



**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
(2020-2023) 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*

64TH Sitting

Wednesday, 10TH May, 2023

**PARLIAMENT OFFICE
HANSARD DIVISION**

Assembly convened at 10.23 a.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Visit by Former Minister

Mr. Speaker: Good morning to everyone. Hon. Members, this morning we are joined by former Minister Simona Charles-Broomes. The former Minister is to the west of the Dome with a member of her staff.

Birthday Greeting

I would also like to take this opportunity to wish the Hon. Minister of Natural Resources, Mr. Vickram Bharrat, a very happy birthday.

70th Anniversary of the Parliament

Hon. Members, this is May, 2023. The first election of Parliament for all Guyanese was held on 27th April, 1953, just over 70 years ago. On 18th May, which would be next Thursday, the first Members of Parliament, including Hon. Members Dr. Cheddi Jagan, Mr. Forbes Burnham, Dr. Janet Jagan, Ms. Jessie Burnham, and Mr. Ashton Chase, took the oath of office. Next Thursday would officially commemorate 70 years since the Parliament of Guyana has been established. There are plans to have an appropriate function on that occasion. I just thought I would alert you before we proceed to the business of the day.

PRESENTATION OF PAPERS AND REPORTS

The following papers and reports were laid:

- (1) Minutes of Proceedings of the 12th Meeting of the Committee of Selection held on Friday, 28th April, 2023.

[Speaker of the National Assembly]

- (2) (i) Audited Financial Statements of the Integrity Commission for the years ended 31st December, 2015 to 2019.
- (ii) Audited Financial Statements of the Public/Police Service Commission for the years ended 31st December, 2016, 2018 and 2020.
- (iii) Audited Financial Statements of the Protected Areas Commission for the year ended 31st December, 2014.
- (iv) Audited Financial Statements of the Institute of Applied Science and Technology for the years ended 31st December, 2015 to 2019.
- (v) Audited Financial Statements of the Guyana Lands and Survey Commission for the year ended 31st December, 2016.
- (vi) Audited Financial Statements of the Environmental Protection Agency for the years ended 31st December, 2015 to 2018.

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

QUESTIONS ON NOTICE

[Oral Replies]

Mr. Speaker: Hon. Members, the Hon. Senior Minister in the Office of the President with responsibility for Finance, Dr. Ashni Singh, is not with us. There are questions which have been deferred from the last sitting to this sitting. The relevant Standing Orders allow us to defer questions only for one sitting. I have to now call on the Hon. Minister of Parliamentary Affairs and Governance for the suspension of Standing Order 22(9) so that we can take those questions at the next sitting.

Minister of Parliamentary Affairs and Governance and Government Chief Whip [Ms. Teixeira]: Mr. Speaker, in relation to the oral questions to the Senior Minister in the Office of the President with Responsibility for Finance at the last sitting, I had asked for a deferral. Regrettably, the Minister had to go overseas for an urgent meeting that clashes with this sitting. I am asking you and the House to allow for the suspension of the Standing Order 22(9) to allow for the Minister

to have additional time to be able to present the responses to the oral questions that have been asked by the Hon. Members.

Suspension of Standing Order No. 22(9)

BE IT RESOLVED:

“That the House allows for the suspension of the Standing Order 22(9) to allow for the Minister to have additional time to be able to present the responses to the oral questions that have been asked by the Hon. Members.”

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

Question put and agreed to.

Standing Order suspended.

QUESTIONS ON NOTICE

[Written Replies]

Mr. Speaker: Hon. Members, there are eight questions on today’s Order Paper. Questions 1, 2, and 3 are for written replies and questions 4 to 8 are for oral replies. For the written replies, questions 1, 2, and 3 are in the name of Hon. Member Ms. Ferguson. Questions 1 and 2 are for the Minister of Housing and Water, and question 3 is for the Hon. Senior Minister in the Office of the President with Responsibility for Finance. The answers to all of these questions have been received and have therefore, in accordance with our Standing Orders, been circulated.

1. Contracts Awarded for Land Preparation and Infrastructural Works by Central Housing and Planning Authority

Ms. Ferguson: Can the Honourable Minister provide the list of contractors that were awarded Contracts in 2021 by the Central Housing and Planning Authority for land preparation and infrastructural works for lands identified for house lots and which must include the contract sum for each award, acreage, and location?

Please see Appendix I for reply.

2. Prequalified Contractors for Infrastructural Works

Ms. Ferguson: Could the Honourable Minister of Housing and Water provide this National Assembly with the following information:

A list detailing the names of firms, companies or individuals who have been prequalified for infrastructural works with the Ministry of Housing and Water from 2nd August, 2020 to 31st January, 2023?

Minister of Housing and Water [Mr. Croal]: Prequalification for Infrastructure works is not done by the Ministry of Housing and Water.

3. Assessment for the Determination of the \$5B

Ms. Ferguson: The National Budget of 2023 has a provision of \$5B for the alleviation of the High Cost of Living, (budget speech 2023, page 91).

Can the Honourable Minister with responsibility for Finance make available to the National Assembly copy or copies of the assessment done, which led to the determination of the \$5B?

Senior Minister in the Office of the President with Responsibility for Finance [Dr. Singh]:

As part of the suite of Budget 2023 measures amounting to over \$50 billion, \$5 billion has been allocated for additional cost of living measures to be determined from ongoing community engagements. This allocation was determined within the macro-economic context of resource availability.

QUESTIONS ON NOTICE [Oral Replies]

Mr. Speaker: For question 4, Hon. Member Mr. Ganesh Mahipaul, you may ask your question. Sorry, that one was deferred. All the others are for the Senior Minister in the Office of the President with responsibility for Finance.

7. Construction of the Haags Bosch Main Road

Ms. Teixeira: There is a question 7 for Hon. Minister Collin Croal.

Mr. Speaker: Question 7, Hon. Minister Collin Croal.

10.33 a.m.

Ms. Teixeira: The Minister is not within reach; he is in the interior and so he has asked for a deferral because he has not had one before. This would be his first request for a deferral.

Mr. Speaker: His first, thank you.

Ms. Teixeira: Mr. Speaker, looking at the question, it is asking to be very detailed and a lot of details. We are asking if the question could be converted to a question for written answer, under Standing Order 19 (c). If you look, it is asking for the names of the contractors who have been awarded contracts, a disaggregation of the project sum to each contractor, and lots awarded to each contractor. The Hon. Member is asking for the full dimension in terms of width and depth of the road on completion. Then, what are the safety features. This, in my mind, should have been a written question. We are asking for it to be converted to a written question.

Mr. Speaker: Thank you, Hon. Minister. We do have a deferral and we will ask the Hon. Member who is asking that question to take note so that we can decide before the next Sitting and address this.

Ms. Ferguson: Mr. Speaker, I stand on Standing Order 19 (5). Mr. Speaker, if you would allow me the opportunity to quote what this particular Order states.

Mr. Speaker: Go ahead.

Ms. Ferguson: It states:

“A Member who has given notice of a Question for written answer may request that it be converted to a Question for oral answer. Notice of such a request shall be given by the Member in writing to the Clerk not less than seven (7) clear days before the Sitting day on which the answer is required.”

I rise on this particular Order in relation to the Hon. Member, Ms. Teixeira. [**An Hon. Member:** (*Inaudible*)] Just allow me, Sir. These questions were actually put by me, Sir. If I can go on to Standing Order 19 (6); it states:

“If, in the opinion of the Speaker, a Question for oral answer is of such a nature as to require a lengthy reply, the Speaker may direct that such Question be converted to a Question for written answer.”

Mr. Speaker, even though this Standing Order refers to you, I did not hear you refer to Standing Order 19 (6). I wish to be guided, Sir. Thank you.

Mr. Speaker: Thank you, Hon. Member.

Ms. Ferguson: It is not for the Hon. Member to ask.

Mr. Speaker: Thank you. Hon. Member. All that the Minister of Parliamentary Affairs and Governance had asked is, it is her view, that it should have been a written one. That is her view and that is what she put to me. I allowed it because I was of the view that you could have asked it. She made a request that is why I said to you, before the next Sitting we could discuss. I think there is some number of time that we could reach consensus on this without the Speaker having to direct. Thank you.

Ms. Teixeira: I just want to say, not to contradict you, I did raise the issue under Standing Order 19 (6) which is within your power to ask that the question be converted to written. I am not sure what we have to discuss but I am willing to discuss anything with you, as usual and, of course, with my honourable friend over there, Ms. Ferguson.

Mr. Speaker: In the almost two and three quarters years, I have been at pains not to want to direct the more than 200 questions that have been put to the Chair but rather to seek some consensus. Ms. Ferguson, I will give you a response.

Ms. Ferguson: Thank you very much. Will you give me a response?

Mr. Speaker: Go ahead.

Ms. Ferguson: Sir, I just need clarification from you.

Mr. Speaker: The clarification is that we will discuss it if you choose to ask it, if you choose to ask it orally then...

Ms. Ferguson: Thank you very much, Sir.

Question seven flagged for discussion.

8. Provision of \$5B for the alleviation of the high cost of living

Ms. Ferguson: The National Budget of 2023 has a provision of \$5B for the alleviation of the High Cost of Living (budget speech 2023, page 91).

Could the Honourable Minister with responsibility for Finance state what established criterion was set out for the distribution of the monies and how can persons access the forms?

Can the Minister inform the National Assembly of what assessment was used to arrive at \$5B to address the high cost of living?

Can the Minister state whether there is a capped sum from the \$5B across regions? If yes, kindly provide a disaggregation per region?

Can the Minister inform this Assembly when the \$5B is expected to be rolled out across the regions?

Can the Minister inform the National Assembly what mechanisms are in place to ensure timely announcements are made?

Question eight deferred to the next Sitting.

REQUEST FOR LEAVE TO MOVE THE ADJOURNMENT OF THE NATIONAL ASSEMBLY ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

To Discuss a definite matter of Urgent Public Importance, to wit, the recent Ruling of Justice Sandil Kissoon in the court matter concerning insurance coverage to safeguard Guyana.

Mr. Speaker: Hon. Members, I received an electronic mail (e-mail), at just about 7.17 last evening, a request by the Hon. Member, Mr. Mahipaul, to move a motion under this Head, for the Adjournment of the Assembly on Definite Matters of Urgent Public Importance. When I received it, I immediately referred to the rules and to the Clerk of the National Assembly. The Hon. Member sent that to me just after 7 o' clock last evening. One of my news releases, which I got in my inbox feed at 5.01 p.m. yesterday, which is two hours and 16 minutes before the Hon. Member, Mr. Mahipaul's, motion, stated that the Environmental Protection Agency (EPA) had moved to the

court. I did not know if it was yesterday or Monday, but I subsequently received the filings this morning that the EPA did move to the court on Monday. This matter is now in the court and we would not be able to deal with it.

PUBLIC BUSINESS

GOVERNMENT'S BUSINESS

MOTIONS

CONSIDERATION OF FINANCIAL PAPERS NOS. 1 AND 2 OF 2023

Mr. Speaker: Hon. Members, there are two Financial Papers that are listed. Hon. Minister of Parliamentary Affairs and Governance, proceed.

Ms. Teixeira: Thank you, Mr. Speaker. We are asking that the two Financial Papers be deferred for the return of the Senior Minister in the Office of the President with Responsibility for Finance, Dr. Singh, who would be at the next Sitting.

Mr. Speaker: Thank you.

Consideration of Financial Papers Nos. 1/2023 and 2/2023 – Capital Estimates deferred to the next Sitting.

PRIVATE MEMBERS' BUSINESS

MOTION

Mr. Speaker: Hon. Members, there is a motion in the name of the Hon. Member, Mr. Mahipaul. Hon. Member Mr. Mahipaul, you may proceed with moving your motion.

Mr. Mahipaul: Thank you very much, Mr. Speaker. I was seeking your attention earlier to seek some clarity from you, please. Before I go into the motion, may I ask Sir, the court matter that was filed concerning the EPA, could you say if a court date and judges were assigned to it? I do recall that in keeping with your previous Ruling, pertaining to *sub judice*, I remember you did make that case, which is that a court date and also judges assigned to it is imperative of it being deemed *sub judice*. May I seek your clarity on that, please?

Mr. Speaker: Point of Order, we are at “the Hon. Member, Mr. Mahipaul, will move the following motion”. The Hon. Member, Mr. Mahipaul, you may proceed with your motion.

Mr. Mahipaul: Thank you very much for the clarity, Mr. Speaker. As usual, you are very clear. I think we understand clearly what it is that you said.

Amendment to Standing Orders Nos. 20(2), (3) AND 27(2)

WHEREAS questions and motions submitted by Members of the National Assembly require approval from the Speaker of the National Assembly before the Clerk of the National Assembly prepares and circulate to Members, a Notice Paper,

BE IT RESOLVED:

That Standing Order No. 20(2) be removed and replaced with, “Questions and Motions submitted to the Clerk of the National Assembly must be submitted to the Speaker of the National Assembly within four (4) days of receipt, who shall consider the Questions and Motions.”;

BE IT FURTHER RESOLVED:

That Standing Order No. 20(3) be inserted and now reads, “If the Speaker is of the opinion that any question of which a member has given notice to the Clerk or which a member has sought permission to ask without notice, is an abuse of the right of questioning or infringes any of the provisions of this or any other Standing Order, he or she may within four (4) days directs:

- (a) That it be printed or asked with such alterations as he or she may direct; or
- (b) That the Member concerned be informed that the question is inadmissible.”

BE IT FURTHER RESOLVED:

That Standing Order No. 27(2) be amended to now read, “If the Speaker is of the opinion that any notice of motion which has been received by the Clerk of the National Assembly infringes the provisions of any Standing Order or is in any other way out of order, he or she may, within four (4) days, direct:

- (a) That the Member concerned be informed that the notice of motion is out of order; or

(b) That the notice of motion be entered in the Order Book with such alterations as he or she may direct.

[*Mr. Mahipaul*]

Thank you very much, for this opportunity to present to the National Assembly a motion that is standing in my name, where it seeks to basically provide a timeline in terms of Members when they submit questions and motions to the National Assembly and in order to get it on the Order Paper, in what one could consider to be timely manner. It is a very simple motion in my view, Cde. Speaker. I am not certain what is the executive arm of Government's side position on this motion. Permit me to just read the motion for the clarity of all. It states:

“WHEREAS questions and motions submitted by Members of the National Assembly require approval from the Speaker of the National Assembly before the Clerk of the National Assembly prepares and circulate to Members, a Notice Paper,

BE IT RESOLVED:

That Standing Order No. 20(2) be removed and replaced with, “Questions and Motions submitted to the Clerk of the National Assembly must be submitted to the Speaker of the National Assembly within four (4) days of receipt, who shall consider the Questions and Motions.”;

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- (a) That it be printed or asked with such alterations as he or she may direct; or
- (b) That the Member concerned be informed that the question is inadmissible.”

BE IT FURTHER RESOLVED:

That Standing Order No. 27(2) be amended to now read, “If the Speaker is of the opinion that any notice of motion which has been received by the Clerk of the National Assembly infringes the provisions of any Standing Order or is in any other way out of order, he or she may, within four (4) days, direct:

(a) That the Member concerned be informed that the notice of motion is out of order; or

(b) That the notice of motion be entered in the Order Book with such alterations as he or she may direct.”

It is a very, very simple motion and it seeks to amend the Standing Order, as everyone present here will know, to basically provide a timeline of four days for the Clerk of the National Assembly and four days for the Speaker of the National Assembly to determine on questions and motions so that they can be placed on the Order Paper in a timely manner and be brought to this National Assembly for consideration. With that, I so move and hope it finds consensus in this honourable House. Thank you.

Mr. Speaker: Thank you very much, Hon. Member Mr. Mahipaul.

Mr. Datadin: Mr. Speaker, may I?

Mr. Speaker: Hon. Member Mr. Datadin, proceed.

Mr. Datadin: Mr. Speaker, I rise to not support the motion by the Hon. Member, Mr. Mahipaul. The motion, in simple terms, seems to seek to put time limits on the Clerk. When he receives a motion, has four days and he must send it to the Speaker. The motion seeks to also give the Speaker, yourself, four days within which to deal with it. The first and obvious query is, why not five, or six, or three? This came about when the Hon. Member was probably sitting on the imaginary statements of polls (SOPs) in Congress Place having a cigarette. By divine intervention, the number four came to him. As a result, he wants to subject the entire nation to his numbers. We remember the last time that the Opposition sought to subject the nation to numbers. They could not add to 65; they could not divide what was the majority, but they come to the House to tell the Speaker that he should act within four days. They tell the Clerk of the National Assembly that he should act within four days.

10.48 a.m.

We must understand the role of the Speaker. The *Erskine May*, in its most recent edition, states:

“The primary role of the... Speaker is to preside over proceedings in the Chamber, including Committees of the whole House.”

Also required, is to pronounce on motions. Specifically, as this morning, the Speaker may disallow matters that are *sub judice*. He may disallow matters that he feels, in his own judgement, offends the Standing Orders. Paragraph 4.49 of the *Erskine May*...

The role of the Speaker to pronounce on what happens in this National Assembly requires deliberate judgement. Yet, we have the Hon. Member saying when that judgement should be made. It is as if the Hon. Member thinks that the Clerk of the National Assembly and the Speaker of the National Assembly are simply waiting for frivolous motions which are filed by the Hon. Member to come to this House and they have nothing else to do. What about deliberate judgement? How is that to be exercised and made? How is the Speaker to research and to receive advice? How is the Clerk to do that? What happens if this is filed the day before Good Friday? What do we mean by four days? Do we count weekends? Do we count holidays? Again, the question is, how could one Member come and arbitrarily decide that four days is sufficient? How could one decide that the matters in this House must be to the whim and fancy of the Hon. Member?

What astonishes me is that Hon. Members of the House, in the Opposition, come to this House and apparently speak as if history never existed. They speak, in this House, about wanting the high ideals and lofty goals of democracy and of transparency. They preach it now. Last year, the Hon. Attorney General passed, in one year, more legislations than was passed by the Opposition for five years when they were in Government. In one year, the Hon. Attorney General did that. There was the Hon. Member who came to this House and said that he wants things to move quickly so there should be time limits. In the last Government, with the last Speaker, a motion was filed – the no confidence motion was brought – the Speaker, in his own deliberation, decided it could not be heard until the local government and the budget had been heard. That is the Speaker’s prerogative to decide on how to run the House.

Your Honour, recently, in Ms. Annette Ferguson's litigation... **[Mr. Ramjattan:** Prorogued the Parliament.] Mr. Ramjattan, the prorogation of Parliament is a power that exists – exercise lawful powers. Do not speak of Russians; do not speak of rigging; do not try to rig; then come in this House; pretend as if you are holier-than-thou; and want the Parliament to function above board, you want transparency. Transparency means that you allow the Speaker and the Clerk to do their jobs. That is what transparency means. It is not that you fetter the discretion, tell them how to act, tell them when to act because God knows if you could have done that in 2020, where we would have been. **[Mr. Ramjattan:** We could have never told Mr. Scotland how to act.] Thankfully, you could not. He would not allow you. Once again, I digress.

Recently, eight Members of this House...The Hon. Member, Ms. Annette Ferguson, in whose name the matter is reported and the Hon. Member, Mr. Mahipaul, was also a Member to that. ...were suspended by this House because they tried to interrupt the proceedings. They scrambled the Mace. They wanted to stop you, Mr. Speaker, from conducting the proceedings. They wanted to stop the Hon. Minister, Dr. Ashni Singh, from speaking. They disrupted the entire National Assembly. These are the people who come to this House – Hon. Members – and say that they want the high and lofty ideals of democracy and transparency. **[Mr. Ramson:** Then they went to court to challenge it.] Then they went to court to challenge the suspension by this House. **[Ms. Ferguson:** That is our right.] It was the right of the judge to tell you that she cannot interfere in the proceedings of this House and that the determination of proceedings in this House is for this House alone.

Another case: It is not that the Guyanese people are litigious or that we are any more litigious than anywhere else in the world, but we have had unique circumstances where apparently the English language is treated as a foreign language here and where simple constitutional provisions could not be understood for what they mean. We want to now change because the Hon. Member does not understand that the Standing Orders is an entire framework and, in that framework, it provides what each actor must do. The Hon. Member does not understand that every public official must act with due alacrity. The courts have said repeatedly, reasonableness is the guiding principle. Reasonableness should never, ever, be interfered with. The discretion of when a decision-maker must act must be the discretion of that decision-maker. One may not agree with it but there could be more than one response that are all reasonable and the decision-maker is entitled to do so.

We have a motion that seeks, on the face of it, to remove Standing Order 20(2) and replace it with “Questions and Motions submitted to the Clerk of the National Assembly must be submitted to the Speaker of the National Assembly within four (4) days”. I am well aware of the definition of days and that the counting of time is provided for in every rule book and every set of rules but, we must also understand that when we put compulsory orders, we are fettering the discretion of the decision-maker. When we seek to set timelines that are so aggressive, one cannot help but believe or understand that what is being sought is in fact to dictate to the decision-maker by putting the pressure of such aggressive timelines. We all know that deliberate consideration requires not only the decision-maker coming to a decision but the opportunity of the decision-maker to receive advice if he wishes, to do research if he wishes and to come to his own deliberate judgement. The imposition of four days is so aggressive that it smacks of dictatorship; it smacks of control; and it smacks of the removing of discretion. This is what was happening.

Again, unbelievably so, the Hon. Members of the Opposition who wanted to direct electoral officials on what to do, who wanted to tell public officials what to do... The coercion of what was going on was unbelievable. One would not have thought that in a modern democracy, in 2020, that could ever happen, but it happened before the eyes of the world. Even in the courts, it was unmistakable, who were the lawyers representing the officials from the Guyana Elections Commission (GECOM) who had an apparent attack that they could not read English, they could not understand Mathematics? All of this; we have the Members of the Opposition coming to this House trying to say that we believe in the lofty ideals of democracy and transparency. The imposition of four days is really and truly an attempt at corruption masquerading as transparency. That is what it is. Make no mistake because an aggressive timeline such as four days is intended to put pressure on the decision-maker. It is intended to influence and intimidate the decision-maker and it should never be countenanced in this House.

The Speaker is independent. The Speaker is like a judge – the independent voice in this House. The Speaker should never be muzzled. Five years ago, the Speaker and the Clerk were the only persons who stood between Guyana and the deep blue sea. It must stand always so that the nation must benefit from that. Everyone saw the no confidence motion. Everyone saw the attempts to have the vote suspended – in the middle of the vote – and to have the vote retaken. We saw that. Thankfully, a timeout was sought. Thankfully, the Speaker stood his ground. He did what the

procedures and the rules dictated. The rules dictate that every Member must file a motion to the Clerk of the National Assembly. It provides that the Clerk must forward the motion to the Speaker. It provides that if the Speaker is of the opinion that there are any reasons for the motion to be disallowed or parts of the motion to be disallowed that he is to so dictate.

11.03 a.m.

Today, we had an adjudication on a *sub judice* matter. This is the roll and function of the Speaker. Every attempt to infringe upon that independent discretion or to fetter it must be resisted. It is not comparable to legislation that refer to judges by giving three months and six months timeline. Those are not aggressive timeline. Those are not aggressive that one would say within four days. What about the other functions that the Speaker performers? What about the other duties of the Clerk? This Motion is, respectfully, not worth the paper it is written on. It is a masquerade where the Hon. Member himself has decided for an entire nation that four days is enough. The Hon. Member has not ventured to us why four days was so appropriate. He has not suggested why four is better than five. He has not suggested why not 14 days. He as not suggested what, of course, would happen if the Speaker was to disregard him? What are we going to do? The courts have no power over what goes on in this House.

Again, you have not thought it out very much if you cannot appreciate that when you make those rules, you must have some corrosive power. There is a reason why throughout the Commonwealth, in all the islands of the Caribbean and the United Kingdom (UK), such stringent and aggressive timelines do not exist. [Ms. Sarabo-Halley: That is not true.] You could speak when it is your turn. Again, English is a foreign language. We would not hold our breath but you are free to bring it up. When we go through it, we have to ask, why? Why is this necessary? Why is the Hon. Member so bent on four days. [Mr. Ramjattan: He is not bent on four days and you could make an amendment to it.] If he is not bent on four days, he could have said such further number of time, as the House seems reasonable, but that is not what he said. He said four days, Mr. Ramjattan. Four days is four days. [Mr. Nandlall: (Inaudible)] No. They do not understand that time means time. They do not understand that when rules are made, they should be obeyed. They do not understand that when an election is held and it says one must count from the SOPs it means God damn SOPs; not spreadsheets, not bed sheets, but you did not understand that either, because you treat laws as guidelines not binding an effect. You treat them as suppositions. [Mr.

Mahipaul: How much money has the Environmental Protection Agency (EPA) paid you?] It has not paid me.

We now come to the critical matter. Repeatedly, we have in this House motions and behaviour by the Hon. Members in the Opposition which are clearly outside the rules, which are disallowed. We even have situations, in this House, where the proceedings of this House are not to the liking of Members of the Opposition, so they bang on the tables; they march around in here; they steal the Mace; they attack Members of Parliament; they damage systems; and they do all of that because it is not to their liking. The Speaker in those circumstances, according to *Erskine May*, is empowered. He is the only person who is empowered to restore order. As we know, our rules provide for suspension for the remainder of the Sitting. It then provides for further suspension. The power of the Speaker is so that he could conduct the affairs of this House in an orderly and civilised manner to allow any interference or derogation from that right would be a travesty. With those few words, I do not support this Motion. I reject it in its entirety. Thank you. [*Applause*]

Mr. Speaker: Thank you very much Mr. Datadin and now for the Hon. Member, Ms. Tabitha Sarabo-Halley.

Ms. Sarabo-Halley: Thank you, Mr. Speaker. I rise today to support the Motion moved by colleague the Hon. Member, Mr. Ganesh Mahipaul, which seeks to amend Standing Orders 20 (2), (3) and 27 (2).

Due to the content of this Motion and what the Motion is requesting of this National Assembly, I believe that a debate on this issue needs to also be based in evidence, facts, and the personal experiences we are faced while attempting to go through the current structure in place. It is also apt to note that though the Standing Orders are not renewed automatically, the National Assembly has the ability to often peruse the Standing Orders and determine whether the current rules fit our circumstances or whether some changes are necessary. It must be noted that, given the Government agenda and the massive growth in our Gross Domestic Product (GDP), the ability of our people's representatives to ask questions and receive timely responses to questions asked, and motion filed is critical as questions and motions submitted by Members of Parliament are critical tools for holding the Government accountable and ensuring that the voices of our constituents are heard.

Therefore, while it is my personal belief that the proposed amendments are fair and should be supported by all, I thought it wise to do some investigation as to what pertains in these matters in other parliamentary jurisdictions. The question of just how long it takes for questions and motions to leave the desk of a Member of Parliament, particularly an Opposition MP and reach the Order Paper is therefore a reasonable question, especially to ask in determining whether we are meeting the criteria of timeliness. Across the Commonwealth, different parliaments have developed different procedures for dealing with questions and motions. However, one common theme that emerges is the need for timely consideration of these important matters. Permit me, Mr. Speaker, to highlight what is done in the United Kingdom. The United Kingdom Standing Order (22) states:

“Notices of questions shall be given by Members in writing to the Table Office in a form determined by the Speaker.

- (1) A notice of a question, or of an amendment to a motion standing on the order paper for which no day has been fixed or of the addition of a name in support of such a motion or amendment, which is given later than half an hour after the moment of interruption shall be treated for all purposes as if it were a notice handed in after the rising of the House.
- (2) A Member shall indicate on the notice of any question whether it is for oral or written answer and a Member may indicate a date for answer of a question for written answer in accordance with paragraph (4) of this order.
- (3) Where a Member has indicated that a question is for written answer on a named day the Minister shall cause an answer to be given to the Member on the date for which notice has been given, provided that
 - (a) notice has appeared at latest on the notice paper circulated two days (excluding Saturday and Sunday) before that on which an answer is desired; and
 - (b) a Member may not table more than five such questions on any one day.
- (4) Notice of a question for oral answer may be given only for answer on the next day on which the Member to whom it is addressed is due to give oral answers; ...”

We are seeing here that the member who is tabling a motion has the ability to ask when the... Sorry. [Ms. Teixeira: (*Inaudible*) everyday.] We will get to that; we will get to that Ma'am. The Member of Parliament who is requesting an answer to a question has the ability to ask when that question should be answered and the member has a time limit. The member cannot ask for a question to be answered before two days. The member has a timeline that is set there. Any time, after two days, that Member of Parliament could say that I would like my question to be answered on a particular date and that is put in the Standing Orders. It is also necessary to note that in the United Kingdom, in addition to oral questions, there are three main types of written parliamentary questions. The <https://www.parliament.uk/about/how/business/written-answers/> states:

“‘Ordinary’ questions

... Ordinary questions that are in the House of Commons. The questions do not have to be answered on a specific date. An MP will date a written question for two days after they have tabled it.

The convention is that the MP can expect it to be answered within seven days of the question being tabled.”

‘Named day’ questions

‘Named day’ questions only occur in the House of Commons. The MP tabling the question specifies the date on which they should receive an answer. The MP must be given a date of two days’ notice for these types of question. MPs may not table more than five named day questions on a single day.

Oral questions not answered during the question time

Questions originally tabled for oral answer that does not get answered at oral question time are submitted to the government department as named day question and given written answers.”

The UK’s parliament *Members of Parliament Guide to Procedure* states:

“The deadline for oral questions is 12.30 p.m. three sitting days before the question time takes place. For the Northern Ireland... the deadline is 12.30 p.m. five Sitting days before the question time takes place. A Sitting day is a day when the House is meeting.”

[**An Hon. Member (Government):** *Inaudible*] I heard just now the Hon. Member speaking to the fact that the UK’s Parliament meets in a different way than we do meet. We understand that, but that does not negate what is being done. The fact of the matter is that even though the National assembly is meeting on a daily basis, it has the ability to determine when it wants the questions answered. While it is that we say that ‘we are parliamentary democracy’, we have to also look at what is happening in other parliamentary jurisdictions to determine what will best work in our country. [**An Hon. Member:** *Inaudible*] Yes. Two days. The Standing Orders of India, *Manual of Parliamentary Procedures in the Government of India*, reveals the following:

“3.2 The...Secretariat gives at least five days’ notice to the Minister concerned to answer a question. In practice, however, in order to give the concerned Ministry/Department as much time as possible for the preparation of an answer, an advance copy of a question in the provisionally admitted form is forwarded to that Ministry/Department by the RS/LS Secretariat, online, through e-mail or in any other mode...”

It reads:

“5.5.1 A member or a Minister may move a motion for discussion on a matter of general public interest...a notice of at least five days will normally be given to the concerned Parliament Secretariat under intimation to the Ministry of Parliamentary Affairs for moving the motion.”

It continues to read:

“5.6 If a notice of a motion is admitted by the Chairman/Speaker, it is put down in the list of business of the House concerned for the day on which its discussion is fixed. If, however, no day for its discussion has been fixed, it is notified in the bulletin as a “No-Day-Yet-Named Motion.”

The person who is putting forward the motion could determine what day he/she would like that motion to be heard. If person chooses not to put a date, then it will go into that particular bracket

and it will come up at a particular time on the agenda. In Canada, the House Common specifies strict timelines for the submission of questions and motions. With Members required to submit their request at least 48 hours in advance of the Sitting at which they wish to raise the issue. This allows the Clerk to prepare the necessary documents and ensure that the Speaker and other Members have sufficient time to consider the matter before it is raised. Canada's Standing Order specifically states:

“(1) Forty-eight hours’ notice shall be given of a motion for leave to present a bill, resolution or address, for the appointment of any committee, for placing a question on the *Order Paper* or for the consideration of any notice of motion made pursuant to Standing Order 124; ...”

11.18 a.m.

Mr. Speaker, what we have is that between England, Canada, and India, it is obvious that while they may meet more, what is part-time here in Guyana's context are the Parliamentarians. The Parliamentarians are part-time, but as far as I am aware, the Speaker is full-time. If it is that we are looking at the fact that in the United Kingdom (UK) and Canada, they meet daily, the Speaker, as a full-time employee of Parliament, has the ability to be able to...

Mr. Speaker: Hon. Member, just a correction, I just want you to point me to the Standing Orders where it states the Speaker is full-time.

Ms. Sarabo-Halley: Mr. Speaker, are you clarifying that the Speaker is also part-time?

Mr. Speaker: As far as I know, Speakers do not have an eight to five and so.

Ms. Sarabo-Halley: No. Full-time does not mean eight to five.

Mr. Speaker: I do not know. As far as I know, Speakers have continued with their profession while...

