

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015-2017) OF THE ELEVENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

65TH Sitting

Thursday, 15TH June, 2017

Assembly convened at 2.05 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Instrument of Appointment

Mr. Speaker: Hon. Members, I have received an instrument appointing a Minister. I shall read from the instrument an exercise of the power conferred upon me by Article 103 (2) of the *Constitution of the Cooperative Republic of Guyana*. I appoint Rupert Roopnarine, an elected Member of the National Assembly to be a Minister with effect from the 14th June, 2017, a designate Minister of the Public Service as the style by which he shall be known in the Office of Minister and under Article 106 (1) of the *Constitution of the Cooperative Republic of Guyana*, appoint him as a Member of the Cabinet. Given under my hand and the seal of the Cooperative Republic of Guyana and the Office of the President, Georgetown, Guyana, this 14th day of June, 2017 in the 48th year of Republic by the President's command.

Leave

Mr. Speaker: Hon. Members, leave has been granted for today's Sitting for the Hon. Dr. Vindhya Persaud.

Sympathy on the deaths of former Members of Parliament

Mr. Speaker: Hon. Members, you are all aware of the deaths of Mr. Franklin Eleazar Hope, Mr. Fitz Uriel Alexander Carmichael and Mr. Malcolm Corrica.

Hon. Members, Mr. Franklin Eleazar Hope, a former Member of Parliament (MP), died on the 13th April, 2017 in Maryland, United States of America (USA), after a brief illness. He was 93 years old, having been born on the 1st October, 1924. Mr. Hope came from the People's National Congress (PNC). Elections were held on 16th December, 1969 under the system of Proportional Representation. The Second Parliament commenced when the National Assembly first met on 3rd January, 1969. During the latter part of the Second Parliament, Mr. Hope first became Minister of Finance from 1st August, 1972 to 30th June, 1973. The Second Parliament was dissolved on 7th June, 1973. Elections were held on 16th July, 1973. The Third Parliament commenced and the National Assembly first met on 26th July, 1973.

Mr. Hope continued to be Minister of Finance from 1st July, 1973 until 24th July, 1973. From 25th July, 1973, Mr. Hope was appointed senior Minister of Trade and Consumer Protection until the Third Parliament was dissolved on 25th October, 1980. Elections were held on 15th December, 1980. The Fourth Parliament commenced when the National Assembly first met on 30th January, 1981. Mr. Hope continued to be senior Minister of Trade and Consumer Protection until 30th April, 1982. From 1st May, 1982, Mr. Hope was re-designated Minister of Public Cooperation, Internal Trade and Consumer Protection. Mr. Hope held that position until he resigned on 1st May, 1983.

Hon. Members, Mr. Fitz Uriel Alexander Carmichael, a former Member of Parliament, died on 23rd September, 2016 at the Georgetown Public Hospital Corporation (GPHC) after a short illness. He was 81 years old, having been born on 10th August, 1935. Mr. Carmichael came from the People's National Congress. Following the elections which were held on Monday, 16th July, 1973, the Third Parliament commenced when the National Assembly first met on 26th July, 1973.

Mr. Carmichael first became a Member of the National Assembly on 24th July, 1973, and was designated Minister of State, a position he held until 31st December, 1980. The Third Parliament dissolved on 25th October, 1980. Following the elections which were held on Monday, 15th December, 1980, the Fourth Parliament commenced when the National Assembly first met on

30th January, 1981. Mr. Carmichael was again appointed Minister of Forestry in the Ministry of Agriculture from 1st January, 1981 to 30th November, 1981. Mr. Carmichael ceased to be a Legislator from 1st December, 1981.

Hon. Members, Mr. Malcolm Corrica, a former Member of Parliament, died on 10th October, 2016 at the Georgetown Public Hospital Corporation after a short illness. He was 79 years old, having been born on 21st March 1937. Mr. Corrica came from the People's National Congress. Elections were held on 16th December, 1968 under the system of Proportional Representation. The Second Parliament commenced when the National Assembly first met on 3rd January, 1969.

Mr. Corrica was appointed an ordinary Member of Parliament from that date until 6th June, 1973. The Second Parliament was dissolved on 7th June, 1973. Elections were held on 16th July, 1973. The Third Parliament commenced when the National Assembly first met on 26th July, 1973. Mr. Corrica was again appointed an ordinary Member of Parliament from that date until 30th June, 1975. Mr. Corrica was appointed a Parliamentary Secretary from 1st July, 1975 to 31st December, 1980. The Third Parliament was dissolved on 25th October, 1980. Elections were held on 15th December, 1980. The Fourth Parliament commenced when the National Assembly first met on 30th January, 1981.

Mr. Corrica was appointed Minister of State, Culture in the Ministry of Education on 1st January, 1981 to 12th December, 1985. The Fourth Parliament was dissolved on the 31st October, 1985. Elections were held on 9th December, 1985. The Fifth Parliament commenced when the National Assembly first met on 3rd February, 1986. Later in the Fifth Parliament, Mr. Corrica became an ordinary Member of Parliament from 1st January, 1990 until the 28th August, 1992. The Fifth Parliament was dissolved on 29th August, 1992.

Hon. Members, please let us stand and observe one minute of silence as a mark of respect to the late Mr. Franklin Eleazar Hope, Mr. Fitz Uriel Alexander Carmichael and Mr. Malcolm Corrica.

The National Assembly observed one minute of silence.

Thank you, Hon. Members.

Hon. Members, I am given to understand that members of the bereaved families are present in the Chamber and I would invite them to observe the solemnity with which we observe the passing of their relatives. I thank you.

PRESENTATION OF PAPERS AND REPORTS

The following Reports were laid:

1. Annual Report of the Guyana Securities Council for the year ended 31st December, 2016.
[Minister of Finance]
2. Annual Reports of the Ministry of Labour, Human Services and Social Security for the years 2013 and 2014. *[Minister of Social Protection]*
3. (i) Audited Financial Statements of the Guyana Water Incorporated for the year ended 31st December, 2015.

(ii) Audited Financial Statements of the Central Housing and Planning Authority for the year ended 31st December, 2014.

(iii) Annual Report of the Central Housing and Planning Authority for the year ended 31st December, 2015. *[Minister of Communities]*

2.20 p.m.

4. Minutes of Proceedings of the 8th Meeting of the Committee of Selection held on Monday, 8th May, 2017. *[Speaker of the National Assembly - Chairman of the Committee of Selection]*
5. Annual Report of the Guyana Police Force for the year 2013. *[Vice-President and Minister of Public Security]*

REPORTS FROM COMMITTEES

The following Report was laid:

Fifth Report of the Committee on Appointments in relation to the Appointment of An Attorney-At-Law to the Financial Intelligence Unit (FIU) within the Anti-Money

Laundering and Countering the Financing of Terrorism Authority Act No. 1 of 2015.
[Minister of Social Cohesion]

INTRODUCTION OF BILLS

The following Bill was introduced and read the first time:

TOBACCO CONTROL BILL 2017 – BILL No. 5/2017

A BILL intituled:

“An Act to A BILL intituled AN ACT to provide for the adoption and implementation of tobacco control policies in accordance with the World Health Organisation Framework Convention on Tobacco Control which aims to protect present and future generations from the devastating harms of tobacco use and exposure to tobacco smoke; to prevent tobacco use by minors; to protect workers and the public from exposure to tobacco smoke; to prevent exposure of the public, especially minors, to tobacco advertising, promotion and sponsorship; to enhance public awareness of the hazards of tobacco use and exposure to tobacco smoke; to ensure that every person is provided with effective health warnings about the harms of tobacco use and exposure to tobacco smoke; to regulate the tobacco industry, its products and sales; to protect public health policies from the commercial and other vested interests of the tobacco industry; and to provide for other related matters”. *[Minister of Public Health]*

PUBLIC BUSINESS

GOVERNMENT’S BUSINESS

MOTION

SYMPATHY ON THE DEATH OF MR. FRANKLIN E. HOPE, FORMER MINISTER

“BE IT RESOLVED:

That this National Assembly records its deep regret on the death of Mr. Franklin E. Hope, and pays tribute to his dedicated service to the Parliament of Guyana as Minister of Finance from 1st August, 1972 to 23rd July, 1993, and as Senior Minister, Minister of

Trade and Consumer Protection from 24th July, 1979 to 30th April, 1983, and to the people of Guyana; and

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of its sympathy be conveyed to his sorrowing widow, children and relatives". [*Minister of Foreign Affairs*]

Vice-President and Minister of Foreign Affairs [Mr. Greenidge]: Mr. Speaker and Colleagues, some participants depart the stage of life leaving behind distinctive footprints for posterity. Many of us make those footprints in a single sphere, whether by luck, dint of circumstances or sheer genius. Others, having performed, are remembered as having contributed exceptionally in several spheres. Mr. Franklin Eleazer Hope is one of those who fit the latter bill.

Frank Hope was a most common form by which he was addressed. He will be most easily remembered by those old enough to recall as a former Minister of the Cooperative Republic of Guyana. It is as Minister of Finance, a post to which he was appointed in August, 1972, that he was most influential. He had succeeded the late Dr. Ptolemy Reid, and who he, in turn, followed the tenure of Mr. Peter D'Aguiar.

Ministers of Finance in the developing world tend to have short and sometimes tempestuous tenures. More often than not, they are victims of bad luck and, when not, poor judgment. In Mr. Hope's case, it may have been neither, or at least not entirely.

In economic management, success is often to be found in the narrow space between recklessness and prudence. Its secret is in the art of striking a balance. Mr. Hope, it might be said, with the benefit of hindsight, appeared to have managed this initially and enjoyed, relatively speaking, halcyon days. During the latter part of his term as Minister of Finance, Guyana and other sugar producers experienced dramatic revenue windfalls from sugar sales, a trend which albeit reversed itself. Mr. Hope sought to manage that windfall carefully and even prudently. The implications of erring too far in favour of spending would not have missed him as he was an Economist by training. He urged the building up of national foreign exchange reserves. However, his Cabinet was keen to expand the capital programme in a bid to stimulate growth, diversify the economic structure of the economy and prime the pump of economic development. They, on the other hand, were focusing on the path to

socialism and the urgent restructuring of the economy. As fate would have it, the windfall from sugar sales halted just as abruptly as it started and the new State was soon struggling to maintain the rate of investment and was soon forced to seek balance opinion support from the International Monetary Fund (IMF).

In the difficult period that ensued, it is not clear how Mr. Hope transitioned from the Ministry of Finance to the Ministry of Trade. Let me say that, in 1979, the management of the Ministry of Finance changed hands. Mr. Hope's demission at that time set in train a major adjustment as regards the role of the Ministry of Finance and its dominance in economic planning.

He moved almost seamlessly to the position of Senior Minister of Trade and Consumers Protection and he served in that position until October, 1983, following another Cabinet reshuffle. Mr. Hope was very popular with his colleagues. It is, perhaps, to his relationship with the Prime Minister, Mr. L F S Burnham that one would have to look to understand what transpired in that transition and why. The Prime Minister would have had to have had very great confidence in Mr. Hope for him to have been able to move in the circumstances surrounding that change.

Mr. Hope was an accomplished technician whose skills and experience the Prime Minister seemed loathe to lose. He held an exceptional range of top technical posts prior to his appointment as a Minister and his career had, up to that point, been very impressive.

Mr. Hope served as Minister of Trade and Consumer Protection, a post in which he succeeded the venerable Mr. Joe Tyndall for some four years. He was responsible for both internal and external trade. The period was characterised by regulation of both internal and external trade in response to growing foreign exchange shortages and the rise of licensing and the dominance, at that time, of the External Trade Bureau. Mr. Hope was as comfortable at the Ministry of Finance as he was at the Ministry of Trade and Consumers Protection.

Prior to his preferment as Minister of Finance in 1973, he had served as Secretary to the Treasury (Finance Secretary), following in the footsteps of the legendary Sir Frank Mc David, the first locally born person to hold this key and prestigious post and to hold it in the Colonial Administration. Mr. Hope had also previously served as Guyana's Chief Statistician. He did so at a time when most Economists seemed to have also formally studied Statistics. He would have therefore been quite accomplished in that arena to have commanded the post of Chief Statistician.

