McCoy:** She cannot remember.] The Hon. Member knows. She replaced him because of that very corrupt transaction. I heard about the scales. The scales are fully paid for, but they were never shipped. Then we are told by the Hon. Member that they were at Laparkan's bond, the very bond that was burnt recently. We are now told that the scales were burnt in the bond. Does one see how this works? It is a coincidence. We are speaking about history. When last did one hear that Laparkan's bond burned? The case is coming up for trial now and we now have to go and inspect the bond to find where the scale are, and the bond goes up in flames. Where is the Hon. Member, Mr. Ramjattan? [**Mr. Dharamlall:** What is the name of the man?] Mr. Alston Stewart.

Mr. Speaker: Hon. Member, you are going to have to withdraw the name, please.

Mr. Nandlall: [*Inaudible*]

Mr. Speaker: Your microphone is off.

Mr. Nandlall: [*Inaudible*] with the Alliance For Change (AFC). They kept Mr. Norton out of politics during those periods. He would not know. He was a strategist. He was advising them on public relations (PR). [**Dr. Singh:** (*Inaudible*)] Yes. Then suddenly he was a supplier of scales. He had some special gift because they were all sole sourced without permission from the National Procurement and Tender Administration Board (NPTAB).

Of course, we have the famous feasibility... What do you call the thing on the Demerara Harbour Bridge. [**Bishop Edghill:** The pre-feasibility study.] The pre-feasibility study that Cabinet was persuaded to commission. Again, the National Procurement and Tender Administration Board and the procurement process were tossed aside. A public corporation with a board of directors was instructed to deliver the money and make the payment. All those matters are with the Special Organised Crime Unit (SOCU). I gave those few examples to show you, Hon. Member Ms. Volda Lawrence, that we need great time to carefully interrogate the public finances. I do not think that you will quarrel with such a concept. I know that you will agree with me. That is why we need a higher level of participation in the committee. That is all that this amendment seeks to do, Mr. Speaker.

As the learned Ashni Singh said to me, perhaps appropriately at this juncture, we should have a system that allows a rotation of the chairmanship. Really, if one is moving in the direction that we would like to, as I said before, it is highly incestuous for the Hon. Member Figueira to be the Chairman at the time when he is scrutinising their own accounts. Why do we not amend for a rotation of the chairmanship? Let us chair the period when the Opposition is under interrogation. For the time begins when the Government to be under interrogation, the Opposition will get the chair. I believe that is fair, that is reasonable, that is accountable, that is inclusive, and that embraces all the concepts that we glorify in this House, but you would not want to give up the Chair. [**An Hon. Member:** *Inaudible*.] Hon. Member, as you spoke about composition, I want to deal with two more issues. A great amount of argument and objections were raised because the matter...

Mr. Speaker: Hon. Member, before you deal with any issue, I have to deal with an extension of time for you.

Ms. Teixeira: Mr. Speaker, I would like to ask for five minutes more for my colleague to conclude.

Motion put and agreed to.

Mr. Speaker: Thank you, Hon. Minister. Hon. Attorney General, kindly proceed.

Mr. Nandlall: We heard a great number of objections regarding the process by which this motion came here. The contention is that, circumvented, the standing committee as well as the Public

Accounts Committee (PAC)... We have heard from the Hon. Member, Mdm. Gail Teixeira, that this is not anything new. Amendments have been made to the Standing Orders by motions brought directly to the National Assembly on two occasions and by the APNU/AFC. Parliament is based on practice and precedence. If we decide to change it, then we are complying with the new dispensation. That is all.

The other issue that I want to address is the contention by Mr. Ramjattan. What Mr. Ramjattan does not want to accept is that, when they had the one seat majority, the Standing Orders did not change in terms of Government must have a majority in certain committees in the Parliament. We remained the Government, you all were in the Opposition, but you had a seat over us. What did you do? Did you allow the clear language of the Standing Orders to apply? No. You switched the whole thing around, and you took the majority. When he speaks about majoritarianism and dictatorship of majoritarian, he is... I do not want to say that he is guilty of the same thing. That is precisely what he did. That is why I am saying that, if one does not know the gentleman and one does not know his history, his antecedent and the history of the party from which he comes, one would really be duped by the passion of his presentation.

9.03 p.m.

That is the gentleman who used that one seat majority, as the Hon. Member Dharamkumar Seeraj said, not only to cut budgets and so on, but to vote down important laws. He said that they were not doing it and that they were not supporting it. These were not laws that had anything to do with politics. This was a law, for example, to amend our Customs Act. As a result of what they did, we had to pay judgment to the Caribbean Court of Justice (CCJ) of some US\$6 million. Of course, they caused us to be grey listed and blacklisted and sanctioned, internationally, by voting down... Not that refuse to support, they voted down amendments that we brought to the Anti-Money Laundering and Countering Financing of Terrorism (AMLCFT) Act. Mr. Ramjattan cannot come here and tell us... We here have the vote and we have decided that this is the way we would like to go. We want a Public Accounts Committee that has greater membership and greater bipartisanship, and we are moving in that direction. It is as simple as that.

I do not see the sinister motives and the ulterior intent that is being ascribed to this motion. I see a simple motion to change the configuration of the PAC so that it could achieve greater

accountability, it could do its work with greater circumspection and care that the work deserves. and bring greater inclusivity in our democracy. I have no objection, whatsoever, no problem whatsoever, in lending my support to this motion. Thank you very much. [*Applause*]

Leader of the Opposition [Mr. Norton]: Mr. Speaker, Members of this National Assembly, first of all, permit me to thank the Opposition Members of Parliament for electing me as the Leader of the Opposition.

It is not parliamentary language for one to say that somebody is telling a lie but, clearly, the Hon. Attorney General is in a different corner to truth. The truth of the matter is that protests of 1997... I notice the Hon. Joe Hamilton who participated with us in the People's National Congress (PNC). He could tell you that we organised, and we brought pressure to bear to the PPP/C and, as a result of the Herdmanston Accord, the changes which occurred, occurred. They are not as a result of the PPP/C. You did not say 'under the PPP/C', you said that they were made by the PPP/C, and I am saying to you, without fear of successful contradiction, that it is political. [**Mr. McCoy:** (*Inaudible*)] Mr. Speaker, you need to insulate me from... I am seeing in the corner there someone who like 'they' own Lipton tea factory. I think it is unnecessary. I mean the lip could affect you.

I am saying it is a result of political action that we got the constitutional reform which occurred, and it involved the political parties in the National Assembly. It is not correct to say what you would have said. The argument, which is being averred here by the Government side, seems to be that there is not equal or adequate representation. The information before me suggests that this Committee has four people from the APNU/AFC and five from the PPP/C. That suggests to me that there is representation. If you come here to argue about representation, clearly you are fooling yourself because you are represented. However, the problem is that you are seeking to use the indiscipline of your Members of Parliament to force a change. What you need to do is discipline your Members of Parliament so that they go to the Public Accounts Committee and so that they will be there. What you are putting in place here is a mechanism to ensure that when you do not want a meeting, there is no meeting, and when you want one, there is one. Your motives are sinister.

I listened to the Hon. Attorney General speaking about quorum. [**Mr. McCoy:** (*Inaudible*)] There is strange neighing coming from that corner. As I overcome the neighing, and I hope he knows

who neighs... The Hon. Attorney General suggested that this issue is purely about being quorate. There is a context. The reforms in this Parliament occurred as a result of the need to democratise this Parliament. I want to read from Sir Davies report on page 8. It states:

“Steps must be taken to establish the National Assembly as institution independent of the Executive.”

This is the critical issue. The critical issue is that the whole process was intended to ensure the independence of the Parliament. When you put three Members there, what in fact you were doing is seeking to insulate the PAC from Government control and domination. That was the intension. Therefore, to speak about a quorum in isolation from the context, in which emerged, is disingenuous. The critical issue here is what should constitute a quorum? If the argument is that we have to insulate the Committee from the Executive, then it is logical that the quorum of three is not only superior; it is reflection of the fact that you want to stop Government interference and allow the Public Accounts Committee to function and function properly. That is the critical issue here. Mr. Speaker, had we put Guyana first, we would have arrived at a different conclusion.

I submit that there is a problem. Let me tell you what the problem is. The problem is that there will be change of Government in countries and what happens is this: a time comes when a Government might end up in Opposition, as would have happened, and then it is made to scrutinise its own account. Therefore, what we need to do is to look at that and make changes. I want to suggest that this be withdrawn so that careful attention could be given to dealing with this anomaly. That is the real issue. If we could come up with proposals to ensure a Government does not scrutinise itself, it should help to solve the problem. The solution to the problem cannot be in bringing Government representation when it will damage the intension of the Public Accounts Committee. The purpose of the Public Accounts Committee is to scrutinise the accounts and to ensure that the Executive is held accountable and does not dominate the Committee. For you to do that, you first must believe in the rule of law. You must first believe that the law is paramount and should determine.

In the 1990's, in this House, we fought to get the Prime Minister to be what the Constitution states, which is the head of Government business in the House. It took years before we got through. I want to read from the Guyana Constitution. It is article 102 (2). Listen to what it states:

“If he is not otherwise the holder of an office of Vice-President, the person holding the office of Prime Minister shall, by virtue of holding that office, be a Vice-President, and he shall have precedence over any other Vice-President.”

When I came in here today and I saw ‘Prime Minister’ and ‘Vice-President’ and no Prime Minister and Vice-President, I thought that this is a serious violation of our Constitution. We could lead the way by rectifying that if you are serious about democracy. The Constitution and the laws of Guyana are clear that he is Prime Minister and First Vice-President. There is no basis for you to speak about the rule of law when you violate the law with impunity. [**Mr. McCoy:** He violated the law.] You have been violated a lot you know. A lot of people violate you in life. He has been so violated he is obsessed with the word. Enjoy your violation. Mr. Datadin said that more participation is more transparency. That is the most illogical thing I have ever heard in the world. We have to focus on ensuring that the Public Accounts Committee is independent and operates as such. [**Mr. McCoy:** Treat your son properly] I will buy a male voice for you. You need a male’s voice. This motion is literally a motion. [*Interruption by Mr. McCoy*]

Mr. Speaker: Hon. Member, Mr. McCoy, you are shouting in my ear.

Mr. Norton: Mr. Speaker, this motion is a literal motion. The only difference is that, in the other motion, it gets rid of the toxic things. This motion is getting rid of the good things. This motion seeks to remove and reduce the independence of the Public Accounts Committee. This motion is seeking to give the Government a mechanism by which it could determine when meetings are held and when they are not held. The very actions we are talking about are the actions that will definitely stymie the work of the Public Accounts Committee. When I listened to the Hon. Member, Juan Edghill, I remember at Mackenzie High School I had a teacher who told us, when we were debating, that the first thing we must do is to ensure that what we were saying was consistent. In the one breath Mr. Edghill said that this institution should be building consensus, that Public Accounts Committee should be building consensus, and in the same breath he went on to say that we have to impose a rule on them. That is a contradiction. I sense contradictions are too difficult for you to comprehend. We are seeing a general trend. The general trend is a trend in the direction of domination and control. This is not a trend towards the development of democracy. This is a trend in the direction of destroying democracy.

9.18 p.m.

Clearly the Government is now renegeing on its commitment it made years ago to ensure that Parliament develops its independence and progress. If you go to the Sir Michael Davies report, you will see that it is stated clearly that one of the things that was affecting the independence of Parliament was the fact that the resources for Parliament were being determined by the Minister. We proceeded to change that, and this Government came and carried it right back there. You had to go to court and get a ruling to say that you were out of place.