Ms. Sarabo-Halley: Okay. The Speaker is also [*inaudible*]. What we are admitting to here is that our whole legislator is part-time, which I think we should also now go and look to whether or not that should remain the same way in this 21st century, but you will get to that probably in another motion. So, here in our own National Assembly, we have similar procedures in place. However,

the proposed amendments to Standing Orders No.22(3) and No.27(2) refer to strengthen our procedures and help to ensure that questions and motions are dealt with in a timely and efficient manner by requiring members to submit their questions and motions to the Speaker within four days of receipt, we can ensure that the Speaker has sufficient time to consider the matter and determine whether it is appropriate for a discussion in the House. Similarly, by allowing the Speaker to direct the questions and motions, we altered are deemed inadmissible if they infringed on any of the provisions of the Standing Orders, we could ensure that only the most relevant and appropriate questions and motions are discussed in the House.

I know there is a lot being said about what is happening in the House. A lot is being said about the fact that we are part-time, and a lot is being said about what the Speaker should or should not be able to do. The reality is that the Standing Orders, for one, is not a permanent document. It is not written in stone. It has the ability for the Parliament and the National Assembly to determine whether changes can be made, and that is why we are here today discussing the Speaker's motion. It does not have to deal with what happened in 2020, whether it is Standard Operating Procedures (SOPs) 32,34 or whatever the case is. The reality is that the Members of the Opposition believe that a better timely response to their questions and motions is needed, especially with what we are dealing with today, and that is what guided the motion, and that is why I am here at this particular moment, standing and defending and would like to support this particular motion. Thank you, Mr. Speaker. [Applause]

Mr. Speaker: Thank you, very much, Hon. Member. Now, the Hon. Member Ms. Catherine Hughes, have the floor.

Ms. Hughes: Thank you, Mr. Speaker. I, too, want to stand in support of this motion, and I want to start again. We have heard a quote from Erskine May. I just want to set the stage with a different quote, and that is the classic definition of Parliamentary privilege which is found in *Erskine May Treaties Under Law, Privileges, Proceedings, And Usage of Parliament*. I set the quote here:

“Parliamentary privilege is the sum of certain rights enjoyed by each House collectively as a constituent part of the High Court of Parliament and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals.”

Asking questions on behalf of the people of Guyana whom we are elected to represent, is a parliamentary privilege, Mr. Speaker. These proposed amendments force us to discuss a fundamental in our parliamentary responsibility, and that is, we heard it this morning even from the other side, the ability to scrutinise the work and decisions of the executive on behalf of the people of Guyana, which we have been elected to do. The ability to ask questions ensures that we inform and educate the people on key decisions made in this House that impact on the development and future of the same citizens who put us here to represent them, ensuring transparency and accountability.

As a Parliament, we have been an abysmal failure in how we have handled the presentation of motions and the importance of Ministers being accountable to the Parliament and the people in terms of a timely response to questions. As we just heard from the Hon. Member Ms. Sarabohalley's presentation, in other jurisdictions, answers are provided, or a commitment to provide an answer is given as low as two days and as high as five days. Mr. Speaker, in any part of the world, we assume that a Parliament's willingness to answer any question that citizens or a Member of Parliament may have would be something that one wants to endorse or something one wants to support. I want to say that on 20th January, I submitted 12 questions on the Gas-to-Shore Project and just to stress the importance of this project, I want to refer to an oil and gas report, I have it here for the record if necessary which quotes the Hon. Guyana Prime Minister and the headline states:

“Guyana Prime Minister pegs cost of Gas-to-Energy project at US\$1.8 billion”

A total of 12 questions was asked on the 20th January, on this very important US\$1.8 billion project and a response was given 27 days later and I want to read what that response stated. [**Mr. McCoy:** It is not a response.] If one listens, Hon. Member, one will see what that response was. The questions were posed on the 20th January and on the 3rd March, I received a written response to my questions which were submitted and here is the response:

“His Honour the Speaker has asked me to inform you that the information you sought by way of questions dated 20th January, 2023, was supplied by Mr. Winston Brassington, Head of Guyana's Gas-to-Energy Taskforce, in the Daily Chronicle and Stabroek News Newspapers of 16th February, 2023.”

What I am showing you is that from the 20th January to the 16th February the people of Guyana and all of us were not entitled to a response and to be educated on these critical issues on a US\$ 1.8 gas project and this is precisely why we are saying *in good stead and good faith* that we could do better as a Parliament, in terms of how we are educating our population on key issues and key questions that they are asking. I want to highlight that when that question was asked on 20th January, there was nothing in the public domain that answered the questions precisely and this National Assembly waited 27 days to more or less brush me and my questions off and this is precisely why we are debating at this moment. At a minimum within four days, an indication as to where your questions would stand is something that I would think that we can consider. The point that we keep missing is, what is the perception that is created everywhere in the public domain when for more than 26 days you are unable to answer key questions? Mr. Speaker, the Standing Orders quite rightly state and I quote:

“...the Speaker shall be the sole judge: -”

Mr. Speaker, we support that. I endorse the role that you play. Mr. Speaker, we hold you to a high standard. Guyana expects you to be strong in your independence. What would have been terrible in forwarding those critical questions for an answer? Even if, at a minimum, we were just ensuring that all Guyanese could remember the exact answers as preferred by the Hon. Prime Minister who is in charge of the sector or just to ensure we were continuing the process of educating and informing people, Mr. Speaker can we not work together on something as basic as this providing credible information? I think I have explained the spirit in which the questions were asked and the high anticipation that there would have been answers that the Prime Minister himself would have presented to those critical answers. I want to go to another aspect that is very close and is part of the same contents of the questions. I want to quote Standing Order 20 (1) (a):

“the proper object of a question is to obtain information on a question of fact within the official cognisance of the Minister to whom it is addressed, or to ask for official action;”

That is why we are asking the question; we want the man or woman in charge to answer. I want to take us to subsection (k) in that same section on the contents of questions. It states:

“a Question shall not be asked as to whether statements in the Media or of private individuals or bodies or persons are accurate;”

That is understandable. We cannot ask a person in authority, let us say a Minister, to have to answer questions made by the media or a private individual that happened to be in the public domain. The flip side of that would be to ask the public or a sitting Member of Parliament to go to a newspaper article which is a report by a member of the media on a specific group of information. In this case, it was the information presented on the oil and gas industry, but they were not quoting the Minister; you are quoting a third person and saying that whatever the report to the media reported is actually accurate and gospel. Therefore, Mr. Speaker, I hope I have shown the flaw in this situation. I hope that I have shown that 27 days is way too long to have no response and then to get a response that states, “no, I am sorry, read the public newspaper,” especially when we have everyday persons that say what was reported as them saying, in fact, was not so. That is not only for the *Chronicle* Newspaper but all newspapers. Therefore, I think the ethical and the action that should have been taken with humility that the question should have been presented, the Hon. Prime Minister should have answered, and people should have been better informed. For that reason, I would like to suggest, and I endorse the recommendations of this motion, that four days is enough time to state the positions of these questions and what the results could be. Answering questions is a parliamentary privilege that is there to inform and educate us all. I hope we can get support for this. Thank you very much, Mr. Speaker. [*Applause*]

11.33 a.m.

Mr. Speaker: Thank you very much, Hon. Member. Now, it is time for the Hon. Member Mr. Charlie.

Mr. Charlie: Thank you. Hon. Speaker and esteemed Members of this distinguished Parliament, I have listened to the speakers from the Opposition before me and permit me to rebut the Hon. Sarabo-Halley. The Hon. Member told this House and cited some Standing Orders from the Parliament of The United Kingdom. The Hon. Member failed to understand the difference between the Standing Orders from the Parliament of the United Kingdom and the Parliament of Guyana. The Standing Orders the Hon. Member cited were for after a motion is passed. Today we are dealing with a motion that is prior. That is the difference, and the Hon. Member could not understand that.

The Hon. Ms. Hughes alluded to the fact that she waited 27 days and had the audacity to tell this House that those days were too long. Hence, she recommended four days. When we choose words in this House, we must be responsible. The Guyanese people waited 19 months after a no-confidence motion for an election. It was 19 months. It did not adhere to the Constitution of the Co-operative Republic of Guyana. It was 19 months. Added to that, for five months, this nation waited for an election result. Unto now, the Guyanese people have been waiting for the Statements of Poll (SoPs) of the Coalition Government. The Coalition party should come out and show Guyanese its SoPs to prove – as it said – that it won the Regional and General Elections of 2020. When we come to this House, we must choose responsible words.

With this, I vehemently oppose this proposed amendment of the Standing Orders presented by the Hon. Opposition Member, Mr. Mahipaul. While acknowledging the perpetual need to enhance our parliamentary procedures, I firmly assert that the proposed amendments to Standing Orders 20(2) and 27(2) and the inclusion of Standing Order 20(3) are superfluous and carry the potential for unseen ramifications on the seamless functioning of this esteemed Assembly. Let us scrutinise the proposed amendment to Standing Order 20(2). The notion of replacing the existing provision with a mandatory requirement for questions and motions to be directly submitted to the Speaker within a four-day window raises concerns pertaining to efficacy. This Standing Order assumes a critical role in managing parliamentary documentation, ensures its appropriate dissemination, and maintains records. Bypassing this well-established process risks sowing confusion, delays, and potential oversights in handling questions and motions. Hence, it is of paramount importance to preserve a lucid and effective chain of command to safeguard the integrity of our parliamentary proceedings.

Hon. Speaker, furthermore, the suggested inclusion of Standing Order 20(3) empowers the Speaker to label questions as an abuse of the right of questioning or inadmissible. While addressing the issue of potential misuse of parliamentary procedures is essential, it is equally imperative to ensure that such determinations are grounded in objective criteria rather than subjective judgment. The proposed language lacks the necessary precision to define what constitutes an abuse or infringement of the Standing Orders, thereby, paving the way for inconsistent rulings and perceptions of bias in the Speaker's role. Upholding the principles of equity and impartiality is crucial in preserving public trust in our parliamentary system.

Turning to the proposed amendment of Standing Order 27(2), which grants the Speaker the authority to determine the admissibility of motions, similar concerns come to the fore. While maintaining order and adherence to Standing Orders remain indispensable, the suggested language lacks specificity in delineating the criteria for assessing the validity of a motion. This lack of clarity may expose motions to arbitrary decisions or misinterpretations. I firmly contend that the Parliament of Guyana's Standing Orders, in its current form, embodies comprehensiveness and effectiveness. It serves as a bedrock for the functioning of this noble Assembly, facilitating our proceedings with order, efficiency, and equity. Consequently, I implore all Members to preserve the integrity of our parliamentary processes by upholding the existing Standing Orders.

It is crucial to recognise that our parliamentary system is at a culmination of years of democratic evolution. Our Standing Orders encapsulate the collective wisdom of generations of parliamentarians who have laboured tirelessly to establish a framework to ensure the efficient operation of this Assembly. Hon. Speaker, while it is natural to identify areas for improvement, any proposed amendments demand meticulous consideration through analysis to forestall inadvertent consequences or disruptions to the established processes that have served us admirably. Amending the Standing Orders should not be taken lightly, Hon. Speaker, as it necessitates a comprehensive understanding of the potential ramifications on our parliamentary procedures. Such deliberations warrant scrupulous contemplations of the principles of transparency, accountability, and equal representation that underpin our democratic system. Our prevailing Standing orders have withstood the test of time, having been refined and honed to enable us to discharge our legislative responsibilities effectively. It fosters a level playing field for all Members, including you, and empower us to contribute to the governance of our nation.

In conclusion, I respectfully and fervently object to the proposed amendment of Standing Order 20(2), the inclusion of Standing Order 20(3), and the amendment of Standing Order 27(2). With this submission, I thank you. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member Mr. Charlie. Now, it is time for the Hon. Member Ms. Ferguson.

Ms. Ferguson: Thank you very much, Mr. Speaker. This morning, I join my colleagues from this side of the House to contribute to the debates on what I consider a simple and straightforward

motion – moved by my Colleague, the Hon. Member Mr. Mahipaul – on the amendments of Standing Orders 20(2), 20(3) and 27(2). Personally, I would like to commend my Colleague for tabling this motion, which in my view, should have the fullest and unwavering support of the National Assembly.

As legislators, we are not only here to debate bills, approve annual budgets and attend meetings of the respective parliamentary committees. Our responsibilities are also to craft procedures and rules governing the functioning of this Assembly. Also, issues affecting our constituents are debated, and solutions are sought. That being said, I have no intention of going beyond 30 minutes but to stay within the allotted time afforded to me since my Colleagues, the Hon. Ms. Sarabo-Halley and Ms. Hughes, have both adequately provided substance as to why this motion should get the full support from this National Assembly. When one examines the current Standing Orders 20(2), 20(3), and 27(2) in their original form, it can be described as time-consuming and bureaucratic. This is not helpful to the process of efficiency and effectiveness in the execution of our parliamentary mandate. The amendments now being sought, I believe, will assist gravely in the expedition of information becoming available to Members who ask.

When one look at the resolved clauses in the motion, they are simply seeking a four-day turnaround between the Clerk's Office and that of the Speaker whenever questions and motions are submitted to the Parliament Office. I am in full confidence of this proposition. The reason is that I have had my own experiences when motions and questions were submitted to the Clerk's Office. Not receiving timely feedback, I would usually check with the Clerk's Office to inquire what is causing the delay because believe that I have a duty and responsibility to my constituents in providing them with timely information on concerns they raised with me. I want to cite one particular example. It is my own experience, Sir. On the 14th January, 2022, I submitted a motion for this Assembly to address the high cost of living issue that our people face on a daily basis in this country and how we, the 65 Members of this Assembly can find solutions and recommendations in solving the high cost of living for our people.

11.48 a.m.

Do you know what was worrying to me, Mr. Speaker? It was a lengthy delay; in January, I got a letter from the Clerk's office stating that you had given full approval for the motion to be debated.

It was placed on the Order Paper to be debated in April. So, from January to April, practically three months after Mr. Speaker, when that motion was placed on the order Paper and was about to be debated on the day, lo and behold, the night before, we were informed on this side of the House that the motion could not be proceeded with because it contravenes some section of the Constitution. What did we do on this side of the House? We amended it, Sir, based on the instructions, and again, you approved it for it to be debated in June of 2022; lo and behold, Sir, the night before the morning the motion was set to be debated, I got a letter from the Clerk's office stating that it contravenes some other section of the Constitution. So, from January to June of 2022... [Mr. Jones: Half of the year.] Half of the year.

The other thing too, I put several questions to this Assembly, these questions were submitted before myself, and seven others of my colleague went on suspension on the 4th August. These questions were all approved by you, Sir, placed on the Order Paper, and because of my suspension.... Now tell me, seven months of my suspension, these questions were not answered until I returned to the National Assembly. In February, I had to resubmit these questions. Sir, February to now.... Hon. Member Ms. Teixeira, listen carefully.... We are now in the month of May; these questions are on the Order Paper, and then the absence of Ministers not being here today to provide the appropriate responses. I do not know when again we will be meeting. So, perhaps we will meet in July when it wants more money. When it comes for more money, then perhaps the questions will be answered.

I shared several weeks ago, during my presentation on the Single Window System Bill No. 26 of 2022, where I mentioned a quotation by the Hon. Member Mr. Nandlall, who levelled accusations against us on this side of the House. I shall repeat, and I heard it from the previous speaker Hon. Mr. Charlie and his colleague, the Hon. Mr. Datadin. This is what Mr. Nandlall, the Hon. Member had to say on 20th April, 2023, when he was conducting an interview on National Communication Network (NCN) regarding the Local Government Elections 2023. He said we are obstructionist than constructive. So, Sir, today, we are not *obstructionist*. We are being constructive with the mere fact that we can submit a motion asking for the Standing Orders Nos. 20(2), (3), and 27(2) to be amended to just cater for four days rather than 27 days and months or six months, probably a year for responses. Is this not constructive and reasonable, Sir? The other point he raised is we do not give constructive contributions. You heard from my colleague, the Hon. Ms. Sarabo-Halley, who quoted what is happening in the United Kingdom (UK), what is happening in Canada, and what is

happening in some parts of the world regarding their Standing Order. You heard from the Hon. Member, Ms. Hughes, making recommendations on how we can improve. Are these not constructive recommendations that we are offering my Colleague? He also stated Cde. Speaker, when we, the Opposition, are not in the National Assembly, the business of the House flows smoothly, but when we are here, there are no constructive alternatives, only constructive criticism.

Cde. Speaker, I guess the Hon. Member will agree with me this morning that we have provided as I said before constructive recommendations on how we can improve Standing Orders Nos. 20(2), (3) and 27(2). We are missing a big thing here. It was my colleagues on that side of the House in 2020, that tried to get rid of my Hon. Member as Chairperson of the Public Accounts Committee (PAC). What did it do, Sir? It brought a motion to this House and amended the Standing Order to get its way.

The Hon. Member, Mr. Nandlall, accused us of breaking the Mace, but as I stand from my position, I see the Mace right before me intact. Mr. Datadin accused us of stealing the Mace, but we are all seeing the Mace before us. We were accused of assaulting the parliamentary staff. Now which one of these staff would have reported that they were assaulted by any Member of the Opposition? I am still awaiting that report. We were accused of dancing and singing, we blow whistles, and we behave in the most unparliamentary manner. But let me tell you something, did you forget what the late Mr. Jagan did with the Mace? Did you forget what the Hon. Mr. Dharamlall did when he verbally assaulted my colleagues on this side of the House? Did you forget what my honourable friend, Christian brother in the faith, the Hon. Bishop Edghill did some years ago in the National Assembly? Did we forget what the Hon. Member Mr. McCoy did in this National Assembly to my Colleague Ms. Sarabo-Halley? So, who behaves in an unparliamentary way, Sir? Therefore Mr. Speaker, we on this side of the Assembly have demonstrated that we are constructive and have explicitly provided solutions and recommendations on the proposed amendments to Standing Orders Nos. 20(2), (3), and 27(2) can assist in strengthening parliamentary democracy, which will aid us as representatives of constituents and constituencies in providing adequate and timely feedback to the people of Guyana.

As I prepare to conclude, Mr. Speaker, I would urge my colleagues on the opposite side of this Assembly to support this motion. I have heard two of the Members so far. They have spoken that they have no intention of supporting this motion. Alright, all of you are so concerned about the

four days, but what you failed to do is to provide to The National Assembly an amendment to the four days, and I guess we will all support it. It should not be used for political grandstanding, and we saw the display this morning about the Statement of Polls, about who rigged and about who this and about who that, but it forgot the Statement of Recount (SoRs) have all outlived the SoPs. But do you know what it is failing to chant? The forgeries of dead people and the forgeries of my migrant people for the Local Government Elections of 2023. Listen to me, Mr. Speaker, he is not here today, but I guess he is somewhere, and his ears are glued to what I have to say here this morning. It was the Hon. Mr. Jagdeo who went publicly to offer an apology to families who lost their loved ones. So, fraud is fraud. As I said before, we should not use this motion for political grandstanding and politicking but for the benefits it will derive... [**An Hon. Member:** *(Inaudible)*.] I am just fixing you all business right, for all of us as legislators. As I stated in my opening remarks, I will reiterate once again by commending my Colleague, the Hon. Mr. Mahipaul, for tabling a motion of this nature to amend Standing Orders Nos. 20(2), (3), and 27(2) and call on all of us, Bishop, I know you will join with me, as a brother in the faith, the other side of this Assembly to give full support to the motion. Let us demonstrate maturity and show our citizens that we can disagree to agree. Can we, do it? I will boldly say yes, we can. Once again, thank you, Mr. Speaker, and may God bless us all.

Mr. Speaker, just before I yield to my seat, let me take this opportunity— I should have done it before. Mr. Bharat is a very dear friend of mine – in extending a Happy Birthday to my colleague and brother, Mr. Bharat. May God continuous blessings be with you, and may you live to see many more other birthdays. Thank you. [*Applause*]

Mr. Speaker: Amen. Thank you very much, Hon. Member Ms. Ferguson. Do you see how good your presentation is when I do not have to interrupt you? Excellent. Now for the Hon. Member Mr. Patterson.

Mr. Patterson: Thank you very much, Mr. Speaker.

Mr. Speaker: My apologies, you can put on back your microphone.

12.03 p.m.

Mr. Patterson: Thank you very much, Mr. Speaker and let me start off by joining my Colleagues in wishing Minister Vickram Bharrat a happy birthday. [Mr. Seeraj: Patto, you do not blush.] You got to leave that for that side of the House *boss*. We are not blushers over here. I stand here in support of the motion moved by my Hon. Colleague, Mr. Ganesh Mahipaul. Sir, this motion is simple. It is simply seeking to bring some sort of conformity, structure and understanding to the process of submissions of motions, the timeframe, the questions and the timeframe for the turnaround of these motions. It has no hidden agenda. It is simply seeking to ensure that the business of this House could be done in a structured manner. I would like to give the members, obviously not in here but the members of the public listening, reasons we on this side of the House think that such a motion and approval of such a motion would be of benefit to this Parliament.

In October, 2021, I submitted a motion on the shore bases – the question of the locations of shore bases and things like that. [Ms. Teixeira: *Inaudible*] I submitted a motion, Hon. Member, and not a question. I submitted a motion to be debated in October, 2021. The motion took 80 days. I will go on to show, Sir... I do not know if I was particularly singled out. I do not know for whatever reason. The motion took 80 days to be approved and 81 to be debated. I asked every two weeks and, exactly as the Hon. Member said, you would have to ask the Parliamentary staff, ‘Could I have the status of the motion?’ They would very meekly and humbly reply ‘It is with the Speaker. I have forward it to the Speaker for his response.’ You would ask the Speaker, but unfortunately, now we have one of the busiest Speakers in the Commonwealth. He is always travelling.

Mr. Speaker: Thank you very much. It is a demanding job.

Mr. Patterson: Obviously. We are enlightened that being a ‘Speaker’ is a part time job. The extra time is spent on travelling and promoting the Parliament of Guyana. During those 80 days, the Speaker was travelling so there was no response. [Mr. Mahipaul: *Inaudible*] Of course not, we do not want to disturb the Speaker’s trip. We meet so infrequently that nothing could disturb it. When the Speaker was eventually approached – and I am only using these as a background for the public to understand why such a motion would be tabled – I said, ‘Sir, it has been 50 to 60 days.’ He said that he responded to the Clerk and to Parliament. I am here in front of you, Sir. You could stop me anytime I misquote anything you said. When he saw me, he said ‘Oh dear, it is now back with the Parliament’. The Parliament Office said, ‘No’. Eventually, we found out that the mistake was a human mistake. The Speaker responded to the Clerk in an email

but forgot to address it is as 'sent'. It was in his draft folder. It was in his draft folder for 80 days on a very important matter. This is what the public has to know. The day it was debated, was the day before the budget. We were here until 4.00 a.m. in the morning. The motion was defeated. The next day it was in the budget and the Government put \$43 billion for the project. I am not assuming anything nefarious about it, but it was very strange the coincidence of what happened.

The motion is simply saying that we should have a timeline. Therefore, at the end of the expiration date, be it the fourth day, the tenth day or the fifteenth day, somebody could say to the Speaker or the Clerk that they have not responded, and they could check their draft folder, in their emails, and press send. That is all. There would be timelines so that people could obviously be...When the timelines are hit, something would happen. Sir, to leave it open-ended, we will suffer the faith which I did. That was not the only one. I submitted a question – and let me get it right – a question on 18th October, 2022, on the Wales Gas to Shore project. I shadow the oil industry. It took 36 days for approval. This time it was not an issue of no one wanting to press send. It was simply an issue of nothing. Absolutely nothing from the Parliament – absolutely nothing from anyone. The reason for what we are doing here, the reason we are bringing this motion, is that we do not fall into these things.

Sir, we know that you are a busy man. We know that the Parliamentary Clerks are fulltime, so, therefore, there are time constraints. I submitted a motion on insurance. It took 36 days. After it was surgically dissected several times, it made it onto the Order Paper. Of course, there is an issue between it being published on a Notice Paper and debated. That is quite [*inaudible*] That is not acceptable for a country that is deemed to be the fastest growing economy in the world, where questions submitted on behalf of the people of Guyana and motions could take three months. Ms. Ferguson spoke about six months and further. Most times, and I not apportioning blame, when we query this, and I would send emails, I do not ring, the response has always been that it is with the Speaker. 'You have to pick this up with the Speaker'. Sir, we are not accusing anyone. I know there is a saying that *a bad workman blames his tools*. All this motion is seeking to do is to ensure that you, Mr. Speaker, and the Parliament Office has better tools so that the blame could be reduced.

Several Members of the Civil Society, in particular, a group called Red Thread Women's Centre and a group of female activists, as I shadowed the oil and gas, have asked us, me in particular, to

submit questions to the Parliament. This is because they would have submitted these questions to all of the ministries, including the Ministry headed by my good Friend who is celebrating his birthday today. There are several questions and I copied them. These questions are submitted almost on a daily basis to the Office of the Prime Minister, the Vice President, the Environmental Protection Agency (EPA), ExxonMobil and Esso Exploration and Production Guyana Limited (EEPGL). Sir, not one of these questions they submitted were answered, not even responded to. That is outside of the Parliament. It is a last resort. As a last resort, they have asked if myself and some other Members could raise it in Parliament. Unfortunately, I said to them it is almost a fruitless effort. By the time your questions get in and by the time the Parliament... I must, for the records, say this here before any one of the Parliamentary staff comes to me afterwards and say that they are not doing their job. They acknowledge receipt within 24 hours. The Parliamentary staff acknowledges receipt within 24 hours of your submission. I must commend them for that. The four days proposed by the Hon. Member, Mr. Mahipaul, does not even account for the Parliamentary staff. Within 24 hours, they acknowledge receipt. So, the blame... The four hours – we do not have to put a timeline in for the Parliamentary staff. The timeline obviously lies elsewhere.

I have said to them it is a fruitless effort and that our Speaker is a wise and busy man. He has several issues which he has to contemplate, addressing the bothersome motions at times from persons, particularly from me, I cannot speak for the rest of my Colleagues, and I do not want to speak for them. Maybe it is not a priority. What we are seeking to do here is to not make it a priority but make it in such a way that there is a notation. I must commend the Speaker for this as well, it would be remiss of me if I do not mention it, he is a fella like me that likes electronics. He does everything online and I commend him for that. There is a little tag online which is called a 'reminder'. If we pass this motion and the Parliamentary staff gives you something today, automatically, it sets a reminder in four, five or six days so that you would know. It pops up on your screen at the beginning of the day, whichever part of the world you are, that you are supposed to respond. The motion contemplates that if you are too busy or if the Parliament Office is too busy, we are engaged with budgetary debates or something like that, you can notify the mover of the motion or the submitter of the question that, 'We are busy at the moment and we will require additional time'.

The four days are just simply for you to acknowledge and respond. If the proposed timelines are deemed restrictive, and as I said it would not be restrictive for the Parliamentary staff because they would respond in 24 hours, if it is deemed restrictive for other persons who have to look at it and approve, the Government and with your suggestion and guidance, as you have always been guiding them so far for this Twelfth Parliament... You have guided them along the absolute correct path and ensured that they stayed along this correct path. With your suggestion, Sir, you can always make or suggest an alternative. If four days are too short and too restrictive... As the Hon. Member, Mr. Datadin, said, if it falls on Good Friday and those things like that, we do not count holidays but never mind, we are contemplating four working days. You can, Sir, suggest an alternative timeline. However, in us as a collective doing nothing shows that we are not progressing. It shows that, as a Parliament, we are not even... Sir, one of the initiatives I know you have been championing for is the E-Parliament. I endorsed that. What is the use of an E-Parliament without structure and timelines. The objective of the E-Parliament is obviously to become more efficient, and being more efficient requires timelines, milestones and guidelines. With your support and maybe your nudging of the Government's side support for a motion like this, probably would be the first *cog in the wheel* to us achieving your E-Parliament ambitions.

I urge the Members on the other side of the House, not to simply look at this as a motion that has any other hidden agenda. It is simply bringing some structure and timeline to the process. With those few words, I would like to endorse the motion. I trust that when the next speaker gets up on the Opposition's side, she will propose an alternative date, if the four days are too restrictive, and we can all unanimously agree with it. I thank you [*Applause.*]

Mr. Speaker: Thank you very much, Hon. Member. Hon. Members I will continue to the completion of this motion and then we will take a break. Hon. Member, Mr. Ramjattan.

12.18 p.m.

Mr. Ramjattan: Thank you very much, Mr. Speaker. Happy birthday to Mr. Vickram Bharrat. I want to read a note on the Standing Orders, the most recent edition that I have, which indicates that the Standing Orders are not written in stone. They are malleable. They are subject to review, and they are subject to amendments, especially when those amendments will enforce and ensure an efficacy to the work we do here. The Standing Orders of the National Assembly:

“The Standing Orders of the National Assembly were amended in 2011 by the Special Select Committee on the Report of the Draft Standing Orders. 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, on the 21st July, 2011, the Report of the Draft Standing Orders was adopted by the National Assembly.”

Further amendments were made thereafter in July and December, 2012, to the Standing Orders. Mr. Speaker, on matters of questions put to Ministers and motions by the Opposition, you are the gatekeeper. That is an important point in every Westminster type democracy. You are the gatekeeper as to whether the question is qualified to be put on the table, and, of course, when a motion is to be put. What we have is that an open-ended circle arrangement was granted when we did that drafting in 2011. We were informed, and I recall this because I was a Member of the Standing Committee, that there is a convention that speakers are going to ensure that questions and motions from the Opposition are heard as expeditiously as possible. And, if they do not qualify, that disqualification will come very early. Rules in this honourable, noble Assembly are generally sometimes best made and left unwritten. It is necessarily so, not only for historical reasons, from which we took our methods from England, which has practices and procedures that are largely unwritten, written in a book by Erskine Mayes.

It is in that context then, whereby being the gatekeeper and having a convention that you will deal with matters expeditiously, it was left open-ended, as it is in Standing Orders 22, 23 and 27. What we have seen, and it is just like the law, that whenever you see certain things occurring in the law or any other institution that requires timeliness in decision making or timeliness in dealing with an issue, you then can change, amend or insert a new amendment. What Mr. Mahipaul is doing here is simply, as Mr. Patterson just mentioned, in view of the fact that a matter took 80 days to be determined. We all know that you are a very busy man; I know that you are a very busy man. It is important that we now ensure, for future Parliaments, that a time period be granted, not necessarily for the answering of questions, Mr. Speaker. This is for you to make a determination as to whether the question or motion is qualified or not, and if it is so qualified, that you place it on the Order Paper – four days.

Once it is known that the Clerk has received the question or motion, within a four-day period thereafter, it should be then... And it is sent to you. We know, conventionally, the Clerk operates pretty efficaciously. The Clerk would send it to you within probably hours or a day. You then must ensure that you make the determination that this matter should be ruled on as to whether it is qualified or not, and if so qualified, that it be put on the table. Timelines, in view of our little history in this Twelfth Parliament, are needed. We can see that they are needed, because whenever a question or a motion comes up, it is because the maker of that question, the person questioning, or the mover of the motion, by virtue of his politics on the ground, see that it is necessary. It is topical at that point in time and is the reason why an Hon. Member asks or moves the motion. When there is a delay that can be extensive in it not being tabled, or the decision not being known as to whether it is disqualified, there is a certain disadvantage that mover of the motion or asker of the question is put into. Especially now, since we are a representative democracy, the people who might have urged the question or motion are not in a position to know it was disqualified until some 80 days after. What I am trying to get at is the uncertainty there is. You would know this, Mr. Speaker, because you were a Parliamentarian too that wanted questions to be answered by Ministers. I was there with you; you had moved motions too. As far as I can recall, those were done expeditiously. In view of the fact that it is not being done expeditiously...

We are not in any way denigrating you as a Speaker. We are simply saying that, in accordance with the evolution of our Parliament's development, it is necessary now that we put in a deadline period. Deadline periods are necessary. I remember, when being in the Parliament in 2009, our constituents, and at that time even the Government's constituents had indicated that judges were taking a long time to write their decisions. They heard the trials, they took all the evidence, and then nothing happened for long periods of time. We then went to Parliament in 2009 and passed the, I cannot recall the correct name, the Time Limit for Judicial Decisions Act 2009. We indicated that, once the trial was completed in the High Court, within 160 days, I think it was, there must be a decision. At the Court of Appeal level, we indicated that it must be 30 days after arguments are heard that one must do that. Why? Because we wanted expeditiousness about our decision making. The expeditiousness is a fundamental pillar because decisions affect people's lives. In the case of the High Court and the Court of Appeal, it affects the parties, and it affects precedents because we want them as early as possible.