His predecessor Chief Statistician was the renowned Mr. H O E Barker. He, in turn, was succeeded by others, including the only woman to hold that position, Ms. Pamela Chase.

Mr. Hope and his peers have been described by one author as constituting a chain of competent and outstanding Guyanese Statisticians who developed the institution machinery for national statistics from the Small Statistical Unit of the colonial era to the Statistical Bureau of the 1970s and 1980s and the current semiautonomous Bureau of Statistics. They left the Bureau with a very proud tradition.

Mr. Clarence Ellis was often happy to boast that the IMF's assessment of the quality of Guyana's financial and gross domestic product (GDP) statistics, as we entered, the 1970s had been amongst the best in the world. That was partly attributable to Mr. Hope and his Colleagues who built up that institution.

I am less familiar with the twists and turns of Mr. Hope's life or even his career prior to him taking up statistics but I do know that like many Guyanese of his era, such as Mr. Rashleigh Jackson, Mr. Burnham, Mr. Jeffrey Thomas and Mr. Hugh Desmond Hoyte, he was a school teacher.

Early during my tenure at the University of Guyana (UG), I was asked by Mr. James Sidney, later to become General Manager of Radio Demerara, to do a weekly current affairs commentary. It was my privilege to have the opportunity to review many of the annual Budgets of Mr. Hope, beginning in 1975. His surname offered great scope for the play on words and I rarely missed the opportunity to do that. On reflection, it probably irritated him but he never showed it.

At that time, much effort was expended on the public sector gap and the search for funds to finance the public sector capital programme or the PSIP. Mr. Hope's contributions were very matter-of-fact but carefully prepared. His presentations were carefully prepared and he was very economic with language and his work was without errors.

I first had the opportunity to work with him, rather than commenting on his work, when the Government, with the People's Progressive Party's (PPP) support, decided to nationalise the assets of the private sugar industry.

2.35 *p.m.*

Minister of Agriculture Mr. Gavin Kennard had overall responsibility for the team, charged with negotiating Booker McConnell's assets. A smaller group was led by Mr. Franklin E Hope and it was charged with looking at finances and specifically at the Sandbach Parker and Jessel's operations.

I was assigned to that financial services team and had the opportunity to work with Mr. Hope on that exercise. Sufficed to say, he was not a difficult Minister with whom to work; he was extremely systematic and thorough.

Later, as Chief Planning Officer and Secretary to the State Planning Board, I had the opportunity to interface with him again, as well as with Mr. Winston Murray, his then Deputy Secretary to the Treasury.

As Director of the Inter-American Development Bank (IDB), I, along with the late Ivan Hamilton, Deputy Secretary to the Treasury and later Governor of the Central Bank, worked on Mr. Hope's briefs and his drafted speeches for the IDB Governors' meetings.

I recalled that the first time I did this, we reported to him on the outcome of the Directors' meetings and he gave us some directions – simple and easy to follow. And he instructed us to put the draft of his speech under the door of his hotel room when we would have finished preparing it. We did so early on the Sunday afternoon and never saw or heard from him again, until he appeared in the conference, ready to read his speech late on the Tuesday morning. As I was saying, he was not a difficult person to work with in that sense.

In 1977, a major taskforce was established to work on recommendations for a new national minimum wage. And I recall how rich those discussions were because the relevant statistical skills were available in abundance and all the appropriate agencies participated in that exercise, including, of course, the Ministry of Finance, led by Mr. Hope.

Professional Life after Politics: After his Ministerial career, Mr. Franklin Hope found employment at the Auditor's Department of the IDB in Washington. He returned to Guyana in the late 1980s and was appointed to the Dependents' Pension Fund, an institution hidden away in full sight on Camp Street. He eventually retired from active Government service in the early 1990s.

It might be said that Mr. Hope was part of a cohort of Guyanese born under colonialism, which was an era characterised by very limited opportunities for those of 'colour'. In spite of this, they fought their way to the top of their professions. They faced rampant racism, persistent and appalling discrimination and limited opportunities to both study and to find employment.

The train of persons to whom I made reference to earlier, a term used by Mr. Donald Augustine, consisted of a group of public sector economists whose technical skills and devotion to Guyana helped to take us through many storms at the time of independence. Without them, Guyana might not have moved so smoothly into independence or managed the many economic innovations and experiments, successfully.

Mr. Hope was one of the last survivors of that train and, as regards to Members of Parliament, one of the last of a group who shepherded British Guiana to Guyana and across the hurdles of independence. The remaining survivors of that era include Mr. Sase Narain OR, SC; Sir Shridath Ramphal S.C, Mr. Jeffrey Ronald Thomas, Mr. Hamilton Green, Mr. Clifton Llewellyn John, Mr. Cammie Ramsaroop, Mr. Abdul Salim, Mr. Fenton Ramsahoye, and Mr. Oscar Eleazar Clarke, from the 1966 Parliament. Of his cohort from the 1973 Ministers in the Fifth Parliament were Mr. Hugu Desmond Hoyte SC, Sir Shridat Ramphal, SC; Mr. Steve Naraine and Dr. Kennett King, the last three of whom were like him, non-elected Members of this House. And his Ministerial Colleagues included a variety of illustrious names ranging from Ms. Shirley Field Ridley, Dr. Harper and so forth. Amongst those who worked with Mr. Hope in these endeavours were Mr. Bernard Crawford, Mr. Haslyn Parris, Mr. Winston King, Mr. Winston Murray and the like. It should be clear from this roundup that Mr. Franklin Eleazar Hope's achievements as a professional were indeed impressive.

Guyana has, from time to time, toasted immemorial, its outstanding figures in law, literature, medicine and, perhaps to a lesser extent, in music. However, in the field of economics, the contributions to excellence have been less widely acclaimed. Mr. Franklin Hope is one of the actors in that domain who has fared less well than he merits, in that he may not have been as widely acknowledged in Guyana as he deserved. Outside of Mr. Rawle Farley, Mr. Clive Thomas and Mr. Havelock Brewster, few others have been acknowledged nationally, notwithstanding their recognition regionally and internationally. And I take this opportunity to mention some of those who, along with Mr. Hope, have helped to fashion economic policies and

help us to get to the point at which we have arrived today. And those would include Mr. Clarence Ellis, Chairman of the State Planning Commission and Deputy Governor of the Central Bank, and his longstanding friend Mr. Haslyn Parris, the Late Dr. Vishnu Persaud who served for over a decade as the economic tsar at the Commonwealth Secretariat, during which time he was a close confidant and advisor to Sir Shridath Ramphal and so forth. None of those contemporaries and peers held down as diverse and senior positions, as I have listed for you, as Mr. Franklin Hope – at least domestically.

Furthermore, Mr. Hope was a very accomplished and successful Minister of Finance and a notable and competent Minister of Trade and Consumer Protection. He was the third locally born and post-independence Minister of Finance, following Peter D’Aguiar and Dr. Ptolemy Reid. I have observed that Mr. Hope was popular among his peers, in spite of a difficult portfolio. He was, though, a very serious individual, in every sense of the word. But he was not without a sense of humour. When tickled, he would break into a smile which started at the furthest corner of his eyes and spread all over his face. He would usually have a humorous repartee when he was so moved. As I recall, he also had a slight lisp and, when nervous or amused, he would develop something of a stutter – very slightly. He was also undoubtedly a dapper dresser and widely believed by his colleagues to be a ladies’ man. In fact, along with the ‘Don’, Mr Gavin Kennard, he was probably the most dapper Member of the Cabinet, at least for the period 1973 – 1983. But it is a fine point as to whether the Prime Minister, who was regarded by both the public and his peers, as the number one in that regard...

Notwithstanding the events I have listed and the events of 1979, in particular, after which Mr. Hope changed portfolios, it needs to be emphasised that he was an outstanding Minister. Although during both of his watches, there were signs of a looming economic crisis that was to befall us later in the 1990s, Mr. Hope could not be held responsible for those changes.

The performance of Mr. Franklin Eleazar Hope, as a Member of this House as well as in his previous post as a Chief Statistician and Secretary to the Treasury, places him amongst the team of technicians in Guyana who have achieved remarkable success, given the challenges that faced them.

I am pleased to have had the opportunity both to share some of his work experiences with him and to pay this tribute to him, today. And I invite the House to extend to his family and relatives, our sympathy and recognition of his great contribution to our work over the years.

Thank you very much. [*Applause*]

Bishop Edghill: Mr. Speaker, Hon. Members of the National Assembly, I stand, this afternoon, as a representative of the Parliamentary Opposition, the People's Progressive Party (PPP) to join with our Colleagues on the other side to direct our expressions of sympathy to the family and friends of the late Mr. Franklin Hope.

As a young man growing up, I first came to know the name Franklin Hope on the \$20 bill, signed Minister of Finance. I never knew the man; never met him but I knew his name. But from the record, Mr. Franklin Hope entered this august Assembly during the second half of the Second Parliament of Guyana and his contribution is one that should be recognised and remembered. So, let me first of all indicate that I join with Colleague Vice-President and Minister of Foreign Affairs in expressing those sentiments to the family and to the people of Guyana, and, more so, to the party that he represented – the People's National Congress (PNC) in the Second Parliament.

Death is a certain fate destined for all men. It is something that we all have to face. Revelations 14:13 records these very important words:

“Then I heard a voice from heaven say, “Write this: Blessed are the dead who die in the Lord from now on.” “Yes,” says the Spirit, “they will rest from their labour, for their deeds will follow them.”

It is important to note that the greatness of a man is never known while he is alive; it is when he is dead. What a sorrowful state of our humanity that we remember the greatest of people when they die.

It is clear that Mr. Hope exceeded his biblical allotted time on earth and had reached the great age of 93 years. Within that span of time, he left his mark in our country's history. Whichever side of the House we serve our country, I am convinced that most of us do so with sincerity and a

commitment to do the best we can to better the lives of our constituents and to uplift the lives and enhance the wellbeing of all Guyanese.

Mr. Franklin Hope was born in Buxton where he grew up and obtained his primary education.

2.50 p.m.

He went on to achieve a succession of achievements in the field of education, finally attaining the position of Deputy Headmaster. His ambitions drove him to pursue higher learning as he went to the United Kingdom to pursue studies in Economics and, subsequently, to the United States of America to further his studies in Statistics. Finally, he returned to his homeland to work at the Bureau of Statistics where he eventually attained the position of Chief Statistician. Achievements come with grit, determination and hard work along with sacrifices. Mr. Franklin Hope continued to shine in the execution of his duties in his various portfolios, never satisfied but always aspiring to higher things. From all reports, he was successful because of his unceasing efforts, striving for upward mobility in his professional undertakings. So it came as no surprise to those who knew him when he was appointed as Secretary to the Treasury in 1970 and then Minister of Finance and Trade in 1972. I join with the mover of this motion to celebrate Mr. Franklin Hope as a technician that served our country well.

This would be a good time for us, all here gathered this afternoon as legislators, that we should guard the professionalism and ensure that the integrity of our technicians and professionals are insulated from the politics that are played out in our country. No matter which side we sit, we need our technicians to serve this country to ensure that it is developed. I think, this afternoon, as we pay tribute to Mr. Franklin Hope, first of all as a technician, it is a good time that for us to learn the lesson that, as we continue to build Guyana, all of our technicians, our professionals who have elevated themselves and worked hard to make their contributions, must be respected and treated with due regard.

Mr. Franklin Hope, as the Minister of Finance and Trade in 1972, remained as a member of Cabinet until 1983, when he resigned from his ministerial position to take up an appointment with the Inter-American Development Bank in Washington, District of Columbia (DC). Guyana remains the land of the heart of its people. As we say in Guyana, no matter where one goes “*home is Guyana*”. Guyana is still the land we consider the dearest and the best. Mr. Franklin

Hope returned to Guyana in 1991 as representative of the World Bank to Head the implementation of the Economic Recovery Programme (ERP) during the presidency of the late Mr. Desmond Hoyte. He earned his peace in his later years, surrounded by loving family members and friends, doing the things he loved the best, but he never relinquished his passion for politics. His family members related that one of his favourite pastimes during his retirement years was making running commentaries as he looked at Cable News Network's (CNN's) coverage on political issues.