Mr. Speaker, you are not showing any inch of the Government... the People Progressive Party/Civic is not showing any interest in democracy and the rule of law. With the things they are doing, they are seeking to destroy democracy. Ask the Hon. Member Dharamlall. Do you know why he could not answer the question? He could not answer the question because he does not believe in law. He knows that his practise of not having those internal elections is anti-democratic and all they do is serve to give him domination and control, which he should not have. There is no culture... [Mr. Dharamlall: (*Inaudible*) control.] If you could have controlled yourself, you would not have been so public on social media. I would like to say, Mr. Speaker, we have got to recommit to democracy. Democracy presupposes the involvement of people and being responsive to them. Mr. Speaker, in the Davies report, it is well established that there is a place for civil society. I think I need to find it and read it. I want to read what it states. The report states:

“Civil society groups and the private sector have to right to comment on public affairs and on legislation on behalf of those they seek to represent. This is impossible if meetings of the National Assembly are arranged without sufficient notice and bills are rushed through without enough time to consider their provisions.”

Mr. Speaker, when the Sir Michael Davies report was written, it was established that civil society was essentially excluded. All that was done was to involve civil society, yet we have a Vice-President, one of two Vice-Presidents, telling us that, because they did not go to an election, they have no place. If you are talking about democracy, then civil society must have a place in that society. My friends, I ask you to reconsider your position because your position is not only rolling back democracy, but it is damaging our country. I listened to Hon. Member Nandlall, and all that he was saying, essentially to the end is that *yall have your say, and I will have my way*. Now, you

cannot build a democracy if you are not responsive to the interest of people [**Mr. McCoy:** You cannot be a rigger and talking about democracy. Riggers!] Your life is a rigged life. I will urge, Mr. Speaker, that you utilise the Standing Orders when there is this level of insanity. Mr. Speaker, our Parliament should have a level of decency and, therefore, it is your task to get rid of the indecent. I have no problem. I am pleading with you that you should be impartial and utilise the rules effectively.

Mr. Speaker, the issue before us is whether adding two persons, on the Government's side, to form a quorum for the Public Accounts Committee will solve the problem. It cannot. I want to repeat that, when one looks at it, it shows no interest, and it shows no intention of bringing representation because representation already exists. Therefore, there is a sinister motive. I say to you that we need to ensure that the Public Accounts Committee continues to operate as an independent body. It should be so structured that a Minister or two from Government still, in a way, should not affect its work. If you are committed to building a democratic society in which Parliament is independent and in which the Public Accounts Committee is insulated from the Executive, you will withdraw this motion. I close by saying to you that you are destroying the democratic process. The games to which you refer, which were made in the period of 1997-2006, your actions today are destroying that process. I thank you. [*Applause*]

Mr. Speaker: Thank you, Hon. Member. Hon. Minister Teixeira, you have the floor.

Ms. Teixeira (replying): Mr. Speaker, I heard everything in this House and, unfortunately, some of my colleagues on the other side, some of the new Members of Parliament, have been misinformed terribly by their own Members. It is unfortunate because I am sure they did not have time to research. The issues are, Mr. Speaker... I want to deal with some factual corrections and then I want to deal with some other issues.

First of all, the issue is that people must remember... Thanks to COVID-19, we have been online both in the Public Accounts Committee and in the House of Assembly. The meetings of the PAC that hold the hearings are public and the people look at it online. Because of the proclamation of His Excellency the President, Mr. Irfaan Ali, it allows us to meet in this convention, in this manner, so as to reduce COVID-19, and also to have hybrid attendance where Members of this House could be on virtually, as they are tonight, as well as physically here; so too in the PAC. The PAC has had

37 meetings, of which we had a majority at eight out of 10 meetings. Furthermore, the two where we did not have a majority are the two where mischief took place. The first was the 26th meeting and the other was a meeting in this year regarding meeting twice per week. It shows that, if I am going by the concerns of Mr. Norton, *when the cats are away, the mice will play*; no? The issue is, in terms of my attendance, I am for public disclosure. There were 37 meetings, I excused myself from two meetings and I was absent from two. One of the meetings from which I was absent was the 26th meeting.

I want to correct Ms. Lawrence because I think she was misinformed. I am not blaming her. The 26th meeting of 20th December, 2021, is where the issue with the gratuity for the former members of the Public Procurement Commission was raised by the Finance Secretary (FS) and discussed in the Committee. The minutes of those meetings never became available until of the 14th February this year after there was a backlog of minutes from November, December, and January. No minutes were being brought to the PAC and I demanded them. It is on the 14th February, 2022, Ms. Lawrence, that the Minutes of 20th December, 2021, was read and corrected. In fact, Ms. Teixeira, Bishop Edghill, Dr. Mahadeo, and Mr. Datadin were absent. The Clerk had to go and get the *Hansard* to check it and find that we were absent. Unfortunately, you are misinformed. The issue is that, on 14th February, this was corrected and, as we went through, you can go into those minutes, and you can check them yourself... We went through several minutes that day because they had not come before the Committee. I am not sure what was the reason for the slothfulness, but it was never given to us.

Mr. Speaker, to do with our attendance... and anybody could look at us in the PAC and you will see who is there in the room and you will see who else is online. It is not only some of us who are online. Some of the Members of the Audit Office, sometimes the Finance Secretary, sometimes the Auditor General, or the Accounting General are on virtual and not sitting in the room. We are present and we are registered as present. I do not know where this image and impression... is being given that there is this high absenteeism, Mr. Norton, I think that you have been wrongly guided by your Members, and I know that you are new, you should try to make sure they tell you the truth. You know, it is what you call a *brand new second-hand* car. The issue is that... I am sure Mr. Norton knows what I mean. When we go to the issue of the Standing Orders and whether I could

bring a motion or not, yes, I can as a Government Minister and as a Member of this House, as it was done before in this House by others.

Secondly, I heard quotations from Sir Davies report from a lot of you. Sir Davies goes back a long time. As a result of Sir Davies and with the help of a Trinidadian consultant from the Trinidad Parliament, we had a special select committee of the Government and the Opposition which amended each of the Standing Orders, corrected, changed them, and renumbered them. That was done in 2006 and approved by the National Assembly.

In 2011, there was another special select committee because the Opposition had some concerns about the Standing Orders. They went through a select committee where they were amended again. They have asked my colleague here... Mr. Nandlall stated that nothing is written in stone. We went through changes in 2006 and 2011. Of course, Mr. Ramjattan knows as well that, when they changed the Standing Orders to reverse the Government having four seats in the sectoral committee and the Opposition having three, and the same thing in every single committee in the House, they were smart enough, in 2015 when they won, to go back and switch back the Standing Orders. It is that exact same process that I am using here today in bringing the motion here today. They did not refer it to the Standing Orders Committee, which they could have.

I just wanted to clarify some of those issues because I think that if people are misinformed or they are wrongly informed they could come to the wrong conclusions. Mr. Speaker, there is a Canadian Audit Foundation that has an online training programme, which all of us in the PAC were asked to do, and I think that I was the last to do it last night. That is why it is fresh in my mind. It talks about... and the questions it asks, and you have to answer and get them right, is about the PAC and the role of the PAC, and it gives it. It is to do with ensuring that the taxpayer's money is used efficiently, economically, effectively. It also talks about the role of the Committee. It talks about the fact that there should be a non-partisan effort; it should not be a partisan effort. It recognises that different PAC's have different formulas on how they work.

In fact, ours is in advance of most of the Commonwealth countries in the Caribbean. We are far in advance in terms of how our PAC operates. Ms. Lawrence, the point was made that Ministers should not sit on the PAC. Well, if we want to make that policy decision and we want to make a change and to write it into the Standing Orders, then bring a motion. What I am saying is that

Ministers have always sat on the PAC. When Mr. Greenidge was Chairman... I am just going back the last two or three PAC's.

9.33 p.m.

I can go back further if you want, and that is, Bishop Edghill and I were on the PAC with Mr. Greenidge as the Chair. When Mr. Irfaan Ali was Chair of the PAC, Ms. Volda Lawrence and Ms. Valarie Patterson-Yearwood were also on that Committee from 2016 to 2018. It is fine if you do not want Ministers there, but you cannot pluck and decide that the Ministers in this Government should not be there, and the Ministers in your Government should have been there. That is the problem with the APNU/AFC. It is always about double standards; it is never about a fair hand.

[**An Hon. Member:** (*Inaudible*)] You talk about tyranny. What an insult. I think you know that you all are living with profound conscience problems. It is profound, and I think that we need a Psychologist and a Psychiatrist here. Really, you keep deflecting things that you are doing onto other people. You do not come to the PMC. You did not attend the PMC for a quorum from March, 2021 to January, 2022, so nothing was done and decisions could not be made, and are you now accusing us of this? If you check the track record of the PPP/C in Government, it has never broken the quorum in the PMC. That is what you call the standard that you look at. We could have, but we did not. Who broke the standard in the PMC? It was the APNU/AFC. It was not only in this Parliament but in the 2006 to 2011 Parliament. Mr. Ramkarran was the Chair and it happened then too. For months and months, we could not meet because we could not get the quorum. I think that you are deflecting and putting on us the things that you have done.

The issue is that the PAC has its role to play. I dare anyone who has been looking at the online live streamed versions to say, in any way, that the Members of the PAC have not been putting all the public accounts officers under pressure to answer and provide documents. I thought that was one thing that we were doing right but, it turns out, all of that has evaporated tonight with sarcasm, dishonesty in terms of facts, as well as the name-calling of tyranny, *et cetera*. The Members of the PAC and the Members on the Government's side make sure that we have people there. We make sure that we never go below three persons on our side. [**Mr. Mahipaul:** That is not true, Ms. Teixeira.] I do not want to hear you. You have spoken already, and you have not advised your people right. The issue is that I said on two occasions that did not happen. When we come to

transparency and accountability, let us look at some issues that the Auditor General (AG) has put out. Let us do some comparisons. This is why the PAC is so important for those who were in Government and those who are in Government.

We know that we are being accused of trying to stymie but we are very aware, on our side, of the rush to get through and the excuse of the length of time. The 2016 Report of the Auditor General was presented in 2017. The 2017 Report of the Auditor General was presented in 2018. The 2018, 2019, and 2020 Reports of the Auditor General were delivered here, in 2020, when the Twelfth Parliament began. There was a no confidence motion, 14 months wait for an election and five months to await the results of the General and Regional Elections. Who is to be blamed? Who is to be blamed? It is you; you caused the delays. This old argument that goes around... Nevertheless, there is a hurry to finish, and we understand. We are discovering such fishiness, such questionable practices, and the disappearances of the former Regional Executive Officers (REOs) and former Permanent Secretaries (PSs). In some cases, I am sure that some people are very happy that some of the former public officials have had memory losses because if they had remembered, I think certain things would have to go to court.

Mr. Speaker, just let me do some comparisons. These are comparative reports of the annual reports of the Auditor General for 2015, 2016, 2017 and 2018. If we look at the Fiscal Management and Accountability Act (FMAA), the Auditor General points out that there were 21 breaches in 2015. In 2016 there were 82; in 2017, 40; and in 2018, 72. Do you get the gist? The breaches of the Procurement Act were 18 in 2015; 21 in 2016; 27 in 2017; and 28 in 2018. The breaches of the Stores Regulations have gone up from 53 to 60, 34 to 57. These are the summations of the Reports of the Auditor General, of the breaches they have found. Certainly, it is important for us to be able to try to correct these things.