In this case, we want to know the answers to questions as early as possible so that the people who have to answer must know that the thing is laid on the table. In this case, where we are asking *via* Mr. Mahipaul, through this motion, that it be done in a four-day period, after you would have gotten it, as to whether it was disqualified or not. It is fundamental because there cannot be any delays or any uncertainties because in four days you would make a ruling. If indeed it is disqualified, it is disqualified, and we will come again with some amendments, or you could amend it as you have done with a couple of my questions, and then it is proceeded with. Then, of course, we would expect the convention that Ministers ought to, within as short a time as possible, as Erskine May said, in England it is about two or three days in which they have to answer. This is because the thing is topical. Why do you have to wait 80 days or more or 40 days when it is not topical? That is not democracy. The people out there would like to know the answer now. And if the representative of the people finds that, indeed it is, then there should be a quick answer to the question as possible.

There is nothing, as was said by Mr. Sanjeev Datadin... and I must say that they were rather weak submissions the Hon. Member made, very tenuous, that we will not suffer at the whim and fancy of the Opposition by asking for four days. The entire tenor and intent of this has been missed by him completely. The whole point of it is that he is indicating that we are doing damage to democracy. If it is anything, just like the conventions in England and other commonwealth countries that indicate a Speaker will make the decision in a very quick time and thereafter the Minister will be allowed a quick time to answer, or the motion will be given time in Parliament to be debated, like this one, it is all for the strengthening of democracy. That extraordinarily robust period that we had during the 2002 period, with all those basic needs for parliamentary... The two English men that came. You know that period, Sir. This was what we did when we drafted and strengthened the Standing Orders. It was clearly to strengthen scrutiny for our people. When Opposition Members ask questions, it is done so entirely to scrutinise Government. A Government that wants scrutiny must understand that it enhances democracy, accountability, and transparency.

I could not understand when he indicated that 'we were not going to suffer at the whim and fancy of the Opposition' when they ask for four days. And, very untypical of any good lawyer, he gives the impression as if the holiday must count also. Come on, I did not understand that because he knows that holidays do not count. But whatever it is, this is but something that will assist us in

knowing answers and getting information. Do you know why, too? Because we have a Commissioner of Insurance and it is a notorious fact that, indeed, we do not get answers from the Commissioner... Sorry Commissioner of Information. I said Insurance. But we do not get... I have personally asked questions for answers from my good Friend Mr. Benn, because I speak here also for public security. [Mr. Benn: *Inaudible.*] I can ask. I am also a Member that can ask any question. Any Member can ask any question. The other aspect of the matter that I want to bring is that scrutiny is so important, we then had also created in that 2002 period something called the Parliamentary Oversight Committee on the Security Sector, whereby questions could be asked.

12.33 p.m.

If they feel that the answers are sensitive, we ought to get them in that Committee. That Committee has not been set up. It seems like we do not want scrutiny. Three years now, we named the people from the Opposition and the Government who will sit in that Committee and no meeting thereafter has been convened. Why this escape from transparency, scrutiny, questioning and cross-examination and all of that? The Convention states, when going through the *Erskine May Parliamentary Practice*, generally, when these parliamentary committees are formed, within a reasonable time, because they give you a little space, they must become operational. What do we have here in relation to a parliamentary scrutiny committee? Nothing. We cannot even ask Ms. Mae Thomas anything about all that have happened recently. Do you know what, when we were in Government, they called Mr. Seelall Persaud ...

Mr. Speaker: Hon. Member, persons who are not in the House to represent themselves, you should not name them. There are two names there.

Mr. Ramjattan: We had questions coming from the Opposition then – Mr. Harry Gill and Mdm. Teixeira. If you see questions that came to me. We agreed to form this Committee and we formed it. For three years or whatever, questions were asked, such as, what is your policy on crime? Mr. Seelall Persaud came, and he gave everything. What are your plans on prison? Everything. So, the scrutiny, which is a bulwark of democracy, was done and it was done very expeditiously, we formed the Committee and all of that. Now, whenever we have problems with security issues, we simply do not have even that what is called the ‘in-camera’ method by which we could get the

answers. We cannot. I am pleading, again, publicly here, Mr. Benn, convene meetings and let us start getting operational – that Parliamentary Oversight Committee on the Security Sector.

I want to say that, in the Standing Orders we have timelines. Timelines are not a new thing. I want to add this point to what I have made before. I have gone through the Standing Orders hundreds of times. I can recall that there is a one-month period. Sometimes we put timelines. Was it not only recently when we had that special select committee whereby somethings were going to the special select committee? [Mr. Mahipaul: Yes, one month.] We have one month to go to the special select committee and come back here. They put a timeline. [Mr. Mahipaul: The Single Window...] Yes, the Planning and Development Single Window System Bill. We have had timelines of six days written into this Standing Order, from the First Reading of a Bill to the Second Reading of a Bill, I think – six days. Why a timeline? It is because of efficacy, effectiveness and timeliness. It is very important. There should not be something that is just asking for a four-day period, to know where we stand whether the question is disqualified or not or whether it should come with an amendment and so on. What is wrong with a timeline being put when the conventions in the *Erskine May Parliamentary Practice* state it must be a short or reasonable time, to the extent of, in that country, ministers are asked *off the bat*, sometimes, questions for two to three days because of the topicality that is the nature of the questioning?

I want to say, Mr. Speaker, we should not have a Government that is aiding and abetting delays to answer for questions or motions. If this Government practices what they preach, we will get support for this motion because they have done it with judges, they have done it here with putting timelines and all of that. We must, indeed, support this motion for the reasons I have just mentioned. Thank you very much, Mr. Speaker. [Applause]

Ms. Teixeira: Today is Private Members Day and if this is what the Private Members can come up with, then I think it is a sad reflection of the Parliamentary Opposition, in bringing a motion that has no justification. In fact, Mr. Speaker, allow me to offer a criticism and, that is, I believe you and the Clerk have been very lenient in allowing a motion that has no justification. I have always been taught that when one wants to bring a ‘Be It Resolved’ clause, one must have an explanation as to why he/she came to that point. I understand that you have been very flexible, and I congratulate you.

The issue is, in this House today, how many speakers have we heard from the Opposition? Is it about five or six? Each one has given a different interpretation of what the motion means. I assume Mr. Mahipaul, at the end, will summarise and have his grand farewell and a grand combination of his speech, the Hon. Member, of course. Then, he will give, finally, after 10 speakers, the rationalisation for this motion, which is an absolute waste of time. However, we all have to fly on the wings we have been given. This motion is supposed to be dealing with the process of a question going to the Clerk, from the Clerk to the Speaker and to the Member of Parliament (MP) who has raised the question. All the contributions about the length of time to answer questions are irrelevant. That has only been for you to have a chance to speak on Private Members Day because you had no other business to speak on. Of all the urgent and major issues of this country, this is what you came up with, really interesting.

Before I get too caught up in my presentation, I want to have a correction. A comment was made about 80 days and a question that was not answered, *et cetera*. On 16th January, 2023, according to the Minutes of the Proceedings of this House, Mrs. Volda Lawrence asked the Prime Minister a question on the gas-to-shore pipeline project. Her question was published on 12th December and it was answered on 16th January. It was less than a month or about a month. It was answered by the Prime Minister. The Minutes of the Proceedings showed the Prime Minister's answers to the questions.

I do not know what Mrs. Hughes is talking about. A Minister does not need to answer the same question twice. In fact, the House has the right and the Speaker and the Clerk have too. If the Hon. Member submitted her question on 20th January, it came after the statement and response of the Prime Minister to Mrs. Lawrence who pre-empted her Colleague in asking the same question. Mr. Speaker, I asked that the Minutes of 16th January, 2023 be circulated with particular reference to pages 10 and 11, which have the Prime Minister's response to the issue of the gas-to-shore pipeline. I am talking about the question which Mrs. Hughes referred to that took 80 days, *et cetera* and all the long story that she gave. [Mr. Patterson: *(Inaudible)*] I am talking about Mrs. Hughes. You were not here. I am not referring to you, Mr. Patterson. Do not tell me who to refer to, Mr. Patterson. I am quite aware of what I am dealing with.

The issue up too is that, when the chicken picks corn, they do not always see the whole area where all the corn is. The problem with this question is, you are *cherry picking* on a Standing Order. First

of all, I have heard all sorts of comments about the Standing Orders. The Standing Orders are the rules of engagement of this House. They are subject to amendments. In fact, in 2005 to 2006, the Sir Michael Davies Report and the Commonwealth Parliamentary Association (CPA) presented... At that time, the Speaker of the House was Mr. Hari Narayen Ramkarran (Ralph Ramkarran). There was a special select committee that went through for one year, in which both sides of the House were present. I think Mr. Manzoor Nadir is very familiar with that. That taking the Sir Michael Davies Report and the recommendations, did not alter these particular sections of the Standing Orders. The reason being the practices related to ensuring that the Standing Orders relate to each other. The Government has a certain amount of time to table something and the Government has a certain amount of time to answer to something. The Opposition has a certain amount of time. When you start tinkering, you start unravelling. As usual, I think this whole exercise was for opportunistic purposes to at least have something to say on Private Members Day, particularly critical of the Government.

You needed an opportunity and this is what you got and that is fine. But when you open the Pandora's door be prepared to deal with what comes out of the Pandora's box because what comes out of the Pandora's box are some very interesting contradictions with what some of you have spoken about today. Let me do some reminding. First of all, this is a fact, the Clerk is the custodian of the Parliamentary Procedures of this House. The Clerk is the advisor to the Speaker with regards to what is perceivably allowed and not allowed. That has been the practice from Mr. Frank Narain's time, *et cetera*. That is also captured in the Erskine May, in terms of the Table Officer of the Clerk and the Speaker. In fact, a lot of comments were made about the Erskine May and I just want to quote, as you all have been quoting or some of you have been quoting. Page 342, of the 23rd Edition of the Erskine May states that the Speaker is the final authority as to the admissibility of questions. Irregularities in a notice of a question are dealt with in the manner adopted regarding notice of motion (see pp 390-391). This refers you to the other pages... and are corrected in the Table Office or reserved for consideration. It goes on: the Speaker's responsibility in regard to questions is limited to their compliance with the rules of the House.

Of course, under the admissibility of motions in our House, which is the same as in the Erskine May's, the issue is what is an admissible motion or question. In fact, the Speaker can rule out a number of issues, for example, regarding what may be considered as issues of public interest,

issues of public security and public order, including whether it is a repetition of other questions answered before or whether it is in compliance with the Court. As I have heard all these grand statements, you have to go back and do your homework. In 2011, there was another special select committee set up to, once again, go through the Standing Orders. Sorry, the Report came out in 2011 before the 2011 Elections. This was after the 2006 Special Select Committee put forward all the amendments in 2006 before the 2006 Elections. The Members of that Committee: Dr. Leslie Ramsammy, Dr. Frank Anthony, Mr. Manzoor Nadir, Mr. Manniram Prashad, myself, Mr. Moses Nagamootoo, Mr. Winston Murray for the Opposition, Mrs. Clarissa Riehl, Mr. Lance Carberry and Mr. Khemraj Ramjattan. The 2011 Committee Report of the Special Select Committee on the Draft Standing Orders, which is here, and which was tabled, this was gone through.

12.48 p.m.

This Committee also looked at every Standing Order in relation to what had been amended, *et cetera*, under Sir Davies. When it came to Standing Order 20, to do with timelines, it made no changes. There is a reason. It is because it was felt that the Clerk of the National Assembly and the Speaker of the National Assembly have to have time to do their work. It is not about people travelling and all that nonsense you all spoke about. I will give some examples of when, in the previous Parliaments, Speakers had to get advice from other Parliaments and lawyers to help them. I will give the example of Speaker Trotman on the issue of Minister Rohee being silenced from speaking. The matter went to the court. In the meantime, the motion was brought to try to get Mr. Trotman to lift the silence. Mr. Trotman – and on another motion that Mr. Greenidge brought to do with cutting the budget of 2012, in other words, reducing the budgets of 2012 and 2013 – called on a number of Speakers in the Caribbean, including one who was his mentor in law school – Speaker of the Chamber of Deputies of the Dominican Republic. He called on a number of Speakers and hired, I believe, a number of lawyers to look at this and to advise him. [Mr. Nandlall: How long did it take?] It took nine months. It was only when the Chief Justice ruled that one could not do that, it was then lifted. The arguments then came out to have it lifted.

Let me give another example. Let me give, probably, the most historic one of all and one you do not like, obviously – the no confidence motion. It was tabled around 15th November, 2018. The Speaker did not approve it. It was a one sentence motion that the *Erskine May* also refers to as one sentence for a no confidence motion. A no confidence motion does not have to have an explanation.

Therefore... [Mr. Mahipaul: *Inaudible*] You were not there. [Mr. Mahipaul: I was sitting in the public gallery.] You were in the public gallery. I am speaking about minutes and records.

Mr. Speaker, I am seeking your protection. Kindly put the volume louder because I will start to cough. The Hon. Speaker at the time and the honourable Clerk, who is present, received the no confidence motion around 15th November. For weeks, it was not approved by the Speaker. Then, it just happened to be approved when the budget began. The date for the sitting was named as 18th December, 2018. It was a historic day. If it had come before the budget, you would have been out longer. The fact was that the Speaker, at the time, needed time to see whether or not the one sentence was in order, and he took five weeks to do that on a no confidence motion, which you have quoted from the *Erskine May* as saying that a no confidence motion must be dealt with alacrity since the Opposition is a body waiting to get into Government. When people *speak through two sides of their mouth*, do you know what happens to them? *They are speaking through two sides of their mouth.*

Let us go to another example of the great democratic thrust of some of my friends in the Opposition, who spoke and *waxed on* about democracy. I want to remind my Hon. Members and colleagues on the other side about the Standing Orders which had four Members for Government and three for Opposition in the sectoral committees. After the 2011 elections, the Opposition decided... The Opposition was not a Coalition, but it had one seat more, although the People's Progressive Party/Civic (PPP/C) had the majority of votes. They decided to get up in Parliament, Dr. Rupert Roopnaraine supported by my very good friend, Mr. Khemraj Ramjattan, to support the Members of the sectoral committees being reversed. So, the Opposition got four Members and the Government got three. It went through the House, there was a big debate, and it was passed. We then got to 2015 when they were in Government. *Lo and behold*, Mr. Ramjattan got up and passed to the Hon. Member... [Ms. Ferguson: Speak to the motion.] Do not tell me to speak to the motion. *You ain't speak to no motion. You ain't speak to none.* You were drifting all over the world. Do not tell me about anything. You are not my Speaker. You are not the Chairman. Be quiet. In 2015, the Hon. Member, Minister Ramjattan at the time, brought a motion, supported by his other colleagues, to reverse the ruling of 2012 to put back the Government as a majority and the Opposition as a minority. If that is not opportunism, tell me what is.

In 2012, the arguments by my Hon. Members, Dr. Rupert Roopnaraine – who is not here – and Mr. Ramjattan, were that this was a form of democracy – giving the Opposition the leadership in the sectoral committees and having greater numbers than the Government and that the Government then had to answer. You should have heard the debate. Go back to the *Hansard*. You will be impressed with the arguments for democracy that my dear friends gave at the time. In 2015, the arguments suddenly shifted around. The Government had to have the majority in the committee. My dear friends, what was laughable for us in the Opposition was how the Members who spoke seemed to have suffered from convenient amnesia. They had forgotten that a few years prior, they had changed it. Let us take another example of this great democratic thrust by the Members of the Opposition. Let us remember that in 2012, for the first time in the history of this Parliament... The Speaker spoke about the 70th Anniversary of this Parliament. Yet, between 2012 to 2015, the Opposition voted to have the Speaker and the Deputy Speaker – both. Although names were put forward for the Speaker and the Deputy Speaker, they voted to get both. In 2015, there was no Deputy Speaker but in the years 2012 to 2015, the Opposition held both the Speaker and Deputy Speaker positions.

Mr. Speaker, if the gentleman wants to open the door, I can open it. If the Hon. Member wants to open the door about the agreement that was made... An agreement was made with the Alliance For Change (AFC) to put Hari ‘Ralph’ Ramkarran in the Chair, and on the floor of the House, *you did a double take*, my dear. *You did a double take*. Not to be trusted. Do not *tie bundle* with these people. They will shaft you in the end. When the Hon. Member, my dear young friend, Ms. Sarabo-Halley, whom I have a soft spot for in some ways, except she *bruk up* the communication centre, which disappointed me terribly...Ms. Tabitha Sarabo-Halley referred to the Parliament of the United Kingdom. When the Hon. Member, Ms. Tabitha Sarabo-Halley spoke, the Parliament of the United Kingdom was referred to.

[*Mr. Speaker hit the gavel.*]

Again, for the young Members, the Parliament of the United Kingdom meets fulltime. The Members are fulltime. There is no comparison. This is a Parliament that is not fulltime. Its Members are not fulltime. Therefore, the timings are different. Even if one reads the *Erskine May* carefully, it states that even when a Member puts his or her name down and asks a question, it has to go in the order of the questions. Even though people have put questions down in this National

Assembly, they have to wait for their order to come up. That is not the Government's doing. That is a procedural point in the National Assembly. If you ask the Clerk to see the books that keep the record of when the notices, the motions and questions come out, you will see. All this highfaluting and *beating of one's chest* to be able to show that they are democratic does not remove the stain of certain things. It does not remove the stain. You could jump high and low and you could go as high as the Himalayas, it *cannot remove the stain* of 2018 to 2020 where this country... The Constitution was violated, not the Standing Orders. The Constitution was violated by having a 19-month wait for an election after a no confidence motion when the Constitution states three months. Worse than that, we had to wait another five months. The Guyanese people waited 19 months, post a no confidence motion, for the declaration of the results and for the President to be sworn in.

Yet, in this House, there is a level of disrespect to make it seem as if this is not the Government and to make derogatory comments about the sitting Government. You should be ashamed of yourselves. The electorate will deal with you. I trust, always, the electorate. [**Mr. Ferguson:** *(Inaudible)*] At the Local Government Elections, you will see what will happen. You have not even fielded constituencies. *You nah shame ah ya self?* Some 239 constituencies you have not been able to field. Thirteen local authorities you have not been able to field, and you come here and *big up?* Who are you?

Mr. Speaker, the Hon. Member, Mr. Mahipaul, who I have been trying to coach... I am trying to coach Mr. Mahipaul because I believe that there are some Members of the Opposition's side who will make good Members of Parliament (MPs) in the future, but they do not listen. They do not do work. They do not do research. This motion before us, first of all, does not tell us why we should change. [**Ms. Ferguson:** *(Inaudible)* arguments.] That is not how it works, my dear. Read your Standing Orders. Mr. Speaker, the issue is...and I hope, therefore, that when I put a motion with no justification, you will allow it to go through. I would hope so. Having been around, I know that when the Speaker says that there is no justification, take it back and rewrite it, one has to do it. There is some mischief afoot here. The mischief afoot is the refusal of the Members on the Opposition side to understand that the issue of questions and motions is not a perfunctory one. It is not that the Clerk and the Speaker are post boxes. That is not what... [**An Hon. Member:** *(Inaudible)*] My dear, perfunctory is not derogatory, if you know what it means. The issue is that the Clerk is not a post office nor is the Speaker a post office. The Clerk is the custodian to

check the bills, the motions and the questions. Our bills are also checked by the Clerk to ensure... There is this view that one puts in one's question and it has to go through in four days. This is not how the National Assembly works, unfortunately.

1.03 p.m.

I will give an example about discipline. In this National Assembly, in some way, we have to recognise authority. The crux of this issue has to do with authority. Who is the authority in charge of the questions and motions? When it was Dr. Scotland, I could say to you, not one of the motions we presented came back unamended. In some cases, it was so heavily amended that it lost the context of the motion and the be it resolved clauses. Let me give you some examples. There was the one to do with the commission of inquiry (COI) which was set up for ancestral lands and which left out the National Toshias Council (NTC) and the Amerindian non-governmental organisations (NGOs). That motion came to Parliament with recommendations to the Government on how to treat with the issue. The Speaker removed four of the be it resolved clauses and just put in 'consider the inclusion of these people'. Let us go to the Walter Rodney commission of inquiry motion which I brought. I am speaking from my experience because I brought these motions. The commission of inquiry motion on Walter Rodney, which I brought under Dr. Scotland, was also so heavily amended it became like a *blah* motion at the end. All that was left was that I was calling on the National Assembly to adopt the recommendations. In fact, in the House, the Minister then called for the Government to consider the recommendations. The motion that was sent to the Speaker was heavily amended. Not one of the motions that we submitted in the last Parliament came back unamended.

Secondly, they took much longer than the time that is normal. The next issue is the questions. Questions were also heavily amended by the then Speaker. Sections and chunks were taken out. When it was Mr. Ramkarran, that would happen infrequently, but it would happen. Under Dr. Scotland as the Speaker, it happened every time with everything the Opposition brought. I am not even referring to the innocent non-partisan motions about mental health and suicide which were brought, which were also heavily amended and voted down. Defeated. Ms. Lawrence was there. She is not in the room. They voted down non-partisan motions to do with suicide prevention, sexual abuse, and mental health. Could you imagine? This motion could talk all about the length of time that it takes to come on the Order Paper. [Ms. Ferguson: *Tit for tat.*] It is not *tit for*

tat. You misunderstand, unfortunately. You have not gotten the purport of what I am saying. You have misunderstood as usual. You have a one-track mind.

The issue is that this motion does not warrant the support of this side of the House because to limit any Speaker or Clerk to four days is wrong and it goes against the principles and parliamentary procedures that we allow ourselves, as in all cases, to be subjected to higher authorities to examine what we do. On the questions brought by Members to this House, the number of questions that have been asked is to your congratulations. This is to your credit, but also, too, the questions have been answered over and over again. Sometimes, you may not like the time. As you know, the rules are that you cannot get the answer before it comes to the House. The rules are very clear. The answers are circulated. We are in the House. If you want to change that, bring another motion to amend. It says, very clearly, the answers by the Ministers are circulated at the time of the sitting. So, too, with the oral questions. As I said in the beginning, the Speaker and the Clerk have been very lenient in allowing questions for oral reply which demand so much detail that probably when the Minister comes to read it, it would take 10 to 15 minutes of the time of the House just to read the number of contractors. You must not complain. There has been leniency on your part. The Clerk has been very lenient. The Speaker has been very lenient, certainly much more than what we experienced under Dr. Scotland, the former Speaker and, also, even under our friend and colleague, Mr. Ramkarran. We, as a Government, were also reprimanded, and also many of our things were amended to comply with the Standing Orders.

Mr. Patterson said it should be the four days, but if they cannot make the four days, that is okay. No. I am sorry. That is not how the Standing Orders work. If you want to have that, you have to write in your draft motion, the motion you brought, that it should be four days but under exceptional circumstances, *et cetera*, it could be more. You cannot say four days for the Clerk and the Speaker to respond, and then say well, if they cannot make it, it is okay; they could take more time. That is not what the Standing Order states. You cannot *have your cake and eat it*. You have brought an amendment to restrict the Clerk and the Speaker to a four-day limit on examining the questions. That is what you did. You are treating the two highest positions in this House as post boxes. We mail it in, they are forced now to deliver it. That is not how it works.

Unfortunately, I believe that the motion has not been thought out properly. Unfortunately, when my friend, Ms. Ferguson, spoke about suspension and all her questions had to make... it is just

like when you do something wrong and you are punished, then you face the consequences. In this House we have to have some discipline. If you do something and go before the Privileges Committee, then at least be humble and recognise that there are consequences. This motion, I believe, cannot be supported on the grounds I have given. The supposition that this is what the British Parliament does, and this is what we do, we are not. We were advised by Sir Michael Davies, who was sent to us by the British Parliament and the Commonwealth Parliamentary Association...and the amendments we came up in 2006 with further amendments of 2011, it was done in a bipartisan way. It was done between Government and Opposition. It went unanimously to the House. It was passed in the House. That does not mean that there cannot be amendments. However, when you start tinkering with four days here and four days there, you are not looking at the way in which the whole process works.

I understand the Opposition needed something to speak about on their day, as it had nothing else. I congratulate them for finding something of some interest to do so. We will not support this motion. [*Applause*]

Mr. Mahipaul (replying): This is a very simple motion. The only addition to words that already exist in the Standing Orders is “four days”. That is the only addition. There is no other addition in this motion. The Standing Order speaks to every other word that is mentioned in this motion. When I stood earlier and I merely read the motion, I honestly and sincerely thought that this motion would have enjoyed the support of the Government side in this House. The fundamental reason I believed the Government would have supported this motion is because, in due time, they will be sitting on this side, and they will enjoy the benefit of what this motion is seeking to do. The reason the Government side will enjoy this motion is because the people of Guyana will judge them soon at the elections. They will be judged for their behaviour, especially for the most recent action of wanting to appeal a decision that was made by Judge Sandil Kissoon to benefit all of Guyana. The people of Guyana are watching them. The people of Guyana know that the ruling Judge Sandil Kissoon made was to benefit the people of Guyana. So, they will be judged.

Sometimes we forget the fundamental reason for us being elected to this National Assembly. It is not because of who wants to determine how busy they are. The people’s business comes first. The questions that we put in the National Assembly and the motions that we bring here are not for ourselves. It is to represent the people of Guyana. The people of Guyana have asked us to ensure

that they get timely responses to the questions and motions that they have given us that mandate to put forward. I say, again, that this motion is not a motion with any sinister motive at hand. It is simply to put timelines in place. I say, again, Sir, that the Government side, in the near future, will benefit, because their days are numbered over there. When you look at the sub-standard work in the Ministry of Public Works, roads that are breaking up after months of being constructed, their days are numbered. When you look at the health sector and how the people at West Demerara Regional Hospital (WDRH) are complaining, and you look at Georgetown Public Hospital Cooperation (GPHC) and what is happening there, your days are numbered. When you look at the foreign service and you look at what is happening with Hon. Hugh Todd, who is lost as far as I am concerned, their days are numbered. When you look at the Hon. Prime Minister and the way in which the Civil Defence Commission (CDC) deals with issues, your days are numbered. When you look at the security sector, their days are numbered.

Mr. Speaker: Hon. Member, their days are numbered, but we are speaking to this motion that wants to number my days.

Mr. Mahipaul: Mr. Speaker, your days may be numbered too. Let me make this very clear. I am speaking to the motion. It is a motion to benefit them, the Hon. Members on the Government side, when they come over here sooner rather than later. When you look at the Hon. Dr. Vindhya Persaud and how staff members had to write a letter against her, her days are numbered. When you look at the housing sector and the manner in which house lots are being allocated where people do not even know where it is that their lots are located, their days are numbered. When you look at what is happening in all the sectors in this country in which we boast about oil money and in which we boast about the influx of the money, it cannot be felt by the ordinary people and cost of living is sky high. The people of Guyana will judge them, and their days are numbered. When I call on the Government side to support such a motion, it is simply because I know it will benefit them in a matter of days. I want to turn my attention to the presentations made by the three Hon. Members on the Government side, on the opposite side. I want to start with my friend, the Hon. Gail Teixeira. I want to make this very clear. Mdm. Teixeira has served in this National Assembly for in excess of 30 years. I want to pay her the respect she rightly deserves. I want to say, without a doubt, that I do have great respect for the Hon. Gail Teixeira. I believe the A Partnership for National Unity/Alliance For Change (APNU/AFC) in totality has great respect for the Hon. Gail Teixeira.

I would not try to hide the fact that Hon. Pauline Campbell-Sukhai has equal amount of service to that of Hon. Gail Teixeira. Perhaps, her constant silence has made people not recognise that. For a fact, she does have the same years of services as Hon. Teixeira. It is remarkable that they have served that well.

1.18 p.m.

When you listen to an argument from my friend, the Hon. Ms. Teixeira, such as what we just heard, it wonders all, particularly me, a young Member of Parliament, as to where the substance is after 30+ years. This Hon. Member, for whom I have the greatest of respect, stood in this House and spoke about the no confidence motion. I have to remind the Hon. Ms. Gail Teixeira that Hon. Mr. Moses Nagamootoo submitted a no confidence motion in 2013 or 2014 and instead of that motion being brought to the floor, the Parliament was prorogued. When they on the opposite side submitted a motion of no confidence, it was brought to the floor, and it was debated. The Government's side, at that time, did not run from a debate. So, that ought to be mentioned. The Hon. Ms. Teixeira, my good friend for whom I have great respect, went into history and talked about the Standing Order and the Sir Michael Davies report. The Sir. Michael Davies report never said that the Hon. Ms. Teixeira had the right to stand and amend Standing Order No.82 that speaks to the Public Accounts Committee (PAC). But it seems as though Sir Michael Davies' Report is conveniently being used in this honourable House. Standing Order No. 82 was amended to include Standing Order No.82 (4) which did not exist.

Sir Michael Davies never said that the quorum for the Public Accounts Committee must be two from Government's Side, two from Opposition's Side and the Chairperson. Sir Michael Davies saw that the quorum for PAC existed since 1957, through Standing Order No.72 at that time, and he did attempt, Hon. Gail Teixeira, to change the quorum of a Public Accounts Committee. The public, the people of Guyana, are seeing the happenings right now in the Public Accounts Committee. The Government's side failed to show up for a total of 13 Public Accounts Committee meetings, derailing the work of the PAC and pushing us 13 weeks beyond getting to the Government's report. Everybody knows that the reason we have a Public Accounts Committee is for transparency and accountability, from which the Government's side is running.

The Hon. Teixeira talked about people speaking from two sides of their mouth. We have been in here long enough to know who are speaking from two sides of their mouth. We do not disagree, Cde. Speaker, that the Clerk of the National Assembly is the custodian of the procedures of this House and the chief advisor to the Speaker. We agree with that. We do not disagree with that. The Hon. Ms. Teixeira seems to believe that this motion is disagreeing with that. Let me remove that doubt from her and assure her that the APNU/AFC has the greatest of respect for the Clerk, who is a longstanding Member of this House and a longstanding public servant. He is executing his functions to the best of his ability to the extent where I know, and many of us on this side know, that many other countries rely on him for guidance, and we respect that about him. Let me turn to the Hon. Sanjeev Datadin. When I listened to his statement, I drew the conclusion that he was just dashed on to this motion today, this morning in a matter of minutes, and perhaps, he did not get the time to examine the motion properly. He attempted to speak about transparency and accountability, and he spoke about elections and rigging.

I said in this House the last time, and I am saying it again, every one of our candidates who is contesting the Local Government Elections is supported by legitimate signatures. The people who signed in support of them are alive and well, and at no time did our Leader of the Opposition or any leader of the APNU/AFC have to go on national television to apologise to anybody for their dead mother appearing on a signature list. That is what happened with the People's Progressive Party/Civic. So, let us not talk about transparency and accountability. Let us not talk about electoral fraud, Hon. Sanjeev Datadin, because the solid evidence to support electoral fraud is at the feet of the Peoples Progressive Party/Civic. That same Hon. Member, Mr. Sanjeev Datadin, spoke about the suspension of Members of Parliament (MPs) because of an incident that involved the mace. It seems as though he does not recall. Perhaps, he should turn to the Hon. Ms. Gail Teixeira and the Hon. Ms. Pauline Campbell-Sukhai who can probably remind him that Mr. Isahak Basir, God rest the dead, was a member of the People's Progressive Party/Civic when he moved the mace and when he took away the mace from its rightful position. Perhaps, the People's Progressive Party/Civic does not remember. It was that same Mr. Isahak Basir who took a glass from his seat and pelted it at the Speaker of the National Assembly at that time, and you talk about decorum in the House.

Ms. Teixeira: Mr. Speaker, a point of order. It is Standing Order No. 40. Mr. Speaker, the Hon. Member is referring to a person who has passed, and secondly, he was expelled from the House and was not a Member of the House after that incident. So, he faced the worst consequences. He was expelled by the National Assembly and not allowed to remain a Member of the National Assembly. Do not try to make it seem as if there were no consequences.

Mr. Speaker: Thank you, Hon. Minister. Hon. Minister, I do not recognise that as a point of order. Hon. Member, you may continue.

Mr. Mahipaul: Thank you very much for your protection, Cde. Speaker. Let me repeat that because it may have been lost. Mr. Isahak Basir, God rest the dead, as stated in the *Hansard* of this National Assembly, it is recorded, was a Member of the People's Progressive Party when he removed the mace from its seat and took it and gave it to the Hon. Cheddi Jagan at that time, who is now dead also. God rest the dead. He was the one, Mr. Isahak Basir, who took a glass and hurled it at the Speaker of the National Assembly. Do not come in here, none of you on that side of the House, and tell us about decorum in this House. Do not come in this House and try to paint yourself as though you have done no wrong. Do not do that because you began it. You set the record. You are the ones who tried to bring down decorum in this honourable House.