As a representative of the Parliamentary Opposition, People's Progressive Party and on my own behalf, I extend condolences to the People's National Congress, the family and the friends of the late Mr. Franklin Eleazer Hope. We support this motion as presented. [*Applause*]

Question put and agreed to.

Motion carried.

**SYMPATHY ON THE DEATH OF MR. FITZ URIEL ALEXANDER CARMICHAEL,
FORMER MINISTER OF STATE AND MINISTER OF FORESTRY**

“BE IT RESOLVED:

That this National Assembly records its deep regret on the death of Mr. Fitz U.A. Carmichael, and pays tribute to this dedicated service to the Parliament of Guyana as Minister of State from 24th July, 1973 to 31st November, 1981, and to the people of Guyana; and

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of its sympathy be conveyed to his sorrowing widow, children and relatives.” [*Minister of Citizenship*]

Minister of Citizenship [Mr. Felix]: Mr. Speaker, I would like to quote a statement from Mr. Sri Chinmoy, an Indian spiritual leader, who is on record as saying:

“Sympathy does not think. It acts. It acts to remove the ceaseless sufferings of the world.”

I would like to associate myself with these comments because, in reviewing the work of the deceased, it should bring much satisfaction to those he was close to and have left behind.

From the 24th July, 1973 to November, 1981, Mr. Fitz Uriel Alexander Carmichael served as a Member of Parliament. However, his augmentations to this great nation would have started long before he graced us with his presence in this hallowed Chamber. “A man who was the pillar of strength, support and discipline and whose love for family was never questioned” were the words spoken by his son, Mr. Kenwyn Carmichael, to describe the commitment to the family of this life-long Member of the then People’s National Congress.

One can recall Mr. Carmichael as our colleague, our brother and our friend. Though he is no more amongst us, his profound life is still conceptualised in our memories. To that extent, we are all diminished by his death in that all his experiences, his expertise and the talents he was possessed of are no more within our reach, thus causing the nation to suffer as a result of this great loss.

Mr. Carmichael was born on the 10th August, 1935 at No. 28 Village, West Coast Berbice. He was the eldest of four children. He was an educator. Before his ministerial appointments, Mr. Carmichael became a trained teacher and Principal at the Burnham Agriculture Institute (BAIT) at Port Kaituma in the North West District. In addition, he held several posts in districts, including Suddie and Hopetown.

In 1973, he was elected a member of the National Assembly, representing the People’s National Congress. He was called to serve as the Minister of State (Regional) of Barima-Waini, Region 1 and, subsequently to Lethem-Rupununi, Region 9, from 8th August, 1978 to 31st December, 1980. He was then elected as the Minister of Forestry within the Ministry of Agriculture, serving from 1st January, 1981 to 30th November, 1981. In assessing Mr. Carmichael’s contributions to the National Assembly, he participated in numerous debates, commencing with the Amerindian (Amendment) Bill No. 6/1976 on the 5th April, 1976. Thereafter, he was involved in Budget debates and Bills from 1977 to 1981, which, I am sure, has enabled the Republic of Guyana to develop.

After his retirement, he migrated to the United States. I think I was fortunate to have met him in Queens, New York, in 2007. We, the Members of the National Assembly of the Parliament of

Guyana, hereby place on record our sadness and utmost bereavement at the great loss to this Parliament and the people of Guyana by the unfortunate demise of Mr. Mr. Fitz Uriel Alexander Carmichael on 23rd September, 2016. We express gratitude to a former member of the then People's National Congress who was very determined and committed to executing the duties which he rendered to the Republic of Guyana and to this awesome Assembly known to us as Parliament. Mr. Fitz Uriel Alexander Carmichael has made enormous contributions on his legislative undertakings and he has now bequeathed to this generation of legislators a rich legacy from which we should all benefit.

He leaves to mourn his son, Mr. Kenwyn Carmichael; his sister, Ms. Myrtle Stewart; and other relatives. May his soul rest in eternal peace and rise in everlasting glory.

I thank you. [*Applause*]

Bishop Edghill: Mr. Speaker, Hon. Members, whether we are political opponents or political friends, we need to emphasise that we all have the same ultimate fate. That is why, this afternoon, we are paying respects to men who graced these halls and made their mark.

Mr. Fitz Carmichael started his career in the Third Parliament of Guyana and continued into the Fourth Parliament, and here we are paying respects to him in the Eleventh Parliament. So we are dealing with some history this afternoon. I believe that, in making our contribution, no matter which side of the House we sit or stand on, we must do our best.

Mr. Carmichael was first designated as Minister of State (Regional) for the North-West and served in that position from 24th July, 1973 to 7th August, 1978. He was then also designated Minister of State (Regional) for the Rupununi from 8th August, 1978 to 1st December, 1980.

3.05 p.m.

Then as Minister Forestry in the Ministry of Agriculture 1st January 1981 to 30th November, 1981. He sat in this Assembly as a representative of the people and his party was the People's National Congress. Mr. Carmichael, as I said earlier about Frank Hope, began his professional career as a teacher, then he diverted into the realms of politics, initially as a Member of Parliament and then as a regional Minister as outlined before.

Ecclesiastics Chapter 3, verse 2, tells us:

“There is a time for everything,
and season and activity under heavens:
there is a time to be born and there is a time to die,”

Having lived a full life, and from all appearances his activism was more in the fields among his people and in the Parliament of itself, he made his contribution. What is important is that the contribution of everyone must be acknowledged, because every man has his own measure and every person has his own purpose. Today we recognise the contributions that Mr. Fitz Uriel Alexander Carmichael would have made to his country as he served in various capacities. We salute his family for allowing him to serve his people, because often times we do not remember that people who serve in public life and people who hold public office they do so with great sacrifice at the people who are at a disadvantage while others are benefiting from their service are their family and loved ones. We thank you for allowing him to serve his people and for standing in support of him while he made his contribution.

He was called to higher service on September 22nd at the age of 81 years. He lived a full life. On behalf of the Opposition, the People’s Progressive Party/Civic (PPP/C), and on my own behalf I extend condolences on the passing Fitz Carmichael, to his son Kenwyn Carmichael, his sister Ms. Myrtle Stuart, other relatives and friends and the party to which he has served faithfully as well as, the People’s National Congress. I thank you. [*Applause*]

Question put, and agreed to.

Motion carried.

SYMPATHY ON THE DEATH OF MR. MALCOLM CORRICA, FORMER MINISTER OF STATE AND MEMBER OF PARLIAMENT

“BE IT RESOLVED:

That this National Assembly place on record our profound grief at the great loss suffered by the people of Guyana on the death of Mr. Malcolm Corrica, and pays tribute to his dedicated service to the Parliament of Guyana where he served as Minister of State,

Member of Parliament and Parliamentary Secretary from 3rd January, 1969 to 28th August, 1992; and

BE IT FURTHER RESOLVED:

That the National Assembly directs that an expression of our heartfelt condolences and sympathy be conveyed to his sorrowing widow, children and relatives.” [*Minister of Public Health*]

Minister of Public Health [Ms. Lawrence]: I move the motion on the “...Death of Mr. Malcolm Corrica, a former Minister of State and Member of Parliament.”

“Be it resolved:

That this National Assembly place on record our profound grief at the great loss suffered by the people of Guyana on the death of Mr. Malcolm Corrica, and pays tribute to his dedicated service to the Parliament of Guyana where he served as Minister of State, Member of Parliament and Parliamentary Secretary from 3rd January, 1969 to 28th August, 1992; and

Be it further resolved:

That the National Assembly directs that an expression of our heartfelt condolences and sympathy be conveyed to his sorrowing widow, children and relatives.”

Mr. Speaker, Members of this House, this motion paying tribute to the late Mr. Malcolm Corrica, familiarly known as Lord Canary, the People’s National Congress Reform (PNCR) and the Partnership for National Unity (APNU) wish to acknowledge the many contributions made by this great cultural icon and political activist for his legendary and impressive expertise in the promotion of the performing arts which brought international recognition par excellence to Guyana’s cultural landscape. We are saddened by the passing of one of Guyana’s dedicated and renowned calypsonians but are comforted by the rich legacy he has left us in this notable repertoire of calypso.

Mr. Malcolm Corrica was born in colonial era of humble parentage, William and Inez Corrica of Bagotstown of the East Bank Demerara, where he grew up and worked, making a significant

contribution to his community. Mr. Corrica also known as (aka) Lord Canary was a man for all seasons who wore many hats with distinction - small man, family man, businessman, entrepreneur, calypsonian, parliamentarian and Minister. As Mr. Vincent Alexander aptly described him in the recently published biography, “Canary is the embodiment of Burnhamite ideals.” The manner of man that the Burnham Foundation today appreciates as an exemplar, particularly in the way he rose from very humble beginnings as a small man, a man from and of the people. He was a joiner and cabinetmaker who never forgot his roots and was able to walk with kings while never losing the common touch and who placed values above valuables.

In viewing his life work, one cannot escape the conclusion that he was indeed a man of the people, a son of the soil who was not constrained in his efforts to give service. His debut in the political arena began under the tutelage of the late Linden Forbes Sampson Burnham where he was the founder Member of the People’s National Congress Youth Organisation (PNCYO) in 1960. Malcolm Corrica graduated into adult party membership and was very actively involved in the various phases, challenges and development processes of the party. Malcolm Corrica sought to make the PNC an enjoined institution promoting party policies throughout the medium of culture. His melodious voice coupled with his uncanny ability to communicate with the grass roots and to deliver messages to a variety of intended audiences led to his selection as a candidate for the party for the 1968 General Elections. He campaigned tiredly and fearlessly. Under the banner of the PNC, he was influential warming the hearts and the minds of the people to support the noble cause of the party which lead to his subsequent election as a Member of a National Assembly of the Parliament of Guyana of 3rd January, 1969. Thus began his long and illustrious career in Parliament in which he gave national service in Government and politics which spanned over two decades.

Mr. Malcolm Corrica served as Member of the Assembly representing a Member of the People’s National Congress now PNCR from January, 1969 to December, 1985, and from December, 1990 to August 1992. During his political tenure as a Member of Parliament he served as Parliamentary Secretary, Ministry of Works and Communications, Minister of State in the Ministry of Internal Trade and Consumer Protection and Minister of State for Culture in the Ministry of Education, Social Development and Culture.

It was on this cultural platform that Mr. Corrica excelled and distinguished himself displaying his immeasurable potential and talent as the monarch of the calypso. He won the inevitable title of Calypso King of Guyana, being Guyana foremost campaigner in the field in Trinidad and Tobago, the Caribbean and New York. Lord Canary found himself alongside the renowned Mighty Sparrow, Lord Melody and other leading exponents. The composer of memorable hits such as *Dr. Beckles*, *Alfred*, *Wicked Cricket*, *Tribute to Martin Luther King*, *The People Will Talk* and the famous *Down on the Bottom Floor*. Those have all helped him to beat the Mighty Sparrow in a Caribbean competition which was won by the Mighty Duke, with Lord Canary coming in second. He stood side by side with Trinidadian great Lord Kitchener, Might Sparrow, Might Duke and Lord Melody, on international stages and in the words of some commentators “was the best this country has ever seen.”

Additionally, Mr. Malcolm Corrica was assigned by Prime Minister and later President Forbes Burnham to oversee the use and development of the new National Cultural Centre (NCC) in the late 1970s. He also spearheaded a number of other events, including the series of shows known as the CC Varieties, which promoted several Guyanese. According to Allen Fenty’s writings in the biography of Lord Canary, he was credited with facilitating the debut at the National Cultural Centre of the annual Arrival Day dance production, *Nitrageet*, which was founded in 1979 by Nadia and Indranie Shaw.

Lord Canary prolific ability to manage saw his involvement in the annual Mashramani Calypso Competition in which he could not have competed while he was coordinator. However, after that period he returned to his pinnacle of achievement as a champion Guyanese calypsonian, winning the Mashramani crown in the process.