In the seriousness that we take this, the Treasury Memorandum came here today. It was circulated on the floor today. It is within the 90 days... we had to wait. When the Report of the Public Accounts Committee on the 2015 audit was done – Ms. Lawrence was a part of that Committee under Mr. Irfaan Ali's Chairmanship – it was tabled in 2020 because of all the spaces we had to wait, and the time lost in our country. It went in December, 2020 and had to wait until December, 2021, to be debated upon in this House. The Treasury Memorandum came here today, and so, we treat it seriously. Therefore, I think that you should read the Treasury Memorandum because it is

in keeping with the FMA Act. It requires that the Minister of Finance responds to the PAC's findings from the 2015 report. When we finish with 2016, we will go through the same thing, again and again, each year. The law states that it is not enough for the Auditor General to make a report and it is not enough for the PAC to do its findings. It must go another step, and that is the Minister of Finance must commit in a variety of ways to address the issues. We have covered the whole spectrum.

There are a number of issues that have been raised and I want to go back to an interview done with the Auditor General on 21st May, 2019. He was interviewed by someone called, the Editor of *Guyana Standard*. It is called:

“Breaches of Procurement Act more frequent under the APNU+AFC Govt.”

Here is what the Auditor General states:

“I believe it is more frequent now. There are a lot of sole sourced contracts and every other day you have some issue with breaches of contractual or tender board procedures Even the recommendations for corrective actions are not being implemented.”

We have the D'Urban Park Project, and this is in the 2017 and 2016 Reports of the Auditor General. It refers to D'Urban Park which has cost the taxpayers over \$1.15 billion and is now falling apart and being used by vagrants. The bleachers are all rotten. There was no documentation. In fact, in 2019, the Auditor General said that the problem he was having was that no documents were being produced. How could he assess and measure whether we spent the money right at all or not, as a country? There was \$500 million given to the Homestretch Park project and there were no documents at all produced. It was \$500 million; we are not talking about \$2 million. We are not talking about \$1 million; it was \$500 million, which could have done a lot for poor people in this country. There is also the municipality of Georgetown for which a forensic audit was called for by the PAC. The Auditor General started the forensic audit of the municipality of Georgetown. I cannot go further as he reported, at the last meeting, that he could not get the documents from the municipality of Georgetown.

These issues, I think, we know very well. We are going to come some time tonight on the agenda to the PPC and how critical it is. It is the PPC that did a report on the pre-feasibility study of the

Demerara Harbour Bridge, whereby a Minister, without going to tender, went directly to Cabinet with an unsolicited bid which Cabinet approved. The PPC said that it was unlawful. Read the report. It was posted on the PPC webpage; it was made public; and it was circulated in this House in the last Parliament. We talked about the Sussex Street bond. It came up in a Supplementary Financial Paper in the House in 2016. As a result of all that and the questioning, it came out that there was no tendering and no sourcing. It was just what is called a *beat-hand arrangement* between financial friends. That led to Dr. Norton, the Minister of Public Health then, being told that he had to hand in the contract for the Sussex Street bond. That was shared with the House weeks later. When it was gotten, it was not for a bond at all; it was for an office. Having found that, again the point was that he should have terminated the contract. That contract went on for \$14 million a month until October, 2018, and costing over \$300 million.

We can go on back to the pre-feasibility studies of the Demerara Harbour Bridge, where again the PPC was called on to investigate since 2019. It may have expired and therefore has not done so. It has to do with the fact that the same contractor who got the contract, and should not have gotten it after 34 bids were rejected/withdrawn to allow this one, who never bid, to get the job. The Government continued, through the Ministry of Public Infrastructure and the Demerara Harbour Bridge Corporation Asphalt Plant to pay over \$200 million to the contractor. Please, do not come to us with *holier than thou*. These reports are dynamite. These reports are dynamite. [**An Hon. Member:** (*Inaudible*)] Yes, I agree with you that we have to make sure that it never happens again. We, as Ms. Lawrence said, let us put our country first. Put the country first to make sure that the people of the country and the taxpayers' money is used for the benefit of the people. Therefore, scrutiny is important whether it is a PPP/C Government or an APNU/AFC Government. We must be scrutinised.

Mr. Speaker, one last point before I conclude. That is, I heard a lot about the rule of tyranny, words of corruption, and all sorts of things, but please, someone still has to explain to this country how the gold reserves of our country – according to the Bank of Guyana's source – that was in 2015 valued at \$14.258 billion went down, in 2016, to \$7.420 billion; reduced further, in 2017, to \$4 billion; in 2018, reduced further to \$2.137 billion; and, in 2019, reduced to \$635 million. In 2020, guess what, there was \$0 from gold reserves. You come to us and talk about *holier than thou*. Come off it. Who are you fooling? You are fooling yourselves and not the public. You are certainly

not fooling me. When I hear the paranoia coming out about the quorum change to two Members of Government, two Members of the Opposition, and the Chair, I do not know why they are so afraid of this.

9.48 p.m.

I know that many times I am the first Member of the PAC on the virtual platform; many times, I am the first one that clicks on. Sometimes I click on when the technical person has not come as yet, and I wait for the Chairman and the other Members to come. Many times I am the first online, and when I see that I also know... I understand the Chairman would know and see a number of us on our side, but he is waiting for Mr. Mahipaul to come, he is waiting for Ms. Fernandes to come, he is waiting for Mr. Patterson to come or to be online. I understand Mr. Figueira, and, therefore, what we are saying is put it into practice, put it into a Standing Order, which is in fact what we are trying to do – making sure that there are two on each side.

Politics is about experience. The two times that we have not had a majority in the Committee meetings are the two times decisions were made. It is almost as if there was this mischief view amongst the Members, ‘look, they are not here, let us get this through quick, quick.’ It was like *child’s play, yuh know; the cat’s away, the mice will play*. We are saying that the two, two, Chair, is a good idea, and it will ensure that to begin a meeting we at least have two each. I am saying, from my recollection in the PAC, many times there are three minimum on our side and two on their side. Sometimes it is three if Mr. Patterson is on the virtual platform, and sometimes it is four if someone else on our side is virtual. Mr. Speaker, to the quorum, in order to develop trust and confidence, we cannot, I will tell you frankly, we cannot trust you anymore.

Ms. Volda Lawrence talks about the time when we were all in the PAC, when we were civilised; that is not how this Parliament operates now. Ms. Lawrence, I am sorry, I think you will, maybe, have to come and see some things, because this Parliament did what it never did before and saw what it never saw before, when the *Mace* was dragged down and broken in this House; when the control room was smashed-up by a Member of Parliament who is now before the Committee of Privileges. I hope that with Mr. Norton being here, he will bring some order to his side of the House. Mr. Speaker, they are political. In any PAC, it works effectively when there is, one, respect for the roles that each play. Government has a role to play and Opposition has a role to play, but

the PAC does not have an advantage for the Opposition. The PAC's role and function are to make sure that it is able to scrutinise the accounts and to be able to have consensus in the decisions it makes for its report to go forward. It does not make policy; the PAC does not make a policy.

I know that I have been unable to convince the Members of the other side that there is nothing to be paranoiac about; but then talking to a paranoiac person, one is not always able to convince him/her anyway. The issue is that the two, two, one formula in the PMC has worked the majority of times except from March, 2021, to January, 2022, and I hope that will stop; I hope that will be corrected because it is waste of time and a waste of other people's time. One keeps going to meetings and no one is there so that there can be a meeting. That is why the 5th Meeting started in March, 2021, and ended in January, 2022. Do not preach to me about attendance records, please. I do not know what will convince our Colleagues on the other side. I do not think anything can, but I want to say this: if we are going to try to build trust and confidence, if we can trust you to know that when we are not there you would not make foolish decisions against the law, yes, we can live with that, and that has been the practice. For those of us who had been in PAC before there was an unknown practice, what we call an unwritten practice, that the Chair, who is always from the Opposition, always tries to make sure that the Members of the Government are present when they are dealing with it, but that has been violated in this PAC.

Mr. Speaker, it is about trust and confidence, while making sure that there is representation in the PAC, and that we recognise the unusual situation we have now where the Opposition Members are looking at the audit reports of their former Government and the Government is looking at the audit reports of what was then the former Government. It is an unusual situation. It will correct itself. In the meantime, we have been looking at it, but we are kept being told that we are taking a long time, and yet, I have heard speakers here talk about the time it takes to examine things, the time it takes to pull the documents out. We cannot have it two ways. You cannot rush through because you want to get to 2020 to prove a point but you do not want to deal with what are serious transgressions, serious breaches that were going on, regrettably, under your tenure, your stewardship. You cannot muzzle the Government Members by not allowing them.

We had situations in the PAC where the Chairman decided that he was going to mute persons, he told the technician to cut them off – who is on virtual – and then, afterwards... The point is [**Mr. Mahipaul:** (*Inaudible*)] Just be quiet, you are not the Chairman, anyway. The issue is that on the

use of the virtual, we had to have a big story in the PAC to restore our right as Members of the PAC not to be cut off and not to be cut out of the virtual room. Of course, the Chairman said he did not do it and it was not his fault, I cannot contest that, I am not the technical person at the wheel. But I heard him say one time when there was a fight with Bishop Edghill, ‘cut him off’. When he was cut off, he was cut out of the room so he could not get back in, and no one has the right to put anyone out of a room in a committee unless it is a suspension, if one is suspended or removed for disorderly behaviour. Trust, confidence and experience are what helps.

Mr. Speaker, I hope that the two, two, one formula will assist the PAC in building a level of working arrangement that will help us to get our work done, and to get our work done well, not rushed through it; to get our work done well because there is much to uncover, there is much to find and there is much to correct to make sure we do not have repetitions of it.

Mr. Speaker, I thank you for listening to me and I ask that the motion be put and, hopefully, the House will support it, thank you.

Mr. Speaker: Thank you very much, Hon. Minister. Hon. Members, before I put the motion, let me call on the Hon. Prime Minister to move the suspension of Standing Order No. 10 (1) so that we can proceed beyond 10.00 p.m.

SUSPENSION OF STANDING ORDER NO. 10 (1)

BE IT RESOLVED:

“That Standing Order No. 10 (1) be suspended to enable this sitting of the National Assembly to continue with its business beyond 10.00 p.m.”

[Prime Minister]

Prime Minister [Brigadier (Ret’d) Phillips]: Thank you, Mr. Speaker. I ask that we move the suspension of the Standing Order to continue the sitting.

Question put and agreed to.

Standing Order suspended.

Mr. Speaker: Having debated the motion as proposed by the Hon. Minister of Parliamentary Affairs and Governance, I now put the question.

Question put and agreed to.

Brigadier (Ret'd) Phillips: Division.

Division bell rang.

Mr. Speaker: For the benefit of the Members whom we have online, the Hon. Member Ms. Sheila Matura Veerasammy, Hon. Member Mr. Raphael Trotman, Hon. Minister Anand Persaud, Hon. Member, Mr. Lenox Shuman, and Hon. Member, Ms. Catherine Hughes, Clerk of the National Assembly, you could proceed.

Clerk of the National Assembly [Mr. Isaacs]: Mr. Shuman. Mr Shuman. Declined.

Clerk of the National Assembly: Mr. Sears.

Mr. Sears: No.

The Clerk: Mr. Shuman.