Mr. Speaker, there are even records to show that when the Hon. Mr. Cheddi Jagan served as Leader of the Opposition, he pelted down the law books that were on the desks. History has taught us that it is the People's Progressive Party/Civic that has a track record of no respect for law and order, no respect for decorum and no respect for the order of business. So, do not come here and try to tell us what is right from what is wrong. You have a dirty past, and it is well documented. So, do not come and try to tell us about it. I turn to my friend, the Hon. Mr. Alister Charlie. First of all, I want to respect the fact that Cde. Charlie was very articulate. He had no substance, but he spoke well. He was articulate. He pronounced the words correctly. English was in order. His subject and verb agreement were good. If I may offer a recommendation to the PPP/C side, the opposite side, they should exchange the Hon. Mr. Charlie's seat with the Hon. Ms. Pauline Campbell-Sukhai. I do take note, given that I know his age, that he was well-schooled under the Peoples National Congress/Reform (PNC/R) government. So, I congratulate you on the way you have articulated your position, but it was of no substance.

Clearly, you too did not understand the motion, Hon. Charlie. That is the same Hon. Member who said that we have to respect the sanctity of the Standing Orders, we have to respect the Standing Order, it must not be taken lightly, it is there to guide us, and it has been there for a long time. He clearly did not remember when the Hon. Member, Ms. Gail Teixeira, stood up and moved to amend the Standing Orders. Amendment to the Standing Order seems to be only beneficial when it applies to the People's Progressive Party/Civic. Hon. Mr. Benn, do you categorise that as sanctimonious? That is a new word you have learnt in this honourable House, my dear comrade, and you have used it very frequently. Is that sanctimonious? I have to answer these Hon. Members because I sat here, and I heard how they twisted the entire intention of this motion. It was a simple motion, brought before this House, for support from their side. There is no ulterior motive, and it simply seeks to provide the people of Guyana timely answers to their questions and to their request for motions. That is all it seeks to do; nothing else.

It is because we on this side of the House recognise that our fundamental duty is to the people of Guyana. We agreed to take and accepted a seat in this House to deal with them, the people of Guyana, as priority. So, I say to the Hon. Members on the opposite side that if you believe that we should not put a timeline to satisfy the people of this country, then you are basically not satisfying your duties and you should simply go. You should simply submit your resignation letter and go. You are all sitting in respective seats in this National Assembly primarily to represent all the people of Guyana, not your own self-interest to determine when this should come and when that should come or when that should go and that should not go. Your priority remains to the people of Guyana. So, whether you are part-time, half-time, full-time or no-time, you are here for the people of Guyana. Let me say why this motion came up. I really and truly did not know the direction in which the Government would go, but I did my homework because I anticipated this kind of behaviour from the Government's side. I anticipated them not wanting to come before this House and support this motion. But I had a part of me that believed that we could have found consensus, that we could have found common ground and constructively, as my sister, Ms. Annette Ferguson put it, we could have acted in the best interest of the people of Guyana.

1.33 p.m.

When the motion for the Approval of List of Entities to Nominate Members to the Ethnic Relations Commission was laid, a couple of days after it reached the Order Paper. All the motions, as a

matter of fact, that the Government's side submitted to this National Assembly, reached the Order Paper in a matter of days. It was submitted on the 6th December, 2021, and it made the Order Paper on the 17th December, 2021. The other one, the Adoption of the Third Report of the Standing Committee on Appointments in Relation to the Appointment of Members to the Police Service Commission – another Government motion – was laid on the 17th December, 2021, and reached the Order Paper on the 29th December, 2021.

A motion was submitted for the gas to shore project by the Opposition. It was submitted on the 27th October, 2021, and it reached the Order Paper on the 24th January, 2022. Do you see where it is coming from? There were a number of motions submitted here by the Government which reached the Order Paper in a matter of days. When you look at the Appointment of a Commission of Inquiry to Investigate the Unrest at the Lusignan Prison, the Subsequent Deaths of and the Injuries of Several Prisoners, on the 19th September, 2020, that was a motion from the Opposition that my honourable friend Ms. Chandan-Edmond submitted. It was submitted on the 19th November, 2020, and it reached the Order Paper on the 14th December, 2020. When you look at the motion, Condemn the Brutal and Horrific Killings of Joel Henry, Isiah Henry and Haresh Singh, between the Period 6th to 9th September, 2020, it was submitted on the 19th November and reached the Order Paper on the 14th December, 2020. There are a number of other motions but for the interest of time, I just want to say that there are Government motions that reached the Order Paper in a matter of days while the motions from the Opposition take a longer period of time.

If we look at the Location of Guyana Shore Base Services, this was another motion submitted on the 5th March, 2021, and reached the Order Paper on the 7th April, 2021. This is the one that I think reached the Order Paper the fastest. It was a Government motion. Hear it my Cde. Gail Teixeira, Removal of the Chairperson of the Public Accounts Committee. That motion was submitted on the 3rd June, 2021, and it reached the Order Paper on the 9th June, 2021. Three days after, it reached the Order Paper. [Mr. Ramson: Is the 3rd June to the 9th June three days?] It was six days. [Mr. Ramson: *(Inaudible)*] Go ahead and do that. It does not take away from the point. It does not take away from the point, Mr. Ramson. It does not take away from the point. Sir, when you look at the Increase in the Cost of Living for Guyanese, it was submitted on 29th April, 2022, and it made the Order Paper on the 14th June, 2022. I must say this: This was a testing period for this motion because I am very well cognisant of the fact that, for these motions and questions to

reach the Order Paper, there is a statutory timeline that ought to be satisfied before. I believe questions are 21 days, and with reference to the Opposition's motions it is 12 days. I must say that I did seek to submit an amendment to cater for that also. I was rightly so guided because I was dealing with other Standing Orders; it ought to be submitted as a substantial motion.

I put on notice that another motion for amendment would be coming to reduce the days that it takes for questions and motions to move from the Notice Paper onto the Order Paper. These actions are not things that are of sinister motives, as I mentioned before. It is simply to have timely, effective, and efficient responses to questions and issues the ordinary citizens of Guyana have that they would like to be answered. That is all that it seeks to do. I do not know why we went into this entire argument about a no-confidence motion and the Hon. Mr. Datadin talking a whole set of things about rigging. They opened the Pandora's Box and we have given them a reason to recognise that they should not have. The number of sins that are at the feet of the People's Progressive Party/Civic (PPP/C), there is no place or space for any blessings based on its behaviour. Do not come talking to us about that. I need to reiterate the point that we, in this House – I will end on this note because the people of Guyana must hear this – accepted to occupy our seats to represent the people of Guyana and to treat them as a priority. That is fundamental in all of this and the actions of this motion. That is what is fundamental. I hear people making the point about being part-time. I even heard, Sir, that you are a part-time Speaker. I honestly thought that you were full-time. Forgive me, because I know you enjoy the same benefits as a senior minister, I thought you had a similar strong office, perks and all the other likes as they do. Forgive me for that. I am happy that you cleared it up. I now know that you are part-time also. But we ought to understand that regardless of that, Sir...

The Hon. Member Mr. Datadin also spoke about what if the motion is submitted on Good Friday. I do not know, 'like' the Government did not buy you a smartphone that has internet access. Everything now in this world happens at the snap of a finger. Cde. Speaker, I vividly remember this. I know that I submitted the amendment for the Planning and Development Single Window System Bill 2022; you looked at it and in a matter of minutes, I think you responded and asked that it be circulated. That is very good. Technology is before us. Whether it is Good Friday, *Good Saturday*, *Good Sunday*, or *Good Monday*, it does not take away from the fact that technology is at our disposal. We have a hybrid National Assembly where people could be as far as China and

still log in and participate. Hon. Mr. Datadin, you are bringing an argument about Good Friday. We are not there anymore; we have advanced ourselves. Perhaps, I should thank the Hon. Ms. Hughes for when she was responsible for public telecommunications; she opened the door and her friend, the Hon. Oneidge Walrond, seems to be continuing in that regard, but her days are numbered. Pay attention to that.

Cde. Speaker, I close by saying that the motion is simple. The motion seeks to put a timeline to benefit the people of Guyana, to give us greater relevance in questions and motions that can deal with current-day matters and we are not overtaken by time, and questions do not arise or appear on an Order Paper after the matter was dealt with – it becomes relevant. That is why, because of that timeframe that we have, I had to attempt last night to submit a motion concerning Justice Sandil Kisson's ruling and call on the Government's side to respect it. Sir, I understand that you did not allow it, but it is those kinds of hurdles that are within the Standing Orders that caused me to go down the road under Definite Matters of Urgent Public Importance. The people of Guyana knew it was a matter of definite urgent public importance. Even though we respect the decision of the Speaker and the House, the debate in the public will not finish. The debate in the public is what is important. That is what each of them over there will be judged on. God forbid, if there is ever an oil spill in this country then all of you should be placed on an island to stay there forever.

On that basis, I beg to put this motion to the floor. I hope that I have brought some degree of clarity that will see the support of the Government's side for the passage of this motion because it acts within the interest of the people of Guyana. I trust that my good friend, Dr. Asha Kissoon will equally support this motion. Her presence here is not for herself; it is for the people of Guyana. I thank you, Sir. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member Mr. Mahipaul. I did not want to interrupt the passion in which you delivered some of that content, but the use of some of the motions did disregard Standing Orders. Motions coming from committees and ministers require only one day's notice; it is nothing sinister. You did acknowledge in the end that the Government has six days and the Opposition 12. It was your omissions in this entire presentation which is of concern. While this is just looking at a timeframe for the administration of the National Assembly to put questions, you still have to consider Standing Order 20, Contents of Questions. I would not bore the House with reading them back again. The content of questions – not too lengthy – is very important when

we have to read questions and motions against the Standing Orders. That is why in the end, a certain motion on inflation and cost of living took a long time. In the end, it had to even go back for the members of the legal committee for them to look at it. Nevertheless, we are here. I now put the motion submitted by the Hon. Member Mr. Mahipaul to the vote. Those in favour, say aye; those against, say no.

Opposition Chief Whip [Mr. Jones]: Division.

Mr. Speaker: The *noes* have it and there is a division. We will ring the bell to ensure. We do have a bell. Again, at the discretion of the Speaker, we will ring the bell so that persons who are not here or who may be in China, may have the opportunity to log on and participate in the hybrid National Assembly which we have.

1.48 p.m.

Mr. Clerk, you may take the division now.

[Mr. Speaker hit the gavel.]

Assembly divided: Ayes 31, Noes 34, as follows:

Ayes

Mr. Sears

Mr. Sinclair

Ms. Alert

Ms. Philadelphia

Mr. Jaiprashad

Ms. Flu-Bess

Mr. Rajkumar

Mr. Mahipaul

Mr. Figueira

Mr. Cox

Mr. Patterson

Ms. Fernandes

Ms. Ferguson

Ms. Singh-Lewis

Ms. Sarabo-Halley

Dr. Cummings

Mr. Henry

Mr. Ramsaroop

Ms. McDonald

Ms. Walton-Desir

Mr. Jordan

Mr. Jones

Ms. Hastings-Williams

Ms. Lawrence

Mr. Duncan

Ms. Chandan-Edmond

Ms. Hughes

Mr. Holder

Mr. Forde

Mr. Ramjattan

Mr. Norton

Noes

Dr. Kissoon

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

Mr. Jagdeo

Mr. Phillips

Minister of Education [Ms. Manickchand]: Mr. Speaker, this is Priya I was cut off the internet. I sent you a message and I would like you to acknowledge my message. My vote is no. I was on shortly before, which I indicated to you, and I asked you to acknowledge that indication and then I was kicked off.

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Members we are in a hybrid situation, and we have done that for other persons here. Her vote could be acknowledged.

Ms. Manickchand: No. Did you hear that?

Mr. Speaker: Your vote is acknowledged.

Mr. Jones: Mr. Speaker, the Members of the Opposition would just like to register their objection to that vote being counted.

Ms. Manickchand: Sir, the Standing Orders are very clear...

Mr. Speaker: Hon. Members, I now call on the Clerk of the National Assembly to read the results of the voting.

The Clerk: Mr. Speaker, 31 Members voted for the motion with 34 voting against.

Mr. Speaker: Hon. Members the motion is defeated.

Question put and not carried.

Motion not carried.

This is a good time to take a suspension for lunch.

[Mr. Speaker hit the gavel.]

Sitting suspended at 1.57 p.m.

Sitting resumed at 3.20 p.m.

GOVERNMENT BUSINESS

Bills – Second Readings

Motor Vehicles and Road Traffic (Amendment) Bill 2023 – Bill No. 7/2023

A Bill intituled:

“An Act to amend the Motor Vehicles and Road Traffic Act.”

[Minister of Home Affairs]

Mr. Speaker: Hon. Members we will now proceed with the second reading of the Motor Vehicles and Road Traffic (Amendment) Bill 2023 – Bill No. 7/2023 published on the 24th April, 2023. Hon. Minister of Home Affairs.

Minster of Home Affairs [Mr. Benn]: Thank you, Mr. Speaker and Hon. Members. I rise to move that the Motor Vehicles and Road Traffic (Amendment) Bill 2023 – Bill No. 7/2023 published on the 24th April, 2023, be now read a second time.

Mr. Speaker, in its format, or in its presentation, this is indeed a very simple amendment required in respect of vehicles, in this case the use of electric cycles, to take them into account in respect of the laws of the country for usage on the roads. Vicariously, perhaps, it might appear that this was something which was missed in relation to this being taking care of – the question of electric motorcycle. A vehicle or motorcycle propelled by means of an electric motor itself was not in the law before. But I have to point out that indeed we are now at the beginning of the wave in respect of the use of electric vehicles on the road, and particularly in Guyana, except for a few motorcycles which are electric or gasoline or diesel driven motors, the entrance is represented by electric motorcycles. In this case, I would say, for the past three years, we have this phenomenon on our roads, the entrance, the rapid increase in the availability and the purchasing of electric motor cycles, and particularly there being now fairly ubiquitous on our roads, so we have had to take into account the fact that we should not leave a gap in the way our laws are written, so that the question of whether a motor as stated in the law refers only to a gasoline or diesel or a gas-powered motor that it is now an electric motor. We want to have that clearly defined by this amendment in the laws.

3.25 p.m.

This is basically related to clause 2 of the Bill where we stated:

“2. Section 2 of the Principal Act is amended-

(a) by inserting immediately after the definition of “drive”, the following definition-

“ “electric cycle” means any motor cycle that-

(a) has an electric motor; and

(b) is fitted with an effective stopping system controlled by use of brakes, gears or motor control;” and

(b) in the definition of “motor cycle”, by inserting immediately after the word “hundredweight” the words “and includes an electric cycle”.”

That is for absolute clarity in respect of this matter. The two issues are: one, to identify that it is driven by an electric motor; and, secondly, that the effective means of stopping is by the use of brakes, gears or an electric motor control. We do indeed – and this is what the response is related to in respect of this amendment – have ongoing challenges requiring immediate responses in relation to the situation on our roads. The latest figure I can refer to is in 2022; we had 22,696 vehicles of all types on the roads. For the year to date, we have registered 7,361 vehicles of all types, that includes 3,264 cars and 1,744 cycles. Of course, this only represents a figure which will grow larger as we go towards the end of the year. It was noted to me this morning that we have started a new series in respect of motor vehicles being registered and which are on the road now. Of course, those who have not as yet – citizens/owners of motor vehicles – are perhaps still a large number who will have to go and register their motor vehicles to exceed the 22,696 vehicles of all types which were on the roads in 2022.

We did have, last week, the Guyana Police Force’s annual conference. At that conference we were again mandated, the Police Force that is, and the Ministry included, to up our work or game in respect of getting better controls, improving the controls we have to improve safety, to reduce deaths, to reduce injuries and to reduce accidents on our roads. I would say that in 2020 and 2021, we were successful in reducing the number of fatalities on our roads for the first time in 16 years to below 100 deaths. In 2021 and 2022 the road deaths were just below 100 for 16 years. We consider that was a significant achievement. We thought, perhaps, it might have been nuanced by the issues of the Coronavirus disease (COVID-19) for 2021 particularly. We thought that there was a significant increase in the number of vehicles on the road and an increase in the number of travel miles being undertaken by people coming out of COVID-19. This suggested, in any event, that number was a significant achievement.

We are now going out again in support of the Guyana Police Force to increase the presence, the resorts, the sanctions, and to undertake those sanctions which are already in the laws in respect of improving safety on our roads. We are concerned about the question of drinking and driving. We know that where the statistics speak, where the data speaks to speeding as a cause of an accident, the basic problem may be drinking and driving. In respect of the electric motorcycles, last year there were seven electric motorcycle-related fatalities in the data. We have had a few already this year. We know that some drivers, some operators who were there before are upset perhaps at the appearance of these modes of transport on the roads and consider them unsafe. There are a wide variety of these types of electric motorcycles. We have to take a hard look at the question of the types which we should perhaps allow to be used on the roads or particular sections of the road.

We are continuing to be concerned about the fact that the motor cyclist, too many of them, present the largest number of fatalities on the roads. It is related not simply to speeding and poor usage of the roads, but the lack of the use of helmets. Every year since we have been here – and we did it again this year – we have been giving out free helmets on the road. We would go out and have the police stop persons and give out free helmets. We are still concerned that persons who may have a motorcycle, electric cycle or the normal motor driven cycle, would ride and not have a helmet, or even if the man has a helmet the pillion rider, who may be a female, does not have a helmet. I wonder sometimes if he really loves the person who is the pillion rider and would not provide a helmet for the person or take his helmet and give it to her. Worse yet, they have children without helmets, or two of three of them have no helmets. Again, we are going to go out and give free helmets.

Given the current culture on the roads and given the fact that we have a fair amount of disdain and disrespect amongst ourselves when we drive on the road, much, much, stronger action has to be taken. As said, the intention of this amendment is to provide clarity and safety in terms of the language of the law, in case the use of the word ‘motor’ is challenged in terms of an electric motor. That is not the way or the interpretation. When one speaks of ‘motor’, one does not necessarily or historically think of an E-cycle, a motorcycle driven by an electric motor. I have to, in part, point out the strenuous efforts we have been making in relation to road safety. Of course, it is not enough, we have to admit it and that is why we have to do more. I have to point out that with our data at the present time, we have a situation where speeding is still considered the prime cause of fatal

accidents. The question of the time periods when there are fatal accidents remain the same, between 6.00 a.m. and 12.00 p.m., between 6.00 p.m. and midnight and, again, from midnight to 6.00 a.m. That is when there is either inattentiveness or whether person's ability to travel on the road properly and safety is compromised either by drink or drugs.

The days on which fatal accidents occur remain on the weekends from Friday to Monday. Those are the days on which we have the most prevalent fatalities on the road. Since we care and we want to see a dramatic improvement in this situation, even though we have more vehicles on the road of all kinds, and even now where we have lorries moving construction materials on the roads, particularly on the East Bank going to construction places, given the fact that we have a massive surge in construction, we are approaching this matter in a particular manner and there may be further amendments which we would have to bring to this honourable House before, in fact, we meet a point where the entire Motor Vehicles and Road Traffic Act will have to be amended or a new one be done. I have to make a lateral, to use a term, in relation to some remarks which were made earlier about the seriousness in which we take work in this National Assembly. It was noted that the Hon. Anil Nandlall, our Attorney General, Senior Counsel (SC), in one year brought more bills to the House than was brought to the House by the previous Administration from 2015 to 2020. I think that this speaks volumes about our engagement in relation to our service to the people of Guyana. The Hon. Member, Mr. Mahipaul, amongst a few others, said some things which would raise the ire of most of us on this side of the House in relation to the facts.

The motion which he brought he said was a motion brought to the benefit of the Government. It was shot down by votes on this side of the House. I would only say that all of the changes and suggestions and so on they are making in respect of legislation for particular issues, were changes, suggestions and amendments they should have made when they were in power, in this House, in Government, between 2015 and 2020. In spite of the honourable and my erstwhile friend, Mr. Khemraj Ramjattan, standing up here and carrying on about it, speaking of sanctimonious... [Mr. Nandlall: And calling on you.] ...and calling upon me to respond to that issue and challenging me on the question of when and if the Parliamentary Committee on the Security Sector would be called. Now thinking of it I am perhaps ready to go with it. [Brigadier (Ret'd) Phillips: Thank you very much.] Yes, Prime Minister. I think I am ready to go, Prime Minister. Sir, I would

think that Mr. Ramjattan would be careful about what he wants to wish for, including many persons on that side of the House.

3.40 p.m.

There are persons in this House on that side – perhaps because they are still parliamentarians now, they have come back to the Parliament – who should be facing criminal charges in this country today, criminal charges for the rigging of elections. We had the *Report of the Commission of Inquiry into the General & Regional Elections of Guyana* recently given. There are records and related testimony taken down in relation to that exercise. There are persons here... I am not prepared to name them, of course, but if one wants to find sanctimonious, he/she should look on that side of the House – look on that side of the House. If the Members of the Committee on my side of the House would perhaps press me to do the right thing and find the resorts which the law provides for in relation to those issues, I think we will have a lot of empty spaces on that side of the House. That will give opening to newer, more literate and more rational persons on that side of the House.

I am speaking of the Prime Minister. I remember when we came to Office, one of the first problems we had... I want to forget that the elections in 2015 were rigged for the moment, which got them into power. When we got into power, the Prime Minister and I were going all the way up the Corentyne Coast and the West Coast, going through blazing roadblocks with persons who were encouraged by some persons in this House to do the things which they did. They sit here and speak of sanctimonious. I want to spare a thought for Ms. Dawn Hastings-Williams who recently could not go into a certain compound. The Hon. Member was locked out of the yard; she could not have gone in the yard. I want to spare a little thought for somebody on that side for anything which would be useful.

Ms. Ferguson: Mr. Speaker?

Mr. Benn: With that and without wanting to belabour the points I have made so far, ... Mr. Ramjattan is laughing on that side.

Mr. Speaker: Hon. Minister, we have the Hon. Member, Ms. Ferguson, on her feet with a Point of Order.

Ms. Ferguson: Thank you very much Mr. Speaker. Mr. Speaker, I rise on Standing Order 40(a). It states:

“by rising on a Point of Order, when the Member speaking shall resume his or her seat and the Member interrupting shall simply direct attention to the point which he or she desires to bring to notice and submit it to the Speaker or Chairperson for decision; or...”

However, Mr. Speaker, I want to turn our attention to Standing Order 41(1), Contents of Speeches. This is what it states:

“Subject to these Standing Orders, debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Member shall confine his or her observations to the subject under discussion.”

This National Assembly is debating the Motor Vehicle and Road Traffic (Amendment) Bill, Bill No. 7/2023. I am surprised – I guess many Guyanese out there are surprised – at what the Hon. Minister who is responsible for public security in this country is saying to this National Assembly and to the people of Guyana. I am asking you, Mr. Speaker, to kindly enforce Standing Order 41(1). Let the Hon. Member skip to the Bill that is currently before the House. Thank you very much.

Mr. Speaker: Hon. Minister, you may continue. I do not recognise the particular Point of Order. You can continue with your presentation.

Mr. Benn: Mr. Speaker, I couch my remarks by saying the fact that we care. I was pointing out the deficiencies which existed when we inherited Office in relation to some of these issues. I was also pointing out the fact that we inherited a difficult and unstable situation at the beginning because of the particular actions of some Members on the other side. I want to close by saying that I want to... I was trying to close and my erstwhile Friend... I say again, Some Members, particularly too, Mr. Ramjattan, should be careful about what they wish for. I am the Minister now. I came in after the Hon. Member, I have the Hon. Member’s skeletons; I have his closets. The Hon. Member wants me now to go and investigate them when they make certain assertions. I am saying in totality that the fact that we are bringing this Bill in respect of e-vehicles and other issues

point to the fact that we care. Mr. Mahipaul talks about whose days are numbered, we will see soon, in 2025, whose days are numbered.

With that, I want to commend Bill No.7/2023, the Motor Vehicles and Road Traffic (Amendment) Bill 2023, to the honourable House for its consideration and deliberation. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Minister. Now for Hon. Member Ms. Geeta Chandan-Edmond.

Ms. Chandan-Edmond: Thank you, Mr. Speaker. I rise to offer my support to the Motor Vehicles and Road Traffic (Amendment) Bill 2023.

This Bill was borne out of a need for public safety. I cannot see the need for any ranker, like I am hearing from Members of the Opposite side who seem to have a position to want to oppose the amendment proposed by the Hon. Member. I do not see the need for any ranker and baseless opposition. As legislators, we, on this side of the House, are here to make laws that are designed for the protection of the Guyanese people and any Bill that intends to do that shall receive our support. We take the mandate that was given to us by the Guyanese people very seriously and, in that regard, we scrutinise everything that comes before us. If we think it is detrimental to the people and this country, we will constructively oppose.

This Bill is an amendment to the Motor Vehicles and Road Traffic Act. As simple as it appears, as we heard from the Hon. Member, it teams with larger macro issues that cannot escape the attention of this forum and discussion, the least not being what I just mentioned. We have already alluded to the symbolism of our action here. We do not see a syllable in this amendment that can prevent us from joining hands and singing hymns for Guyana's children. As the Hon. Member said that I am here to make noise. This is the noise that I am making; my noise will be for the benefit of myself and the Guyanese people. Be that as it may, the larger context and the origins and motivations of this amendment must be paramount. Foremost among these issues is what this amendment means from a technical, administrative and safety standpoint. As it is known, once the language is amended there will be the automatic benefits of this action, ownership will be established and these electric bikes (e-bikes) can be tracked for law enforcement purposes and, importantly, for the assessment of taxes. Cars, vans, buses, trucks, motorcycles, tractors, excavators, trailers, bulldozers, *et cetera* are subject to the provisions of this regime under the Act.

There is no reason e-bikes should not join the list. We on this side of the House believe that this amendment is necessary, and we see absolutely no need to railroad this process.

The use of electric bikes is increasing locally with adults and even children. There are even children under the age of 16 years old who are using these e-bikes. I have witnessed this personally across the coastal regions and it is observed as these e-bikes are used to undertake daily activities. This mode of transportation has gained popularity, however, there is a need to regulate the usage of this mode of transportation, more so, for safety reasons and to maintain law and order. In any society, personal safety must be paramount. Safety must trump convenience and I am very pleased with this move to regulate the usage of e-bikes. This amendment essentially means that it is a requirement now to be licensed to operate and to use an e-bike, thus prohibiting children under the age of 16 years to operate. All categories of road users must be protected. With this amendment, the intention is not to disenfranchise any member of the citizenry but to protect them. I feel the need to make this point because I did receive some objections from members of the public who I have interacted with. **[Mr. McCoy: When?]** Last night.

The first models of electric bikes appeared in the late 19th century. One of the first commercially successful e-bikes modelled appeared in 1997 with the name “Select”. A year after that, there were 49 different e-bike models available on the market. In the early 2000s, two big companies from Japan, namely Yamaha and Panasonic began their worldwide mass productions. From research, I have learned that there are several types of motors currently in use. Countries around the world have different rules that regulate their use on public roads. These e-bikes are often classified in the same class as bicycles, but somewhere they are regarded as one subtype of motorcycle and motorised vehicle. The invention of this mode of transportation has brought ease to those who may not be able to afford the larger or expensive bikes or need for a car. My research has uncovered numerous voices on the issue of e-bikes. Members of the biking community are adamant that there is an important role for e-bikes in the grand scheme of economic existence. The European Cyclists’ Federation (ECF) has argued that for the entire European Union (EU) e-bikes are saving money, time and carbon dioxide (co2) emissions for cities and companies. They are also increasing efficiency; productivity; and, in some cases, even providing new jobs.

The California cycling association has noted the benefits of e-bikes. It has proffered the following points. E-bikes are 10 to 30 times more efficient than electric cars at fighting climate change. E-

bikes get 30 to 100 more miles per pound of battery than an electric car. Battery efficiency is essential because the resources used to make lithium batteries may be in short supply as more car manufacturers switch to electric. An e-bike emits 40 to 100 times fewer pounds of greenhouse gases than a 30 miles per gallon (mpg) gas car. E-bikes are incredibly cost effective.

3.55 p.m.

Electric bikes are incredibly cost-effective. It is important to point out here that we must have a clear understanding of the environmental economic and social benefits of this technological invention, which currently engages our attention. We know that in this new oil and gas context where a few are taking the cake and 99% is being left behind, these affordable options are important. We, on this side of the House, are very much aware that parents who live in areas where buses cannot be accessed, depend on electric bikes to take their children to school. We are cognisant of the fact that electric bikes can be purchased at around \$60,000 *a far cry* for the price of a car which costs around \$1,200,000. We also know that a simple charging of a battery can save the cost of expensive fuel and reduce ones transportation bill by astronomical numbers. We are well aware that those who live in areas where there are constant traffic jams may need an electric bike to navigate their way through. I know that there are cases where some are not physically able to pedal the normal bikes and may not be able to purchase a car.

We now have a full understanding, by listening also to the Hon. Minister, of a full spectrum of this issue and why the need for this amendment. However, nothing must be placed over regulations, safety and administration of vehicles that traverse our roads. Even in the midst of lawlessness that have descended our society, law-making must precede. This amendment is absolutely necessary. We cannot have a Motor Vehicles and Road Traffic Act that does not include provisions for this growing industry. I can only imagine the administrative nightmare that is currently experienced by the Guyana Revenue Authority (GRA) and the Guyana Police Force (GPF). This has larger implications for licencing and legal process.

By inserting electric bikes in this Act, I suspect that this confusion will now come to an end. Hence, I cannot see any syllable in this proposed amendment that is worthy of critique or opposition. While we invoke the necessary bipartisanship, we are conscious that this necessary amendment is being completed against the backdrop of a nation that is in complete crisis and confusion. While

we demonstrate our support for this amendment, we do this with hearts filled with concern for this nation and its general direction. I thank you. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member. Now, the Hon. Attorney General and Minister of Legal Affairs, Mr. Nandlall, will proceed.

Attorney General and Minister of Legal Affairs [Mr. Nandlall]: Thank you very much, Mr. Speaker. This Bill is a simple one but it has very important, wide-ranging impact and ramifications. The Hon. Minister of Home Affairs has done a remarkable job in outlining to us the merits of the Bill, what it seeks to do, how it seeks to do it and the impact it will have once enacted.

Our Government, as I have said before, has a legislative agenda that is intended to travel with equal despatch with the economic and social progress taking place in our country. I have heard repeatedly; I am recognised for this legislative effort but. I, singularly, am not responsible. We are a collective on this side and it is our legislative agenda that we are pushing. There are some important persons in the background here who I must recognise – Ms. Joann Bond, Mr. John Fung-A-Fat, Ms. Melissa Adolphus and Ms. Shoshana Lall. They are the real people who are driving this agenda and I want to recognise them on the record. We will continue to bring Bills of different sizes and of different magnitude as we proceed with the transformation of our country. We are not here to quibble for hours over what a Standing Order should say and whether we want to strip Your Honour of powers to determine what should be placed on the Order Paper. We have no time and energy for that. We will dedicate our time and energy to the service of the people of this country in a real and constructive way.

That is why we are bringing this Bill. The Hon. Member, Ms. Chandan-Edmond, recognises, as the Minister of Home Affairs, that we have had on our roadways for a number of years now, these electric cycles and they have begun to pose a problem because our legal legislative architecture does not, in its current form, caters for them. There is no way to regulate them. There is no way to bring them within any form of regulatory framework other than by this amendment. That is why we are here. We are here also in recognition of the fact that we are losing too many of our citizens on the roadways of our country. Our Government will constantly be taking all steps requisite to ensure that we address that matter. To us, unlike those who are obsessed with the oil on that side,

the oil is not our most important resource. Our most important resource to us are the people of our country and we are protecting the people of our country.

I read, like Ms Chandan-Edmond, some misplaced objections and criticisms to this Bill when it was first publicised. The impression that I got is that the populace out there is of the impression that we want to ban electric cycles in Guyana. I had to issue a statement to say that we are not the banning government. The banning government is the People's National Congress/Reform (PNC/R) and they are on that side of the House. We are the Government who will bring law and order to activities in the country. That is what this Bill seeks to do. [Mr. Ramson: They banned used tyres] Yes. We recognise the importance of this e-cycle from many perspectives. We recognise its environmentally friendly nature. We recognise that it is a cheap source of transportation for those who are more vulnerable in our society. We also recognise that it is a quick and expedient mode of transportation in our country. We embrace this mode of transportation but we thought it fit that it should be brought into regulation.