During Lord Canary tenure as Minister, he presided over the PNC creation the People’s Culture Corp which foster hybrid bands accompanying all type of vocalist. There were also the annual calypso caravans that toured from Georgetown to the Corentyne coast which helped to produce and feature young and upcoming calypsonians. His 56 years of service to his beloved party and country saw him offering his gifts and talents in a variety of ways, including and rendering successive congresses’ team songs since the 1970s as well his participation in all cultural programmes and activities of the party at local, regional and national levels.

3.20 p.m.

Lord Canary's cultural contribution was matchless and unparalleled. His participation in national and international calypso competitions and festivals made us proud, indeed, as he excelled in relevant social commentary, ranging from satire to domestic violence, also the Feed, Clothe and House (FCH), Be local and Buy local Campaign, promoting the use of indigenous materials and products. Mr. Malcolm Corrica's service to his country was exemplary. His commitment and contribution to the land of his birth was recognised, as evident, by the medal of service bestowed upon him in his lifetime in 1992 for his outstanding contribution with exceptional dedication in the field of politics, popular music and entertainment.

Lord Canary's biography captures his life and works exquisitely. He was an important personality in Guyana's cultural history. Apart from Bill Rogers, no other Guyanese calypsonian has had as much success and acclaimed in the West Indies and in Trinidad as much as 'Canary'. Up to 2014, when he was already in semi-retirement, he was the last in the royal line of true calypsonian in a country that has forgotten the art of calypso. He was the last man standing from the mighty and legendary years when calypso in Guyana was able to make an impression upon Trinidad and Tobago, the Mecca of the art form. 'Canary' stood alone as a leading member of the old guard of local calypsonians who was part of the major cultural movement that developed in British Guiana through the middle years of the twentieth century.

In the forward to the biography, Cecil Woolford Semple gives a brief reference to the golden age of Guyanese calypso and how 'Canary' has made his input in every department of the art of calypso, whether it is politics, current affairs, a suggestive song or even one with a little smut. His suave voice with his biting social commentary will forever remain etched in our memories.

The death of Comrade Malcolm Corrica, former Minister of State, M.S., has left a void in the cultural landscape of Guyana and the Caribbean where he was better known by his celebrated calypsonian titles - the Mighty Destroyer, the Lord Canary, the Mighty Canary. Let us salute this great son of the soil, the politician, the calypsonian and businessman who participated in nation building, giving yeoman and meritorious public service to the people to his community, to his country Guyana and to the region as a whole. His relentless efforts to place Guyana on the road

map to build and strengthen the party and Parliament, his struggle for democracy and good governance must not be forgotten, but stand as a beacon for others to emulate.

Mr. Malcolm Corrica was cognisant of the fourth stanza of our national anthem and strove zealously to realise this:

“Dear land of Guyana, to you will we give,
Our homage, our service, each day that we live
God guard you, great Mother, and make us to be
More worthy our heritage, land of the free.”

On behalf of the party leader, members of the Central Executive Committee, members of our General Council and entire membership and the Government of the Cooperative Republic of Guyana, we wish to place on record our profound and sincere condolences to his sorrowing children and other relatives. May his soul find eternal rest and peace.

Thank you. [*Applause*]

Bishop Edghill: Mr. Speaker, Hon Members, we may have many things in Guyana that we differ about, but when it comes to music we hardly have any divisions.

Mr. Malcolm Corrica was known as the beloved Lord Canary to many in Guyana. As a young man, I remember his music and I would not sing any, but the days of Rudy Bishop and Chronicle Atlantic Symphony Steel Orchestra out of Campbellville taking the streets on go-kart wheels and iron brackets pushing down the road with ‘inside and outside’, Lord Canary made his mark. His music elevated him to national recognition long before he became part of the political world, and that is what he will be best remembered for.

Mr. Malcolm Corrica served in the Second, Third, Fourth and Fifth Parliament of Guyana. His music was one that brought him recognition at home and abroad. It was no mean feat to share regional and international stages with the legendary calypso greats such as Mighty Sparrow and Lord Melody, but he performed no less creditably than they did and brought fame to himself and his homeland with unforgettable performances. He even performed in the United States of America, at the Madison Square Garden - what a significant achievement. His overwhelming ability and talent led him to win the calypso monarch competition and other competition several

times. Although he was away from the spotlight and other competition for several years because of illness, his music still resounded at events and was well celebrated at home and in the diaspora. Although he is no more, artiste never dies, but live on in their arts, and in my estimation, Lord Canary the calypsonian will live long after Malcolm Corrica the politician. When Malcolm Corrica the politician is forgotten, Lord Canary the musician will be remembered.

Nevertheless, he left his mark in the political landscape of Guyana and he served in the capacity as a Member of Parliament, representing the People's National Congress. At 79 years old, October last, at the Diamond Diagnostic Centre, his life came to an end, but his family and friends came together to pay tributes that were so fitting to him. Because Lord Canary was a man of the people, as was Malcolm Corrica the politician, many showed up to pay him tribute, but as many people, who achieve greatness, they come from very humble beginnings. His granddaughter eulogised him as a wonderful family man with great values. She extolled his role as a son where he contributed even as a child to the family's income by helping his mother Inez to weave and sell *mucra* baskets and to sell milk to customers along the East Bank corridor. Humble beginnings, but he made his mark.

His climb to fame did in nowhere diminish the essence of the man. He remained the man of the people, both as a musician and a politician.

To the children of the late Malcolm Corrica known as Lord Canary, I extend sincere condolences to Malcolm Corrica, Junior, Mr. Jeffery Corrica and Ms. Pauline Pierre and to his granddaughter Iyodelle Hamilton, and to all the other family members, and his friends of the People's National Congress, we of the political Opposition, People's Progressive Party/Civic, join with our colleagues on the other side in paying tribute to Malcolm Corrica, the politician, Lord Canary, the musician.

I thank you. [*Applause*]

Question put, and agreed to.

Motion carried.

BILLS – SECOND READINGS

DEEDS AND COMMERCIAL REGISTRIES AUTHORITY (AMENDMENT) BILL 2017
– Bill No. 3/2017

A BILL intituled:

AN ACT to amend the Deeds and Commercial Registries Authority Act. [*Attorney General and Minister of Legal Affairs*]

Attorney General and Minister of Legal Affairs [Mr. Williams]: I rise to move that Deeds and Commercial Registries Authority (Amendment) Bill 2017, Bill No. 3 of 2017, published on the 24th of January, 2017, be now read a second time.

The question could be asked, what is the Deeds and Commercial Registries Authority (DCRA)? This authority is a corporate body that was established to promote efficient operation of the Deeds Registry and Commercial Registry. The authority performs a critical service that is essential to Guyana and contributes significantly to the generation of revenue for the country. The authority has the power to engage in any act or transaction that is necessary to ensure its proper performance and also regulate its own procedure in accordance with the Act.

The authority also has the power, through the governing board, to employ persons as may be necessary to carry out its functions, with the exception of the Registrar and Deputy Registrar of Deeds.

3.35 p.m.

What is the amendment seeking to do? The Deeds and Commercial Registries Authority (Amendment) Bill 2017 seeks to amend the Principal Act by substituting for section 5 (2) of the Principal Act a new section 5 (2) to provide for a change in the membership of the governing board of the DCRA. The board's membership has been increased from eight to 11, with the addition of three new members. The three new members are, or include, another nominee of the Ministry of Finance, a nominee of the Ministry of Business and a nominee of the Guyana Revenue Authority (GRA).

The rationale for the change in membership of the governing board stems from the need to have a board that comprises members that possess a wide range of expertise and experience. It is

hoped that the addition of these new members would not only enrich the deliberations of the board, but also increase its efficiency in carrying out its functions. In particular, the additional nominee from the Valuation Division, Ministry of Finance, is necessary since, from 2013 to present, there has been a significant decrease in revenue earning by the authority, due mainly to undervaluation of transports.

The changes in the names from the Ministry of Housing and Water to the Ministry of Communities and from the Guyana Bar Association of the Legal Professionals to the Berbice Bar Association are reflected in the membership of the board. Consequential amendments were made to section 6 of the Act in re-lettering because of the re-lettering of the membership of the board in section 5 (2). The quorum for a meeting has also been increased from three to five members.

Created under the previous regime, the Deeds and Commercial Registries Authority was not an independent body with an independent board, but it was a semi-autonomous entity with a responsible Minister. Of course, one would have to look hard to find any authority created in the past, that was not created with the intention of being controlled by a Minister, under the last Government. I have, fortunately or unfortunately, inherited that control, but would not exercise any control unnecessarily in that regard.

Let me say that section 5 (1) of the Act merely provided for the establishment of the governing board of the authority, which function was to ensure the proper and efficient performance of the functions of the authority. However, it omitted the incantatory words of independence.

“In the exercise of its functions, the Governing Board shall not be subject to the direction or control of any authority.”

These words were words, at least *prima facie*, which indicated that it was desired to give independence to a commission, board or authority.

On the contrary, the DCRA Act proceeded to ensure the control of the then Minister over the authority and its governing board by the following provisions:

Section 5 (2), the Minister appoints the chairman and members of the board.

Section 6 (1), the Minister determines who may be reappointed to the board.

Section 6 (2), a member resigning from the board is required to give notice to the Minister, not to the chairman.

Section 7 (1) (e), retirement benefits must be approved by the Minister before payment by the board.

Section 7 (1) (g), the employment of professionals and experts by the board as well as their salaries must be approved by the Minister.

Section 7 (3):

“The Minister may give the Board general policy directives with respect to the discharge of its functions under that Act as he considers necessary and the Board shall give effect to the directives.”

Should I go on?

Under section 9 of the Act:

“A member of the Governing Board shall be paid remuneration or allowances, if any, as the Minister may determine.”

Section 13 (2), the Minister appoints the Assistant Registrar of Deeds after consultation – not meaningful – with the board.

Section 16 (1), the Minister appoints the Registrar, Deputy Registrar and Assistant Registrar of the Commercial Registry after consultation – not meaningful – with the governing board.

I could continue.

Section 23, the Minister presents annual reports of the activities of the authority to the National Assembly and is answerable to Parliament for any irregularities therein.

This contention that this board is independent and the authority is independent...One has to be thankful that the custodian who now operates within this authority is a benevolent custodian and not one who would abuse all of this excessive power that had been reposed in the previous Minister. In addition to that, what was not provided for in writing, one could still see that the

concept of ministerial responsibility would also give the Minister a power and authority to request of any employee of the authority any information or any other request for performance.

Article 106 (2) of the Constitution provides that:

“The Cabinet shall aid and advise the President in the general direction and control of the Government of Guyana and shall be collectively responsible therefor to Parliament.”

This collective responsibility is the shared responsibility of the Cabinet.

On the other hand, in applying the principle of responsible Government to individual Ministers, Ministers have responsibility for their individual portfolios, which can include not only their departments but also public companies or public corporations. This responsibility makes them accountable to Parliament – as you have seen we have to lay the report of the authority to the National Assembly - the policy of departments or entities within their remit and the acts or omissions of officials within them. Also, the Minister is not only accountable but is answerable to Parliament for any irregularity of a department or entity under his or her portfolio.

Act No. 6 of 2001 removed the power to appoint the Registrar and Deputy Registrar of Deeds from the executive arm, which was the Public Service Commission (PSC). It removed that power to the Judicial Service Commission (JSC) by amending article 199 of the Constitution. This power to appoint, remove and exercise disciplinary control over the said Registrars was carried over to the corporate entity, that is, the Deeds and Commercial Registries Authority, by that Act in 2013, more specifically section 13 (1). The effect is that, whilst the DCRA employs all of its staff and raises its own revenue, from which it pays the employees, through the combined efforts of the Minister and the governing board, a superior body from another arm of the State superimposes the top two employees without meaningful or any consultation with the Minister responsible for the authority.