Mr. Speaker: [*Inaudible*] who are online, on the screen, so persons could see their vote. Mr. Shuman is online. Could we put him up on the screen?

The Clerk: Mr Shuman?

Mr. Speaker: Something seems to be wrong with the sound. Yes.

The Clerk: I am not hearing Mr. Shuman.

Mr. Speaker: Deputy Speaker, is there any way that you can activate your sound? Could you not activate your sound?

Deputy Speaker of the National Assembly [Mr. Shuman] (Participated Virtually): Could you hear me now?

Mr. Speaker: Yes, we can.

Mr. Shuman: Aye.

Mr. Speaker: Mr. Isaacs, call it back.

Assembly divided: Ayes 34, Noes 29, as follows:

Ayes

Mr. Shuman

Noes

Mr. Sears

Mr. Sinclair

Mr. Ramsaroop

Ms. Philadelphia

Mr. Jaiprashad

Ms. Flue-Bess

Mr. Rajkumar

Mr. Mahipaul

Mr. Figueira

Mr. Cox

Ms. Fernandes

Ms. Ferguson

10.03 p.m.

Ms. Singh-Lewis

Ms. Sarabo-Halley

Dr. Cummings

Mr. Henry

Ms. Hughes

Ms. McDonald

Ms. Walton-Desir

Mr. Jordan

Mr. Jones

Ms. Hastings-Williams

Ms. Lawrence

Mr. Patterson

Ms. Chandan-Edmond

Mr. Trotman

Mr. Holder

Mr. Forde

Mr. Ramjattan

Mr. Norton

Ayes

Ms. Veerasammy

Mr. Speaker: Could we keep the Members online in the Dome?

Mr. Williams

Dr. Smith

Mr. Jaffarally

Dr. Westford

Dr. Ramsaran

Ms. Pearson-Fredericks

Mr. Narine

Mr. Datadin

Dr. Mahadeo

Mr. Charlie

Mr. Seeraj

Mr. McCoy

Mr. Persaud

Mr. Indar

Ms. Rodrigues

Ms. Parag

Mr. Ramson Jr.

Dr. Persaud

Mr. Croal

Mr. Dharamlall

Mr. Bharrat

Mr. Hamilton

Ms. Campbell-Sukhai

Mr. Mustapha

Ms. Manickchand

Dr. Anthony

Bishop Edghill

Mr. Todd

Ms. Teixeira

Mr. Nandlall

Mr. Jagdeo

Brigadier (Ret'd) Phillips

COMMITTEES BUSINESS

Motions

Approval of List of Entities to Nominate Members to the Ethnic Relations Commission

WHEREAS, article 212A of the Constitution provides for the establishment of an Ethnic Relations Commission;

AND WHEREAS, in accordance with article 212 B (1) of the Constitution, the Ethnic Relations Commission shall consist of –

(a) “not less than five nor more than fifteen members, nominated by entities, by a consensual mechanism determined by the National Assembly, including entities, representative of religious bodies, the labour movement, the private business sector, youth and women, after the entities are determined by the votes not less than two thirds of all elected members of the National Assembly;

(b) a member who shall be a nominee, without the right to vote, chosen by and from each of the following commissions to be established under this Constitution, Indigenous

Peoples' Commission, Women and Gender Equality Commission, Commission for the Rights of the Child and Human Rights Commission.”

AND WHEREAS, the Parliamentary Standing Committee on Appointments (COA) examined the list of entities to nominate members to the Ethnic Relations Commission in accordance with article 212 B (1)(a) of the Constitution, Resolution No. 62 of 2000, and Resolution No. 68 of 2014 which increased the composition from 7 to 10 with regard to the number of members on the said Commission;

BE IT RESOLVED:

That this National Assembly approves the list of entities on the attached First Schedule in accordance with article 212 (B)(1)(a);

BE IT FURTHER RESOLVED:

That this National Assembly approves that the number of nominees for each group of entities be as follows: -

Groups of Entities	Number of Members
Christian Religion	One Member
Hindu Religion	One Member
Muslim Religion	One Member
Labour Movement	One Member
Private Sector Organisations	One Member
Youth Organisations	One Member
Women Organisations	One Member
Cultural/Ethnic Organisations	
- Indo-Guyanese	One Member

- Afro-Guyanese One Member
- Indigenous/Amerindian One Member

BE IT FURTHER RESOLVED:

That this National Assembly approves the consensual mechanism for the nomination of the members by the entities as set out in the Second Schedule attached.

FIRST SCHEDULE

Groups and Entities within each Group to Nominate Members of the Ethnic Relations Commission

RELIGIOUS BODIES:

Islamic Bodies

Ahmadiyya Muslim Jamaat

Anjuman Ilifazutal Islam

Essequibo Ahmadiyya Organisation Lahore

Guyana Islamic Forum

Guyana Islamic Trust

Guyana United Sadr Islamic Anjuman

Hijatul Ulamaa

The Central Islamic Organisation of Guyana

Hindu Bodies

Brahma Kumaris

Gandhi Youth Organisation

Guyana Central Arya Samaj

Guyana Hindu Dharmic Sabha

Guyana Maha Kali All Religious Organisation

Guyana Pandits Council

Guyana Sanatan Dharma Maha Sabha

Guyana Sevashram Sangha, Cove and John Ashram

Hare Krishna Iskcon Movement Guyana

Sri Sathya Sai Baba Organisation of Guyana

Viraat Sabha

Christian Bodies

Ambassadors for Christ

Church of Christ

District of the Nazarene Church of Guyana

Family Federation for World Peace & Unification

Freedom Life Ministries Inc.

Georgetown Ministers Fellowship (Umbrella Body - See Appendix for details)

Guyana Conference of Seventh-Day Adventist

Guyana Congregational Union

Guyana Council of Churches (GCC) (Umbrella Body - See Appendix for details)

Guyana Evangelical Fellowship (Umbrella Body - See Appendix for details)

Lifespring Ministries

The Wesleyan Church

The Church of God

The Church of Jesus Christ of Latter-day Saints

The Guyana United Apostolic Mystical Council

The Hareyuya Church aka The Alleluias Church

The New Amsterdam/Canje Christian Council

Zadok Ministers Fellowship (Umbrella Body – See Appendix for details)

THE LABOUR MOVEMENT BODIES

Amalgamated Transport and General Workers Union (AT&GWU)

Clerical & Commercial Workers Union (CCWU)

General Workers Union (GWU)

Guyana Agricultural & General Workers' Union (GAWU)

Guyana Bauxite and General Workers Union (GBSU)

Guyana Labour Union (GLU)

Guyana Local Government Officers' Union (GLGOU)

Guyana Postal and Telecommunication Workers' Union (GP&TWU)

Guyana Public Service Union (GPSU)

Guyana Taxis Service Association

Guyana Teachers Union (GTU)

National Association of Agricultural, Commercial and Industrial Employees (NAACIE)

National Mine Workers' Union of Guyana

National Union of Public Service Employees (NUPSE)

Printing Industry and Allied Workers' Union (PIAWU)

The People United and General Workers Union (TPU&GWU)

Union of Agricultural & Allied Workers (UAAW)

United Minibus Union

University of Guyana Senior Staff Association (UGSSA)

University of Guyana Workers Union (UGWU)

PRIVATE BUSINESS SECTOR BODIES

Bankers' Association of Guyana

Bartica Chamber of Commerce and Development Association

Berbice Chamber of Commerce and Development Association (BCCDA)

Central Corentyne Chamber of Commerce (CCCC)

Consultative Association of Guyanese Industry (CAGI)

Essequibo Chamber of Commerce and Industry (ECCI)

Georgetown Chamber of Commerce and Industry (GCCCI)

Guycraft Producers Association Inc.

Guyana Forest Products Association

Guyana Gold & Diamond Miners Association

Guyana Manufacturers and Services Association

Guyana Private Sector Commission

Guyana Rice Millers and Exporters Development Association

Guyana Rice Producers Association

Guyana Trawlers and Seafood Processors Association

Linden Chamber of Industry, Commerce and Development (LCICD)

Private Aircraft Owners Association of Guyana

Rupununi Chamber of Commerce and Industry (RCCI)

Shipping Association of Guyana

The Tourism and Hospitality Association of Guyana

Upper Corentyne Chamber of Commerce (UCCI)

Region 5 Chamber of Industry and Commerce

West Demerara/East Bank Essequibo & Islands' Chamber of Commerce
and Industry, Inc. (WD/EBE)/I)

YOUTH BODIES

Central Baptist Youth Fellowship

Church of Christ Youth Group

Diocese of Georgetown (Roman Catholic Youth Office)

Dharmic Naujawan (Dharmic Youth)

Empowering Queers Using Artistic Learning (EQUAL)

Full Gospel Youth Fellowship

Generation Next

Golden Om Dharmic Youth Organisation

Guyana Girl Guides Association

Guyana Central Arya Samaj -Youth Organisation

Guyana Congregational Young People's Union

Guyana Scouts Association

Guyana Youth and Student Movement

Guyana Youth Development Association

Indian Action Committee Youth Group

Joshua Generation

Junior Chamber International Guyana (JCI Guyana)

Leo Association of Guyana

Methodist Youth Club

Muslim Youth League of Guyana

Muslim Youth Organisation

National Youth Council

Outreach Ministries International -Youth Arm

Presbytery of Guyana Youth Council

Progressive Youth Organisation

Rotaract Clubs of Guyana

President's Youth Award: Republic of Guyana, MS

The Youth Ministries Department of the Guyana Conference of Seventh-Day Adventist

The Moravian Church in Guyana, Youth Fellowship

University of Guyana Student Society

Volunteer Youth Corps

Young Men's Christian Association (YMCA)

Youth Advocacy Movement (YAM)

Youths for Change (YFC)

Youth Ministries Department of the Assemblies of God

WOMEN'S BODIES

Assemblies of God Women's Ministry

Association of Women Entrepreneurs

Guyana Association of Women's Artists

Guyana Association of Women's Lawyers

Guyana District Conference Women's Work Committee (Methodist)

Guyana Hindu Dharmic Sabha Mahila Mandalee

Guyana Nurses Association

Guyana Women's Miners Association

Guyanese Women in Development (GUY WID)

Lutheran Church Women

National Congress of Women

Outreach Ministries International Women's Group

Red Thread Women's Development Project

Salvation Army Home League

The Mother's Union Diocese of Guyana

The National Committee of Sisters Affairs (NACOSA)

The Women's Ministries Department of the Guyana Conference of Seventh-Day Adventist

Women's Advisory Council (WAC)

Women Across Differences

Women for Change (AFC Women Arm)

Women's Progressive Organisation

Young Women's Christian Association of Guyana (YWCA)

CULTURAL /ETHNIC

Indigenous/Amerindian Bodies

Amerindian People's Association

Guyanese Organisation of Indigenous Peoples'

National Amerindian Development Foundation

National Tshaos Council

The Amerindian Action Movement of Guyana

Afro-Guyanese Bodies

African Cultural and Development Association (ACDA)

All African Guyanese Council

Forum for the Temples of Kamaatic Spirituality

Guyana Rastafarian Council

House of NyahBinghi

International Decade for People of African Descent Assembly – Guyana (IDPADA-G)

Pan African Movement (Guyana Branch)

Indo-Guyanese Bodies

Indian Action Committee

Indian Commemoration Trust

Appendix

Guyana Council of Churches:

1. AME Church (St. Peter's)
2. AME Zion Church
3. Anglican Diocese
4. Catholic Diocese
5. Church of God
6. Church of the Nazarene
7. Congregational Union
8. Ethiopian Orthodox
9. Evangelical Lutheran
10. Methodist Church
11. Moravian Church
12. Outreach Ministries
13. Presbyterian Church (Burns Memorial)
14. Presbyterian Church (St. Andrews Kirk)
15. Salvation Army
16. Guyana Missionary Baptist Church

Guyana Evangelical Fellowship:

1. Assemblies of God
2. Full Gospel Fellowship
3. Elim Pentecostal Fellowship
4. Christian Brethren Assemblies
5. Wesleyan Church
6. New Testament Church of God
7. Christian Mission
8. Church of God of Prophecy
9. Faith Miracles Ministries
10. Word of Faith
11. First Century Gospel Mission Assembly
12. Intersity Fellowship (IS/IVF)
13. Every Home Crusade
14. EPAS (Early Pregnancy)

Georgetown Ministers' Fellowship Churches:

1. Agape Assembly of God
2. Bethlehem New Testament
3. Bladen Hall Assembly of God
4. Bethel Gospel Hall
5. Christian Mission Gospel Tabernacle

6. Church of God of Prophecy
7. Covent Garden Assembly of God
8. Deliverance Tabernacle Assembly of God
9. Ruimveldt Life Improvement Centre AOG
10. Ebenezer Full Gospel Fellowship
11. Elim Pentecostal Church
12. Emmanuel's Tabernacle Kitty Assembly of God
13. First Assembly of God Wortmanville
14. From the Heart Church Ministries
15. Holy Spirit Empowered Church of Lord Jesus Christ
16. House of Prayer Tucville Assembly
17. Kingston Assembly of God
18. Love & Faith World Outreach Ministries
19. New Life Assembly of God
20. Newton Assembly of God
21. Queenstown Moravian
22. Streams of Power Ministries
23. South Road Full Gospel Fellowship
24. Success Assembly of God
25. Sure Foundation Ministries
26. Tuschen Assembly of God

27. Vreed-en-Hoop Wesleyan Church

Zadok Ministries Fellowship:

1. Outreach Ministries International
2. Ambassadors of Christ Ministries
3. Grace Pentecostal Fellowship
4. Praise Shekinah Worship Centre
5. Jesus Home of Prayer and Deliverance
6. Jesus Highs Healing and Deliverance Ministry
7. Restoreth Ministry Inc.
8. Pentecostal Family Ministry
9. Word of Life Center

SECOND SCHEDULE

Consensual Mechanism for the Nomination by Entities for Members of the Ethnic Relations Commission

All the Entities in each Group, immediately on the passage of this motion, should be written to by the Clerk of the National Assembly inviting them to meet as a group, to select their nominees and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to Appoint Members of the Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Ethnic Relations Commission.

A deadline shall be set by the Clerk of the National Assembly on advice by the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the

entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity.

The Nominee/s chosen to represent the Group must be a person/s who is competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity nominating them as well as the Entities within the Group.

Where there is a recognized “*umbrella organization*” in the list of entities for that Group, the Clerk shall write to that organization and copy his letter to each of the “*constituent entities*” within the Group.

[Chairperson of the Committee on Appointments – Minister of Parliamentary Affairs and Governance]

Mr. Speaker: Hon. Minister of Parliamentary Affairs and Governance and Chairperson of the Committee on Appointments, you may proceed.

Ms. Teixeira: Thank you very much, Mr. Speaker. The motion for the approval of the list of entities to nominate Members to the Ethnic Relations Commission is before the House. You will notice that it quotes from the Constitution, Article 212 (B), with regard to the number of Members that have to sit on the Ethnic Relations Commission. It also details the list of entities that we are proposing for consideration by the National Assembly.

The Ethnic Relations Commission expired on 22nd April, 2021, and therefore we were able to finish doing our preparatory work in the Committee, unanimously, by December, 2021. And so, I think, this is quite a good achievement of the Committee on Appointments, because in the past it took much longer to get agreement and to agree on the list. In accordance with the previous resolutions regarding the Ethnic Relations Commission and the amendments that were made, the Christian religion will have one nominee; the Hindu religion, one; the Muslim religion, one; the labour movement, one; the private sector, one; youth organisations, one; and women organisations,

one. Cultural/ethnic organisations: Indo-Guyanese, one; Afro-Guyanese, one; and Indigenous/Amerindian, one. That is the composition for the Commission. The list of entities is attached for religious bodies – Islamic, Hindu, Christian – the labour movement, private sector, youth bodies, women bodies, and cultural/ethnic is also attached. What we did this time is look at the umbrella organisations of the different religions to try to ensure that we were able to reach a large, broad cross-section of the umbrella groups, the churches, and the different temples and mosques that are part of that grouping.

In the Christian community, there are the following umbrella organisations: The Guyana Council of Churches (GCC), which has 16 denominations in that umbrella group; the Guyana Evangelical Fellowship, which has 14; the Georgetown Ministers Fellowship, which has 27; and the Zadok Ministers Fellowship that has nine. We used that to guide us in terms of creating the lists to make sure that they are representative of the various religions. We went through a due-diligence process in terms of writing to the organisations that were being proposed, or those that were on the list of the Ethnic Relations Commission at the last round, to see if they were still functioning, if they were still in order, *et cetera*. Based on that, the list was compiled. As I said, what was important about this motion coming here today is that there was unanimity in the Committee made up of Opposition and Government Members. We went through this, and each organisation that we had questions about, or we were not agreeing whether to add or delete, we would pause it, go back to it, do some homework, come back, and so forth. I hope that the National Assembly will support this.

This round of the consultation process requires a two-thirds majority. Once we have achieved that, the Committee on Appointments will invite all the organisations on this list to meet and to be guided by the guidelines we have designed, as the Committee on Appointments, over the years, on how the nomination process will take place in each grouping – the elections, the records of the attendance, *et cetera*. This is so that when any of the organisations come to us with a nomination, say of women, and it has the reports from the organisation attained from the list, we, therefore, have a view that it was a democratic process, it was not a selection process. In the years that I have been on the Committee on Appointments, we have never really questioned the nominees from these clusters or these groupings. This is because we believe that they have been trained, they understand what is required of them – to put forward people who are decent people, who are

persons of integrity. The last area, if you will look at Schedule II attached to the motion, relates first to the issue regarding the consensual mechanism, how it works and how the organisations are written to, to bring in their nominees. It states that the process should be unbiased and transparent, and that the nominee must have earned public respect and have unquestionable honesty and integrity.

Mr. Speaker, I am very pleased, as the Chair of the Committee, to have had the support of the Members of both sides in bringing us to this important point, this important stage in the process of consulting to bring nominations back to the House for the ERC. The ERC is a very, very important constitutional body that we would like to have up and running as quickly as possible. I have no apologies for sounding as if I am trying to rush anyone. *[Applause]*

Ms. Ferguson: Mr. Speaker, just before I give my brief remarks on this motion before the honourable House for consideration and approval, let me take this opportunity to extend best wishes to Mdm. Volda Lawrence, who has returned as a Member of Parliament on this side of the House and, also, to Cde. Aubrey Norton, who has also returned and was elected Leader of the Opposition. I wish them both best of luck in this Twelfth Parliament.

That being said, I think the motion is a very simple one. Mdm. Gail Teixeira has elucidated, to some extent, the workings of the Committee. I am happy that she was able to report to this Assembly how we work in cohesiveness to ensure that we agree on many things in that Committee. What I want to say, Mr. Speaker, is that there were a few organisations that were actually proposed, I think for the youth bodies, and under the private sector, as the Hon. Member alluded to earlier, and we were able to consult with those organisations. Once they met the criteria which were established by the Committee for some time, they were given the green light. That being said, I think the Ethnic Relations Commission, a constitutional body, is way overdue.

10.18 p.m.

We, on this side of the House, give our unwavering support to the motion before this honourable House. Thank you very much, Sir. *[Applause]*

Mr. Speaker: Thank you, Hon. Member. Hon. Members, I now put the motion.

Question put and agreed to.

Motion carried.

Adoption of the Third Report of The Standing Committee on Appointments in Relation to the Appointment of Members to the Police Service Commission

BE IT RESOLVED:

That this National Assembly adopts the Third Report of the Standing Committee to address matters relating to the Appointment of Members of Commissions established under the Constitution, and signify to the President that the following persons:

- (i) Mr. Ernesto Choo-a-Fat, Businessman;
- (ii) Mr. Lloyd Mark Conway, Attorney-at-Law;
- (iii) Mr. Hakeem Mohamed, A.A., Businessman; and
- (iv) Mr. Patrick Anthony Findlay, Bishop.

who have been nominated in accordance with article 210(1)(c) of the Constitution, be appointed Members of the Police Service Commission.

[Chairperson of the Committee on Appointments – Minister of Parliamentary Affairs and Governance]

Ms. Teixeira: Mr. Speaker, this is the Report of the Standing Committee on Appointments in relation to the appointment of Members to the Police Service Commission. Again, this is a very important constitutional body that has been waiting. The Police Service Commission expired in August, 2021. We approached several of the bodies that were approved by the House previously as organisations we should consult. At that point, we received nominations from the various non-governmental organisations (NGOs) to which we agreed. In fact, we had unanimous support for the four names that were put forward.

Again, this is a very good move by the Committee for us to have been able, having had discussions, to reach unanimity in relation to the members of the Police Service Commission, who would be Mr. Ernesto Choo-a-Fat, who is a businessman; Mr. Lloyd Mark Conway, Attorney-at-Law; Mr.

Hakeem Mohamed, A.A., Businessman; and Mr. Patrick Anthony Findlay, a Bishop. Those are the four members I put to the House, and I ask that you support them. This motion does not require a two-thirds majority, like the other one, but, of course, we would love to have total support for this too. Thank you.

Mr. Ramjattan: I wish to bring to attention that, indeed, we did act very consensually and come up with the four names after they were...from the various organisations that were supposed to nominate them. Of recent, we have come across some information that Mr. Patrick Anthony Findlay, Bishop, is a public officer working with the Ministry of Human Services and Social Security and is doing so for remuneration. Apart from being a candidate for the PPP/C, the trouble is that under the Constitution, there is a disqualification. I was totally unaware of the fact that he is working with the Ministry of Human Services and Social Security as a...

Minister of Human Services and Social Security [Dr. Persaud]: Could I clarify, Mr. Speaker, on a Point of Order?

Mr. Speaker: Hon. Minister, you have the floor.

Dr. Persaud: I just want to say that Mr. Patrick Findlay is not working with the Ministry of Human Services and Social Security. We have an adjunct body called the Support and Heal Network, which is a voluntary body, and he is a part of that. He is not a formal employee of the Ministry of Human Services and Social Security.

Mr. Speaker: Thank you, Hon. Minister, for the information.

Mr. Ramjattan: Do I get the impression that there is no remuneration involved?

Minister of Education [Ms. Manickchand]: It is voluntary.

Mr. Ramjattan: Thank you very much. In the context of the new evidence and answer given, that has cleared the air in relation to this person, and we will fully support the four names. Thank you very much.

Mr. Speaker: Thank you very much, Hon. Members. I now put the motion.

Question put and agreed to.

Motion carried.

The Report was adopted.