In this regard, we are emulating countries such as the United Kingdom, Australia, Ireland and Canada that have enacted recent legislation of this type. The important issue that we have to confront in this country is the carnage that is taking place on our roadways. For these vehicles alone, based upon the statistics I received from the Guyana Police Force, the data revealed that 11 persons were killed and 14 other persons suffered significant injuries as the result of the use of electric cycles from 2021 to 2023. That is a completely unacceptable state of affairs. According to the Guyana Police Force all of the riders of these cycles did not possess any form of vehicular licence. Rather, they took advantage of the fact that the Guyana Revenue Authority was not regulating electric cycles. Most times, users of these cycles are not using helmets, thereby exposing themselves to potential injuries and, even worse, disability or death. Even more frightening is that some of the users are young persons, even persons under the age of 16. Recently, in February of this year, *Stabroek News* headline, dated 18th February, 2023, reads:

“Non Pariel girl 17 on electric bike dies after accident. The cycle was ridden by a 16 year old female and the pillion rider, a 17 year old had died”.

It is because of incidents like these that the Bill is before us. This Bill certainly is an important one and I am happy that the Hon. Members on the other side have supported the Bill. Mr. Speaker, I

seek your kind permission to respond to something that the Hon. Member, Mr. Mahipaul, said this morning. I sat and listened to Mr. Mahipaul regale us for nearly 30 minutes about whose days are numbered in this Assembly. He pointed to 12th June, 2023, Local Government Elections. He told us that elections will reveal whose days are numbered. I have a Guyana Elections Commission (GECOM) press release. It states:

“The Guyana Elections Commission used the opportunity to inform all stakeholders that 13 LAAs, with a combined total of 98 constituencies, and 193 additional constituencies ...”

Mr. Mahipaul: Mr. Speaker?

Mr. Speaker: Hon. Attorney General, the Hon. Member, Mr. Mahipaul, is on his feet.

Mr. Mahipaul: Thank you, Cde. Speaker. I stand on Standing Order 41 – Content of Speech. Sir, I never made reference to 12th June, 2023, elections. I think the Hon. Member is imputing. I never made reference to 12th June elections, being the elections that will number their days. I spoke about an election and really, I was referencing the National Elections.

Mr. Speaker: Honourable AG, the Hon. Member is accurate. In fact, he has not even spoken as yet on this.

Mr. Nandlall: He spoke about an election and that election will determine the number of days that we have in this Assembly. Mr. Speaker, 13 Local Authority Areas (LAAs) are not contested by that side, 98 constituencies are not contested, a total of 291 constituencies are not contested. This means that the People’s Progressive Party/Civic (PPP/C) will without going to the Elections, win 291 constituencies. Whose days are numbered? We have not even gone to the elections and we have already won 291 seats. They have won none and they are telling us about whose days are numbered. Mr. Ramjattan had to leave because he is not contesting any. He is telling people that their days are numbered. I am happy that they are saying these things. Due to technology, the people are hearing. In the same way that they denied that they pulled that Mace and broke it...
[**Mr. Mahipaul:** What that got to do with this Bill?] ...yes, they denied that this morning. We will run the footage and we will play the speech as they are grabbing the Mace. The speaker who

spoke this morning will be heard telling the people, we did not pull the Mace. That tape is coming out this afternoon. Mr. Speaker, I thank you. *[Applause]*

4.10 p.m.

Mr. Speaker: Thank you very much, Hon. Attorney General. Now, for the Hon. Member, Mr. Robeson Benn, to conclude.

Mr. Benn (replying): Thank you, Mr. Speaker and Hon. Members. I want to thank the Hon. Member, Ms. Geeta Chandan-Edmond, for her effusive support of the amendment. I also wish to clearly acknowledge the presentation made by the Hon. Attorney General, Mr. Anil Nandlall, inclusive of his laterals, in respect of whose days are number, in respect of our total approach to the legislation we bring to this honourable House. **[An Hon. Member: (Inaudible)]** Yes. I hope that the Hon. Member, Ms. Geeta Chandan-Edmond, will remain somehow in this House, as it goes forward. I notice that she is, indeed, my shadow and not the former Member who just exited. My erstwhile Friend whose closet I have. I have his closet. With that bit of levity, I want to ask that we proceed further with consideration of the Bill and that the Bill be read a second time.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Assembly resumed.

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

THE COMBATING OF TRAFFICKING IN PERSONS BILL 2023 – Bill No. 6/2023

A BILL intituled:

“AN ACT to provide comprehensive measures to combat trafficking in persons and for connected matters.”

[Minister of Human Services and Social Security]

Mr. Speaker: Hon. Members, we will now proceed with the second Bill, The Combating of Trafficking in Persons Bill 2023. Hon. Minister of Human Services and Social Security, the Hon. Dr. Vindhya Persaud, you have the floor.

Minister of Human Services and Social Security [Dr. Persaud]: Mr. Speaker, thank you. I rise to move that The Combating of Trafficking in Persons Bill 2023, Bill No. 6 of 2023, published on 18th April, 2023, be now read a second time.

This is a significant bill. One that is of great importance to our country and one that will have great impact on the lives of many across the length and breadth of Guyana. I rise to present this Bill which tackles one of the worst scourges which exists in our world today and literally snatches an individual's life, rights and freedom. It is to such an extent that it puts that individual in an inhumane, cruel and callous position where the person literally has no control over his/her life. I believe that this Bill deserves a place in our legislative cache as it speaks to many of our fundamental rights, notably, freedom. Today, we all have the opportunity to support this Bill which strengthens Guyana's response to the trafficking in persons. This is a robust, comprehensive piece of legislation constituted of key measures synonymous with international best practices and our dynamic socio-political needs. Trafficking in persons – some people call it modern day slavery, but whichever way one refers to it – is a violation of human rights. This Bill is intended to repeal and replace the existing Combating of Trafficking in Persons Act of 2005, thereby, protecting the rights of individuals and preventing and combating trafficking of persons within or across the borders of Guyana.

The Bill in its current construct has benefitted from a few years of intensive work from both local and international agencies, inter-agencies and wider consultations. It has been minutely scrutinised over the last two years. I must sincerely thank the technical teams who worked on this Bill including those from the Ministry of Legal Affairs, specifically, Ms. Joann Bond and her team; and the teams from the Ministry of Human Services and Social Security and the Ministry of Home Affairs, notably, the head of the Counter Trafficking in Persons (CTIP) unit, Ms. Tanisha Williams-Corbin and Mr. Daniel Griffith from the Ministry of Home Affairs. It is their dedicated efforts that have yielded much of the input that this Bill has in its current form.

The objective of this Bill is to prescribe measures to combat trafficking in persons including children. It sets out a litany of criminal offences with extraterritorial effect. This extraterritorial effect facilitates partnership and cooperation between Guyana and other states to prevent and suppress trafficking in persons. Of course, it gives a wider scope to punish offenders. In fact, there are 137 countries in the world that experience trafficking in persons every day. Guyana is not immune to this. This happens in Guyana, but, our Government is committed to this robust, strong response and here we are today with this piece of legislation that forms part of the arsenal against trafficking in persons. When we speak to trafficking in persons, we know that it has no face. It affects men; it affects women; it affects children of all walks of life. It is sometimes described as a hidden crime and because of that there is need for much public awareness and education. That has been happening. Trafficking in persons speaks to:

“...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

That is the definition. Exploitation comes in many forms. It is inclusive of sexual exploitation and forced labour but not limited to those. In our national context, it can happen on the coast – whether we speak of the urban coastland or in remote and rural communities – and yes, even in the hinterland. We look at certain sectors and certain areas where this may be perpetrated easier than others. Notably, the entertainment industry, forestry, mining industries, domestic services and shops, to name a few of the places where one can find this. From 2020 to 2023, the Ministry of Human Services and Social Security received 151 reports of trafficking in persons. In addition to this, the Ministry’s Combating Trafficking in Persons (CTIP) Department was able to identify, over that period, 790 alleged victims of trafficking. If there is nothing else that tells how important it is at this juncture, to introduce a Bill of this nature, that definitely pushes this agenda of a response.

In 2023, there were three convictions. What was noticeable about two of those convictions is that there was restitution. This Bill also speaks to that. When we look at the legislation before us, it has many stringent measures and it is envisaged that these stringent measures will bring more

perpetrators to justice. It also recognises the victim. It gives a voice to the victim. It also gives recompense to that person who lost much in his/her life or his/her life, through this whole process of trafficking, moving the person within the construct of the legislation to where we want the person to be – to a life of stability where he/she can feel safe, secure and move forward with his/her life. More importantly, it is restoring a fundamental human right. While the Bill is expansive and it can be read from cover to cover, I would like to highlight a few areas of note in this Bill which speak to the severity of the crime and the commensurate measures that this Bill espouses. Some would not disagree that the heinous nature of trafficking requires harsh or punitive measures and it is important to see within the framework of this Bill that all the measures that are within the Bill are austere, severe or harsh and should act as a deterrent to persons who wish to perpetuate and perpetrate the crime of trafficking.

This should also send a signal to victims who are trafficked that this Bill espouses, supports assistance and redress for what would have taken place in their lives. In fact, if one peruses Part II of this Bill, there are criminal offences set out. It provides that the trafficking in persons is an offence, first of all, and anyone who commits this offence is liable – on summary conviction – to imprisonment for five years, on conviction on indictment – it carries a penalty of life imprisonment. In both instances, restitution should be ordered by the court. In all instances where there is restitution, property may be forfeited. Significant fines and charges and convictions are also listed when it comes to attempts of, conspiracy to, or complicit acts in trafficking which widens the net, as we want it to, when it comes to eradicating trafficking not only focused on the principal offender but those who are complicit or support that offender in carrying out this grave crime of trafficking of persons.

[Mr. Speaker left the Chair.]

[Mr. Seeraj, Presiding Member, assumed the Chair.]

I will refer to the Bill, from time to time, to illustrate the punitive measures commensurate, with the gravity of this crime with due consideration of all those involved and affected. It holds accountable, again, not only the primary actor or the individual, but even the corporate bodies which may be involved in trafficking of that offender.

4.25 p.m.

As I share with you, I would like to look at some of the clauses, some of the sections of the Bill. This one falls within Part II of the Bill, sub-section 4 (3). It states:

“A person who counsels, procures, or commands any other person to commit an offence under this section, commits an offence and is liable

- (a) To be indicted either as an accessory before the fact to the principle offence together with the principal offender or after the conviction of the principal offender;...”

This is significant because in the legislation or the crafting of the legislation, it holds everyone accountable. It continues to state:

- (b) “To be indicted of the substantive offence, whether the principal offender has or has not been previously convicted, or is not amenable to justice,...”

“5. (1) Any person who for the purposes of trafficking in persons, and acting or purporting to act as another person’s employer, manager, supervisor, contractor, employment agent, or solicitor of clients such as a pimp, knowingly procures, destroys, conceals, removes, confiscates, or possesses any travel document, or other government identification document, whether actual or purported, belonging to another person commits an offence and is liable to summary conviction to a fine of one million dollars together with imprisonment for five years”.

Just these two pulled out of Part II speaks to the wide ambit of this very comprehensive piece of legislation. Part II also provides the court with comprehensive sentencing guidelines and a number of aggravative circumstances where the sentence of a person could be adjusted. That person being convicted for trafficking in persons. All of the sentencing, all of the measures include stiff fines where judgements maybe in excess of \$1 million, forfeiture of property is involved, including the conveyance if that conveyance was used to transport the victims. Imprisonment and additional terms of imprisonment could be a part of those measures if fines are not paid. Part II also provides for ancillary offences. Section IX is replete with various scenarios and the addition of years to any sentence. I just will share a few of those from the section.

“9. (1) As factually appropriate, the following adjustments to the sentence of a person convicted on indictment for trafficking in persons may apply –

(a) If the convicted persons used, threatened use, or cause another to use or threaten use of a dangerous weapon, two years may be added to the sentence;”

In other words, there is cumulative measures applied to any sentence based on the nature of the trafficking offence, and how that trafficking offence occurred. There are also other measures. Clause 9 (d) states:

“if, in the course of trafficking or subsequent exploitation, the convicted person recklessly caused a victim to be exposed to a life threatening illness, or if the convicted person intentionally cause the victim to become addicted to any drug or medication, five years maybe added to the sentence;”

I think this is important because in the world in which we live, many of these crimes continue, and perpetrators seem to feel that the long arm of the law will not get to them. This piece of legislation being considered here today definitely espouses not only the punitive measures but that the law is wide-reaching or far-reaching and will definitely encompass many of the offenders.

Section 13 of part II sets out, very clearly, that a body cooperate may also be guilty of trafficking in persons and any ancillary offences, and hefty penalties are also levied by this Bill. In fact, the body corporate, as referred to in the Bill, section 13 states that this corporate body may be fined \$10 million. I know an amendment has been proposed by an Hon. Member, and I feel this amendment does not change the concept or the thrust of what is being done. What I would like to propose is a further amendment to that; not less than \$10 million; which is the Hon. Member’s amendment, and not more than \$15 million in keeping with how the law should be crafted. I believe coming from that Member, too, there is solidity in the support for this Bill. I will construe that based on us trying to curb the scourge of trafficking in persons. Each sub-section takes into account the complexities of the involvement. If we move further into the piece of legislation, we will be able to see that. It states:

“...a body corporate or its director, manager, secretary, agent or any other officer concerned with the management of the body corporate has been convicted of an offence

under this Act, the court shall have the power, in addition to the power to impose penalties prescribed for the stated offence to – ”

Do several things of great importance;

- “(a) Revoke the body corporate’s business license;
- (c) Order the body corporate to be wound up;
- (d) Forfeit the assets and properties of the body corporate;
- (e) Or prohibit the body corporate from performing any further activities.”

This speaks, again, to the severity of the measures commensurate with what is considered the gravity of the crime of trafficking in persons. I want to turn my attention to children, as mentioned in the Bill. This is very important because the Bill does not reference adults alone. It speaks to children and how children ought to be treated in terms of best practices when it is related to trafficking in children. What constitutes the offence against the child? That is important because it sets the foundation for all the measures to follow. Any person... This is subsection 3. This speaks to children; where children are concerned, there must be every interest of the child at the forefront of what is happening. The child’s statement must be done in a protective environment. The child should be spoken to in a language that the child understands. The child should be taken into protective custody. The child should never place in a situation that further exposes that child to any danger. The child also, in all of the various sections and sub-sections of this piece of legislation as it relates to children, should be treated in such a manner that the interest and fundamental rights of that child will always be protected.

Part III of the Bill speaks to the Child Care and Protection Agency. It is evident that the interest of the child is paramount in this Legislation as the Child Care and Protection Agency must collaborate at all times with the task force and the Combating of Trafficking in Person Unit whenever children are involved in trafficking. Child victims should be provided with every comfort and support that they require to get them through this harrowing process. As we move to victims in general, this Bill, again, is pellucid when it comes to giving victims closure, giving victims a voice, giving victims redress, and it is specifically detailed in many sections in the Bill. Those persons conversing with trafficking in persons understand the pain and the horror visited on victims. This

Bill addresses this in several impactful ways, ensuring that these persons are on an easier and better path to return their life to normalcy or as close as possible, taking their life to normalcy.

Part III of the Bill provides for the court to conduct case management procedures to ensure that cases are heard expeditiously. This is important because when things are drawn out, that could affect the course of the case and could also allow the perpetrators to get off scotch-free if they threaten or they even intimidate or threaten that person while waiting for the court to proceed. This part also stipulates that victims may be eligible to participate in any applicable witness protection programme. It also provides that victims must be protected whenever they are questioned or interviewed. That must be done in privacy. This part makes provision for victims to be provided with assistance and support, which would include anything from counselling to housing, financial support, employment, and even immigration services. This is an important introduction or intervention into the legislation because it clearly assures the victim that their circumstance is catered for, their safety is catered for, and that in everything that they are doing, they are protected.

Restitution, perhaps, is the biggest intervention or the biggest measure when it comes to someone who has experienced trafficking in persons. Restitution speaks to recompense for loss or injury provided to victims. This intervention in the legislation emphatically signals to victims that their loss and suffering is not just noticed, but the perpetrator must offer redress. This spoken to in Part II Section 7 and sub-sections 1-7 which states:

“...the court shall order...restitution...pursuant to the list out in the Second Schedule.”

Seeking to achieve so many different things. I will share some of what we are hoping to achieve and why and what the court is compensating victims for. Clause 7 (2) states:

“Restitution shall compensate the victim for any of the following:

- (a) Costs of medical and psychological treatment;
- (b) Costs of physical and occupational therapy and rehabilitation;
- (c) Cost of necessary transportation, temporary housing, and childcare or the movement of victim to a temporary safe residence;”

It continues along that vein. I was happy in 2023, when of the three cases, two cases got restitution. This is a step in the right direction. Now, we are paving the way for every case to have restitution which is something that every victim should feel assured of. Importantly, in all of this:

“The absence of the victim...shall not prejudice the victim’s rights to restitution, neither the immigration status, nor the return of the victim’s home country...”

Sub-clause 3 states:

“Restitution shall be paid to the victim promptly...specified by the court...forfeit...”

It really gives the commitment of moving that victim’s life to stability. The second schedule to the Act provides information that courts will use to compute the amount of restitution that the convicted person will pay to victims of trafficking.

The Legislation is significant because, in addition to existent laws, it emphasises our Government’s zero tolerance for trafficking, which is necessary to combat a crime where preparators maybe elusive and prey on the fears of victims and impose that fear in such a way that it sometimes causes that victim not to want to come forward, not to want to testify, not to want to proceed in the manner that it leads to a conviction. We have also seen that Guyana has maintained its tier 1 ranking for five years. This also speaks to the level of work that has been ongoing in terms of education and awareness, and in this Bill, there is mention of the Combating in Trafficking in Person Unit. The establishment of that, remember these repeals another Bill. It is already referring to what has been established in alignment with the previous Bill. Going back to the victim, many times too, victims feel that their behaviours or their lifestyle or something that they may have done may have caused this on them.

4.40 p.m.

The legislation also speaks to that, as it stipulates that consent of past sexual behaviour or the history of the victim is irrelevant. Part II provides that the legal age of consent to sex or marriage cannot be used as a defence to trafficking in person. A further protection that this part offers is that the victim is immune from prosecution of immigration offences.

Part IV of this bill, moving forward, relates to investigation and what happens in the court. It is always beneficial that records be kept, data be collected, and this part of the legislation speaks to that. It also provides that paper committals are permitted for indictable matters, and it is an important thing because it reduces or prevents entirely any sort of interpersonal engagement or even confrontation between the victim and the offender. The Counter in Trafficking of Persons Unit (C-TIPU) is an important component of the entire legislation. This unit has, over time, focused on educating the public and training many persons, both in Government agencies and also agencies that are considered at risk or considered ports of entry for persons who are trafficked. They have worked in so many agencies, including law enforcement agencies, service industries, food, health, mining, and forestry sectors. Two years ago, the Ministry of Human Services and Social Security launched the Stop 592 Campaign - which was to simply stop the trafficking of persons and was launched in Region 7. Here we give visibility to this scourge that affects so many people all the time. The Ministry has also developed a hand signal that is used by victims to seek help, and several public service announcements (PSAs) and messages would have been developed using the multimedia approach. There is a 24-hour Spanish hotline where persons can make their reports in addition to the English-speaking hotline.

For all of this to work, there must be integration. There must be cohesion. There must be a sort of inclusion of persons in the movement against trafficking in persons. Here is where the legislation speaks to the establishment of the Ministerial Task Force. The Ministerial Task Force, in accordance with this legislation, must be appointed by the President. This task force is to comprise of members of various sectors, including immigration, law enforcement, the Ministry of Legal Affairs, the Ministry of Foreign Affairs, the Ministry of Public Health, the Ministry of Amerindian Affairs, and the Ministry of Human Services and Social Security. It is to be co-chaired by the Ministers of Home Affairs and Human Services and Social Security. This task force is to develop a plan of action that focuses on many important components that deal with specifically trafficking in person and also includes the compilation of a report coming out of data collection to be presented to the Cabinet.

This task force also ensures that there is coordination between the key agencies and stakeholders. As we move through the Bill and we get to more of what the Bill espouses and has enshrined within it, part (v) speaks to misuse of transportation in committing a trafficking in person offence,

and it also specifically directs one's attention to ensuring the safe handling and travelling of children within or into Guyana without a parent, guardian or a responsible adult. It speaks to the sort of documentation that must be presented, and it also speaks to areas that are high risk for exploitation, bringing attention to those persons who are at ports of entry and exit to the occurrences that may happen under trafficking in persons. It also recommends that Government shall coordinate educational activities with anybody and everybody within the transport industry. Here now, my Colleague, the Minister of Home Affairs, is to appoint a committee to monitor the quality of travel and identity documents issued by the competent authority. When we move further into this piece of legislation, it goes to the general and miscellaneous provisions and speaks to the criminal procedure, and it also speaks to the Child Care and Protection Act, which is amended to place responsibility for children who are victims of trafficking within the framework and mechanisms of this Act. This part of the legislation provides that the Minister may make regulations to give effect to this Act and may, by order, increase any fines provided for under the Act.

The first schedule to Act sets out the procedure for the national referral mechanism for victims of trafficking, and here I want to say the standard operating procedures (SOPs), which have been worked on for more than two years, those standard operating procedures would have benefitted from agencies like the Ministry of Human Service and Social Security, the Ministry of Home Affairs, the International Organisation for Migration (IOM) and other international agencies which guide the manner in which agencies must coordinate in their response to persons who have been trafficked. There is also a detailed referral pathway which is now giving the full force of the law being enshrined in the regulations and in the body of the legislation itself. In this, there was also the Caribbean Development Bank (CDB) that was a part of formalising guidelines for investigating and prosecuting trafficking in person offences in Guyana. I make mention of all of this, I make mention of these provisions within the legislation, and I make mention of all the work that would have gone into the standard operating procedures which are now within the legislation itself to inform this honourable House that it was not just one or two persons who worked on this, it was a collective effort, and it is a serious effort by our Government to combat trafficking in persons. We have zero tolerance for trafficking in persons. We are continuing without a mandate as guided by the previous legislation now to this point to have more expansive programmes and more expansive responses to trafficking in persons. This legislation carries with it the weight of a comprehensive

and progressive approach that warrants this House collective support as this legislation provides a robust framework for justice to be meted out and for victims to get their lives back.

Enshrined in this legislation are many austere measures which serve to not only apprehend the perpetrators but to deter persons from being complicit in trafficking in persons. It also gives that assurance to those who are experiencing trafficking in persons and those who have experienced being trafficked that there is a commitment to help them to move on in a safe way with their life. Part II of the Bill sends a strong message to traffickers. I hope that as we continue today's debates, everyone will realise the need for this, not only to be supported but to be passed because the longer we take to pass this, we are leaving the gates a little open for those persons because what is within this legislation and the manner in which it is crafted, it really deals with a lot of loopholes that may have existed prior to it being introduced.

Finally, Mr. Speaker, I want to say that as we look at trafficking in persons, it is but one of the many social issues that we face in the world, we face in our country. There are some things that should always be above any sort of partisanship but must always be in the interest of every person across the length and breadth of Guyana, and this is one such that should enjoy our absolute support. I commend this bill to all of the Hon. Members, especially those speaking for their consideration. I thank you, Mr. Speaker. [*Applause*]

Presiding Member [Mr. Seeraj]: Thank you very much, Hon. Minister. Our next speaker is the Hon. Mr. Dineshwar Jaiprashad.

Mr. Jaiprashad: Thank you very much, Mr. Speaker. A pleasant good afternoon, Colleagues. I stand here to support the Bill No. 6 of 2023, the Combating of Trafficking in Persons Bill 2023. As I was listening to the Hon. Minister, I know that it is an opportune time for us to pool our resources together so that we can achieve protection and safety, and security for our Guyanese population and even non-Guyanese. This Bill is very much needed, and it is a timely piece of proposal that will bring a sense of security to all and, most importantly, protects the current and future generation. This piece of document will cause many to come in line with the laws, and it will give great concern to the persons who are bent on oppressing and preventing the freedom of individuals. It will bring a sense of protection to human rights and dignity in this country. Beyond any doubt, we will be supporting this Bill, but we have some concerns that will be discussed here

today so that, if possible, those considerations could be taken so that we can be able to have a good piece that will represent all the citizens or all concerned.

Before I go into the concept of the Bill, I wish to point out that during the discussion held with some senior citizens in this country, it came out that this Bill is very much appropriate. One particular individual indicated that he is 70 years old and it is very hard for him to survive on \$1,100 a day. We are proposing protection for Guyanese young people and persons who will be victims of trafficking, and we need to pay a little bit more emphasis and respect to our older folks. I bring this to say that the \$33,000 that we are giving to our senior citizens who have given their lives to this nation is very much of great concern that we need to take into consideration. Protection of victims of trafficking in person, we know that this falls directly under the Ministry of Home Affairs, but for the past few days, we have been faced with so much humiliation coming from senior officials from the Ministry of Home Affairs. With this recent development, I am fearful that if we cannot fix our House in order, it will be difficult for us to take up so many additional duties and responsibilities. I thought that there were only Guyanese watching, but it seems as though there are other people elsewhere watching as well. Human trafficking is very dangerous, and it is evident in many countries. We are happy that amendment to the Combating Trafficking of Persons Act of 2005 can come to the honourable House so that we can put systems in place to help all persons who would be identified.

4.55 p.m.

Mr. Speaker, I wish to draw to the attention of the honourable House and the Hon. Minister of Human Services and Social Security that the amendment as it relates to the fine is very much appropriate. Much so that stringent measures are taken to deter those who...I must thank my Colleague for proposing that piece.

Clause 26 indicates that there will be accommodations for the victims. We are seeing here that currently, there are five shelters in three regions. I did not see any specificity in terms of the other regions. We know that trafficking in persons is a sensitive and serious situation. To reduce transportation from the other ends of the nation to the central point, we are proposing that shelters be established in the regions or the counties. We know that we have some, and we are proposing proper infrastructure so that we will be able to service our population in all administrative regions.

Clause 26(1) has, Assistance to victims in terms of psychological counselling in the language the victims use and understand. According to the Bill, there will be a six-month period whereby the task force will set up systems to address many things. Why wait for a six-month period to set up systems? Why can we not start the process by having individuals trained in the various languages we anticipate? I know that the Ministry of Education (MoE) will be part of the task force, but do we have a system in place whereby the Cyril Potter College of Education (CPCE) is in the process of advertising options in terms of foreign languages that will cater for the service of the population? At present, because of the open border and human rights agreements, we have many foreigners in our nation who do not speak English. In terms of the language and learning experience they are having in the school system; it is posing a difficulty at the moment. I was hoping that the Bill would be a little bit more specific in terms of suggesting to us what the MoE will be doing so that the population can be better serviced. In addition, the Ministry of Business needs to be listed as well. [Mr. Ramson: It is not the Ministry of Business (*inaudible*).] The Ministry of Tourism, Industry, and Commerce needs included so that there is protection of people, visitors, and all who fall under this category. We observe that there are some situations whereby in the business fraternity there are practices and malpractices that promote the violation of the rights of people.

In conclusion, I wish to say that the Rights of the Child Commission (RCC), Ethnic Relations Commission (ERC), and the religious bodies need to be included so that we can be able to have a more comprehensive unit to service the people of this country and all who the Bill will cover. Thank you. [*Applause*]

Presiding Member: Thank you very much, Hon. Member Mr. Jaiprashad. I now call on the Hon. Minister of Home Affairs, Mr. Benn to make his contribution.

Mr. Benn: Thank you, Mr. Speaker. I can, of course, understand why the Hon. Member, Mr. Mahipaul, does not want me to speak again. I have to speak on this Bill. I am a Member of the Ministerial Task Force on Trafficking in Persons (TIP) as it stands now. I wish to point out that we do have a Trafficking in Persons Unit, which has been fairly active and is working in collaboration with the Ministry of Human Services and Social Security. Under our direction, we enable and work with the Guyana Police Force. Working with the Ministry of Human Services and Social Security, we have been able to have a number of successes in relation to this problem of trafficking in persons.

I first have to identify that which falls under what the Minister of Human Services and Social Security said in relation to the heinous nature of this matter – trafficking in persons. We have had a situation. . . . I would say, again, that we have inherited a situation where a large number of persons have been coming through Guyana – some smuggled, some trafficked, and some moving between smuggling, being smuggled, and trafficked. Trafficking in persons and human smuggling is one of the significant transnational human organised crimes that we have to continue to work at diligently. If I look at some of our numbers here, I think Minister Dr. Persaud did refer to some. In 2022, we had 22 cases where people were actively apprehended and interrogated with some arrests. We had 22 operations with 247 victims who were screened and interviewed. There was one conviction achieved. In 2023, we have so far here today five cases that were put before the court; 12 operations that were conducted; 190 suspected victims who were interviewed and screened; and, of course, there were two convictions. Recently there were 117 persons – Venezuelan nationals – of whom 130 in total were females, and 60 were males. Five persons were charged – four Guyanese and one Venezuelan. A couple of weeks ago, one person was convicted, sent to prison, and is facing further charges. We anticipate as we go through the year that, there will be more cases brought to bear in the courts in relation to this matter.

As I said, it is indeed a transnational organised crime. It is a manifestation of interlinked transnational organised crimes that we are facing at the moment. It is not simply the question of trafficking in persons, but it is also linked to drugs, guns, money laundering, and the smuggling of gold and other materials. These are all transnational organised crimes that are related in one way or the other. The criminal actors in one activity are also related to activities in other spheres for this matter. If he is involved in smuggling or human trafficking, he may have an interest in the smuggling of guns, drugs, or other negative collateral issues in the criminal sphere.

If we look at the statistics, we have inherited a situation where there was a rapid surge in the numbers of persons who came through the country and were recorded by the Department of Immigration – one way or the other, either by passports or crossing our borders. This is euphuistically stated before us. I would always say that it is not only the borders that are porous, but the internals are also. We have that challenge, but if I were to pull up some of the statistics related to persons who came through the country over a number of years and whom they claimed were put out or came for one purpose or the other. . . . If you look at the figures for persons who came

through at one point in time, there is a deficit in terms of where they are now in the country, particularly those who are from Haiti, a country that is in the trols of dysfunctionality. Particularly, if I look at those numbers, there is a suggestion of facilitation over a period of time in this country in the movement of thousands of persons from that country. I am speaking to the numbers from the Ministry of Home Affairs. The statistics I am reporting here are from the Ministry of Home Affairs. During the period that it was the Ministry of Public Security, in 2018, the number of persons who came through from Haiti was 6,165.

In 2019, the numbers jumped to 20,261. In 2019, it was almost four times that. The departure for those two years showed that only 450 were recorded in 2018, and in 2019, were only 1,697 recorded by the Department of Immigration. They arrived; they were recorded; much less of them departed, and the rest disappeared.

5.10 p.m.

So, for the year of 2019, 18,564 persons of Haitian nationality could not be accounted for. [**An Hon. Member:** 18,000?] Eighteen thousand five hundred and sixty-four persons. We are aware of the human crisis that is in that country. We understand that persons of all nationalities who come through and are not reported, will not report or who disappeared through the so call porous borders, they present a problem in terms of accounting for the people. We are also concern with the fact that the networks that have enabled their movement throughout that period and throughout the system, those persons were smuggled and, in many cases, trafficked. Along with other nationalities, I would say the year-to-date figures are: in the year of 2022, we only had 243 persons arriving, 58 persons departing and a difference of 185 persons. There has been a dramatic change in those numbers. While we are concern about the humanitarian aspects in relation to those persons coming through and maybe trying to go through to Brazil and then onto the United State (US)/Mexican border, if they survive the Isthmus of Panama and the Yucatán Peninsula there because many women and children died there, that we do not have that responsibility. We could not be party to the smuggling of persons and trafficking in persons, which perhaps I would say was facilitated in the years of 2018 and 2019 in this country. I say it was facilitated based on the data (*inaudible*). Those who want to see the data will get the data.

While we speak about that particular issue, we also have to speak to the trafficking in person. We know you have a particular situation in relation to Venezuelans coming across, we have a particular regime for them. We also have to be aware. We have had cases where we had to look at questions of internal trafficking in persons. We know that there are problems which impinges particularly our Indigenous community. I heard the previous speaker speaking about the question of languages. I want to point out that we have, along with the Trafficking In Persons (TIP) Unit, investigators and translators. While they may be facilitated mainly in Spanish and Portuguese, we rely on our community policing group members in the interior and in other places to facilitate the local languages in relation to this problem where a different language skill or knowledge of another language for the area is necessary.