Suffice it to say, this goes against the grain of the Constitution, its basic structure and is in breach of the doctrine of the separation of powers. After appointment by the Judicial Service Commission, the Registrar and Deputy Registrar of Deeds functions under the Deeds and Commercial Registries Authority Act, No. 4 of 2013, which is under the supervision and control of the Minister of Legal Affairs. The Act empowers the Minister of Legal Affairs, *inter alia*, to

appoint an Assistant Registrar of Deeds and other Registry staff, appoint the board of the authority, under the Act, and exercise general administrative powers and control over the Deeds and Commercial Registries Authority. This means that the entire administrative measure on the Registrar of Deeds, appointed by the Judicial Service Commission, and other Registry staff, appointed by the Minister of Legal Affairs, vests squarely on the Minister of Legal Affairs.

This Bill also provides that where the governing board of the Deeds and Commercial Registries Authority has not been appointed or is not functioning, the Minister shall perform the functions of the board. This ensures that the essential work of the Deeds and Commercial Registries Authority is not affected due to the lack of a functioning governing board. Deeds and Commercial Registries Authority is such a critical body that it is necessary to create safeguards to ensure the efficient functioning.

The provision for the Minister to perform functions in the absence of a board for expediency and continuance is not new to the law. For example, the Municipal and District Councils Act, Chapter 28:01, provides, in section 95, now section 97, for the constitution of a Local Government Service Commission and in the exercise of its functions, the commission shall not be subject to the direction and control of any authority.

Section 326 (4), (5) and (6) provide that until the coming into operation of section 95, now section 97, the powers conferred on the commission, under the provisions of sections 112, 116, 119 and 123 shall be exercised by the Minister.

Subsection 6 of section 326 provides:

“Until the coming into operation of section 95, the powers conferred on the Commission, under the provisions of section 123 shall be exercised by the Minister.”

What section 326 subsections (4) (5) and (6) are really providing for is that until the commission has been constituted, the Minister shall exercise the powers of the commission.

Moreover, the Wildlife Conservation and Management Act 2016, No. 22 of 2016, which was recently passed in the honourable Assembly, paragraph 1 of the Seventh Schedule, which constitutes the commission, provides that the commission shall consist of the chairperson, who shall be appointed by the Minister, but if no person is appointed, the Minister shall be the

chairperson of the commission. This is also the case in the Mahaica-Mahaicony-
Abary/Agriculture Development Authority (MMA/ADA) Act.

The provision in this Bill is merely transitory. It is merely, I would say, in the temporary absence of the board, to remove all doubt, that the Minister would perform the functions until such time. As I said to you earlier, Mr. Speaker, there is such excessive control provided for under this legislative regime even that might not be that necessary. It is only in the Bill it is to remove all doubts and for the purpose of clarification.

In light of what I have just said, we are simply, in this Bill, seeking to make the board more efficacious and for it to be able to serve the people of Guyana in the proper way.

I ask this honourable House to support the passage of this Deeds and Commercial Registries Authority (Amendment) Bill in this honourable House.

Thank you very much. [*Applause*]

3.50 p.m.

Mr. Anamayah: Before I make my formal presentation, I must reply to some of what the Hon. Attorney General has said. First, in the Attorney General's presentation he seems to suggest that the decline in revenue at the Deeds and Commercial Registries was as a result of undervaluation in recent times. I beg to differ with my learned Friend. That is a clear indication of what is happening in the economy; it is a decline of commerce. People are not buying and selling real estate anymore as they did up to May 2015. That is what is happening and that is why the revenue base is down and it is putting a strain on the functioning of the registry. It may need a subvention.

The Hon. Attorney General and Minister of Legal Affairs regaled us about the amount of control that is vested in the Minister himself, in the Bill. Yet, this amendment that the Hon. Minister is tabling seeks to withdraw none of them. It does not seek to remove from the legislation the control that he has. He is not trying to alter any of them. Instead, it is trying to confer absolute power in the Hon. Minister's hand. We should know the importance of the functioning of the Deeds and Commercial Registries and we must recognise the efforts of the previous Administration, the People's Progressive Party/Civic (PPP/C), under the stewardship of the then

Attorney General, the Hon. Member Mr. Nandlall, in tabling the Deeds and Commercial Registries Authority Act 2013, the Principal Act, which we are here seeking to amend.

It was an effort to bring the Deeds and Commercial Registries and its functioning into the 21st Century, to modernise it. The Deeds and Commercial Registries were created since 1919, nearly 100 years ago. Up until 2013, there was no legislative change or intervention and it became absolutely necessary because of the shared volume of work that was being undertaken. We must also realise that any investor coming into this country or even the local investors, will have to, at some point, interface with that registry. Whether a mortgage would be taken, incorporate a company, register a business, a debenture, a title search, you must, at some point, have an interaction with the Deeds and Commercial Registries or the Authority. It is sometimes the first impression investors get about the ease of doing business in Guyana. Are we prepared and ready? That is one of the most important things, the part that the Deeds and Commercial Registries play in the scheme of commerce and in the scheme of investment.

The Act of 2013 sought to deal with the challenges, update, modernise and to make it more efficient as the learned Minister said. It also sought to remove unnecessary bureaucracy in the decision-making processes that were hampering the function of the registry. It allowed the Authority to hire and train its own staff and prepare remuneration packages that would keep them. As the legislation states, this body is a semi-autonomous body and the role of the Board was to ensure efficient performance, *et cetera*. The Minister had a role to play by appointing the chairperson. Given the purpose of the legislation and the words of my Friends about the importance of the Board, it is infallible that since March 2016, until recently, for over one year there was no board appointed or functioning. That is not a temporary absence as the Hon. Attorney General would have us believe. That was not a temporary absence as alluded to. It was not in the contemplation by the legislators, that there will be a board and that the subject Minister would refuse to do what was necessary to appoint them.

It must be remembered that the Act of 2013 was passed unanimously in the House. At the time of its passage, there were presentations from the Hon. Members who are now in Government, in particular the Hon. Minister Ramjattan, the now Minister of Public Security.

In his presentation on the 34th Sitting of the Tenth Parliament, this is what the learned Minister had to say.

“Now that it has come, and we are trying our best to take away the politicised control over these governing bodies that we want, I want to say that it still seeps and emerges, it oozes through still. That is why when we are going to create the governing board we would have its members who are going to be nominees of the politicians.”

The Hon. Hon. Mr. Ramjattan said that the registries will be managed but that it can be done without an input from politicians.

“Understand that what we are speaking about here is that we need to degut from this new institution any politicisation of it. This would be a positive thing.”

Mr. Ramjattan questioned:

“Why could they not have simply taken themselves out?”

Here he was referring to the nominees who would have constituted the Board.

“...in a sense it dilutes what we are trying to get at, which was to depoliticise this governing authority.”

There you have it. The Hon. Member, at that time, wanted the Minister to have no hands over the management of this Authority. I wonder now whether the Hon. Member shared these views with the Hon. Attorney General and if he still holds those views, still has those concerns that there are too many politicians on the Board or whether he has had a change of heart. We will hear from the Hon. Member shortly and we will know.

To coin a word or a phrase from my learned Friend, Mr. Ramjattan, this is a clear case of *control freakism*. Hon. Member, I would love to hear you respond to this when you rise just after me.

Now, why does the Hon. Attorney General wants to burden himself with additional responsibilities? Imagine what it is like to run an agency or an authority with hundreds of staff. Why would he want to do that? This Hon. Gentleman is so overwhelmed with work and legal

dilemmas and legal problems that he needs not one, but five Legal Advisors. Hon. Sir, why would you want to burden yourself with a running a board?

For those reasons, we cannot support a Bill that seeks to vest so much power, to usurp the functioning of the Authority, in the Hon. Minister's hands.

Thank you. [*Applause*]

Mr. Speaker: Hon. Members, we should take the suspension at four o' clock. There are three speakers remaining. I will suppose that we take the suspension now and return promptly at five o' clock to recommence our work.

Sitting was suspended at 4.01 p.m.

Sitting resumed at 5.09 p.m.

Mr. Speaker: The Sitting is resumed. The next Speaker is Hon. Khemraj Ramjattan. You have the floor Sir.

Minister of Public Security [Mr. Ramjattan]: Thank you very much Mr. Speaker. I will be extremely brief in view of what was said earlier and make a couple of points that deal with why, indeed, this amendment is required in view of the previous Act that was passed some time in 2013. The last speaker, the Hon. Member Mr. Anamayah, indicated: "What will Mr. Ramjattan now say in view of the fact that he was saying that the original Bill which, at that time, his Government was anointing as an extremely good Bill...." What would I say now in view of the fact that I had said then that it had too much power bestowed on the Minister? I would say that the amendment that we seek here, especially the amendment in section 2, which amends section 5 of Act, is going a far way in, more or less, broadening the authority of that governing Board to include almost four new persons to make it far more inclusive rather than narrowing and depoliticising, as was mentioned by Mr. Anamayah.

I want to make this point. When this Act came into being it was touted by the then Attorney General and all of the speakers who now finds themselves in Opposition, as a grand Bill to ensure the efficiency and the orderly operations of the Deeds and Commercial Registries. Of course, I did make the criticism that Ministers were having a lot of powers and, indeed, they do.

My argument today would be, in view of extending to another nominee of the Ministry of Finance, who is in charge of valuation under the valuation for rating purposes, extends it - a nominee from the Ministry of Business. Instead of having legal practitioners, it has now split it up to the extent that it would be a representative from the Guyana Bar Association, the Berbice Bar Association and we also have a nominee from the corporate entity, the Guyana Revenue Authority (GRA). Those are four new members who will be sitting on the governing Board, who shall have a say.

5.14 p.m.

Why should the Berbice Bar Association not have a say? Why is it that the valuation committee for rating purposes of nominee not be placed in a person of certain technical capacities in relation to the prices of land, increasing as a result of time and probably the values because of the changed circumstances and all of that? And of course business, yes, it is a Minister again, but it the Minister of Business's nominee who will be, for that purpose, ensuring that we have some more widening of the expertise. So that this governing body could, in a sense, widen its horizons on its outlook on matters commercial and on matters deeds.

To that extent, then, it is but a far cry from what the Opposition has not said. They on the opposing side have not said, in view of the fact that the Hon. Members sitting on that side, have not said that, the 2013 Act was a bad act. But they are saying that Ramjattan's comments about it being bad, that is now being hypocritical. Well, if it was a good Act for you and we are now expanding the governing body, it is a good thing. I want to say this about them. Do you remember in 92' and prior to those years they had said that the immunities of the President were a bad thing. For 23 years, we sat over there and I was part of that, trying to get them to reduce the powers, but it was not. They expelled me. So when they enjoyed the powers of the Presidency, I do not see...[*Interruption*]

Mr. Speaker hits the gavel.

Mr. Speaker: Hon. Member, I am reminding you of the framework in which Second Readings are done - the merits of the Bill and the principles of the Bill.

Mr. Ramjattan: It is relevant in the context of what was said about me and what he got to say about it. Well, Sir, I am saying...

Mr. Speaker: Hon. Member, I remind you again.

Mr. Ramjattan: Thanks. So indeed for them it was a very good Bill. **[Ms. Teixeira:**

Who is them?]

The Hon. Members, on the opposing side and that includes Ms. Gail Teixeira, Mr. Anil Nandlall and all of them. This is because it would have gone a very far way in 'efficientising' our Deeds and Commercial Registries. Well, it remains a good Bill. But we have made it even better by expanding and making more inclusive the governing body. **[Ms.**

Teixeira: So you were wrong when you criticised it?] I was not wrong when I criticised it.

I want to say that because of the nature of the country's progress in to far more commercial transactions, as a result of lot more land sales and lands that will be on issues, we will need a governing body that is expansive, that would include the Berbice Bar Association to be in the *thick of things* and that could not be a criticism of the Bill, coming from a lawyer who I think is the President of the Berbice Bar Association, the Hon. Member Mr. Anamayah. So if you are now giving him more powers in the sense of being there to know whether the governing body....Yes, there could be a situation whereby a more expansive approach could be taken in matters deeds and in matters commercial. So on that score, it is very much important.

Now, on the second issue, it is that the appointment of the Minister under the provisions of this amendment:

“...Where the Governing Board has not been appointed or is not functioning, the Minister shall perform the functions of the Governing Board.”

That is always a default clause in all Westminster democracies - all. Where shall the power reside if the board is not functioning? That is what is so important. *[Interruption]*

Mr. Speaker hit the gavel.