Recommittal of Approval of List of Entities to Nominate Members to The Ethnic Relations Commission

Hon. Members, we will have to revisit the motion in relation to the Ethnic Relations Commission. It is a Commission that requires a two-thirds majority, and as such, we will have to take a roll call to ensure that we have the two-thirds. Hon. Members, I put the motion proposed with respect to the composition of the Ethnic Relations Commission.

Question put and agreed to.

Mr. Clerk, please take the roll call.

Ayes:

Mr. Shuman

Clerk of the National Assembly: Mr. Sears...Mr. Sears...Mr. Sears...

Mr. Jones: Mr. Speaker, just for some guidance, will we ring the bell to alert Members? This is because they had stepped out after they had voted earlier.

Mr. Speaker: Could we continue? We will ring the bell and then come back to those who did not answer. Is that inappropriate, Mr. Isaacs?

The bell was rung.

Mr. Isaacs: The bell is ringing. We should wait.

Mr. Speaker: Let us wait. The Clerk wants to do it in order, and I think he is correct. Mr. Clerk, I think I see everyone either in here or online. You may proceed.

Assembly voted as follows: Ayes 61

Ayes:

Mr. Shuman

Mr. Sinclair

Mr. Ramsaroop

Ms. Philadelphia

Mr. Jaiprashad

Ms. Flue-Bess

Mr. Mahipaul

Mr. Figueira

Mr. Cox

Ms. Fernandes

Ms. Ferguson

Ms. Singh-Lewis

Ms. Sarabo-Halley

Dr. Cummings

Mr. Henry

Ms. Hughes

Ms. McDonald

Ms. Walton-Desir

Mr. Jordan

Mr. Jones

Ms. Hastings-Williams

Ms. Lawrence

Ms. Chandan-Edmond

Mr. Holder

Mr. Forde

Mr. Ramjattan

Mr. Norton

Ms. Veerasammy

Mr. Williams

Dr. Smith

Mr. Jaffarally

Dr. Westford

Dr. Ramsaran

Ms. Pearson-Fredericks

Mr. Narine

Mr. Datadin

Dr. Mahadeo

Mr. Charlie

Mr. Seeraj

Mr. McCoy

Mr. Persaud

Mr. Indar

Ms. Rodrigues

Ms. Parag

Mr. Ramson

Dr. Persaud

Mr. Croal

Mr. Dharamlall

Mr. Bharrat

Mr. Hamilton

Ms. Campbell-Sukhai

Mr. Mustapha

Ms. Manickchand

Dr. Anthony

Bishop Edghill

Mr. Todd

Ms. Teixeira

Mr. Nandlall

Dr. Jagdeo

Brigadier (Ret'd) Phillips

Noes:

Mr. Sears

Mr. Speaker: Hon. Members, we are going to re-put the question to the Hon. Member, Mr. Sears.

An. Hon. Member: [*Inaudible*].

Clerk of the National Assembly: According to the Standing Orders, a Member could change his vote.

Mr. Sears: Mr. Speaker, my apologies. With the haste of getting into the house and trying to log into *Zoom*...I ask this honourable House to forgive me, but I would like to change my vote to yes.

[The Hon. Member, Mr. Sears, changed his vote to yes.]

Mr. Speaker: Hon. Members, that is permitted under Standing Order 50(3). Hon. Members, the vote is carried. The motion is carried.

10.33 p.m.

Motion carried.

Adoption of the Report of The Public Accounts Committee in Relation to the Appointment of Members to the Public Procurement Commission

WHEREAS article 212X (2) of the Constitution of the Co-operative Republic of Guyana states:

“The President shall appoint the members of the Commission after such members have been nominated by the Public Accounts Committee and approved by not less than two-thirds of the elected members of the National Assembly.”

AND WHEREAS, in keeping with article 212X (2) the Public Accounts Committee established a Sub-Committee for the purpose of shortlisting applicants to the Public Procurement Commission;

AND WHEREAS, the Sub-Committee at its 1st Meeting shortlisted the following applicants:

- 1) Justice Carl Ashok Singh
- 2) Mr. Dunstan Barrow, A.A, MBA (Hons.), BSc. (Hons.)

- 3) Mr. Reggie Bhagwandin Jugmohan
- 4) Mr. Roopnarine Satram
- 5) Mr. Gavindra Ramnarain
- 6) Mr. Mark Deen
- 7) Mr. Dwarka Balkaran
- 8) Mr. Berkley Wickham
- 9) Mr. Lelon Saul
- 10) Mr. Kenneth Michael Jordan
- 11) Ms. Sharon Patterson
- 12) Ms. Dianna Rajcumar
- 13) Ms. Beverly Alert

AND WHEREAS, the Sub-Committee at its 2nd Meeting shortlisted the following applicants:

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin
- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Mr. Rawle Lucas

AND WHEREAS, at its 28th Meeting held on January 17, 2022, the Public Accounts Committee, after deliberations, recommended, from among the applicants shortlisted the following persons as the suitable candidates to be appointed to the Public Procurement Commission.

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin
- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Ms. Dianna Rajcumar

BE IT RESOLVED:

That this National Assembly adopts the Report of the Public Accounts Committee to address matters relating to the appointment of Members to the Public Procurement Commission and signifies to the President that the following persons have been recommended in accordance with article 212X (2) of the Constitution of the Co-operative Republic of Guyana:

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin
- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Ms. Dianna Rajcumar

[Mr. Figueira – Chairman]

Mr. Figueira:

“WHEREAS article 212X (2) of the Constitution of the Co-operative Republic of Guyana states:

“The President shall appoint the members of the Commission after such members have been nominated by the Public Accounts Committee and approved by not less than twothirds of the elected members of the National Assembly.”

AND WHEREAS, in keeping with article 212X (2) the Public Accounts Committee established a Sub-Committee for the purpose of shortlisting applicants to the Public Procurement Commission;

AND WHEREAS, the Sub-Committee at its 1st Meeting shortlisted the following applicants:

- 1) Justice Carl Ashok Singh
- 2) Mr. Dunstan Barrow, A.A, MBA (Hons.), BSc. (Hons.)
- 3) Mr. Reggie Bhagwandin Jugmohan
- 4) Mr. Roopnarine Satram
- 5) Mr. Gavindra Ramnarain
- 6) Mr. Mark Deen
- 7) Mr. Dwarka Balkaran
- 8) Mr. Berkley Wickham
- 9) Mr. Lelon Saul
- 10) Mr. Kenneth Michael Jordan
- 11) Ms. Sharon Patterson
- 12) Ms. Dianna Rajcumar
- 13) Ms. Beverly Alert

AND WHEREAS, the Sub-Committee at its 2nd Meeting shortlisted the following applicants:

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin

- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Mr. Rawle Lucas

AND WHEREAS, at its 28th Meeting held on January 17, 2022, the Public Accounts Committee, after deliberations, recommended, from among the applicants shortlisted the following persons as the suitable candidates to be appointed to the Public Procurement Commission.

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin
- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Ms. Dianna Rajcumar

BE IT RESOLVED:

That this National Assembly adopts the Report of the Public Accounts Committee to address matters relating to the appointment of Members to the Public Procurement Commission and signifies to the President that the following persons have been recommended in accordance with article 212X (2) of the Constitution of the Co-operative Republic of Guyana:

- 1) Ms. Pauline Ann Cleopatra Chase
- 2) Mr. Joel Bhagwandin
- 3) Mr. Rajnarine Singh
- 4) Mr. Berkley Wickham
- 5) Ms. Dianna Rajcumar”.

Mr. Speaker, I am pleased to add my voice to this very important motion before the National Assembly. From the outset, I would like to thank the former Commissioners of the Public Procurement Commission for all the hard work they did in setting up the Commission from ground zero: the Chairman, Ms. Carol Corbin; Deputy Chairman, Dr. Nanda Gopaul; Mr. Ivor English, Mr. Sukrishnlall Pasha; and Ms. Emily Dodson. The Commission and the country are better off for all the work these remarkable Guyanese professionals did and contributed. All of the former members of the Commission worked assiduously. They worked diligently to set up and make the Commission functional for the new proposed members to have a functional institution to do their work. It is my hope that good sense would prevail, and those former members would be given their rightly deserved dues.

It is important to bring to this House that it was under the Coalition Administration that this very important constitutional Commission was realised and became a working constitutional agency. History recorded that the Procurement Act, in 2003, was passed in this House. Tonight, we are on the verge, once again, to create history when this motion is put, and it will enjoy the vote of two-thirds majority in compliance with article 212X (2) of the Constitution of the Cooperative Republic of Guyana. It would be remiss of me if I fail to recognise and thank all Guyanese professionals who have expressed an interest to serve on this Commission and, by extension, to serve Guyana.

I would like to thank all the Members of the Public Accounts Committee, the Sub-Committee, our advisors, staff of the Parliament Office, who served the Committee, and the media for all the work we have done to bring this Public Procurement Commission to this final stage, where we have shortlisted the five members who would serve on this constitutional commission. It is with great pride that I put on behalf of the Public Accounts Committee, this motion to the House. I thank you.

Mr. Speaker: The motion is proposed.

Ms. Teixeira: I was a part of the Sub-Committee with the Chairman of the PAC to go through a process of consultation to arrive at five names that we would unanimously support and agree upon. I was very happy to be a part of that process. I think that we have to recognise that, in the Constitution, the PPC plays an important role. As the Chairman went on record, I also have to go on record. The formula that was proposed by the PPP/C Government, since the time when the Constitution was amended, was that it should be three Government and two Opposition nominees.

This was never approved in the PAC or in bilateral between the PPP/C and the People's National Congress (PNC). That was the difficulty for a very long time. It is a good indication of who our President is. He, as the Chairman of the PAC, and Ms. Lawrence on behalf of the Government, were able to agree to a formula of three-two – three for Government and two for Opposition, which had not been agreed to from 2003 until 2016.

These two individuals brought this to the Committee and had it passed and supported by the last Committee. The Commission was appointed in 2017, and expired in 2019, with only the Chairman and the Vice-Chairman being appointed for a year until October, 2020. We have had almost two years without a PPC. In the process we went through. I think we found some very good Guyanese to take on this responsibility and continue the work of the former PPC. We have a young lawyer; we have a financial consultant; and we have young people in this. What is really interesting about this group of five individuals is that they are representing a younger generation. There is the younger generation in the majority and one older person with experience.

Without going into details of each one of the persons, I think they were also asked if they agreed. We did all of the police checks, *et cetera*. There was nothing adverse. They are willing to take on all of the responsibilities. Therefore, I think Mr. Figueira, myself, and the Members of the PAC felt that these are the five best persons to nominate and put to the House for two-thirds majority, so that the President would be able to appoint them as the new PPC going forward. Thank you.

Mr. Speaker: Thank you, Hon. Minister. We would have to take another vote because this is another provision which requires a two-thirds majority. I notice that everyone is here, but out of the abundance of caution, let us ring the bell for two minutes. Two persons are not here.

Mr. Clerk, you could proceed.