I want to thank, of course, the Ministry of Human Services and Social Security, Dr. Persaud and her team from their Trafficking In Persons Unit. I know they have had the responsibility in relation to the softer side of the issue in terms of counselling and supporting in relation to this matter. The Police Force and ourselves, our Trafficking In Persons Unit has had more to do with going out into the fields, though we have been accompanied at various times by the Ministry of Human Services and Social Security to do the onsite work in relation to the identification. Particularly, two weeks ago there was an action in the Aranka area and, as was said, it resulted in an arrest, conviction and the destruction of some *Kaimoos*, brothels. This problem is a nuisance, it is under the surface, it is difficult, the victims live in fear. There are situations in which their documents are removed, and they do not have access to their documents or other possessions. We know of situations where persons who are trafficked are afraid to give information because their next of kin, their relatives, are in the other country, whether it is Venezuela, the Dominican Republic or Brazil, are threatened with retribution if they give us information in relation to this problem. We have similar issues in respect of our own national issue with our own nationals in Guyana.

So, I want to think that with this new act intended, it is indeed a significant improvement than the previous one. It takes into account some recommendations which have been canvassed nationally, regionally and internationally and that the question of investigation has been enhanced. Again, specifically their requirements or responsibilities of ministerial taskforce and of the various Ministries from Foreign Affairs to Human Services, the Ministry of Home Affairs, of course, in relation to issues of training, in relation to the collaboration between the other Ministries, and in

relation to the work of the Guyana Police Force are clearly identified. Speaking of numbers at clause 46(1), on page 50, it states,

“Publication of identify of persons implicated in trafficking.

46. (1) The Minister responsible for home affairs shall periodically identify, in a public report, every person who is a trafficker of persons, or who had knowingly assisted or conspired with another person to commit the offence of trafficking in persons.”

I am sorry that Mr. Ramjattan is not here. [Mr. Mahipaul: He is hearing you he is online.] I am glad he is online because I have his numbers from his period. Of course, in relation to,

“Border inspection.

47. (1) The Minister responsible for home affairs shall implement policies to screen persons entering or leaving the country to determine if they are victims of trafficking in persons.

(2) The screening shall be undertaken with consideration for the right of individuals to travel and shall not result in undue invasion of the individual’s privacy or undue restriction of the individual’s freedom of movement.”

I think it clearly points out the responsibility that we have at Part VII. At clause 49 (1), we have responsibilities to,

“... appoint a committee to monitor the quality of travel and identity documents issued by the competent authority....”

For the International Civil Aviation Organisation (ICAO) standards and other issues of a technical nature, which are appropriate to enhance our capability in dealing with this problem, overall, I would say that we have together, with ourselves, Police Force and the Ministry of Human Services and Social Security continued to have our country still at Tier 1 in relation to Trafficking In Persons (TIP) of the United States surveillance of this matter. We hope that it will continue at that level and that our activist engagement in this problem will bring better benefits to the people of the country and communities. We are, of course, concern about the question of *Kaimoos*, brothels and certain nightclubs where we have done repeated raids in many instances. Where it has gotten increasingly difficult to determine or to get over the question of fear of the victims in relation to

the help they should be given or in relation to identifying, clearly, the responsible person for their predicament. Nevertheless, we will continue at this effort. We are aware that, throughout the country at maybe, rum shops, bars, brothels or whatever that the situation has reached the point where it is disruptive to the social lives of communities in certain transportation areas.

Parika for instance we are extremely concerned about this, and we will take further strong efforts to deal with this problem. I know some people who are in the party night trade may not be happy with it. We have no difficulty with the party night trade, we have no difficulty.... [Mr. Nandlall: Mahipaul.] Yes, same person. That if they go to places where persons are dancing on poles, if they are caught in compromising situation, if they are caught at those places then the law will take its course. You cannot be a facilitator, you cannot engage in it, you cannot support the establishments which indulge in these practices. So, when we speak about the approach we have in terms of law and order, in terms of the service and protection of our people, when we speak about increasing the peace in Guyana, and when we speak of having our young people, particularly young males, develop in ways that will make their parents and community proud and not provide risk to themselves, the community or the country, we know why we are taking the resorts in terms of this type of legislation.

In closing, I have to point out that there are situations where minors are involved. Children under the age of 16 or even 18, but particularly under the age of 16, who have been forced into this kind of issue. It is not a sight unseen in the communities. People are not unaware of this problem. Yes, I expect that the Hon. Member and Comrade, Mr. Mahipaul, will give me some actionable intelligence in relation to this matter. This is because I would not speak of the place which he frequented which he.... I would not speak of.

Mr. Speaker, this is a serious matter we want to have a significant improvement in. We have had a significant improvement in the persons unknown who have been passing through the country and have been disappearing. We are having progress in relation to the brothels, the *Kaimoos*, in the interior and we are taking further actions, along with the plans we will continue with and refine in relation to dealing with this nefarious issue of the trafficking in person, and in relation to the question of children being involved, children being trafficked, children being suffered and children being victims in relation to this matter. With that, thank you Mr. Speaker and other Members in relation to my presentation on this (*inaudible*). [Applause]

5.25 p.m.

Ms. Singh-Lewis: Mr. Speaker, I would like you to pay attention to me because I am speaking to you this afternoon.

Presiding Member: Go right ahead, Hon. Member.

Ms. Singh-Lewis: Thank you for the opportunity to speak, Sir. I stand here this afternoon to say from the get-go that I will support anything that protects our Guyanese people – men, women and children. I will support that. I stand here this afternoon to support this Bill. I am particularly happy that the Minister of Human Services and Social Security read to us part of the legislation that speaks about regulations.

I am of mixed emotions listening to the previous speaker. I am of mixed emotions. I do not know if to laugh or I do not know if I should cry. The Minister stood there and called out a few numbers of incidents and so on. The last time we heard from the Minister of Home Affairs on numbers regarding trafficking, it was July of 2021. So, for the whole of 2022, nothing was done. I am assuming that nothing was done so there was no report. Then in 2023, the Minister stood here, opened his smart phone... **[Mr. Mahipaul:** Another smartphone.] Another smartphone... and started to pull out a few figures to throw at us. I do not understand if that is the way the People's Progressive Party/Civic (PPP/C) Government operates. This is a good piece of legislation. I support it, wholeheartedly, but it is the manner in which things are being done. Let me now go to what I really intend to say.

This afternoon I support the Bill, the Combating of Trafficking in Persons for which, all purposes intend, it intends to provide more comprehensive measures to combat trafficking in persons synonymous with international best practices and changing socio-political needs, as the Minister of Human Services and Social Security would have stated. I said that I will lend my support to any action that protects our people. Human trafficking is an international crime which affects men, women and children across the globe. We here in Guyana have been grappling with this scourge for a long time. In 2004, in this House, we benefited from a few great political minds. That was the debate on the human trafficking Bill. We benefited from some great political minds on this matter, some of whom are no longer with us today. I want to make mention of one such political mind who left this National Assembly with a void that we have not seen anyone stepping up to fill.

That person is the late Ms. Deborah Backer. May God almighty have mercy on her soul. As legislators with great political minds, we have a responsibility to not only bring the Bills here and pass them, but to also commit to operationalising and implementing the legislation. Any government or any minister who wants to champion the cause of combating human trafficking will first have to show care for the people. People who are trafficked are almost always from a vulnerable population. Sir, no one would want to be trafficked.

The Hon. Kwame McCoy, the Hon. Alister Charlie or even the Hon. Mr. Indar would not know about the vulnerable population because they are not from any vulnerable group. The point is people from vulnerable groups are more prone to be trafficked. Therefore, you must care to want to do something about a matter as serious as human trafficking. To do this, Sir, [Mr. Mahipaul: The vulnerable population.] The vulnerable population. To do this Sir, you have to care about the people. It is the people, our human resources, that are most precious to our country. And the question is, who in this Government cares? Is it the Minister of Home Affairs who gives us *willy-nilly* statistics whenever he feels he should throw out some numbers? The legislation specifically states that the statistics must be published. My Hon. Colleague, Ms. Geeta Chandan-Edmond, asked, where were the statistics published? Those are the measuring points that we will come back and ask about. Like I said, it is the implementation of the legislation. This is a good piece of legislation. Hard work I am sure went into it. I want to acknowledge those people who worked so hard on this legislation. It is the implementation that I really worry about. Is it the Minister of Home Affairs who cares? Is it the Minister of Education or is it the Minister of Health or is it the Minister of Human Services and Social Security? While the nation awaits the answer about who cares, we are waiting on the Minister of Education to tell us something about the education advancement of the eight suspected human trafficking cases, involving the 12 children that were reported to the Ministry of Human Services and Social Security, Trafficking in Persons Unit, for the period August, 2020, to April, 2021.

The Bill is good, and I support it, but these operational issues that the PPP/C Government cannot adequately address is worrisome. The nation should know it is worrisome. It is their incompetence because it cannot be the lack of funding. It cannot be. We are an oil producing nation. The Hon. Member, Dr. Vindhya Persaud, stressed in the 2021 National Budget that it illustrates a concerted focus on meeting the needs of our women and other vulnerable groups. Further, in the 2022 Budget

of the Ministry of Human Services and Social Security, it reflected that the Childcare and Protection Agency has seen an increase in the subvention from \$852 million to \$955 million to ensure the safety and the development of all of Guyana's children. Were these children that I referred to, the 12 children, taken care of by the Childcare and Protection Agency? Did the Ministry of Education have an input? Are they in school, Sir? From 2021 to now, the nation awaits an update. This is the statistics and reporting I will refer to throughout my speech. It is important that we know what is happening. I keep saying that it is a good piece of legislation. It is a good piece of paper that we can read, but it is the implementation where the problem is.

I have no doubt that the public servants are doing the best they can to provide the best service to the victims of human trafficking. I do not think, by any form, the reporting to this nation is acceptable on this matter. While I wrap my mind around the issue of reporting to the nation, I want to draw your attention to the kind of information that is being shared through the media. That is, the Minister of Human Services and Social Security, through answers to questions, when asked on the issue of human trafficking related to this House by answering questions and she provided that statistical data was sourced from the Guyana Police Force. Nowhere could we find the data that the Minister answered the questions and sent them to us. Nowhere in the public domain could we find that information, save and except, the answers provided to this House. During the reporting period of August, 2020, to April, 2021, a total number of 28 reports of suspected human trafficking were investigated by the Guyana Police Force. We have that in writing. It came through this House. We will hold the two Ministers accountable for that. There are no other statistics out there with which we could verify this was actually done. In July, a total of 42 females were trafficked for sexual exploitation. I believe either the Minister of Human Services and Social Security or the Minister of Home Affairs made reference to this information.

My conclusion on looking at the answers submitted to us in July of 2021 on the matter of trafficking in persons that the Minister of Home Affairs said in the media and what was actually practiced, are three different stories. They do not add up. This nation deserves better. We on this side believe in credible sources and credible information. The reporting period and the data supplied by both Ministers are not correlating. That is a reflection of the relationship over on that side of the House. I would like to say that the Ministers should be held accountable. This information and misinformation should be something that ministers are held accountable for. We

should not subject ourselves to that kind of action in this House. In view of all this information not being credible, it brings to mind Part VI of the Bill, Bill No. 6. In part it states:

“...this part ...deals with data collection and dissemination and it entails collecting and periodically publishing statistical data on trafficking...”

Sir, I cannot emphasise much more than how important it is for us to collect the data and publish it on an authentic source for all of us to have access. Until we do that, we are subjected to the theatrics of Minister Benn standing up, pulling out his cell phone and calling out some numbers from his head. That is what we will be subjected to, unless these information are verified and published. I am saying all of this, and I want to endorse and say again that the Bill is a good Bill, but it is the implementation that is worrying. The information captured in Bill No. 6 of 2023 was similarly captured in Act No. 2 of 2005. While it is the law today that the Minister publishes the data on trafficking, we as a nation have to wait until perhaps the 30th July, 2023, when we observe another World Trafficking Day. That is when we are going to get another set of information through the media. That is not good enough.

5.40 p.m.

This is what we refer to as the *Jagabattish* behaviour of the People’s Progressive Party/Civic Government. [An. Hon. Member: What?] It is the *Jagabattish* behaviour of the PPP/C Government. I do not know if this kind of behaviour will assist us in anyway in maintaining the Tier 1 status that the A Partnership for National Unity/Alliance For Change (APNU/AFC) worked so hard to ensure we are at. I want to pause here to recognise the hard work of the Hon. Volda Lawrence, Hon. Khemraj Ramjattan, former Minister Amna Ally, and former Minister Simona Charles-Broomes. Those were the champions to ensure that we achieved the Tier 1 status. It is the enforcement that you speak about that we do not know about because you are not reporting on it. It is enforcement that helps us to achieve that status.

The Bill, when approved by us in this House, would be an indication that we are making efforts to eliminate human trafficking in Guyana. Human trafficking, as we all know, is a complex issue that requires a multifaceted approach to address. I want to pause here, because I heard from the Minister of Human Services and Social Security about stakeholders’ engagement. What I want to ask at this point in time is: where is the private sector in the fight against human trafficking in this country?

Where is the private sector? Perhaps, in closing, the Minister of Human Services and Social Security will tell us if they have a role to play in all of this. It is essential to strengthen laws and law enforcement efforts to identify, investigate and prosecute offenders. Do we, in this age of technology, not want to do this effectively? I do not know if we will ever get to efficiency. But can we not, at this point and stage of our country, incorporate the use of technology in the fight against human trafficking? I recognise that this might be an operational issue, or perhaps I am pre-empting the content of the regulations. I will continue to say that we cannot go for another 18 years without regulations, as we did with Bill No. 2 of 2005. It would be a good thing for us to put the regulations in place. According to the *Guyana Chronicle* on 31st July, 2021... A sergeant of police reported, and the *Guyana Chronicle* captured it. She indicated:

“...some methods used by traffickers during the pandemic are advertising, via social media, private locations for parties, escort services, and victims being delivered to the homes of clients.”

Sir, all of this has happened while we were all grappling with the effects of the Coronavirus disease (COVID-19). Perhaps, I am pre-empting this conversation for the regulations at the right time. Should we not make technology a priority point in fighting the issue of human trafficking? While we are here discussing this legislation, let us understand that no mention of technology and the use of technology is going to help us in implementing the strategies taken from this legislation. Let us understand that the United Nations (UN) will be focusing this year on the role of technology as a tool that can both enable and impede human trafficking. It has stated that:

“With the global expansion in the use of technology – intensified by the COVID-19 pandemic and the shift of our everyday life to online platforms – the crime of human trafficking has conquered cyberspace. The internet and digital platforms offer traffickers numerous tools to recruit, exploit, and control victims; organize their transport and accommodation; advertise victims and reach out to potential clients; communicate among perpetrators; and hide criminal proceeds – and all that with greater speed, cost-effectiveness, and anonymity.”

Human trafficking is a business, and if those traffickers are using technology, then why not use technology to your advantage to help us to end human trafficking in this country? I am not sure if

the Hon. Member, Mr. Nandlall, is speaking on this Bill, but I am sure somebody is going to come and say that this is captured in the Cybercrime legislation. Perhaps it is, but tell us why it slipped the mind of the Attorney General to ensure that technology enabled crime fighting for human trafficking? Allow me to say that technology is not always a bad thing. In this case, the traffickers are using it as an opportunity to make money, but future success in eliminating human trafficking will depend on how the Guyana Police Force, the criminal justice system, and others can leverage technology in their responses, including by aiding investigations to shed light on the *modus operandi* of trafficking networks, enhancing prosecution through digital evidence to alleviate situations of victims in criminal proceedings, and providing support services to survivors. This issue of human trafficking is serious. I will quote the *Guyana Chronicle*, the PPP/C State media. Minister Benn:

“...explained that one of the problems with TIP is that it is connected with other criminal activities, such as the drug trade, money laundering, smuggling of gold and other items out of the country, illegal trading of firearms and other criminal activities.”

Minister Benn actually just captured a bit of that. It looks like he goes around saying this thing like a mantra. The Minister said that in July, 2021, and I am quoting the *Guyana Chronicle*. He just said it again in May, 2023. What the Hon. Member did not say is how he intends to ensure that this entire ring of what he calls ‘illegal trading of firearms’ and so on, these criminal activities, how is he going to put systems in place to ensure that the spill off into human trafficking or the ring of human trafficking is broken? How? I heard my Colleague Geeta Chandan-Edmond asking repeatedly for the Minister’s crime plan. I have heard the Hon. Member Khemraj Ramjattan ask for the crime plan. If we knew, we would not have been raising these matters here, but this is the place to raise them, Sir. There are two other areas of importance that I want to touch on. Those are the support of our victims... [*Interruption*] I am so sorry that I am able to disturb the Hon. Robeson Benn that he will leave the House for the second time. I sat here and I listened to you mumble figures. You should do the same thing, listen.

Mr. Speaker, I want to touch on two other issues before I leave the podium. One is support for our victims. With over \$40 billion allocated to the Ministry of Human Services and Social Security in 2023, similar sums in 2022 and 2021 – these sums were provided through budgetary allocations to the Ministry of Human Services and Social Security. Could we as a nation not care for the

vulnerable population and establish at least two other shelters? I heard my Colleague Dineshwar Jaiprashad, make that call earlier. Could we not ask for two other shelters in the interior area? I would suggest Region 7 and Region 8. At the moment... [Mr. Nandlall: Why are you calling them shelters?] It is what the Minister of Human Services and Social Security has labelled them, Sir. If you were aware, the Minister provided information in the questions asked in this House to each one of us, and you would know that she called them shelters. [Mr. Nandlall: (Inaudible.)] Perhaps, Attorney General, you can change that. At the moment, there are five active operational shelters across Guyana, as my Colleague mentioned, that caters to the needs of victims of human trafficking. Could we not tell the people of Region 7 that, in creating better infrastructure for your society, we will keep the Indigenous women and their children safe? We will build the shelter in Bartica so that we can bring the victims out of places like Issano Landing and other high-risk areas. Could we not say that to them? Because funding is not the issue.

As I talk about the shelters for the victims, especially women and children, I want all of Guyana to understand that dealing with victims of human trafficking can be overwhelming at the least. In preparing for this presentation, I decided to call two non-governmental organisations (NGOs) and a few professionals to get the real situation as it is on the ground. Coming out of that, I am cognisant that trafficking can have significant physical and mental health consequences for victims, including injuries from violence, sexual and reproductive health problems, infectious diseases, malnutrition, and mental health conditions, such as depression, anxiety, and post-traumatic stress disorder (PTSD). Trafficking can have significant health consequences for victims, and it is essential to provide survivors with access to comprehensive health and social support services. Perhaps, someone might want to stand up and say, 'Yes, they are receiving psychosocial therapy, especially since the mental health Bill was passed'.

Again, the Bill is a good Bill. It gives the authority to the Minister of Health to do a lot of things, especially providing necessary assistance for the victims. But in reality is it being done? Let us take a recent example. I want to talk about the psychosocial support for women. Let us take a recent example of the Government providing psychosocial support for its citizens because they care, right? That is what they say; they have a slogan, *Because We Care*. Where is Hon. Member Manickchand? *Because We Care*, that is what they say. Could you imagine, in a community that is a one-and-a-half-hour drive outside of Georgetown, there is no resident Psychiatrist or

Psychologist? However, the Psychiatrist visits the hospital once per month and sees patients for the whole day, a whole long line of patients sitting down to wait one day to see the Psychiatrist. Once per month this psychiatrist leaves Georgetown and goes to that community. The reality is that this is happening in Linden, in Region 10. How could they even begin to tell the people of Linden in Region 10 that they care? One Psychiatrist leaves Georgetown to go to the Linden Hospital once per month. That is not enough, Sir. Those are not enough bruises. Do you know what happened?

5.55 p.m.

When the Psychiatrist sees the patients, the Psychiatrist refers the patients to the Georgetown Public Hospital Corporation (GPHC) to see the Psychologist. Hon. Nandlall, I have been working with the teachers in Region 10 and I am talking about victims of domestic violence. I have been working the public system in Linden. We are talking about psychosocial support for our teachers.

Mr. Speaker: Hon. Member, you have just gone one minute over your 30 minutes.

Mr. Mahipaul: Mr. Speaker, I move that the Hon. Member be given 15 minutes to complete her presentation.

Mr. Speaker: Hon. Members, the question is the Hon. Member be given 15 minutes to complete her presentation. I see no objection. You may continue.

An Hon. Member: No.

Mr. Mahipaul: She is entitled to it.

An. Hon. Member: She is entitled to what?

Mr. Speaker: Hon. Member, I do not know what Mr. Mahipaul is shouting, “she is entitled”. You are not entitled. You may be given, with the leave of the Assembly.

Ms. Singh-Lewis: Thank you, Sir. [**An. Hon. Member:** *(Inaudible.)*]

Mr. Speaker: I do not know if you have already rewritten the Standing Orders. If you have and it was approved, please pass it to me.

Motion put and agreed to.

Ms. Singh-Lewis: Thank you, Sir. I know you were gracious with Ms. Manickchand, in accommodating her vote, and you will be gracious in giving me some time to wrap up. Thank you, Sir. As Guyanese, as legislators, if we are serious about combatting trafficking of persons in this country, we absolutely have to care for the victims. We have to care about them. We have to demonstrate that we care for them. The example of one Psychiatrist leaving Georgetown to go to Linden one day of the month and referring patients to Georgetown to see the Psychologist, where they have to bear the burden of travelling, food and everything, is ridiculous. Tell me, what kind of psychosocial support is provided for the victims in Region 7 and Region 8? Tell me about that. Tell me about what systems are in place. Where is the national plan for trafficking in persons? What have you been doing with public education? It is just gone. One does not see that anymore, not even on the National Communications Network (NCN). One does not see that anymore. It is very serious, Sir.

While I wrap up, Mr. Speaker, I want to say to you that the legislation is a good piece of legislation. I thank the persons who worked on it to give us this. The problem is in implementing the legislation. The problem is we have to go to regulations as soon as possible (ASAP) to get it in. How do we distribute our resources equitably to ensure that our women and children benefit from the resources of this country? Nobody should suffer in the state that victims suffer under human trafficking. I stand to say that I support this Bill and I would like to see the regulations come as soon as possible. Thank you very much. [*Applause*]

Mr. Speaker: Thank you, Hon. Member. Now for the Hon. Minister of Amerindian Affairs, Ms. Campbell-Sukhai

Minister of Amerindian Affairs [Ms. Campbell-Sukhai]: Thank you, Mr. Speaker. I stand before this House to render my unwavering support for the Combatting of Trafficking in Persons Bill, No. 6 of 2023. Dr. Persaud, Minister of Human Services and Social Security, should be congratulated for tabling this modernised and strengthened Bill for consideration by this House. Likewise, the Government of Guyana should be applauded for its full commitment to combatting human trafficking.

Trafficking in persons is a heinous crime that violates the most fundamental human rights. It is a global problem that affects millions of people every year, including women, children and men. Guyana is not immune to this horrible crime. Trafficking in persons is one of the largest criminal enterprises in the world. As such, there is an ongoing global effort towards combatting this crime. Guyana, today, is in an unprecedented era of movement of people within and outside of our borders. As such, this re-enforced action by the Government to tackle human trafficking is very relevant and welcomed. It is worthy to note that the Government of Guyana continues to maintain a Tier 1 ranking, which meets the minimum standard for the elimination of trafficking. This is in accordance with the United States (US) Department of State 2022 Trafficking in Persons Report. This Report has lauded the Government for demonstrating serious and sustained efforts during the reporting period and recognises Guyana as one of only four South American countries to have achieved this status. However, Trafficking in Persons (TIP) remains a challenge and, yes, a top priority being addressed by our Government. Therefore, the tabling of this Bill to strengthen the legislation is indicative of the seriousness with which our Government is treating this matter.

The Combatting of Trafficking in Persons Bill, No. 6 of 2023, seeks to repeal and replace the current Act of 2005, which has become somewhat inadequate to address the evolving nature of human trafficking today. The Bill is a comprehensive and robust piece of legislation aimed at strengthening the legal and institutional framework for addressing trafficking in persons. It includes the provision for the protection of victims and witnesses, the prosecution of offenders and the prevention of trafficking in persons. The Bill aligns our local legislation with our international obligations and best practices. It seeks to enhance full collaboration and international cooperation in the fight against trafficking in persons. One of the key features of Bill No. 6 of 2023 is the victim-centred approach it has taken through the provision of protection and support for victims of trafficking. This includes access to legal representation and counselling services, restitution for victims as well as the provision of medical care and other services from the State to assist victims in their recovery, rehabilitation and integration into society.

This Bill, as such, prioritises the rights and dignity of victims. This applies to both nationals and foreign victims, covering all aspects of trafficking, including investigation, prosecution and it also has provision that allows for legal assistance. This Bill sets out, with clarity, prosecution of traffickers and restitution for victims. The Second Schedule of the Bill sets out the information to

be relied upon by the courts in computing the amount of restitution that the convicted person will pay to victims of trafficking. Significantly, one of the early approaches employed by our Government to combat human trafficking was the establishment of an Inter-Sectoral Ministerial Task Force on TIP, which we are well aware, has initiated the drafting of a National Plan of Action for the Prevention and Response to Trafficking in Persons. This draft plan underscores the need for an integrated and inclusive approach, including all sectors of society, towards attaining its goal of elimination of human trafficking. It provides guidance for drafting standard operational procedures for the protection of victims and for investigation and prosecution of TIP cases, massive education and awareness campaigns, as well as capacity building of responsible agencies, including the Guyana Police Force (GPF).

The Bill being considered also provides for the statutory establishment of a ministerial task force to coordinate efforts to combat trafficking in persons. Essential to attaining success in the fight against TIP is this type of inter-agency collaboration. This Bill clearly sets out the roles, foundation and functions of the relevant agencies, and it is applause-worthy to see the statutory requirement of agencies to comprise the national task force to combat trafficking in persons, including the Ministry of Legal Affairs, the Ministry of Amerindian Affairs, the Ministry of Foreign Affairs, the Ministry of Health, the Ministry of Human Services and Social Security, as well as other various key sectors, such as immigration, law enforcement, private sector and the non-governmental organisations (NGOs). This is demonstrative of the collaborative, inclusionary and consultative nature of our Government. The useful guidance provided for the structure of the Counter Trafficking in Persons (CTIP) unit, which largely assists in ensuring that the goals and objectives of the current Act were met...

This Bill has strengthened the existing legislation and expanded on certain key sections with a victim-centred approach. Cognisant of the challenges, this Bill specifically seeks to address increased prosecution and conviction rates by including a section on case management and guidance on investigations and proceedings to ensure cases are heard expeditiously. The State has recognised the need for screening and interviewing of suspected victims of trafficking. The Bill advocates for interventions, through the establishment of centres for screening and public awareness which are already advanced. The Bill also places heavy emphasis on training, awareness and the role of agencies and the collaboration towards combatting trafficking in persons.

6.10 p.m.

The CTIP unit must be commended for the work being done, particularly in regard to our hinterland regions. Apart from this Bill, the Ministerial Taskforce for CTIP has seen improvements in capacity building, enhanced awareness, operations in the hinterland regions and victim support. The establishment of the CTIP unit's Spanish hotline and the national reporting mechanism in migrant settlements and vulnerable indigenous communities is one of the most laudable interventions of this kind. Further, awareness and sensitisation outreaches to indigenous communities, as was done in various hinterland regions, as well as the training of medical, welfare and school guidance counsellors throughout the hinterland are complementary government actions that are positioned to eliminate trafficking in persons. Upon looking at this Bill, which applies to all equally, including our Amerindian brothers and sisters, there is provision for the presence of an interpreter who speaks the language of the victim to ensure they understand the legal proceedings. This is essential, given that there are nine indigenous nations in Guyana with different languages being spoken and a continuous undertaking by this Administration to promote and preserve the language of our first people. Similarly, it will assist the various other victims of foreign countries who speak foreign languages.

Importantly, the Bill empowers the Minister to make regulations to give effect to the Act. Further, it allows, by order, that fines can be increased. The Bill also provides sentencing guidelines with clarity and classification of the crime, distinguishing between the severity of the offences and provides for tough penalties for offenders with up to a maximum of life imprisonment. Significantly, the object of the Bill clearly sets out, in unambiguous terms, distinct measures to combat trafficking in persons, including children. This is a crucial step with emphasis on the protection of child victims of trafficking and specifies, also, the role of the Childcare and Protection Agency (CPA) in such instances. The Act of 2005 did not have such explicit provisions listed to protect children and, therefore, this inclusion is commendable. I wish to restate that the Bill provides for a comprehensive approach to combat human trafficking in Guyana. It places emphasis on the victim's rights, prosecution of traffickers, measures to prevent trafficking and better cooperation among responsible authorities across borders.

In conclusion, I want to commend our Government for its effort in combating trafficking in persons and I urge all stakeholders to work collaboratively to end this atrocious crime once and for all. I

wish to urge my colleague Members of this National Assembly to ensure we provide full support to this progressive and modern Bill and continue to fight to protect our vulnerable groups against trafficking in persons. I therefore commend Bill No. 6 of 2023, titled, *The Combating of Trafficking in Persons Bill 2023*, for approval by this National Assembly. I thank you. [Applause]

Mr. Speaker: Thank you very much, Hon. Minister of Amerindian Affairs. Our next speaker is the Hon. Member, Dr. Karen Cummings. Dr. Cummings, you have the floor.

Dr. Cummings: Thank you, Mr. Speaker. I rise and join with my colleagues on this side of this august Assembly to speak and to make my contribution to Bill No. 6 of 2023, *The Combating of Trafficking in Persons Bill 2023*.

Before I go further and before the sun sets, I want to congratulate Mr. Bharrat for meeting another milestone and I wish him all the best in the coming year. I also want to congratulate the legal team and the agencies – the Ministry of Human Services and Social Security and the Ministry of Home Affairs and other agencies – for putting this Bill together and for tabling it so that we could have discussions on this Bill. It is encouraging to know that the Government has given priority to this important Bill. The leaders of the member states of the United Nations (UN) worked with anti-trafficking advocacy groups to set targets to be achieved by the year 2030 in combating trafficking in persons. Namely, Sustainable Development Goal (SDG) number 5.2 which speaks to the elimination of:

“...all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation.”

Sustainable Development Goal 16.2, which speaks to ending the abuse, exploitation, trafficking in persons and SDG 8.7 which alludes to the effective and efficient measures to:

“...eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment...and end child labour in all its forms.”

Human trafficking is the third largest criminal activity in the world. It comes only after the nefarious activity of the illegal trade in arms and the scourge of drug trafficking. According to the

European Journal of Scientific Research, there are about 21 million people worldwide who are living in servitude. According to Sidney, Bakker and Sigmond:

“...18.7 million people – 90 per cent of the total – are exploited in the private economy, by individuals or enterprises.”

The remaining 2.2 million are in state-imposed forms of forced labour. Of those exploited in the private economy, 4.5 million or 22% of the total number are victims of forced sexual exploitation, and 14.2 million or 68% of that total number are victims of forced labour exploitation. Women and girls comprise most of the victims – 11.4 million or 55% – representing almost all the victims of forced sexual exploitation and approximately 40% of the victims of forced labour exploitation, while children represent approximately one quarter or 26% of the victims of human trafficking. The research also revealed that victims spent, on average, approximately 18 months in forced labour. It has been well established that women and children and minority groups are the most vulnerable. This is due largely to ignorance, greed, the victims coming from poor neighbourhoods, poverty and discrimination. Further research has shown that male trafficking victims are often not recognised due to commonly held beliefs or assumptions that trafficking is about women who are held in sexual servitude. However, what has been noticed is that men who are trafficked are seen as irregular migrants who should be deported without investigating their circumstances.

Both males and females are the victims who are lured by rosy promises of better lives and this prospect of opportunities for themselves and families, drawn by the possibility of employment and attracted by the promise of higher income. What a travesty for women, children and the vulnerable to be misled by deceit and forced to submit to such servitude. Even though I have given the global statistics, coming to our own Guyana's statistics – from looking at a United States (US) report on trafficking in persons, I noticed that there was a small increase in trafficking in persons. Some 199 victims were identified by Government and five by non-governmental organisations (NGOs). Some 127 were sex trafficked and 77 were labour victims. Of course, some would have heard the statistics from the Minister of Human Services and Social Security who spoke about 790 alleged cases of trafficking in persons and just about three convictions. There was a similar report from the Minister of Home Affairs who spoke about there being 12 operations, 190 suspects and 117 Venezuelans, *et cetera*. In other words, they were saying that there is still work to be done.