Sir, you can hit it, let him understand. Where shall the power reside? In the Opposition? Do they want it to be in the Opposition? Well, we would definitely not want that. As what is called

“without that expressly stated”, it would have implicitly mean that in any event. So we are only making it expressively.

Now, if they have a better suggestion that if the Board is not working and that if the Board is not appointed, where it should go, then we might very well get an amendment and we could probably support it. But the point is that it has always been the default position. When a board is not functional for one reason or the other the Minister generally takes the performance of those functions and duties. And if they did not know that well it is a very sorry state of affairs that they have in their intellectual and legal capacities but it is always the case.

So, I want to make it quite clear that in the context of developing a more improved Bill for the Deeds and Commercial Registries Act of 2013, it is not as if it is *controlled freakism*. It is but that which is necessary and coincidental of the powers that be, that, yes, it will end here in the Executive branch, in the meantime, so that the execution of those duties and functions will be done to the extent of making it efficient and orderly.

I wish to make those points because the Hon. Members over there feel that this is all wrong and that is all that has happened here in this Bill. It is not as if any other sections have been amended. It is to make explicit what is implicit and also to make inclusive that which was so narrowed down and that inclusivity now have four extra members. Those are the points I wish to make and this Bill must be supported in the context of the circumstances. *[Applause]*

Mr. Nandlall: Thank you very much Sir. Sir, I would begin where my learned Friend, the distinguished Third Vice-President, left off. Mr. Speaker, I do not know if we do not read the Bills and the Acts before we come to Parliament, but the Principal Act, Section 5, Subsection (2) states as follows:

The Governing Board shall consist of the following members:

- (a) a Chairman appointed by the Minister;
- (b) the Registrar of Deeds;
- (c) the Registrar of the Commercial Registry
- (d) a nominee of the Ministry of Finance;

- (e) a nominee of the Ministry of Communities;
- (f) a nominee of the Guyana Bar Association;
- (g) a nominee of the Guyana Association of Legal Professionals; and
- (h) a nominee of the Private Sector.

Sir, at item (g) a nominee of the Guyana Association of Legal Professionals is a nominee of the Berbice Bar Association. I drafted this Bill. A Consultant was hired and worked alongside me personally. I personally called the then President of the Berbice Bar Association, Mr. Ramesh Rajkumar, for the proper name of the Berbice Bar Association and the Guyana Association of Legal Professionals was the name supplied to me by the then President of the Berbice Bar Association. So this Governing Board has always had a representative of the Berbice Bar Association. Mr. Ramesh Rajkumar, himself, has been the representative from the Berbice Bar Association sitting on this Board from since this Act came into force.

We have no problem with the broadening of the Board. That is not our concern, but I will deal with that a little later. The Attorney General and the Minister of Public Security gave the National Assembly an impression as though this is a very bad Principal Act, for example, the Attorney General listed a litany of instances where the Principal Act vests power in a Minister and conveyed the impression that it is a horrible thing to exist in the laws of this country. Yet, he has brought an amendment which does not alter any of that preponderance of power that he claims resides in the Minister. That by itself should be sufficient to reject the argument. Moreover he has misled this House in terms of the quantum of power he gave the impression reposes in the Minister.

The Bill gives the Minister certain powers and I agree. For example, the Minister has the power to appoint the Deputy Registrar and the Assistant Registrar of the Commercial Registry and the Deeds Registry. The substantive Registrar of Deeds being appointed under the *Constitution of the Cooperative Republic of Guyana* by the Judicial Service Commission (JSC). It was felt that it is a necessary power. The other powers are all transitory because this is a statutory body corporate and to bring this into force, once it is established, we are moving from a Public Service Department and converting it into a corporate statutory entity. So at some point and time, the

slate will be wiped cleaned. Therefore, you have to have a transitory mechanism, which a Minister has to supervise, the subject Minister, to bring the Board into operation and to have the organisation running because it has zero dollars from the time the entity comes into force. It has run a couple of months before the Board is appointed. We cannot stop the functions of the Deeds and Commercial Registries, so as to appoint the Board and put the accounting system in order and to put everything else in an open bank account, *et cetera*. We cannot open the bank account unless the Bill is assented to. That is the first thing.

A lot of the powers that are resided in the Minister were sunset and transitory powers. Once the Bill came into force and the organisation begun to function and assume its corporate legal personality, then those powers of the Minister would have withered away. Five Advisors together may have written his speech. They wrote five pages each and they did not consult with each other, so there is a speech that is colliding in five different directions. That is what happened.

Importantly... [Mr. Ramjattan: Which power?] The Hon. Member is asking me which power. There is a section of the Act that is called Transitory Provisions. [Mr. Jagdeo: Oh God boy!] Oh lord, I do not understand. Just now, a Minister and Vice-President stood and said that there is no representative from the Berbice Bar Association. An outright inaccuracy. [Mr. Ramjattan: It is not there. Why did you not put the Berbice Bar Association?] Because that was not the name of the organisation at the time. The name of the organisation as I said... [Mr. Ramjattan: *[Inaudible]* Berbice Bar.] I am correcting him and he would still not stand corrected.

Sir, my learned Friend questioned the utility of this Bill. Why was it a good Bill? Firstly, when it passed through this House in 2013, when there was a minority Government, it received unanimous support. That by itself establishes my case. All sorts of important Bills were rejected - the Anti-Money Laundering and Countering the Financing of Terrorism Bill that is fresh in the nation's memory. Those were rejected and this one was unanimously passed. Yet, Mr. Ramjattan stands and says that it was a bad Bill at the time.

5.29 p.m.

This Bill, as I said in my address in the Principal Act, when I presented it to this House, brought statutory regulation to an entity that was 100 years old which, when it was operating 100 years ago, may have done four transactions per month. When this Principal Act was brought into force, it was doing nearly 100,000 transactions per month. In one century, there was not a statutory intervention to change anything. In other words, a 100-year mechanism, architecture and structure were being used to run an organisation 100 years later, when the entire universe would have changed. This Bill sought to bring modernity to the entity, as we have done in so many other places in the public sector, to remove bureaucratic and other hurdles, for example, the hindrance that you face with the public service, *et cetera*. That is why we moved agencies like the Lands and Surveys Commission (GLSC), the Guyana Geology and Mines Commission (GGMC) and the Guyana Revenue Authority (GRA). This process started in the late 80's under the late President, Mr. Desmond Hoyte.

The provisions here, when we transferred the workers, were very similar. They were transferred on terms and conditions no less favourable than that which they employed. It was the responsibility of the Minister to transition that process to ensure that there were no abuses, *et cetera*. We had to sit with the public service unions for weeks to work out the package of every single employee. I have to say that because of the misleading impression, which was created in this House. It is because someone listening to the Attorney General presenting his two-page amendment would not know what he was speaking about. He stood up and gave a litany of instances of ministerial power out of context, so I had to first put it into context.

This Hon. Attorney General should be the last person to accuse anyone of wanting to interfere. With all the deficiencies that he claimed existed in this Principal Act and with all the power that resided in the then Minister, not a single allegation was ever made, against that Minister, of ministerial interference with the functioning of the Deeds Registry. In two years, we have had three sets of cases in the High Court dealing with ministerial interferences. Zama Frank, this case was determined...

Mr. Speaker hit the gavel.

Mr. Speaker: Hon. Member you know you ought not to do that. You are Out of Order and you will not repeat the name of anyone in this House.

Mr. Nandlall: It is a case.

Mr. Speaker: Hon. Member, you will not do that, be advised.

Mr. Nandlall: Very well Sir.

Mr. Nandlall: There was a case filed, where the allegation and the basis of the case was a complaint to the High Court of the Supreme Court of this country, a complaint against ministerial interference.

Then we have had a multiplicity of allegations. I was going through the newspapers this morning and here it is, a handsome picture of the Attorney General and this was the headline:

“Attorney General Basil Williams is adamant that there is flaw in the Constitution...”

That he wants the Registrar of Deeds to be appointed by him and not the Judicial Service Commission. This is a Minister who is speaking about abuse. [Mr. Gaskin: Sit down. Which newspaper?] I could give the name of the newspaper.

Mr. Williams: I am on my feet. On a Point of Order, Mr. Speaker.

Mr. Speaker: I am happy that you put yourself in order.

Mr. Williams: Standing Order 40 (a). I am asking that the Hon. Member withdraws his inaccurate statement. I do not have to ask him where he got that from, but he cannot make a statement that, I, the Attorney General, said that I must appoint the Registrar. It is an inaccurate statement. The Attorney General could never be recorded in anyway as saying that he is entitled to appoint the Registrar of Deeds. I have just dissented it. I do not understand why they do not understand what is being said. I am asking that he withdraws it.

Mr. Speaker: Hon. Member, I thank you.

Mr. Nandlall: Sir, here is a complaint by the Attorney General. In this article, he is quoted as saying...let me give you the date. The date is 11th June, 2017...

Mr. Speaker: Hon. Member, the Attorney General has said that you have misrepresented what he said. I would want you to address that.

Mr. Nandlall: Sir, the point I am making is that the Attorney General is saying that the *Constitution of the Cooperative Republic of Guyana* has a flaw because it resides the power of appointment of the Registrar of Deeds in the Judicial Service Commission, and that the power should reside with the Executive. This is a Minister who is complaining about wanting to control and accusing others of wanting to control.

Mr. Speaker: Hon. Member, Mr. Nandlall you will simply correct yourself and continue.

Mr. Nandlall: Yes, Sir. We have also the situation where the Bill and this is the objectionable part of the Bill:

“(3) Notwithstanding subsection (2), where the Governing Board has not been appointed or is not functioning, the Minister shall perform the functions of the Governing Board.”

That is the epitome of *control freakism*, a phrase coined by the distinguished Mr. Ramjattan three Parliaments ago. We never had and I challenge them to find in any legislation, passed under our Government, a similar clause. Since this Government has come into Office, we find this strange legislative device now being used. It is in the Petroleum Commission Bill and in the Animal Health Bill I am told, quoted by the Attorney General himself I think, also in the Civil Aviation Bill. So, I do not know where this thing has come from. Your Honour would know that if a board does not perform its statutory function or any other agency, one could go to the High Court for an Order, as I had to do against the Attorney General to appoint this very Board.

My learned Friend, Mr. Ramjattan, was asking me what the remedy is. The remedy is not to vest the power in the Executive. Then you will be denuding the Authority of the very power and independence which you are giving it. This is because a Minister who wants to misbehave and wants to abuse his power, all he has to do is to not appoint the Board and then act instead of the Board as this Attorney General was doing until I had to get a Court Order to stop him.

Sir, I wrote the Attorney General since January calling upon him to constitute the Board. The last Board expired since May of 2016 and he refused to appoint the Board. I wrote him in January imploring him to discharge his statutory responsibility and appoint the Board, he refused to do so. I went to court and I got what is called an Order Rule *Nisi* compelling him to do so. Instead of conceding and appointing the Board, he came to court and contested it. The Judge had to rule

on 24th April, 2017 granting the Order, finally compelling him, yet he did not move. I had to write him again informing him that I was going to move to the court for Contempt of Court proceedings. Only then, when a Marshall was attempting to serve him the Order personally and he knew, perhaps, that contempt was imminent, that he moved and he appointed the Board. How can I, as his opponent, vested with the responsibility of scrutinising his conduct to ensure that he does not act outside of his power, how can I vest any kind of trust in this Attorney General, Sir? He is asking us now to give him all the power to take over the Board. That is what he is asking us to do. How could we do that? [Mr. Ali: And his Colleague supports him.]

Well the Hon. Member, Mr. Ramjattan, does not understand. He did not read the Bill. He did not know that the Berbice Bar Association was not there. I put it there; of course it were there.