Assembly voted as follows: Ayes 60

Ayes

Mr. Shuman

Mr. Sears

Mr. Sinclair

Mr. Ramsaroop

Ms. Philadelphia

Mr. Jaiprashad

Ms. Flue-Bess

Mr. Mahipaul

Mr. Figueira

Mr. Cox

Ms. Fernandes

Ms. Ferguson

Ms. Singh-Lewis

Ms. Sarabo-Halley

Dr. Cummings

Mr. Henry

Ms. Hughes

Ms. McDonald

Ms. Walton-Desir

Mr. Jordan

Mr. Jones

Ms. Hastings-Williams

Ms. Lawrence

Ms. Chandan-Edmond

Mr. Holder

Mr. Forde

Mr. Ramjattan

Mr. Norton

Ms. Veerasammy

Mr. Williams

Dr. Smith

Mr. Jaffarally

Dr. Westford

Dr. Ramsaran

Ms. Fredericks-Pearson

Mr. Narine

Mr. Datadin

Dr. Mahadeo

Mr. Charlie

Mr. Seeraj

Mr. McCoy

Mr. Persaud

Mr. Indar

Ms. Rodrigues

Ms. Parag

Mr. Ramson

Dr. Persaud

Mr. Croal

Mr. Dharamlall

Mr. Bharrat

Mr. Hamilton

Ms. Campbell-Sukhai

Mr. Mustapha

Ms. Manickchand

Dr. Anthony

Bishop Edghill

Mr. Todd

Ms. Teixeira

Mr. Nandlall

Brigadier (Ret'd) Phillips

Question put and agreed to.

Motion carried.

The Report was adopted.

10.48 p.m.

Adoption of the Fifth Report of The Committee on Appointments in Relation to the Appointment of a Director to The Board of the Natural Resource Fund and a Member to the Public Accountability and Oversight Committee

WHEREAS in keeping with the Natural Resource Fund Act No. 19 of 2021, Part III, as follows:-

“5. (1) There shall be a Board of Directors of the Fund which shall comprise of not less than three and not more than five members who shall be appointed by the President, one of whom shall be appointed Chairperson by the President.

(2) The Directors shall be selected from among persons who have wide experience and ability in legal, financial, business, or administrative matters, one of whom shall be nominated by the National Assembly and one of whom shall be a representative of the private sector.”

And

“6. (1) There shall be a Committee to be known as the Public Accountability and Oversight Committee which shall comprise the following members appointed by the President and one of whom shall be appointed Chairperson by the President –

(a) a nominee of the National Assembly;

(b) three representatives of the religious community;

(c) two representatives of the private sector;

(d) two representatives of organised labour; and

(e) one representative of the professions.”

AND WHEREAS, the Committee proposed ten (10) nominees for the positions;

AND WHEREAS, the Committee on Appointments after deliberations recommended Mr. Dunstan Barrow as the suitable candidate to be appointed a Director on the Board of Directors of the Natural Resource Fund, in accordance with the Natural Resource Fund Act No. 19 of 2021;

AND WHEREAS, the Committee on Appointments after deliberations recommended Mr. Clement Sealey as the suitable candidate to be appointed as a member to the Public

Accountability and Oversight Committee, in accordance with the Natural Resource Fund Act No. 19 of 2021,

BE IT RESOLVED:

That this National Assembly adopts the Fifth Report of the Standing Committee on Appointments to address matters relating to the appointments of a Director on the Board of Directors of the Natural Resource Fund and a member to the Public Accountability and Oversight Committee.

BE IT FURTHER RESOLVED:

That this National Assembly signifies to the Clerk of the National Assembly that Mr. Dunstan Barrow and Mr. Clement Sealey be appointed in accordance Part III, of the Natural Resource Fund Act No. 19 of 2021, Sections 5 & 6.

[Chairperson of the Committee on Appointments – Minister of Parliamentary Affairs and Governance]

Ms. Teixeira: I hope this Committee on Appointments motion will go smoothly. I know this is a controversial one. This is regarding the Resolution of the House that asked the Committee on Appointments to make nominations, in keeping with the Natural Resource Fund Act, which requires that the Director comes from the National Assembly, and that one comes from the National Assembly for the Public Accountability and Oversight Committee. This is distinct from the nominee of the Leader of the Opposition. That is a separate section of the legislation.

In the Committee on Appointments, we took on this responsibility and we had discussions. You will see in the record of the House that we have quoted Sections 5 and 6 of the Natural Resource Fund Act regarding the nominees. We did have a controversial issue in terms of the nominees that came through the political parties in the Committee on Appointments. We did not go out to public advertisements.

Finally, a decision was made based on a majority vote. These nominations do not require a two-thirds majority but a simple majority. The proposal of the Committee on Appointments, by a majority, is that Mr. Dunstan Barrow, who, as you all remember, was a nominee in the Public

Accounts Committee.... He was nominated, again, here. He is considered to be suitably qualified to be appointed as a Director on the Board of Directors of the Natural Resource Fund, in accordance with the Natural Resource Fund Act, No. 19 of 2021. The Committee on Appointments also, by majority, recommended Mr. Clement Sealey as a suitable candidate to be appointed as a member to the Public Accountability and Oversight Committee, in accordance with the Natural Resource Fund Act. We are calling on the House to adopt the report of the Committee on Appointments and to support the two nominees to be appointed by the President as soon as possible. Thank you.

Mr. Ramjattan: I want to state that the Chairperson of the Committee on Appointments did succinctly state that, indeed, there were controversies here. I want to also state, too, that with all the chat we had earlier about fairness in relation to another matter, we thought it would have been becoming and welcoming had we gotten the appointees we had proffered to be members on these two Boards. That would have been something that would have been inclusive, and it would have been, I think, the right thing to do. I suppose, here again, is an example of the tyranny of the majority. In any event, this is a vote that they will have. I do not think this is a two-thirds majority vote.

We would like to state that, as we move forward, on matters like these, especially when the Government side has out of the four ... On the Board...If they had really wanted Mr. Dunstan Barrow, they could have appointed him from the three that the President has. So, Mr. Barrow could have been there. We could have either had Mr. Vincent Adams and/or Mr. Christopher Ram who are very competent people in these matters, but we do not. It was the same for the other names, too, in relation to the Public Accountability and Oversight Committee.

I suppose we are going to evolve. It is important that there be a largeness of heart on the part of a government that knows that it will still have the majority but allows an opposition to have a perspective or at least an eye there. This is so that we could carry on and move this country, and all of the fairness and transparency and accountability, which they talked about earlier, could happen. Thank you very much.

Question put and agreed to.

Motion carried.

The Report was adopted.

Mr. Speaker: Hon. Minister of Parliamentary Affairs and Governance, proceed.

Ms. Teixeira: I am very sorry, Mr. Speaker. These were assignments given to me by the Speaker – this last one. It has to do with the Committee of Privileges. I do not think I have skipped any. Have I?

Mr. Speaker: I think this one has to do with the Adoption of the Fourth Report of the ...

Ms. Teixeira: I forgot the one on the Women and Gender Equality Commission. Sorry.

Mr. Speaker: Yes. I should have read out the item.

Adoption of the Fourth Report of the Committee on Appointments and approval of the List of Entities and Consensual Mechanism to Nominate Members to the Women and Gender Equality Commission

WHEREAS, Article 212 Q of the Constitution has established a Women and Gender Equality Commission;

AND WHEREAS, in accordance with Article 212 Q (2) of the Constitution, the Women and Gender Equality Commission shall consist of-

(a) “not less than five nor more than fifteen members, with expertise in women’s and gender equality issues, nominated by entities, by a consensual mechanism determined by the National Assembly, after the entities which shall include the Women’s Advisory Committee of the Trade Union Congress, are determined by the votes of not less than two-thirds of all the elected Members of the National Assembly; and

(b) the Administrator of the Women’s Affairs Bureau, by whatever name that office is designated; and

(c) a member who shall be a nominee, without the right to vote, chosen by and from each of the following Commissions: the Human Rights Commission, Ethnic Relations Commission, Indigenous People’s Commission and Rights of the Child Commission.”

AND WHEREAS, the Parliamentary Standing Committee on Appointments (COA) examined the list of entities to nominate members to the Women and Gender Equality Commission in accordance with article 212 Q (2)(a) of the Constitution, and Resolution No. 62 of 2000 with regard to the appointment of members to the rights commissions;

AND WHEREAS, the Committee having deliberated on the identification of the entities for nomination to the Women & Gender Equality Commission in accordance with art 212 Q (2) (a), unanimously agrees and proposes that the Commission be comprised of nominations from the list of entities in the First Schedule in the following categories:

Women Bodies	2
Regional Representative from 8 GAC	5
TUC Women’s Advisory Council	1
Labour Movement	1
Private Business Sector Bodies	1
Professional Bodies	1
Cultural/Ethnic	3

And (b)

Administrator of the Women’s Affairs Bureau	1
---	---

AND WHEREAS, the Committee also unanimously agreed on the consensual mechanism to guide the process for consultation and nomination of Members to the said Women and Gender Equality Commission herein at the Second Schedule;

BE IT RESOLVED:

That this National Assembly approves the proposed representation of the abovementioned categories from the list of entities;

BE IT FURTHER RESOLVED:

That the National Assembly adopts the Committee on Appointments Report on the Women and Gender Equality Commission;

BE IT FURTHER RESOLVED:

That this National Assembly approves the list of entities to nominate Members to the Women and Gender Equality Commission as set out in the First Schedule attached, in accordance with article 212Q (2)(a) of the Constitution;

BE IT FURTHER RESOLVED:

That this National Assembly approves the consensual mechanism, outlined in the Second Schedule attached.

FIRST SCHEDULE

Group and entities within each Group of Nominate Members of the Women and Gender Equality Commission

Women Bodies- 2

Assemblies of God Women's Ministry

Association of Women Entrepreneurs

Guyana Association of Women's Artists

Guyana Association of Women Lawyers

Guyana District Conference Women's Work Committee (Methodist)

Guyana Hindu Dharmic Sabha- Mahila Mandalee

Guyana Women Miners Organisation

Guyanese Women in Development (GUYWID)

Lutheran Church Women

Mothers' Union Diocese of Guyana

National Committee of Sisters Affairs (NACOSA) (CIOG Women's Arm)

National Congress of Women

Outreach Ministries International Women's Group

Red Thread Women's Development Project

Salvation Army Home League

The Women's Ministries Department of the Guyana Conference of Seventh-Day Adventist

Women Across Differences

Women for Change (AFC Women Arm)

Women's Home & Overseas Missionary Society

Women's Progressive Organisation

Young Women's Christian Association of Guyana (YWCA)

Regional Gender Affairs Committees- (Regions 1-7 & 9) -5

The Labour Movement-1

Amalgamated Transport and General Workers Union (AT&GWU)

Clerical & Commercial Workers Union (CCWU)

General Workers Union (GWU)

Guyana Agricultural & General Workers' Union (GAWU)

Guyana Bauxite and General Workers Union (GBSU)

Guyana Labour Union (GLU)

Guyana Local Government Officers' Union (GLGOU)

Guyana Postal and Telecommunication Workers' Union (GP&TWU)

Guyana Public Service Union (GPSU)

Guyana Taxis Service Association

Guyana Teachers Union (GTU)

National Association of Agricultural, Commercial and Industrial Employees (NAACIE)

National Mine Workers' Union of Guyana

National Union of Public Service Employees (NUPSE)

Printing Industry and Allied Workers' Union (PIAWU)

The People United and General Workers Union (TPU&GWU)

Union of Agricultural & Allied Workers (UAAW)

United Minibus Union

University of Guyana Senior Staff Association (UGSSA)

University of Guyana Workers Union (UGWU)

Private Business Sector Bodies -1

Bankers' Association of Guyana

Bartica Chamber of Commerce and Development Association

Berbice Chamber of Commerce and Development Association (BCCA)

Central Corentyne Chamber of Commerce (CCCC)

Consultative Association of Guyanese Industry (CAGI)

Essequibo Chamber of Commerce and Industry (ECCI)

Georgetown Chamber of Commerce and Industry (GCCCI)

Guycraft Producers Association Inc.