It is also important to include a Bill of this nature to envision and provide clear directives in a legislative framework that fully reflects the special needs and vulnerabilities of children, and the special rights to which they are entitled under national and international law. We note the serious consequences to victims and their families, and Guyana as a whole. When women and little girls are involved, there is the risk of pregnancy, maternal mortality, sexually transmitted diseases, human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS). Child prostitution and child labour deprive the children of the opportunity to pursue and achieve their full potential. This, in turn, deprives the nation of vital human resources for development. It also detracts from our self-esteem as a nation and devalues our pride. It is not difficult to imagine the impact of such drama on the mental health of individuals. In other words, we on this side of the divide are saying that Bill No. 6 of 2023 is an important and necessary addition to the country's legal architecture. It is timely and appropriate at this juncture of Guyana's history, especially as the country strives to garner the wealth emerging from our petroleum deposits.

This issue has become a human security concern, correctly labelled as modern-day slavery with sophisticated entrepreneurs abounded with public health ratifications. It has become a game of risks. We are therefore calling for transnational activism and for stringent efforts that will prevent the erosion of authority, which will affect the welfare and security of Guyana. The APNU/AFC will support any Bill that will comprehensively enhance better coherence between the combating of trafficking in persons and policies that promote development. However, we are positing that laws, while necessary, are not sufficient to prevent the evils and provide our citizens with the hope that ensures they will not be enticed and allured into the global network of trafficking. I consider the push and the pull factors, such as poverty, catastrophes, violation of human rights, lack of – well, I will not go down this road – legitimate government; I will not bother with that, trading young daughters for the payment of family death, sending daughters to work to support the family, potential criminal prosecution and political prosecution. These must be simultaneously addressed. The pull factor that could make people migrate, such as work, education or marriage opportunities elsewhere, a weak or non-existent legal protection for victims and legal restrictions in migration for work which causes people to migrate and work illegally should be tackled, as stated by the *European Journal of Scientific Research*. Permit me to make some brief comments on the Bill, Bill No. 6 of 2023.

6.25 p.m.

Firstly, I notice at Part VI that, as the explanatory notary memorandum indicates, the Bill deals with the prevention of trafficking in persons and provides that the President shall establish a ministerial task force.

Clause (2) (5) speaks to the inclusion of non-governmental organisations (NGOs) and any other service provider. We are talking here about partnerships, consultations, and participation. This is commendable. The Palermo Protocol also has embraced a victim-centred approach to the crime of human trafficking and has adopted the prosecution, protection, and prevention (3P's) paradigm as the international framework for responding to human trafficking. They speak about the prosecution of traffickers, the protection and assistance for victims and prevention of trafficking from occurring. In recent times, they have included a fourth paradigm, P- partnerships. It is heartening to know that the Government has recognised how this critical ingredient of partnerships is and to establish comprehensive responses to human trafficking. This principle is absolutely necessary in all areas of governance and development and should be selectively resorted. That is the first point.

Secondly, I have also noted the stringent efforts being made to focus on the protection and assistance of victims, which is good, as outlined in Part III, I think it is. Though there are times and, in some instances, the Guyanese people, who are concerned citizens, do not know who the victims are, traffickers maintain control over victims through isolation, death bondage, deception, violence and coercion, including threats against their lives and their families' lives, false promises for future pay for work already done, and threats of arrest or deportation. Unaware of their rights and of the existence of protections for trafficking victims, many victims do not come forward to identify themselves, and are treated by authorities as criminals, illegal migrants, people in prostitution or juvenile delinquents. That is the second point we need to consider.

Thirdly, there is prosecution of the perpetrators. Unlike Parts IV and VI of the Bill where an entire section has been allocated to the investigation and court procedure and the prevention of trafficking in persons respectively, one would have thought or expected an entire part to also deal with the prosecution of traffickers, knowing that we seldom, according to the statistics, convict persons. So, one would have thought that more emphasis and a large section would have spoken about prosecution of traffickers. The report that I alluded to earlier did state that we did not convict any

traffickers for the first time in four years. A look at the Australian model would indicate to us that not only do we need a strong investigator response, which is vital, but we need a robust procedural response to trafficking, and it should also be considered. This approach could contribute towards it becoming a genuine deterrent for traffickers and their accomplices.

Fourthly, while the roles and functions of the Ministry of Home Affairs, Ministry of Human Services and Social Security, and the Ministry Foreign Affairs have been detailed in Part III as it relates to the protection of the victims, little or not much has been mentioned about health, in the First Schedule, as an agent in the global fight and about the key role healthcare professionals could play to help identify victims of human trafficking. Mr. Speaker, please note that in most cases it is the healthcare workers who are encountered during captivity. Healthcare providers, according to Zimmerman, et al, are the first responders who help restore the physical and mental health of trafficking survivors. The author further reported that a study looking at the health of trafficked women and in a survey looking at women entering post-trafficking services in Europe found that more than half of the female survivors of sex trafficking who sought services, 59% reported sexual or physical violence prior to the trafficking experience. Nearly all 95% reported physical or sexual violence during the trafficking situation. In addition, it was found that most of the survivors, 57%, reported physical injuries. The vast majority, 76%, reported that they were never able to do as they wish or to go where they wanted.

Interestingly, in the first two weeks in the post-trafficking care, most respondent workers reported physical symptoms, including headaches and 82% - fatigue, 81% - dizzy spells, 70% - back pain, 69% - memory difficulties, 62% - pelvic pains, 59% - gynaecological infections - 58%. Many survivors, 63%, reported more than 10 concurrent physical health problems. Additional research on female survivors of sex trafficking show comorbidity for three mental health outcomes namely, anxiety, depression, and Post-Traumatic Stress Disorder (PTSD). The severity of the symptoms was associated with the length of time spent in the trafficking situation. The risk of HIV infections was also an issue, both being of a young age who first became a victim of sex trafficking and the length of time in the brothel were found to heighten the risk of becoming infected with HIV. A systematic review found that HIV prevalence among trafficked women ranges from 22.7% to 45.8% and high prevalence of physical symptoms when trafficked women come into care was documented.

We on this side of the House endorse the science and the practice of global health and posit that health professionals could change previously missed opportunities into concrete steps towards the common goal of having a world without slavery. In concluding, it is about time that human trafficking receives such significant attention. These egregious abuses should be reported, and every effort be made to bring the perpetrator to justice. Though there is a consensus to the passage of this Bill, Bill No. 6 of 2023, together as legislators and policy makers, we must seek and look forward to closing the gaps as they relate to lack of data, the epidemiological profile of human trafficking, and a better analysis of the distribution of reported cases. I am saying that because the recommendations coming from the United States of America Department of State Report did allude to that – that there was slow judicial process. Even in terms of the CTIP unit, it was inadequate and there was not enough staff members there. Up to August 2021, the unit remained the same. Even looking at the *Stabroek News* of 21st July 2022, it stated that Guyana maintained Tier 1 ranking, but US trafficking reports cites weaknesses, including prosecution. They did not convict any traffickers in four years. We still have a lot of work to do.

At this point in time, we want to recommend that the justice system work assiduously to develop the type of methodology to generate credible, and reproduceable estimates of the magnitude of human trafficking in Guyana, as suggested in clause 42. We also advocate for the appropriate training of the relevant stakeholders to be carried out with the inclusion of healthcare workers. In our minds, this will augur well for us to keep this scourge at bay. It is everyone's business and in everyone's interest. So, I join with my colleagues in supporting this Bill that repeals and replaces the Combating of Trafficking Act 2005 so as to provide more comprehensive measures to combat trafficking in persons, synonymous with international best practices and changing social political needs, as stated in the explanatory memorandum. With this in mind, I say thank you, Mr. Speaker.
[Applause]

Mr. Speaker: Thank you very much, Hon. Member. Hon. Members, it is 6.35. p.m. Let us take a break for half an hour, and please, let it be half an hour alone. Thank you very much.

Sitting suspended at 6.35 p.m.

Sitting resumed at 7.24 p.m.

Presiding Member: Hon. Members, please be seated. As we resume, Hon. Members, the first speaker after the break is the Hon. Alister Charlie.

Mr. Charlie: Thank you. Hon. Speaker and esteemed Members of Parliament, my presentation is based on the premise of Parts I to Part VIII and the first and second Schedules of this Bill. With this, it is with great honour and privilege that I stand as one of Guyana's indigenous Members of Parliament in this August House to lend my support to the Combating of Trafficking in Persons Bill of 2023, referred to as Bill No. 6 of 2023. This Bill aims to repeal and replace the Combating of Trafficking in Persons Act of 2005 to implement more comprehensive measures to address the issue of human trafficking. This Bill represents a significant leap forward in our on-going endeavours to tackle the scourge of human trafficking, safeguard the vulnerable, and deliver justice to the victims.

I implore all esteemed Members to unite behind this Bill, as it possesses the capacity to effect a profound transformation in the lives of numerous vulnerable individuals throughout Guyana. Human trafficking is an egregious violation of fundamental human rights, an atrocity that constitutes a modern day form of slavery targeting the most vulnerable members of our society. This odious crime transcends boundaries, afflicting people from all walks of life and leaving a trail of suffering and devastation in its wake. The Combating of Trafficking in Persons Bill 2023 sends a positive signal that we, as a nation, stand in solidarity against this odious crime, and are committed to taking decisive and effective measures to eliminate it. The Bill's principal strength lies in its comprehensive nature, addressing various facets of trafficking in persons including prevention, prosecution, protection, and victim support. By adapting a multi-faceted approach, the Bill acknowledges that addressing this complex issue demands a multifarious set of strategies and interventions

7.28 p.m.

The Bill lays the robust groundwork for a coordinated and integrated response comprising law enforcement agencies, social service providers and civil society organisations working in tandem to combat trafficking from all angles. Moreover, The Combatting of Trafficking in Persons Bill 2023 incorporates provisions aimed at reinforcing the legal framework surrounding this crime. It

introduces stringent penalties for perpetrators, sending a clear message that those who perpetrate such odious crimes will be held accountable and face severe penalties.

By raising awareness and understanding among law enforcement agencies and the judiciary, the Bill aims to streamline investigation and prosecutions, ensuring that traffickers are brought to justice expeditiously. Equally significant is the emphasis placed on protecting and supporting trafficking victims. This Bill acknowledges the vulnerability of trafficking victims and recognises the need for specialised care and assistance. The Bill includes provisions for the establishment of victim support, and mechanisms guaranteeing the survivors receive the requisite medical, psychological and social support to rebuild their lives by prioritising victim-centred approaches. This Bill endeavours to deliver justice while restoring dignity and empowering survivors to overcome the trauma they have experienced. Additionally, The Combating of Trafficking in Persons Bill 2023 advocates international corporation and collaboration in fighting trafficking. It aligns our legal framework with international conventions and protocols, reinforcing our commitment to global efforts in addressing this transnational crime. By enhancing cooperation with other nations, sharing best practices, and fostering information exchange, we can bolster our collective ability to dismantle trafficking networks.

Hon. Speaker, human trafficking is an affront to our shared humanity and, as legislators, we have a moral obligation to protect the vulnerable and deliver justice to the victims. The Combating of Trafficking in Persons Bill 2023 provides us with a comprehensive framework to do just that. Hon. Speaker and esteemed Members of Parliament, The Combating of Trafficking in Persons Bill 2023, referred to as Bill No. 6/2023, epitomises the unwavering dedication and commitment of the People's Progressive Party/Civic Government to combating the abhorrent crime of human trafficking and safeguarding the right of its victims. By embracing this Bill, we declare that the insidious practice of trafficking in persons shall find no harbour within the borders of our sovereign nation. Let us stand united in resolute support of this Bill, effectuating tangible change in the lives of the most vulnerable individuals among us in our cherished country. The passage of this Bill will mark a significant step forward in our legislative journey and demonstrates our nation's capacity for meaningful change and underscores our commitment to creating a better and inclusive 'One Guyana'. With this Mr. Speaker, I thank you. [*Applause*]

Ms. Lawrence: Mr. Speaker, Bill No. 6/2023 is another tool that hones Guyana's fight against trafficking in persons. It creates a menu of offenses for actionable human and civil rights that were not previously available to law enforcement. Its core design is intended to produce results by institutionalising a framework of policy crafted by seven successive United Nations (UN) endorsed global reports on trafficking in persons.

Guyana's fight against trafficking in persons has been hindered by a number of factors. First, the commitment of resources by the Government. Second, the arming of the Guyana Police Force with the technical and physical composite skills to detect, liberate and empower victims. Third, an uncompromising system of reporting with known detectors, which will provide accurate and real-time information, to assist policymakers in counter-trafficking measures. All in all, the lack of national capacity building has been our greatest enemy. Sir, the question begs whether The Combating of Trafficking in Persons Bill No. 6/2023 does all of the above or does it fall short in its entirety or in part? To make an empirical assessment, I will rely heavily on the Explanatory Memorandum (EM) of this Bill. At Part II the EM states that the Bill:

“...sets out criminal offenses, and those offenses have extraterritorial effect.”

Further, besides creating an offense to envelope criminal conduct by a body corporate and recommending life imprisonment for persons convicted on an indictment, the Bill shields the victim by providing immunity from prosecution for immigration offenses. This, to my mind, will bolster the confidence in victims to come forward to give evidence against perpetrators. However, while these are pluses, the Bill is incredibly weak on the back end of the investigations into trafficking in persons; this is by not prescribing that prosecution of the perpetrators is done by specially trained senior officers or attorneys attached to the Director of Public Prosecutions (DPP) or operating under the fiat of the said office.

Mr. Speaker, I have an amendment and the Hon. Minister Dr. Persaud indicated that she also has an amendment to that amendment. So, I expect that, when the time is right, I will be given the opportunity. It is good that in this legislation we seek to hone in on the corporate bodies because, in many instances, we believe it is the one man show or the two man show or the boat rider or the mini bus driver and so on. As one of the speakers on this side said, 'this is big business'. So it is imperative that as legislators we set a standard in terms of their fees, the fines and the jail terms

that they must endure, should they break the law because, to many business entities, it is just business. Trampling on people's rights is just business, Sir. We have to send a strong message to them. At Part III Sir, the EM provides for the creation of:

“...the Counter-Trafficking in Person's Unit which shall be responsible for protecting and assisting victims of trafficking. The Guyana Police Force shall provide assistance to the unit and the unit is expected to engage with the Ministerial Task Force and shall be responsible for the protection and assistance of victims of trafficking.”

It is clear that this unit was created as a direct result of the criminal justice responses provided, which continues to be inadequate. Guyana has been getting diminishing returns from the Guyana Police Force and the Ministerial Task Force. I am well aware of the many shortcomings, re timely collaboration and responses to the staff of the Trafficking in Persons (TIP) Unit. Former Minister Ms. Simona Broomes visited this House earlier today and she can attest to what I am saying. It took extraordinary measures to have us – that is Guyana – removed from the tier two watchlist in 2015 to tier one in 2017. I heard both Minister Dr. Persaud and Minister Mr. Robeson Benn speaking about collaboration. It is easy for us as legislators to speak about collaboration, but its implementation is our problem – when the police refuse to answer the phones when the members of the TIP Unit are calling at 1.00 a.m., 2.00 a.m., 12.00 a.m., in the night. We have to ensure that as we pass this progressive piece of legislation that we do not falter on implementation.

There is also an amendment to this part seeking to increase the fine outlined in the Bill from \$500,000 to \$1 million. And I say this: for some of the businesses that put their hands into our various service units, a sum of \$500,000 is ‘small change’; it is an investment. So they do not mind paying that fine and they will tell those people too. When there are perpetrators having information that only persons inside should have, we have to ensure that we place stringent measures that will deter persons who have a responsibility not to divulge information to the perpetrators out there and those who, I will repeat, believe that they can trample on the human rights of people. The United States (US) Department of State 2022 Trafficking in Persons Report begins by stating:

“...Guyana fully meets the minimum standards for the elimination of trafficking.”

I say here, today, that it would be a great day when we move beyond just the bare minimum standards in the whole. I want to ask us not to rest that we have now brought a more progressive

piece of legislation for trafficking in all forms. We have to ensure that we keep abreast, and we must not take this long to come back to amend our laws because the perpetrators out there are *getting it on*. They are having the sophisticated equipment to ensure that they make *bucks*, and they make *big bucks*, irrespective of whose rights they trample on. The report highlights further, and I want to quote; it states:

“Although the government meets the minimum standards, it did not convict any traffickers for the first time in four years.

7.43 p.m.

It did not formally approve standard operating procedures (SOPs) to identify victims, provide sufficient security for trafficking victims at shelters, provide enough Spanish-language interpreters, identify any victims among the vulnerable Haitian population, or adequately oversee recruitment agencies.”

Mr. Speaker, these are measures that we have to address, and we have to address them quickly because Guyana has now become the gateway; so, everyone is coming here. It is not just the Haitians and persons from Spanish-speaking countries, but persons from all over the world. So, we have to ensure that we adequately equip our personnel to be able to interact with these persons should they find themselves in difficulties. The Bill, in my view, seeks to correct some of the deficiencies in the system but there must be an emphasis on the following key markers recognised by the United States Department of State’s Report and the United Nations Office of Drugs and Crime (UNODC), Global Report on Trafficking in Persons 2022 (GLOTIP).

One, holistic catering to immigrants: Spanish and French-speaking locals in the Trafficking in Person (TIP) Unit, the Ministerial Task Force on Trafficking in Persons, and the Guyana Police Force. Two, criminal justice responses: it is a fact that our capacity to adjudicate trafficking cases has deteriorated and we have to do something more about that in our court system. Three, the impact of climate change on the vulnerability of some people to trafficking in persons: it is not just going when the water is high, and it is not just going when there are high winds or whatever may be the disaster which causes persons to lose their savings and abilities to earn; we have to ensure that we go back. It is not a hamper; that would not solve the issue. It is after all those things have passed; it is our going back. It is using the system to go back to those persons. Go back to those

families and ensure that they have been able to put their lives in some order that will not make them vulnerable. Four, increase the scope and effectiveness of proactive identification since most of the victims are self-rescued. In many instances, it is the victim who tells somebody, ‘he is not my father, or he is not my brother’. We have to do a little bit more than that.

Mr. Speaker, Parts IV, V, VI and VII focus heavily on policy creation and execution, but there is stark silence on the accountability of the policy-making bodies. There is also a stark silence of a formalised system of review of these policy-making bodies. Therefore, it is my recommendation that consideration should be given to the creation of a bipartisan special oversight committee, comprised of experts to review the annual reports and the efforts of the agencies. I am talking about experts such as those that my colleague, the Hon. Ms. Singh-Lewis was speaking of. This is our country; we are a young democracy, and we have a lot to do. We must not be ashamed that we have a lot to do. We cannot equate ourselves with those countries that have been there for hundreds of years. Sir, I recommend that this body of technical people make recommendations. Do not let these recommendations go on a shelf; let us implement them where necessary.

In wrapping up, I wish to note that in Part III we find the synergising of legislation to combat the scourge of trafficking in persons, and this is commendable. However, what I note is that despite Part I, under exploitation reads:

“(i) illicit removal of human organs;”

The Bill does not, to my mind, adequately address this form of trafficking nor make any reference to the Human Organ Tissue Transplant Act No. 1, passed earlier this year in this House. I stand corrected, I am not a student of law and I do not profess to be one. I know that the removal of organs is big business in trafficking, not only here in Guyana but across the world, And we ought to take note of that. It is my hope that the bodies named in this Bill will pay more attention to persons trafficked for forced labour. The International Labour Organization (ILO) declared that this violation follows that of drug trafficking. Imagine that; I did not know that. In 2020, the ILO states that it raked in \$43 billion – that is for trafficking in forced labour – with construction, mining, and agriculture earning some \$39 billion. I wonder how many persons we are talking about; I wonder how many of them are alive today. Sir, given that the Government of the day is focused on investing heavily in the area of construction, and given our population’s size, there is

no doubt that companies will have to look elsewhere for labourers. Hence, Guyana will become a lucrative market for trafficking persons in forced labour.

Mr. Speaker, I would like to see this House be more progressive in its planning. In other words, this Bill seeks to address the deficiencies, as I said, in The Combating of Trafficking In Persons Act of 2005. However, we must take note, as I said earlier, that the criminals have gone to many lengths further. They are investing in technology and hiring top-notch lawyers to help them operate within the loopholes of the law. This Bill does not only address the transporting of victims, but other means used to traffic persons such as the use of social media – the *Facebook* timeline and *TikTok* among others. Almost every week on *Facebook* here in Guyana we can see parents asking us to help find their children – both boys and girls. So, this is a step in the right direction. We must not forget the financial institutions through which money passes to perpetrators, such as PayPal, MoneyGram, Western Union, Mobile Money Guyana (MMG) and banks, to name a few. Payments are made in parts or whole. I wish the honourable men in this House would for one hour just pay attention because they will have to protect their children. This is not a joke; this is serious business. If any of you meet those victims, you will hear how their lives have been destroyed, how they have been *living in hell* and you will see if you will laugh and make jokes about it, Hon. Members.

In conclusion, the trafficking of persons for organs is no longer a myth. Most persons would like to live a long life. Especially, when one has lots of money. As the saying goes, ‘once you have money, you can acquire whatever you need’. In most instances it is true, but at what cost and at the expense of whom? Sir, the stories of victims of organ transplants are repeats of family members’ involvement in coercing the victims to give up their organs for some economic or godly good. I leave these strong views here. It is now up to the Ministers and the President, who will select the members of the task force, to address them. On the other hand, I am certainly happy to once again have the opportunity to add my voice to the strengthening of legislation against all forms of human trafficking in this honourable House. I join with my colleagues on this side of the House, the A Partnership for National Unity/Alliance For Change (APNU/AFC) in supporting The Combating of Trafficking in Persons Bill No. 6/2023 and wish it a successful passage. Thank you.
[Applause]

Mr. Nandlall: Mr. Speaker, thank you very much for this opportunity. I want to begin by thanking all those who spoke before me for their support of the Bill. The Bill obviously is a very modern

expression of the law of trafficking in person. It has taken on board all the international recommendations and protocols and it captures the United Nation's position on the matter. Needless to say, trafficking in persons has quickly emerged as perhaps one of the most prevalent, gross and pernicious violations of human rights internationally. As a result, it is an offence against the state and the person. Not only does it affect the victims but the society as a whole. Moreso, as a transnational crime, the ripple effects of trafficking in persons are felt throughout the world. Victims are principally subjected to sexual exploitation, forced labour and servitude. For these reasons, it is imperative that our regulatory framework is comprehensive enough to protect the human rights of victims through the criminalization and prosecution of this heinous act and the provision of assistance to victims.

It is important also that we pay careful attention to the definition of trafficking in persons. Many times, I read international reports, and reports in the press and the definitions are regularly enlarged beyond its technical tenets. If we do that, then we would not be able to properly focus on what trafficking in persons is as an offence. That is why we have to reiterate the technical definition as adumbrated by the United Nations. I wish to quote it for the record. It is defined as:

“...the recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception... for the purpose of exploitation...”

7.58 p.m.

Exploitation includes, at a minimum, the prostitution of others or other forms of sexual exploitation, forced marriage, forced labour or services, slavery, or practices similar to slavery, servitude or the removal of organs, as the Hon. Member just referred to. I want to pause here to draw a distinction between trafficking in persons, which can include prostitution, but prostitution itself remains an offence which can be differentiated from trafficking in person depending on the facts and circumstances. Those are the distinctions that we must be able to draw and, unfortunately, sometimes we discolour the distinction and we lump offences that are technically not trafficking in person offences as trafficking in person. Reference was made, for example, to the transplant of organs. There can be transplant of organs wrongfully done under the Human Organ and Tissue Transplant Act, but it does not necessarily mean that it is trafficking in person for transplant of

organs. All I am saying is that we have conceptually, in our minds, to keep clear of the international definition, if we are to enforce the law properly and focus the limited resources that we have in the direction of addressing this serious crime.

The United Nations Convention Against Transnational Organised Crime and the protocols thereto are the main international legal instruments in the fight against transnational organised crime, including human trafficking. The Convention's protocol to prevent, suppress and punish trafficking in persons, especially women and children, and the Palermo Protocol, came into force on 24th December, 2003, and represents the consolidated international consensus on the need to combat human trafficking. Not only does it contain the internationally accepted definition – and I just shared the definition with you – of human trafficking but it sets out the responsibility of the state to prevent, suppress, and punish human trafficking. Guyana acceded to this Convention in 2004 and, in addition to the protocol, the obligation to criminalise trafficking in persons, expressly provided for in a number of international instruments, including the Convention of the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), both of which Guyana is a state party.

In fulfilment of our international obligations, the Government enacted, on 7th April, 2005, The Combating of Trafficking in Person Act No. 2/2005. At that time the law was the most modern expression of its kind. At that time, it satisfied all international requirements, *etcetera*, but that was nearly two decades ago, and much has changed internationally and in relation to the way that this offense has grown, prevailed and developed. So, most naturally, we had to go back to the drawing board and, in so doing, we engaged in a consultative exercise. We consulted with the relevant international organizations for migration and key stakeholders such as the judiciary, the DPP, constitutional bodies such as the Rights of the Child Commission, the Indigenous Peoples Commission, the US Embassy and non-governmental organisations (NGOs), and conducted a review of the 2005 legislation to identify its deficiencies. Out of that comprehensive review came this new Bill and, the Bill as we have heard from the many presentations, is unique and different in many respects.

Let me quickly address some of the conceptual changes that the Bill introduces. Like the Sexual Offences Act, the Bill disapplies a whole host of common-law principles and even statutes to offences involving the trafficking in person. Prior to the enactment of the Sexual Offences Act,

the sexual record of a rape victim was a very important piece of evidence that could have been adduced; that was abolished under that law. Here this Bill, again, states that kind of information will not be admissible. We have a Limitation Act that applies across the board to a series of transactions in civil law and what it does is prohibit the institution of civil proceedings for compensation if there is the expiry of a specified period in the Act. This Bill says that the Limitation Act does not apply. What that means is that victims of trafficking in person can institute proceedings in relation to the offence at any time; there is no limitation period. In terms of limitation for criminal offenses, this Bill says that the sections of the Summary Jurisdiction (Offences) and Summary Jurisdiction (Procedure) Acts, which limit the institution of criminal charges of a summary nature within a six months' period, those provisions do not apply to trafficking in person offences. Though Members may read in the Bill that some of the offences created here are summary in nature, for the purpose of limitation they are indictable, the limitation provisions of the summary law of the country do not apply for the purpose of time.

Another important legal concept that this Bill embraces is the principle of restitution. In all transnational crimes, the international posture taken, at almost every level of the hierarchical structure of the international agencies, the approach that now must be pursued in relation to transnational crime, is restitution and the criminal and civil forfeiture of assets. The theory being, that if you hit the criminal in the pocket, if you hit the criminals financially and you hit them economically, you are going to eventually hurt them. So, in the anti-money laundering offenses, in terrorism, in the trafficking of firearms, in the trafficking of narcotics and in human trafficking, Members will find that concept has been embraced fully in this Bill. Traditionally, there is civil forfeiture and criminal forfeiture of assets, and they had to have been done in different courts by different procedures and different circumstances. Restitution was not even available traditionally in criminal offences; restitution was frowned upon 40 years ago because the belief then was that criminals could pay off and get off criminal liability. The world has moved away from that and now restitution is a penalty and the victim... For example, one was raped, beaten, robbed, assaulted and one goes to a magistrate court and the man or perpetrator is fined or jailed and one goes home emptyhanded. That system of justice for 100 years did not work, has not worked, so there has been an international paradigm shift now, and that is reflected in this Bill. That is why Members see a large section of the Bill deals with how restitution is to be administered, the factors that are going

to be taken into account, *etcetera*, and also it provides elaborately for forfeiture of assets – all properties acquired.

My sister, the distinguished Hon. Member, Ms. Lawrence, spoke about money and the commercial gains that can be made and are being made from these activities. This Bill now allows the enforcement agencies to go against that accumulated wealth, proceeds of this criminal and illicit conduct; so they can destroy and dismantle all assets acquired from this activity or any other illicit activity. Those are very important concepts that the Bill embraces, and these are the new concepts now that you will see in the new legislation that will be coming to the House, especially in the area of transnational crime. The Hon. Member, Ms. Lawrence, also spoke to the absence of an oversight body, but I disagree with that position because Part VI of the Bill establishes a huge body, and I will share that quickly:

“The President shall establish a national inter-agency task force to be known as the Ministerial Task Force to develop, implement and monitor a National Plan for the Prevention and Response to trafficking in Persons with the responsibility of all matters relating to trafficking, including sex trafficking and labouring trafficking, which shall be jointly chaired by Ministers responsible for home affairs and human services and social security.

In addition:

“The President shall appoint the members of the Ministerial Task Force which shall include

–

- (a) the Ministers and senior representatives in policy and technical implementation of the Ministries responsible for...”

You spoke about the lack of technical policy implementation. It provides for that and in the areas the Ministries responsible for:

- (i) legal affairs;
- (ii) foreign affairs;
- (iii) labour;

- (iv) home affairs;
 - (v) human services and social security;
 - (vi) Amerindian affairs;
 - (vii) education;
 - (viii) public health;
 - (ix) natural resources; and
 - (x) local government;
- (b) senior representatives in policy and technical implementation of the-
- (i) Guyana Police Force;
 - (ii) the Chambers of Director of Public Prosecutions; and
 - (iii) the Geology and Mines Commission; and
- (c) any other appropriate high level government officials including officials with responsibility for –
- (i) law enforcement;
 - (ii) immigration;
 - (iii) natural resources;
 - (iv) human services and social security; and
 - (v) any other appropriate local governmental and non-governmental organizations or service providers.

Then it continues. The rest of the Bill, the remainder of that part of the Bill, speaks to how they are to coordinate, administer and discharge their respective functions. Obviously, they have the power and authority to co-opt additional expertise. It does have a huge, varied and diverse governance structure bringing together an impressive array of skills, skillsets and training to

administer the Act and to administer the Government's policy and the State's approach to trafficking in persons. The Bill also speaks to the important principle of *non-refoulement*; and this is a principle of international law which says that every person or any person is guaranteed against being returned to a state or a society where that person is being victimised or terrorised and being subjected to inhuman and a degrading treatment. This Bill captures that. Whether it is a refugee or a migrant, the State of Guyana will have to make provision in recognition of this principle of not sending the person back. The Bill also makes provision, in those circumstances, how the status of that person will be regularised in Guyana because, obviously, the person was trafficked and had come here essentially, illegally. So, all of that is covered in the Bill. Importantly, the 2002 report of the US State Department – I have it here; July, 2002 – was carefully considered as well, and almost all the recommendations in this report were extracted and enacted or given effect to in the Bill.

8.13 p.m.

I would not go through all of them, but Members read the increased penalties that are here; the sentencing guidelines, that are in the Bill; the reduce of delays in prosecutions and court proceedings, which are being addressed in the Bill as well; and a whole host of other restitution and enforced restitution are in the Bill. Many of the recommendations that were contained or that are contained in the United States America (USA) Report on Trafficking in Persons of July, 2022, have been incorporated in the Bill. A lot has been said about the statistics. This Report has the statistics of Guyana up to 2022. Anyone who is interested in getting the updated statistics could get it from there. We were speaking and a lot of references were made about human trafficking and smuggling in persons from Haiti, for example. I have the figures here that were reported to the Parliamentary Sectoral Committee on Foreign Relations by the then Minister, Mr. Winston Felix. He reported that 6,244 Haitian nationals entered Guyana between 2015 and 2018. Only 963 departed through a recognised port of entry and/or exit, leaving unaccounted for 5,281 Haitians. Then in a press statement dated 16th August, 2019, he also stated that Guyana's immigration record showed that 8,476 Haitians arrived in Guyana, but only 1,170 left between January and July, 2019, which leaves 7,576 Haitians unaccounted for. When one adds the two figures, 7,000 and 5,000, one would get over 13,000 persons unaccounted for who entered Guyana.

The US Report spoke about the Government of Guyana needing to be vigilant in relation to Haitians, Cubans and Venezuelans, *et cetera*. The Hon. Member, Ms. Volda Lawrence, spoke about the inundation of foreigners whom we would continue to have as our economic fortunes improve. Therefore, this Bill and many, many new Bills would have to come and prepare us to meet these new challenges. This Bill resides in the Minister the power to make Regulations. The Bill by itself has nearly 59 provisions and yet it makes provisions for Regulations to give effect to this Bill. It is going to be a comprehensive exercise when it is completed. It would be a Bill that would embrace many of the different areas that we would have to investigate, monitor entry into Guyana, exit, then investigate, accommodate, prosecute and accommodate again. Then when persons are found guilty, one would have to accommodate them again and you would have to go after assets. During the trial, one would have to deal with the issue of compensation. Then, one would have to deal with the victims in certain cases when they are left here. It is a mammoth undertaking. This Bill, I suppose, would have to be updated and the infrastructure... a lot has been said about the implementation. That is why the Bill here does not come into force upon the assent by the President but would come into force by an Order to be appointed by the Minister.