That is our concern; our concern is genuine. It is not arbitrary or capricious, it is well founded in the Public Law Principle that one cannot vest absolute power anywhere and that one must have checks and balances. We are saying that if there is a statutory board and it expires, then one cannot leave the power to a Minister. It is not about Mr. Basil Williams. Perhaps, he is the best of the set, we do not know who will succeed him, so it is not about the Hon. Attorney General. Suppose we have somebody who will actually ... [Inaudible], let us just assume that he follows the letter and spirit of the law and behaves responsibly. What will happen when another person comes along? This is the power, thanks for reminding me; this is the kind of behaviour. It never raised its head in such a raw and naked way when we were in Government, but anything, at the time, which vested power in a Minister, Mr. Ramjattan used to deem as *Stalinist*. He used to call the name of the President regularly at the time – “Jagdeo”. As soon as he saw a Minister having any power anywhere, he or she was a *Stalinist*. We are saying that if it was bad while you were in Opposition, it cannot be good when you are in Government.

As I said, let them find a Bill or a law where we enacted a provision that states that when the Board expires the Minister shall *run things*. Let them find that because that is offensive to drafting. The Deputy Parliamentary Counsel, Mr. Fung-A-Fat, is here, substantive I think now. He would agree with me. It must have been a recent innovation in the Chambers. He is smiling in agreement.

That is our problem with this Bill. It is not about the expansion; we are happy. We placed a broad-based a Board as possible and we did not choose the agencies. We asked the agencies to

send their nominees. We did not choose somebody from the private sector; they are to send their nominees and all the other agencies that are mentioned. I am happy that the Attorney General has expanded it, but what he has given with one hand he has taken five times more with the other hand, so it boils down to minus. It is less than zero and that is our problem with this Bill.

For those reasons, we cannot support a Bill that allows a Minister to have *carte blanche* power when the Board expires, especially having regard to this particular Minister's track record with this particular Board.

Thank you. [Applause]

5.44 p.m.

Mr. Williams (replying): Mr. Speaker, the Hon. Member, Mr. Anamayah, mentioned something about five legal advisors and nothing else so I do not know. It is clear that the Hon. Members on that side cannot find any criticism in relation to this Bill. What we have had was an attempt to misrepresent what the Hon. Attorney General said. Even though the Hon. Member was asked by the Hon. Speaker to withdraw, he has not withdrawn, up to now, what was virtually an untruth. That is what you expect.

We inherited this Bill. This Bill has all the shades of Marxism and Leninism in it. The provisions in this Bill that I have read so clearly and the intention that they had to give on one hand the appearance that they were having a transparent Board but, on the other hand, they took over the commanding heights of the authority. They are in charge of the money and they are in charge of employment. This is how they have this Bill. They are in charge of the Board. If the Board is not behaving well, the Minister has made provisions that he could give directives to the Board. Where have you found any Bill that we have passed since we came in to office where there is a provision like that to commandeer a board? This is what we inherited. What is so important about this whole thing is that it is a classic lesson. They put all these things in place without thinking that they would ever leave office. That is what happened with them. Now that they are on that side, they come with the argument saying that they do not understand. How are you asking me to change the Bill that has all these powers that you have bestowed upon yourselves? I told you that I am magnanimous. I am not Marxist/Leninist. I do not prorogue Parliament. I did not come from that culture so you do not have to fear. I do not want to rule and control

everything. But it is what you call karma. You would just have to watch me exercise the powers that you gave to yourselves. Are you saying that what you gave to yourselves is wrong? I would continue to exercise those powers in the interest of the people of Guyana.

These arguments that have been raised are so opaque. Nothing solid could be found in these arguments. I do not know what the relevance is and why they are so intrigued by the Advisors that were appointed. The Advisors are a think tank. They are persons that this whole country should benefit from. They do not advise the Minister and they are not within a ministerial structure at the Attorney General's Chambers and Ministry of Legal Affairs. We do not need that. We need these honourable men to use their brain power to look after this country that has been decimated and denuded of any semblance of intelligence, justice and fair play over the last 23 years. That is why we need them. They are there to restore justice that has been denied for over those 23 years. It is like saying the ejusdem generis rule does not apply in Guyana, only to be told by the Hon. Attorney General that the rule does apply. We have to be careful with those statements that are made by the Hon. Members on that side.

On the question of the appointment of the Registrar, they have not addressed the issue of the appointment of the Registrar. The Registrars were appointed hitherto since Independence by the Public Service Commission (PSC). In 2001, it was changed. It was such an erroneous amendment to our Constitution, one of the many that occurred during that period, wherein the doctrine of the separation of powers has been entrenched on. What you have and what has not been addressed by the Hon. Member, who had it from 2013, did not include it. They have created a situation where there are two persons running one entity. How do you explain that? You have an element from the Judiciary and you have an element from the Executive. They would not understand these kinds of things so we have to explain it to them.

How do you interfere in the Registry when you are the Minister responsible for the Registry? How do you interfere with something that you have responsibility for? How do you do that when all the powers have been reposed in the Minister by the last regime? They would have to go back to the drawing board. What you need to do is to have an engagement and let us sit and talk about, together, putting the law where it has to be placed. That is what we have to do but this cannot stand.

Further, on this question of the court, I really did not want to address it but you introduced it. It is our belief that for the court to direct the Executive when it must do something that is not provided in the court is a breach of deduction in the separation of powers. That is why my learned Friend...

Mr. Speaker: Hon. Attorney General...

Mr. Williams: I am responding to the Hon. Member, Sir.

Mr. Speaker: Hon. Attorney General, if it was improper for the Hon. Member to do it, then it cannot be proper for you to do it.

Mr. Williams: Mr. Speaker, I am not addressing that fact.

Mr. Speaker: Hon. Member, we will try to stay within the confines that we all accept at this point. Is the Hon. Minister wrapping up?

Mr. Williams: Yes, Sir.

Mr. Speaker: Please do that, sir, and let us leave the court for another place and at another time.

Mr. Williams: I am not addressing the court. I was saying that to have the Deputy Registrar and Registrar appointed from left field, when this is an independent body which pays itself, raises its own revenue and employs its own staff, other than two persons who were superimposed on them, how could it be democracy and accepted? I was simply saying to the Hon. Member that we should sit together and resolve the issue. That is what we are saying but they do not understand that.

We are therefore saying that we have challenged that. That matter is under appeal. I am not visiting a matter. The matter was introduced by my learned Friend. We have introduced the Board. Our process in introducing the Board is a Cabinet process. Everything has to go to Cabinet. It takes time. The Bill was in Parliament and that took time. It is only now since January that it has come up.

We do not believe that the court should intervene into the business of the Executive unnecessarily. That is how it is. Since they are saying that they cannot accept, you do not really

need to have the powers, as I indicated earlier. The Advisors there – the doyen of the drafting world in the region - thought it wise to make it clear. Under the concept of ministerial responsibility, even if you do not have that provision, you cannot stop the Minister, in a vacuum where it arises, from making decisions to keep the entity running effectively.

Why should the entity run into vicissitude because the Board has not been established and is temporarily absent? It is a *non sequitur* to say that... In fact, the whole argument is that nature abhors a vacuum. If the Minister does not do it, then who will do it? It is tautologous and it has no sound reason.

It is clear that we are all agreed that the subject at hand which is before this honourable House, which is “enlarging the Board to enhance the effectiveness of the Board”, no one has a problem with, not even the Hon. Members on the other side.

The Ministry of Business is relevant because, as you know, the Commercial Registry has a relationship with that Ministry. Any investor who is coming to Guyana has to either register a business name if he or she wishes to do business within Guyana or incorporate a company. Investors have to go to the Guyana Office for Investment (GO-Invest), which comes under the Ministry of Business, to get any business and any investment done in Guyana.

We added that to the Board. We also have the Private Sector. The Private Sector has a nominee on our Board. If you look at the current nominee, you would see how this Board would now be broadened and widened and, I dare say, energised.

This is a fit and proper amendment to be made to the Deeds and Commercial Registries Authority (Amendment) Bill 2017 and I wish to thank the Hon. Members, Mr. Anamayah and Mr. Nandlall, for the contributions to this debate. The Hon. Member, Vice-President Ramjattan has really gone to the *[inaudible]* of the issue and, with such clarity, he has bestowed upon this honourable House what is desired from the amendments being proposed in this Bill.

I am asking this honourable House to support the passage of this Bill and pass the Deeds and Commercial Registries Authority (Amendment) Bill 2017 into law. Thank you, Mr. Speaker.

Question put and carried.

Bill read a second time.

Assembly in Committee.

Mr. Nandlall: Mr. Chairman, I kindly solicit your guidance. I have an amendment. It may be a little late. I am wondering whether I would be allowed to put my amendment at the appropriate time.

Mr. Chairman: Hon. Member, I think that you know, as you used the phrase, “It may be a little late.”

Mr. Nandlall: Yes, Sir.

Mr. Chairman: You know that you are late. There is nothing before this House... Ms. Teixeira, would you let me finish addressing Mr. Nandlall?

5.59 p.m.

Any suggestion of an amendment, Hon. Member, I would not permit at this time.

Ms. Teixeira: Mr. Chairman, amendments can be made to a Bill in the course of a debate. Go back to the Standing Orders in relation to amendments to motions. It falls exactly the same as amendments to Bills. Therefore, it is not unknown in this House that, by someone and even sometimes by offer or solicitation by one side, an amendment was made on the floor. Therefore, that is which we need to do in compliance with practice, norms and conventions of this House.

The Hon. Member has offered and we are willing to accept. We have a small amendment to make and it does not have to be written and it has not been the practice of the House that it must be written because it will kill debates and things that come up and arise in debates that could actually lead to a solution. So, we have an amendment to put and we wish to be allowed to do so.

Mr. Williams: May I please address that?

Mr. Chairman: Hon. Member Mr. Williams, please retain your seat. We will deal with this now and be through.

[Mr. Speaker in aside with Clerk]

Hon. Members, I have been made to understand that there has been some consideration of an issue of this nature prior to today, so some effort is being made to locate that consideration.

Hon. Members, I thank you for your forbearance. I have undertaken research relevant to the point which was being made. All I have discovered states that any amendment should be in writing. The amendment should be in writing.

Secondly, there is a late time fixed for amendment, which is 10.00 a.m. on the day that the amendment is to be considered or at 11.00 a.m., exceptionally, but not at this time.

Hon. Mr. Nandlall, there is therefore no opportunity at this time for you to do that.

Mr. Nandlall: Very well, Sir.

Ms. Teixeira: Mr. Chairman, I just want the House to remember that when we brought the Integrity Motion to this House, it was amended with a new motion without having gone through exactly as you said, which was on the same day that we debated it.

Mr. Chairman, I have been in this Parliament... You are killing a debate in this House where an amendment of one word alone is not being allowed to be made in this House. I have sat in this House for 20 odd years, and amendments are made on the floor, and sometimes one word is allowed, in the midst of the discussion, Sir. This is not when there is a Bill long in advance and making motions to it. Right in this House, on the Procurement Act and others, we have had amendments on the floor in order to get both sides of the House to agree.

This is an opportunity where the Vice-President offered to this House that, if we had a suggestion, they are willing to consider it. In the midst of the debate, there was no opportunity to run and submit something at 10.00 a.m. the day before. We did not know of such an opportunity. We have an amendment to put.

Mr. Chairman, it is not so; we have had in this House...

[Mr. Chairman hit the gavel.]

And you, Sir, have allowed an amendment to our motion without it being in writing at 10.00 a.m. the day before. It came right here in the House when we were in the midst of the debate.

Mr. Chairman: I thank the Hon. Member. Hon. Member, there is no opportunity to accommodate an amendment at this time. *[Interruption]*

[Mr. Chairman hit the gavel.]

6.14 p.m.

Bill considered and approved.

Assembly resumed.

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

PETROLEUM COMMISSION ON GUYANA BILL 2017 – BILL NO. 4/2017

A BILL intituled:

“AN ACT to provide for the establishment and functions of the Petroleum Commission of Guyana and for related matters.” *[Minister of Natural Resources]*

Minister of Natural Resources [Mr. Trotman]: Mr. Speaker, I rise to move that the Petroleum Commission on Guyana Bill, Bill No. 4 of 2017, published on 28th April be now read a second time.

This Bill was drafted, before reaching here, by the Commonwealth Secretariat’s Oceans and Natural Resources Advisory Division. It was then sent to us after extensive consultations for further consultations with stakeholders before having it come to the House.