Guyana Forest Products Association

Guyana Gold and Diamond Miners Association

Guyana Manufacturers and Services Association

Guyana Private Sector Commission

Guyana Rice Millers and Exporters Development Association

Guyana Rice Producers Association

Guyana Trawlers and Seafood Processors Association

Linden Chamber of Industry, Commerce and Development (LCICD)

Private Aircraft Owners Association of Guyana

Rupununi Chamber of Commerce and Industry (RCCI)

Shipping Association of Guyana

The Tourism and Hospitality Association of Guyana

Upper Corentyne Chamber of Commerce (UCCI)

Region 5 Chambers of Industry and Commerce

West Demerara/East Bank Essequibo & Islands' Chamber of Commerce and Industry, Inc.
(WD/EBE)/I)

Women's Chamber of Commerce & Industry Guyana (WCCIG)

Professional Group-1

Association of Chartered Accountants

Guyana Association of Optometrists

Guyana Association of Professional Social Workers (GAPSW)

Guyana Bar Association

Guyana Nurses Association

Guyana Medical Association

Guyana Pharmacists' Association

Medical Technologists Association of Guyana

Cultural / Ethnic-3

Indigenous/Amerindian Bodies - 1

Amerindian People's Association

Guyanese Organisation of Indigenous Peoples

National Amerindian Development Foundation (NADF)

National Tshaos Council (NTC)

The Amerindian Action Movement of Guyana (TAAMOG)

Afro-Guyanese Bodies -1

African Cultural and Development Association (ACDA)

All African Guyanese Council

Forum for the Temples of Kamaatic Spirituality

Guyana Rastafarian Council

House of NyahBinghi

International Decade for People of African Descent Assembly - Guyana (IDPADA-G) Pan
African Movement (Guyana Branch)

Indo-Guyanese Bodies -1

Indian Action Committee

Indian Commemoration Trust

SECOND SCHEDULE

Consensual Mechanism for the Nomination by Entities of Members of the Women and Gender Equality Commission

All the Entities in each Group, immediately on the passage of this motion, shall be written to by the Clerk of the National Assembly inviting them to meet as a group, to select their nominees and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to Appoint Members of the Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Women and Gender Equality Commission.

A deadline shall be set by the Clerk of the National Assembly on advice by the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity.

The Nominee/s chosen to represent the Group must be person/s who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity nominating them as well as the Entities within the Group.

Where there is a recognised “*umbrella organization*” in the list of entities for that Group, the Clerk shall write to that organisation and copy his letter to each of the “*constituent entities*” within the Group.

[Chairperson of the Committee on Appointments – Minister of Parliamentary Affairs and Governance]

Ms. Teixeira: Again, to try to keep it simple, in relation to the Women and Gender Equality Commission, this body expired many years ago but was allowed to keep functioning, both under our prior Government and under the APNU/AFC Government. I think it is time that we complete the process by going out and bringing nominations in. Whether it is to replenish it with new people or whether some of the old people are renominated, that is a different issue. I really do believe that to have the commission expired since 2013 or 2014, and still be going without the proper authority...and other commissions that have expired, we have been able to come back now to get those done in a more efficient manner so there would not be such long gaps.

This, again, is like the Ethnic Relations Commission (ERC). It requires a two-thirds majority. We went through the process, as what I described in the Ethnic Relations Commission, of creating the various lists of bodies and the numbers that would be consulted under the list of agencies. We went through a process in terms of being able to look at various organisations – the ones that were functioning. We also looked at the ERC list, which had some of the same organisations that we may want to include. We went through that process and was able to come up with the list for which we had unanimous support.

Again, in this instance, I am very pleased, having gone through great torture to try to reach unanimity on these issues sometimes in the Committee on Appointments in the past...I really do believe that, in this case, we must give kudos to the Members of the Committee on Appointments for the work in relation to the ERC, the Women and Gender Equality Commission and the Police Service Commission. We are almost finished with the Rights of the Child Commission. We should finish that in a little while and come back to the House on it. This, like the ERC, is the first round to have the House support the list of entities to be able to go through the consultative process with them and then we come back to the House to adopt the nominees – the actual names.

The composition of the Women and Gender Equality Commission: Women Bodies – two; regional representatives from the Regional Gender Affairs Committees...Regrettably, two of the committees are not functioning and so we had to put eight and to have five representatives from those. The TUC Women's Advisory Council, the Constitution requires that. The labour movement – one; the private business sector bodies – one; professional bodies – one; cultural/ethnic groups – three; and one for the Administrator of the Women's Affairs Bureau (WAB), which is treated separately in the Constitution. I hope that the Members have looked at the list of names of the

organisations and that they will grant us the two-thirds majority so that we could start the second round of consultation on the Women and Gender Equality Commission. Thank you very much.

Ms. Sarabo-Halley: Mr. Speaker. Just to make my contribution, I would not be long. As the Hon. Minister have stated, on this particular Committee and on these Commissions, I think we were able to work through some of the issues in an amicable way, to come to this particular stage.

As it relates to the Women and Gender Equality Commission, I think it is a Commission that we really need at this particular stage, especially with what is happening with our women folk in Guyana. I see that there is a five-year strategic plan. I am hoping that we could get through the process of actually nominating the members, so that they could start on this plan in order to see a better place for our women in this country. I have no problem in supporting the motion. [*Applause*]

Mr. Speaker: This is also another Commission that requires the two-thirds votes. Let us ring the bell for two minutes and then the Clerk will proceed with the roll call.

The bell was rung

Assembly voted as follows: Ayes 60

Ayes

Mr. Shuman

Mr. Sears

Mr. Sinclair

Mr. Ramsaroop

Ms. Philadelphia

Mr. Jaiprashad

Ms. Flue-Bess

Mr. Mahipaul

Mr. Figueira

Mr. Cox

11.03 p.m.

Ms. Ferguson

Ms. Singh-Lewis

Ms. Sarabo-Halley

Dr. Cummings

Mr. Henry

Ms. Hughes

Ms. McDonald

Ms. Walton-Desir

Mr. Jordan

Mr. Jones

Ms. Hastings-Williams

Ms. Lawrence

Mr. Patterson

Ms. Chandan-Edmond

Mr. Trotman

Mr. Holder

Mr. Forde

Mr. Ramjattan

Mr. Norton

Ms. Veerasammy

Mr. Williams

Dr. Smith

Mr. Jaffarally

Dr. Westford

Dr. Ramsaran

Ms. Pearson-Fredericks

Mr. Narine

Mr. Datadin

Dr. Mahadeo

Mr. Charlie

Mr. Seeraj

Mr. McCoy

Mr. Persaud

Mr. Indar

Ms. Rodrigues

Ms. Parag

Mr. Ramson

Dr. Persaud

Mr. Croal

Mr. Dharamlall

Mr. Bharrat

Mr. Hamilton

Ms. Campbell-Sukhai

Mr. Mustapha

Ms. Manickchand

Dr. Anthony

Bishop Edghill

Mr. Todd

Ms. Teixeira

Mr. Nandlall

Dr. Jagdeo

Brigadier (Ret'd) Phillips

Motion put and agreed to.

Mr. Speaker: Hon. Members the motion has attained two-thirds majority and so has been duly adopted by the National Assembly.

Extension of Deadline for the Submission of the Report of the Committee of Privileges to the National Assembly

WHEREAS at the 35th Sitting of the National Assembly held on 24th January, 2022, the National Assembly referred the following Members to the Committee of Privileges:

- Hon. Christopher Jones, M.P., Opposition Chief Whip,
- Hon. Ganesh Mahipaul, M.P.,
- Hon. Sherod Duncan, M.P.,

- Hon. Natasha Singh-Lewis, M.P.,
- Hon. Annette Ferguson, M.P.,
- Hon. Vinceroy Jordan, M.P.,
- Hon. Tabitha Sarabo-Halley, M.P., and
- Hon. Maureen Philadelphia, M.P.

AND WHEREAS the Committee of Privileges was mandated to enquire whether the named Members committed to the Committee of Privileges, have violated any of the Standing Orders, customs, practices, and/or conventions of the National Assembly and to determine the sanctions available and can be applied by the National Assembly;

AND WHEREAS the National Assembly mandated the Committee of Privileges to report to the National Assembly within one (1) month from the date of the moving of the motion, that is, on 24th February, 2022;

AND WHEREAS the Committee commenced its work on 18th February, 2022 and has had three (3) meetings to date;

AND WHEREAS owing to intense discussions on the procedure to be followed with respect to the matters before the Committee, the Committee was unable to submit its report to the National Assembly within the required one (1) month;

AND WHEREAS the Committee needs additional time to continue and conclude its work;

NOW, THEREFORE BE IT RESOLVED:

That this National Assembly approves of an extension of the deadline for the submission of the Report of the Committee of Privileges from 24th February, 2022 to 1st June, 2022.

[Minister of Parliamentary Affairs and Governance]

Ms. Teixeira: Mr. Speaker, this is the last one in terms of the Committee of Privileges. I was asked to move the following motion on behalf of the Committee of Privileges. As the House knows, there was a motion that was brought here to send eight Members to the Committee of Privileges. The

Committee has been meeting, as you will see from the motion that was circulated. We have had a number of meetings, but we were unable to reach a conclusion. We had three meetings from the time that the motion was passed in the House and the Committee of Privileges was put into operation. We are asking for an extension.

The last BE IT RESOLVED clause of the motion approves of an extension of the deadline for the submission of the Report of the Committee of Privileges from the 24th February, 2022 – which was the deadline when we were supposed to submit – to 1st June, 2022. I have been asked to consider, as this is a motion of the Committee of Privileges and not my own, that this time be extended to 15th June, 2022, instead of 1st June, 2022. That would be an amendment to the motion that I am making on behalf of the Committee of Privileges. I ask that the Members also support this motion. Thank you.

Motion proposed.

Mr. Speaker: Thank you, Hon. Member. Hon. Members, the motion is that the deadline for submission of the Report of the Committee of Privileges be extended to 15th June, 2022.

Motion put and agreed to.

Mr. Speaker: Hon. Members, before we take the adjournment let me take this opportunity to wish all our Members, our staff, our support staff and security, a Happy Easter. We are still in the month of Ramadan, and I think tomorrow Lent officially ends. On my behalf, kindly have a great Easter. For those who continue to fast, may your fasting be easy until its end.

Brigadier (Ret'd) Phillips: Mr. Speaker, may I also take this opportunity to wish all Members on both sides of the House a Happy Easter and, of course, we observe Good Friday before Easter.

ADJOURNMENT

BE IT RESOLVED:

“That the Assembly do now adjourn to a date to be fixed.”

[Prime Minister]

Brigadier (Ret'd) Phillips: Mr. Speaker, having done that, I move the adjournment of the Assembly to a date to be fixed.

Mr. Speaker: Before we adjourn, Hon. Leader of the Opposition, you have the floor.

Mr. Norton: Mr. Speaker, I also rise to wish all present, and I think all Guyanese, a Happy Easter. This is probably the first one in a long time we are celebrating outside of the confines of the Coronavirus disease (COVID-19). Therefore, I wish all a Happy Easter and urge that we all be safe, and still observe the protocols so that we can return to do the peoples' work. Thank you.

Mr. Speaker: Thank you, Hon. Member.

Hon. Members, the House stands adjourned to a date to be fixed.

Adjourned accordingly at 11.11 p.m.