If Members read the clause, it does not bring the whole Bill into operation. The Minister can bring certain clauses into operation as she sees fit. The reason for that mechanism is to ensure that we have the machinery to enforce and implement the Bill in an effective way. That is why we have that strategic method of bringing the Bill into being or into force. We have to have that because many people spoke about the centres. We have to have the centres and we have to have them in different parts of the country. This thing is not confined to any given region. Obviously, greater incidents of it would be committed in one region as against the other. Based upon the empirical data available, it is something that is across the country. We will have to have adequate capabilities across the country to do every one of the things that I have spoken about. Yes, training is very important. Our police force is under constant training to deal with these new and emerging challenges. The Hon. Member spoke about *Facebook* and the social media platform. We are working on cyber security Bills and cyber security crime fighting strategies. Guyana is leading the Caribbean's efforts at the level of the United Nation to negotiate a new treaty on cybercrime and cyber security. Out of that treaty will come a model legislation for different parts of the world, including the Caribbean. Ms. Joann Bond and Trishala Persaud, two young Lawyers in the employ of the state, are leading Guyana and the CARICOM (Caribbean Community) efforts in that regard

in Geneva. We have work that is going right across the landscape. We can speak more about them but time is going.

I lend my support to this Bill. Once again, I appreciate that it has been unanimously supported but its implementation, as you have agreed and you have pointed out, is equally important. This is only the foundation. The real thing now is to get this to work. That would require every facet of our society. We welcome you to continue to cooperate with us as we continue our battle against this international travesty. Thank you very much. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Attorney General. I now call on the Hon. Minister, Dr. Vindhya Persaud, to conclude the contributions on the second reading of the Bill.

Dr. Persaud (replying): Thank you, Mr. Speaker. I would like to, at this point, thank all those who spoke on both sides of the House for their contributions, recommendations and input. Moreso, for the unanimous support of this Bill which is the foundation of our efforts towards targeting and hopefully, in the not-too-distant future, conquering trafficking in persons. It remains a heinous crime. It remains one that continues to give everyone a difficult time in the various agencies. The Bill assimilates it, pulls it altogether and presents a coordinated and collective support structure and a legislative framework for us to tackle trafficking in persons.

I really would like to also recognise the varied contributions and to say that while this is the beginning of a process, it would require this sort of unanimous effort as we work cohesively as a people to ensure trafficking in persons does not remain something that is unrecognised and unreported. I think it is important at this time to highlight some of the efforts made by the Ministry of Human Services and Social Security to recognise the progress that has been made over the last few years and ensure that we had progress in terms of maintaining tier 1 status for five consecutive years. It was also found within the US Report as mentioned by the Hon. Member, Ms. Volda Lawrence, that there needed to be more convictions. We had one last year. We had three this year. The year is not yet finished, so that goes to show the sort of momentum that has been going on through the efforts by the Guyana Police Force and the Ministry of Human Services and Social Security in ensuring that prosecutions are ongoing and that work is being done with those who experienced trafficking.

I would also like to say, aside from identifying victims of trafficking, the Ministry of Human Services and Social Security Counter -Trafficking in Persons Unit is very much apart and an active part of the raids that happen with the Guyana Police Force. It provides psychosocial support. It provides financial support. It provides a number of areas of support to persons who are victims of trafficking, even after court cases might have gone on and even after persons are removed from the situation. These persons continue to be supported for years. We do have an event where those persons gather and we recognise their efforts too in terms of trying to get their lives back to normalcy. We work on areas of shelter and employment and that is only some of what we do. We also look at the language area. Within the Trafficking in Persons Unit, efforts are always made to have interpretation. Once there is a difference in language, the Guyana Police Force would provide some of that. If it is not readily available, our Spanish hotline speaks to the language barrier or the language differences and provides a channel of reporting. It is a 24-hour hotline.

We also ensure that when victims come to the Ministry they are treated with absolute dignity and confidentiality. Yes, there is and will always be need for more shelters across the country and more halfway homes across the country. We have embarked on that as well, in terms of expanding the numbers of shelters. While a lot of them may not at this point be state owned, we do have shelters for persons who are trafficked. It is a very sensitive issue and it is not something that we publicise. It does exist because we do have to have places to accommodate and house those persons as the cases are ongoing and as they need the sort of support. In terms of police training, the Ministry of Human Services and Social Security embarked on an ambitious training programme focusing primarily on gender-based violence through the Cop Squad Initiative Programme. We have trained 1,400 policemen. There is a graduation for 1,000 of them on Friday. In that training, elements of trafficking in persons have also been imparted. The Unit itself would go out and work with the Guyana Police Force, the Guyana Defence Force (GDF) and a number of immigration officers. Training is an ongoing exercise from the Counter in Trafficking in Person Unit.

We have also been working with the transport services. We have gone out there on campaigns encouraging people who have taxis and minibuses to carry our messages and to understand what they should be looking for. We have been working in various areas that are notorious, where trafficking exist. We had a visibility march or walk, which was significant in that we went into the areas where those sorts of activities routinely take place. This is to bring awareness, to bring

visibility and to encourage those persons who may find themselves in situations where they are trafficked to come to us for support. There is a lot of work that is happening. There is a lot of progress that has been made but there will always be more work to be done. Now, with the legislation here tonight that is going to be passed, I know that we do have to move with alacrity to put a number of elements in place to enforce, to implement and to operationalise. With the commitment that we have gotten here this evening, I have no doubt, also through the ministerial taskforce that would be set up, that we would have that coordinated collective approach.

At the end of the day, this is a good continuation from that initial phase where we had the 2005 legislation. From that, we were able to look back on the wins and look back on the areas where we needed to improve. This piece of legislation is modern. It is progressive. It brings so many elements, as my brother the Attorney General said, that are modern and that are new to the legislative fabric of our country. Once again, I would like to thank everyone for their valuable contributions. I commend, again, this Bill to the House for its consideration.

8.28 p.m.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Clauses 1 to 12

Clauses 1 to 12 agreed to and ordered to stand part of the Bill.

Clause 13

Ms. Lawrence: Mr. Speaker, I lean to your guidance, since the Hon. Minister has indicated that she also has an amendment to clause 13(1) of part II, which reads:

“A body corporate which commits an offence under this Act is liable on conviction on indictment to a fine of ten million dollars.”

The amendment is to insert the words “not less than” between the words “of” and “ten”. It would read: ‘A body corporate which commits an offence under this Act is liable on conviction on indictment to a fine of not less than ten million dollars.’

Dr. Persaud: Mr. Speaker, I would further like to amend the amendment proffered by Hon. Member, Ms. Lawrence, to say that it should read, the amendment I am proposing: ‘...a fine of not less than ten million dollars and not more than fifteen million dollars.’ This is for clause 13(1). It is putting a cap on that figure. It is not less than \$10 million and not more than \$15 million.

Mr. Chairman: Hon. Members, there are two amendments before us. I would like to put the amendment to the amendment first.

Ms. Lawrence: I lean to your guidance.

Amendment put and carried.

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

[Clerk of the National Assembly in aside with the Speaker of the National Assembly.]

Mr. Speaker: Hon. Members, the Clerk is advising me that I still have to put the amendment moved by Hon. Member Ms. Lawrence. Ms. Lawrence, are you withdrawing your amendment?

Ms. Lawrence: Mr. Speaker, that is why I said that I stand guided. What the Minister did was add to that amendment.

Mr. Chairman: Exactly. I thought that would have overtaken it. Let us just withdraw for tidiness because everyone supported the amendment to your amendment.

Ms. Lawrence: I lean to your guidance Sir.

Mr. Speaker: Thank you very much.

Clauses 14 to 22

Clauses 14 to 22 agreed to and ordered to stand part of the Bill.

We have an amendment at part III, clause 23, subclause 5.

Clause 23

Ms. Lawrence: Mr. Speaker, I propose an amendment to what is there. What is there reads:

“(5) A person who commits a breach of the confidentiality enjoined by this section commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to a term of imprisonment not exceeding six months.”

I am seeking two amendments: to change the words ‘five hundred thousand’ to the words ‘one million’; and to include the words ‘imprisonment of not less than six months’.

Mr. Chairman: Thank you very much Hon. Member and that amendment was also seconded by Hon. Member, Ms. Natasha Singh-Lewis. I now propose that the amendment move by Hon. Member Ms. Lawrence to clause 23(5) stands part of Bill.

Amendment put and negatived.

Clause 23, as printed, agreed to and ordered to stand part of the Bill.

Clauses 24 to 59

Clauses 24 to 59 agreed to and ordered to stand part of the Bill.

First Schedule

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

Second Schedule

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

Assembly resumed.

Bill reported with amendments, read a third time and passed as amended.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) BILL 2023 - Bill No. 4/2023

A BILL intituled:

“An Act to repeal the Foreign Judgments (Reciprocal Enforcement) Act, and to make new provision for the enforcement of foreign judgments given in countries outside of Guyana which accord reciprocal treatment to judgments given in Guyana and for related matters.”

[Attorney General and Minister of Legal Affairs]

The second reading of the Bill was deferred.

NATIONAL INTELLIGENCE AND SECURITY AGENCY BILL 2023 - Bill No. 5/2023

A BILL intituled:

“AN ACT to establish the body known as the National Intelligence and Security Agency as the Agency to further enhance the State’s defence and security policy stated in article 197A of the Constitution, to provide for the Agency to be responsible for the coordination of the State’s defence and law enforcement activities relating to national intelligence and security, and to provide national intelligence and security advice to the President, Cabinet and entities in the security sector, and for connected matters.”

[Attorney General and Minister of Legal Affairs]

Mr. Nandlall: Sir, I rise to move the second reading of the following Bill. AN ACT to establish the body known as the National Intelligence and Security Agency as the Agency to further enhance the State’s defence and security policy stated in article 197A of the Constitution, to provide for the Agency to be responsible for the coordination of the State’s defence and law enforcement activities relating to national intelligence and security, and to provide national intelligence and security advice to the President, Cabinet and entities in the security sector, and for matters connected therewith.

This Bill has excited some interests and concerns in certain quarters. In keeping with the Government’s policy of consulting publicly in engaging important stakeholders, including the Opposition – we have done that both in and out of the House – I ask your Honour’s leave to send

this Bill to a special select committee, where that committee will determine how it will proceed with the Bill.

The Bill was referred to a Special Select Committee.

[Clerk of the National Assembly in aside with the Speaker of the National Assembly.]

Mr. Speaker: Just for the process, it is referred to the Special Select Committee. We have not asked for the second reading. When it comes back from that committee, we will have the contributions on the second reading of the Bill and put.

COMMITTEE'S BUSINESS

MOTIONS

ADOPTION OF THE EIGHTH PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON SOCIAL SERVICES

BE IT RESOLVED:

“That the Eighth Periodic Report of the Parliamentary Sectoral Committee on Social Services, for the period 28th December, 2020 to 20th May, 2022, be adopted.”

*[Minister of Human Services and Social Security – Chairperson of the
Parliamentary Sectoral Committee on Social Services]*

8.43 p.m.

Mr. Speaker: You will proceed, Hon. Minister.

Dr. Persaud: Thank you. This refers to the reporting period and the Committee met and agreed to table a motion in the National Assembly to adopt the outstanding work of the Parliamentary Sectoral Committee on Social Services of the Eleventh Parliament. Pursuant to that, we were able to have robust discussions and review, two pieces of legislation proposing some amendments to two Acts, notably: the Intoxicating Liquor Licencing Act, Chapter 82:21 and the Music and Dance Licences Act, Chapter 23:03.

In that meeting and from that Committee came a series of recommendations. I will briefly present those recommendations because some events and some other new pieces of legislations or amendments to those legislations have overtaken this Report. I do want to say that it was unanimously discussed in the Committee and the recommendations emerging from the Committee focus on how we can ensure that there is responsibility in the consumption of alcohol with specific reference to minors. It was felt that the sale of intoxicating liquor to individuals under 18 years is prohibited. A sign stating that should be displayed on premises at all times, in a legible way, in bold and in uppercase so that persons who have liquor shops would know that this is the law, they should adhere to it and that they can face the full force of the law, should they not adhere to it. It is already part of the legislation. We were discussing enforcement education and making sure that people were compliant with the legislation.

We also looked at the placement of liquor restaurants. It is well known that before a new place that sells alcohol is established in a community, there must be something published where the residents of the community should have a say on whether or not they want that in their community. The Committee went a little further. They Members of the Committee said that liquor restaurants should not be in close proximity to schools and places of worship, as they are disruptive and disrespectful in terms of the behaviour and some of the things that happen in those places. In addition to that, it was recommended that a provision be included in the Music and Dance Licences Act, Chapter 23:03. Once a minor is caught consuming alcohol at an *ad hoc* public event, the host of the event should be held accountable.

In the recently amended legislation, it was felt that persons who had *ad hoc* events and sold alcohol to minors, they must be held accountable. The legislation at that time was dealing with persons who went to an established place of sale, but this refers to events and things that were set up and this refers to the fact that many young people, minors in particular, could be found purchasing alcohol. Once they purchase alcohol like that, they could be engaged in very delinquent types of behaviour. They could also get themselves into troubles and they could end up with so many things happening to them, including teenaged pregnancies to name one of those things. In addition to that, it was felt and again, unanimously by that Committee, that there should be an insertion of a section to prohibit the sale of alcohol on all national and religious holidays. Currently, the legislation only speaks to Good Friday. It was felt that reflective of the diversity of our country

and the faiths that exist in our country, there should be the same due respect given to all the national religious holidays. The hours and days where shops may be opened should be referenced in that insertion into the law. Again, it was proposed that section 52 (2) be amended to increase fines.

In summary, that was what we have done through that period and it was constituted within the Eighth Periodic Report of the Parliamentary Sectoral Committee. As I was the Chairperson at that time, I would just like to say thank you to all the Members of that Committee who were able to give input and we were able to have very rich productive discussions. I want to thank them for all the recommendations made to this Report and thank them too for serving throughout that period. This Report has been sitting on our Order Paper for a very long time and I am very happy to have the opportunity to present it tonight. Thank you, Mr. Speaker.

Mr. Speaker: Thank you, Hon. Minister. Hon. Member, Dr. Cummings, proceed.

ADOPTION OF THE FIRST SPECIAL REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON SOCIAL SERVICES

BE IT RESOLVED:

That the First Special Report of the Parliamentary Sectoral Committee on Social Services be adopted.

[Dr. Cummings – Chairperson of the Parliamentary Sectoral Committee on Social Services]

Mr. Speaker: Sorry, I thought you were going to make a contribution on the Adoption of the Eighth Periodic Report.

Dr. Cummings: I concur with the Minister.

Mr. Speaker: Hon. Members, thank you. I now put the motion for the adoption of the Eighth Periodic Report of the Parliamentary Sectoral Committee on Social Services

Question put and agreed to.

Motion carried.

Eighth Periodic Report of the Parliamentary Sectoral Committee on Social Services adopted.

Mr. Speaker: Hon. Member Dr. Cummings, Chairperson of the Parliamentary Sectoral Committee on Social Services, you can move the motion standing in your name.

Dr. Cummings: Mr. Speaker, I am pleased to present the Adoption of the First Special Report on the Parliamentary Sectoral Committee on Social Services where I chaired. At this time, I am going to say:

BE IT RESOLVED:

That the First Special Report of the Parliamentary Sectoral Committee on Social Services be adopted.

[Dr. Cummings – Chairperson of the Parliamentary Sectoral Committee on Social Services]

Mr. Speaker: Thank you, Hon. Member. Hon. Member, Dr. Persaud, do you concur?

Dr. Persaud: Yes.

Mr. Speaker: Thank you.

Dr. Cummings: I can speak.

Mr. Speaker: Go ahead, Hon. Member Dr. Cummings.

Dr. Cummings: We did visit the Port Mourant Hospital, the Port Mourant Health Centre, the Ophthalmology Centre, the New Amsterdam Regional Hospital and the National Psychiatric Centre in Region 6 – East Berbice. This was done prior to our recess, in July, 2022. As I said before, I chaired that Committee. Of course, we had other Members – Vice-Chairperson, Dr. Persaud, other Members like Dr. Mahadeo, Dr. Ramsaran, Dr. Smith, Ms. Hastings-Williams and Mr. Jaiprashad. I am happy that we had the members of staff from the Parliament Office – the Clerk of Committees, Ms. Robertson and Assistant Clerk of Committees, Ms. Harry, the Documentation and Preparation Assistant, Research and Analytical Assistant, Ms. Ramdhyan and Ms. Panchu and the Hansard Reporters – Ms. Persaud and Ms. Bess and the Public Relations Assistant, Ms. Allen.

The visit of these institutions was a timely one. The purpose of the visit was to observe the conditions and operations of the health institutions, to interact with the patients and to make recommendations as deemed necessary. The Committee endeavoured to be vigilant and, of course, participatory while fulfilling the role of being the watch dog for the Guyanese people. We scrutinised the various institutions and offered constructive criticisms and recommendations to improve the services, which are rendered to the people of Guyana. We started from the Port Mourant Health Centre, which is a facility that was very impressive, not only at that time but even when we were in Government. It maintained its patient-friendly primary care facility. There was evidence of active community participation. Some of the items seen have been obtained during networking with members of the community.

Looking at the maternal section, because it is a maternal and child health, health centre, we noticed that there were foetal dopplers to assist the pregnant mothers. Of course, the nurses were in full gear to ensure maximum vaccination coverage. We noticed in that health centre, as I said before, it was a model. There needs to be some enhancement in terms of more staff – some more nurses – and probably, in the outer skirts, the yard, they could have done some planting which would help in their health promotion, as they try to encourage the visitors, clients and patients to have a healthy eating and participate in healthy lifestyles. From there, we went across to the Ophthalmology Centre and the Port Mourant Hospital. We were happy. We were greeted there by Mr. Budhan; the Regional Health Officer, Dr. Sharma; and the Engineer. We noticed that post-pandemic at the Ophthalmology Centre, cataract surgeries were being done, which we were very happy with – 621 to be exact. We were shown the areas facilitating diagnostic and procedures.

The Committee's recommendation had been that it needed some repainting. We were, more or less, appalled that there were no trainers for the young doctors, because most of them were Cubans in that area. We are hoping that when the Cubans phase out, we would have our own doctors who can, more or less, attend to and manage that facility. We went on to the New Amsterdam Hospital where we were met by the Chief Executive Officer (CEO), Dr. Ramnauth; the General Surgeon, Dr. Mahendra Rampersaud; the Medical Superintendent; and Ms. August, the Matron. We visited some maternity wards. We were restricted in some areas. We were happy that the operating theatre was functioning. In fact, the Hospital had three functioning theatres, where 1,332 surgical operations were conducted at that time. We were also shown the Regional Infectious Unit. There

were 12 beds observed. There was an area for Paediatrics. The area was also identified for post-symptomatic patients. There were 199 patients were isolated at that time and treated without referrals because coronavirus disease (COVID-19) was there. The normal thing that was being done was refer patients to the Infectious Diseases Hospital, Liliendaal, but it was having its own infectious unit and that was commendable.

It had a functioning laboratory facility. It was not doing all tests. I am not sure if it was doing the full scope of testing such as testing for thyroid function, but it was doing haemoglobin. I do not know if it was doing prostate-specific antigen (PSA) in the case of men, especially those who needed the specific antigen tests to help to diagnose the state of the prostate. Also, in the New Amsterdam Hospital, blood transfusions were being done. There were 2,000 units of blood collected at that time. Since then, the Blood Bank was opened there. It has an annex. It has a specialised Computerised Tomography (CT) Scanner in one of the rooms within the hospital. It was heartening to see a locally trained doctor managing this department and there was a drop in the transfer rate of patients going to the Georgetown Public Hospital Corporation (GPHC). There was also a pharmacy department. At that time when we went, there seemed to have had no shortage of drugs. Someone said that prior to us going there, the day before, drugs were sent there but I will come back to that.

The Accident and Emergency Unit was functioning. It provides 24- hour service. There were four surgeons at the hospital. A ventilator was recently installed in the department for high-risk patients. There was a Physiotherapy Department which is specialised in all rehabilitation works, including physical rehabilitation, speech rehabilitation and hearing impairment. The Regional Health Officer (RHO) stated that there was a retrofitted bus which was purchased to facilitate home-based services. There was also a Dialysis Centre. I was made to understand, when we were there, that \$600,000 was given to assist the patients on dialysis but we were not sure how many had received it, at the point of time.

8.58 p.m.

Before I go to the last stop, which is the National Psychiatric Hospital, I want to make a point. From time to time, we will be having in our work plan, visits to these various facilities. Be it the health facilities, the police stations or wherever. I think that we may have to work with reputable

institutions such as the Pan American Health Organization (PAHO) *et cetera* to have comprehensive tools that we can tick off, and really to be so comprehensive, that we will have a comprehensive report. Why I am saying that is because subsequently– I think our visit was 20th July, 2022– in August, one month after, there was an Inter-American Development Bank (IDB) visit to the New Amsterdam Regional Hospital (NARH) and the caption in the *Kaieteur News* was that that same hospital was in a deplorable state. The Inter-American Development Bank in the 21st August, 2022 edition of the *Kaieteur News*:

“...noted that... the surgical room which has three tables, have mould on the walls, which is a result of the condensation of hot air trapped in the ceiling and the cool air rising.”

There was fungus...

“...on the external walls of the various buildings located in the complex, adding that this can be a result of a botched paint job or incorrect paint for the physical environment of the hospital.”

Toilets entered a septic tank. However, some toilets were not working. The sewage system needed to be treated, and it was going into the Canje River without treatment. There was no fire prevention and protection plan. The article stated that:

“In fact, firefighting equipment was found to be outdated and therefore ineffective.”

There was no...

“...health and safety plan or protocol that guides the operation of the hospital.”

Why I am saying that is sometimes, when one knows when these visits are announced, one may not be able to capture all these things. One month after, there is where the IDB would have gone with their team and found these things. That is why I am making a recommendation here, even as the outgoing Chairperson of this Committee, that we need to have comprehensive tools that will capture everything so that we would not miss anything and persons coming one month after, finding things that were not found before.

The last stop was the National Psychiatric Hospital. The tour was a good one. We looked at the main kitchen. The patients were given meals twice daily except for the geriatric patients, who were

given bread in the afternoons. We noticed the female geriatric ward. We went to the male geriatric ward and the occupational therapy department. Of course, we had asked some questions like, was the psychiatric hospital receiving an adequate supply of water? We wanted to know if the occupational therapy department was housed in the hospital compound and if various activities were facilitated by the department, such as knitting, *et cetera*. We wanted answers to those questions. We wanted to know who was responsible. There were two Guyanese psychiatrists and one Cuban that were attached to the hospital and were the persons managing the hospital. We made some observations. The main kitchen area was clean and tidy. There was a need for more male nurses to deal with male patients. The male geriatric ward's kitchen area and washroom facilities were flooded. The sewage in the compound was overflowing, posing health threats/risks to patients and staff. Of course, there are pictures to verify this. The gutters were in a deplorable state, and the hospital needed repainting and further enhancement to its physical surroundings.

That hospital has been there for a long time, and we need to preserve our heritage. We did not just go and scrutinise. We made some recommendations. We are suggesting that they have more male nurses who should be hired because that is a psychiatric hospital, and we have more female nurses, so we need more male nurses. We wanted the gutters and the drainage and irrigation system to be fixed. It was said that it was fixed by the time we were finished, but we know that it was not fixed. The washroom facilities needed to be repaired, especially in the male geriatric department. A waste management company should empty the septic tank. We needed that. The hospital needed more beds for patients. The ball field/recreational field needed upgrading. More benches and benches should be built to accommodate patients. Televisions should be placed in each ward so that patients can be entertained during their leisure time. A management committee should be formed in the region, and psychotherapy sessions should be provided for patients.

In conclusion, the common thread throughout all the health institutions we visited had been the shortage of nurses, especially male nurses, to deal with psychiatric patients, as I mentioned before. It was also recommended too that we needed to have upward mobility for nurses and midwives. In turn, they may help to... There is a nursing school there. They may be used as tutors. That needs to be taken into consideration. There were gaps in the system. We tried to make recommendations, especially on the shortage of human resources, which is a big one. As I said before, there were some good things, such as the Port Mourant Health Centre, which is a model. We thought there

was a lot of community participation, and it is a best practice for other health centres. The Port Mourant Hospital and the National Ophthalmology Hospital were active. As I said before, more cataract surgeries were being done, and we are happy about that. They also did surgeries for pterygium. We are happy that Guyanese doctors are being incorporated as trainers of trainers.

All in all, it was a good trip. We certainly would want to have these regional hospitals leading ones so that the medical students can have those in practising their internship. Right now, I think it is just the Georgetown hospitals where medical students will practise and do internships, *et cetera*. We really want to narrow the gap with inequity between the Georgetown Public Hospital Corporation (GPHC) and the other regional hospitals. We look forward, as we go forward... We are all Guyanese, and we want to *call a spade a spade*. At the same time, there are recommendations, and we would like to see improvements. A lot of money is being spent. It is a bigger budget, and we hope that with the IDB's money, *et cetera* we will have some improvement in the New Amsterdam Regional Hospital. Thank you, Sir. [Applause]

Mr. Speaker: Thank you very much, Hon. Member. Thank you for that comprehensive report on the Committee's visit. I know we have some other Members – Dr. Vishwa Mahadeo has indicated to me that he would like two minutes to make a contribution to this proposal and the Hon. Minister, Dr. Vindhya Persaud.

Dr. Mahadeo: Thank you, Mr. Speaker. I happen to have worked in Region 6 for a long time, and I know in what state we left the hospital and in what state we got it back. It is not perfect at the National Psychiatric Hospital. In fact, it is far from perfect. This is why, right now, the Ministry is working on a comprehensive plan to deal with Fort Canje. I would like to assure the Member that the toilets have been emptied not long after we went there – the septic tanks, that is. It was done, and a plan is there so that it will be done regularly. That area is prone to flooding and has challenges with drainage. That is also being dealt with. Here, it states that Ms. Meyers is the kitchen supervisor. That is not so. There is a Dr. Meenawattie Rajkumar who is the kitchen supervisor there. The hospital provides three meals and two snacks to its patients as I have just been told by the psychiatrist who is in charge. I would also like to assure the Member that the staffing has drastically improved. We now have five psychiatrists, of which there is, for the first time ever, one adolescent psychiatrist at the National Psychiatric Hospital. There is a Government Medical Officer (GMO), one psychologist, and two occupational therapists among others that are employed

there fulltime. This is the first time that they are having this number and this quality of staff at National Psychiatric Hospital. We understand the need to up the game in psychiatry and we have been doing so. Whenever the Minister has a chance to speak, he will tell us about the plans that we have and in what timeframe we are going to fulfil those plans.

The Port Marrant Health Centre, which the Hon. Member mentioned, is a model health centre. That health centre was constructed in 2012, and it was done in such a way that there is community participation. In fact, that health centre is one of the health centres where the community took full ownership in 2012. In fact, from the time we were constructing that facility, a management committee was set up, and the management committee continues to function up to this day. They pay careful attention to that facility. This is why when I go out, I recommend that others need to go to that facility. The staff proudly says when it was done, what was done, and how happy they are with the response that they are getting from the community.

The National Ophthalmology Hospital was non-functional when we took over. No surgeries were being done. The theatres had fungus. Anyone who has any idea of what surgery and the sterility that has to be there would know, especially in the case of eye surgery, that that leads to blindness if one operates in there. We had to remove the roof, and we had to remove nearly everything in there. The equipment was non-functional. In 2021, more than \$277 million was spent to repair that facility and to get it going. In February 2022, once again, we started doing surgeries in the National Ophthalmology Hospital. That continues today so much so that in 2022, we also spent... [Mr. Mahipaul: The Regional Democratic Council.] The National Ophthalmology Hospital. The National Ophthalmology Hospital. The sum of \$183 million was spent to ensure that we have equipment, to ensure that we have supplies and to do other works in the facility. For 2023, we have budgeted over \$225 million as we have to get new equipment to add to the facility there. The National Ophthalmology Hospital is now, again, the national hospital. We have done surgeries to patients from Region 1, Region 2, Region 3, Region 9, Region 10 – all the regions across the country, we are doing surgery at the National Ophthalmology Hospital. Once again, it is fulfilling its mandate.

Concerning the New Amsterdam Hospital which the Hon. Member mentioned, yes. We have a functioning computerised tomography (CT) scanner, but I would like to remind this House that that CT scanner started working, literally, at the end of 2020. From October 2020, the people

started training persons there. They set it up and they started training persons. We sent Dr. Rich to be the specialist there. The radiographer who does the CT scan reads it right there. For 2021, 1098 CT scans were done. For 2022, 1037 CT scans were done. Already for this year, 281 CT scans were done. Best of all, it was all free of cost to the patients. The time for someone to get a CT scan in New Amsterdam, I am happy to say, that from the time it is ordered to the time they could get it, is between one to two hours. If is urgent, even in the night, that is how fast they get it. The dialysis system is working there. We have a number of patients. I would also like to remind this House and to remind Guyana, in general, that it is this People's Progressive Party/Civic (PPP/C) Government that is giving to every dialysis patient, \$600,000 every year.

Concerning this report, I would like to say it was a great visit. We will continue to do visits but Mr. Speaker, I can guarantee you that the next time we visit Region 6, this report is going to be very different because of the amount of works that we are doing there. Thank you. [*Applause*]

Mr. Speaker: Thank you very much, Hon. Member. I wanted to ask the question, if all that you had mentioned at these facilities were there when the visit was made? If, yes, are you suggesting that that should have also been in the report?

Dr. Mahadeo: Mr. Speaker, I clearly said what it was then and what it is now. What we have done from then to now to improve it...

Mr. Speaker: From the visit?

Dr. Mahadeo: ...for example, to...

Mr. Speaker: Then, being at the time of the visit?

Dr. Mahadeo: Yes.

9.13 p.m.

Mr. Speaker: Clearly, the visit helped in spurring more action.

Dr. Mahadeo: Yes, Mr. Speaker.

Mr. Speaker: Thank you, very much.

Dr. Mahadeo: The ophthalmology hospital was functioning. The New Amsterdam Hospital and the dialysis were there.

Mr. Speaker: In fact, let us commend the Hon. Member Dr. Bheri Ramsaran for getting the bus going again. Do you remember his famous speech on that hospital, get on the bus? A few years ago. Hon. Minister, please proceed.

Dr. Persaud: I am just going to take the two minutes, and that is me. I just want to say that I concur with Dr. Mahadeo and to say that we were all struck, especially the highlight of that visit was the ophthalmology hospital. Not only did we have the hospital functioning, but the doctors were all Guyanese, and they were able to finish the surgeries for Region 6. They were actually flying patients out from the hinterland regions to do surgery, and that was at the time that we visited. I thought that was a significant development. They were working around the clock to ensure they did much more than they were asked to do. I also want to say that when we did go to the New Amsterdam Hospital, there was a stark difference from when we visited at the time when I was in Opposition, and there was no shortage of anything at that time. In fact, nothing was brought the night before; nothing like that was mentioned. I just wanted to put that on the table and clear the air on that and say that we were all very happy with the progress that was made. I did not go to the psychiatric hospital, but I did go to the other institutions, and we saw a lot of progress in all of those. The morale was very high among the staff members. With regard to the Inter-American Development Bank (IDB) report that spoke to mould and fungus, at the time we went, there were three functioning operating theatres, and they were doing surgery at that time. I would like to think that if there was fungus and all of that, there would not have been operating because the theatres all need to be sterile. Thank you very much, Mr. Speaker. It was a privilege to serve with everyone on this Committee and the Chair as well. Thank you.

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

Question put and agreed to.

Eight Periodic Report of the Parliamentary Sectoral Committee on Social Services adopted.

Hon. Members, before I call on the Hon. Prime Minister, I just want to make one announcement. I did receive an alarming copy of a correspondence to the Police Commissioner from the Hon.

Justice Claudette Singh making an accusation on a threat against on her life from a Member of Parliament. I want to encourage all of us to let us continue inside and outside of the House to be very responsible.

ADJOURNMENT

BE IT RESOLVED:

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

[*Prime Minister*]

Prime Minister [Brigadier (Ret'd) Phillips]: Mr. Speaker, I move the adjournment of the National Assembly to a date to be fixed.

Motion put and agreed to.

Mr. Speaker: Hon. Members, the House now stands adjourned to a date to be fixed. Have a good rest of the night.

Adjourned accordingly at 9.16 p.m.