The Bill provides a legal framework for regulating and monitoring the efficient, safe, effective and environmentally responsible exploration development and production of petroleum in Guyana. Its entrance into this House is timely, is necessary and, of course, is a progressive step. The Bill contains 51 clauses and is divided into six parts. It takes us through the Petroleum Commission, the Board of Directors, the functions of the Commissioner, the financial regulations and matters which would regulate the financial aspects of the work of the Commission and, as we find in all Bills of this nature, the miscellaneous aspects.

The key objectives of the proposed Bill are and, with your leave, Mr. Speaker, I will enumerate them: to provide for the establishment of the functions of a petroleum regulatory agency; to provide for the monitoring and regulation of efficient, safe, effective and environmentally responsible exploration, development and production of petroleum in Guyana; and to provide for a structured regulatory medium through which the governance tenants of efficiency, sustainability and certainty within the petroleum sector can be continuously developed and applied.

I pause to inform the House that, currently, the regime that governs and oversees all aspects of petroleum in Guyana is contained within the Petroleum (Exploration and Production) Act of 1986 which was later amended in 1997. This Act makes the Minister the sole arbiter and decider of all matters – the granting and refusal of licences, the penalties to be prescribed, the hiring and firing of staff and the appointment of all persons. It was felt, as I would develop the argument later, that, given our structure and the steps we are taking towards production of petroleum in a few years, some of these powers should be devolved to a commission or a regulatory agency so that the Minister will no longer have all of the powers as contained in this Act. We are taking a step towards enlightenment.

I also wish to mention that, given our system of governance as practised, where all executive power resides in an executive president and he or she devolves, from time to time, some or all of those powers to individual ministers or departments, we, being creatures, in a sense, of the Executive President, are, ourselves, through statute, authorised, from time to time, to devolve some of our powers to statutory agencies, which are known as semi-autonomous agencies. It is for this reason that the notion that Ministers should have no say whatsoever in the work of an agency or board is really alien to the system of governance practised in Guyana. Perhaps in other jurisdictions there are purely autonomous agencies, but, in Guyana, there is not a single State agency which does not come under the oversight of a Minister. As the Hon. Member and Attorney General pointed out a few minutes ago, if a Minister is responsible for an agency or a department, he or she has to exercise some authority over it. With that said, I wish to take some time to go through some of the salient features of this Bill and to say why I believe it is necessary.

As we know, in May, 2015, ExxonMobil announced to Guyana and to the world that it had made a significant discovery of petroleum offshore the coast of Guyana, in what is known as the Guyana basin. Since then, we have gone on to assess the quantum and value of that resource and it has been publicly stated that the resource in the Liza well contains a minimum of 800 million barrels to a possible 1.4 million barrels of recoverable crude oil. We can also report, as we did in December, 2016, that ExxonMobil, with its partners, Hess Guyana Exploration Limited and China National Offshore Oil Corporation (CNOOC) Nexen Petroleum Guyana Limited, continued with its exploration and, despite experiencing one mishap in not being able to make a discovery, also made two further discoveries which we are still in the process of quantifying. It is believed that, to date, the estimated barrels of oil in the Stabroek Block, which is the Block controlled by ExxonMobil, may equal as much as two billions of recovery oil. I say this because these are matters which we may read about tomorrow, as they are likely to be published. I saw a press release prepared by one of the companies, which is likely to make the news in a few days. This tells us that we must prepare.

I should add that, quite apart from ExxonMobil and its partners, other international operators have also signalled intention to continue exploration in Guyana and, hopefully, to go on to production when discoveries are made. Others have indicated a great interest in being here. Since May, 2015, the Government of Guyana through the Ministry of Natural Resources, in particular, working in tandem with a number of Ministries, particularly the Ministries of Finance, Public Infrastructure, Business and Agriculture, to name a few, has been preparing assiduously for what is known as first oil. To that end, we have reviewed and redrafted existing laws, including the Petroleum Act, which I referenced a few minutes ago, which I hope to bring an amended version of later in the year. We have had the support from the Commonwealth Secretariat and I mentioned the Oceans and Natural Resources Advisory Division.

We have, as well, drafted an upstream oil and gas policy and a local content policy which were done by overseas experts. We have retained petroleum consultants and are assessing the next steps towards production. We have been in countless engagements and consultations around the country; people have been asking questions of us and we have been attempting to respond. Before I go further, allow me to say that we anticipate that we will start production in 2020 and it is for this reason that this Bill is necessary. I should add as well that it is known that the

Government had received an application from ExxonMobil in December, 2016 for an approval of its development plan for the first phase of the Liza well development and for a production licence to be issued. Government had indicated a few weeks ago that it was prepared to issue that licence so that the investment decision that was needed could be made expeditiously. I wish to report that Government has taken a decision to issue that licence. This follows on the advice of world renowned experts who reviewed the development plan and advised that it was appropriate to do so.

It is pellucid that the new and emerging hydrocarbon extractive countries, like ours, must ensure that the proper legal regulatory and governance structures are in place to focus on and manage the myriad activities and connected agency relations that are associated with this extractive sector. Kenya, Uganda and Ghana have clearly demonstrated the understanding of this approach. Other more advanced States, such as Australia, Azerbaijan, Canada, United States of America and, our own sister Caribbean state, Trinidad and Tobago, all formally encourage and endorse this approach from their own hard-earned lessons.

In addition to the foregoing, the Government of Guyana is committed to green development and the maintenance of our national patrimony for generational benefits. These demand sustainable governance and development of our extractive industries sector.

Following on many reviews, including that done by a United Nations Development Programme's (UNDP's) expert, who conducted what we refer to as "a rapid assessment", the Commonwealth Secretariat's Oceans and Natural Resources Advisory Division, and other international financial agencies and experts, the decision was taken to create a commission that will stand separate and apart from the Guyana Geology and Mines Commission (GGMC), which currently has responsibility for regulating petroleum matters. This new commission will stand alongside sister organisations such as the GGMC, the Guyana Forestry Commission, the Guyana Protected Areas Commission and the Environmental Protection Agency (EPA). In all material ways, this Bill mirrors the provisions of those other Acts because we wanted to ensure that this new commission would be consistent in its provisions with the Guyana Forestry Commission, the Guyana Geology and Mines Commission, the EPA and the Protected Areas Commission.

I will just take us through some of the salient features of the Bill and not delay us, but reserve my comments for the rebuttal and to say that this Bill will be going to a select committee for further refinement because the Government does not stand here and assert that it has all the answers and knows everything. We have already taken this Bill through several iterations.

6.29 p.m.

It has been reviewed abroad in many jurisdictions and law firms and it has gone before many local stakeholders, and still we believe that it will be served better if it goes to a committee and it has the benefit of a bipartisan look at it.

However, just to say, if I may on a few matter, which I know I can anticipate, one of which I know was a subject of discussion last evening, the powers of the Minister. Apparently this is a continued matter of some concern. However, as I said, we have gone through all of the legislation of all of the agencies in this sector. Wildlife Conservation and Management Bill which I had the honour of introducing it last year July, the Guyana Geology and Mines Commission, Drainage and Irrigation Act, National Park Commission, Environmental Protection Agency, Guyana Forestry Commission Act, all of which I set in the schedule, which I am prepared to share with my learned colleagues on the Opposition side, which shows that there was nothing inconsistent in this Bill with the provisions of the other Bills.

As I said, we are being faithful to this system of governance that we practise, which is that we have an executive President who delegates power to Ministers who in turn delegate power to statutory agencies. That is why they are called semi-autonomous and at the end of the day the Minister, who is gazetted for and has responsibility, is answerable to this House and to the President, His Excellency, for what happens in a sector.

I wish to just remind Members of the House that the current legislation, under which I, as Minister, function, I can say, gives more power than one would wish at this time to have.

Section 3 of the Petroleum and Exploration and Production Act, for example, states that “the Minister” may by notification designate who is a public officer. It goes on in section 10 to state that “the Minister” may enter into agreement with international companies for exploration. “The Minister” may by notice serve an applicant, section 12, section 13, “the Minister” may require,

section 14, “the Minister” shall cause, section 15, “the Minister” may by notice, section 16, “the Minister” and section 18 “the Minister” may issue regulations. Mr. Speaker, we believe that in its current construct this is untenable and this is why these powers or some of them are being devolved to a statutory agency.

We should not delude ourselves into thinking that we are at a stage or we are to find ourselves devolving all our powers because that will throw our constitutional arrangements into some disarray. I, therefore, wish only to add that we have not ascribed to ourselves any powers greater than that which exist throughout all statutory agencies.

The other point I wish to make, for anyone who has been in Government and who is in Government, is that when there is a hiatus during the appointment of any board it is the Minister who have to ensure that directions are given. All we are doing is ensuring that we are clothed with the requisite authority to do so. Anyone who has been in Government or who is in Government knows that when there is a period in which either the life of a board has come to an end, no new board has been appointed, or if there is a situation in which an entire board resigns, the matters pertaining to that agency or department must be allowed to continue. It is always the case that - that is the Westminster system that we have - the Minister sees it through until the new board is appointed. There is nothing here that tells us that we are dealing with a horror story or that Minister Trotman has ascribed himself or arrogated on to himself all of these powers of might. We have taken away some of the powers that already exist in the Petroleum Act and will now be vesting them into a Petroleum Commission.

I wish to just say that the other matter of relevance, which I wish to point out is finance. I am told that one Hon. Member of this House, at a meeting last night, made reference to the reserve fund. I do not know whether he thought it was a case of *monkey see monkey do*, but every statutory agency has a reserve fund. The Guyana Geology and Mines Commission (GGMC) has a reserve fund from which the Minister of Finance would write, from time to time... *Monkey see monkey do*, it is no. It is not because you say so, you used to do it, I will do it.

The Guyana Forestry Commission has a reserved fund, the Guyana Geology and Mines Commission has a reserve fund, the Minister of Finance is the only person who directs from time to time that there should be transfers to the Consolidated Fund. Again, we have put in place the

very same fund and we will continue to act in the very same way. How is it that it was not a private fund when it was in the hands of the other side and all of a sudden it becomes a private fund?

Mr. Speaker, it is good to go on line tops, dress up, and carry on, and be irresponsible, because we know that it is the law and it is the law that we have all been using in our post-independence affairs.

As I said I would reserve my comments for the rebuttal and I would expect that this Bill will go to a Special Select Committee. As I said, we did not draft this Bill ourselves. This Bill was drafted by the Oceans and Natural Resources Division of the Commonwealth Secretariat in the United Kingdom. The Bill was drafted with our guidance and advice. We have held consultations. I have the list here. We have received numerous suggestions some of which we have been able to incorporate and some we have not been able to incorporate. We are satisfied that we have a Bill which meets international best standards and practices and which is in conformity with the structures that we practise or have erected here in Guyana, so far as statutory agencies are concerned.

Oil is coming to Guyana. We must prepare for that eventuality and this allows us the opportunity to do so together. I say together, because we have written into this Bill the provisions that on the board there shall be a representative of the parliamentary Opposition. In the past when we had inclusive democracy it was a matter of a gentleman's agreement that we adhere to, but we have placed into this Bill that a parliamentary Opposition shall be on the board, meaning that even if there is a Minister who wished to run afoul, there would be that oversight, not in Parliament, but in the board by the Opposition.

We have also stated that member of civil society shall also be on this board to ensure again a second layer of scrutiny on our activities. We have nothing to run from. We have nothing to be afraid of. We have nothing to hide. We wish to develop this resource together and this is why this Bill is going to a Special Select Committee so that we may get the benefit of any good and worthwhile comments and suggestions from the Opposition.

With those few words, I thank you, Mr. Speaker. [*Applause*]

Mr. Ali: First of all, let me say that all of our contributions to the development of legislation and Bills must be honourable. It is not for anyone of us to appear saintly by our words in saying that we will operate in an honourable manner. The purpose of legislation, laws, Bills and regulations are to set transparent and fair structure that will govern the way we operate and it is not for us to determine whether we operate in that manner. That is the purpose of these laws.

The 1997 amendment, which the Hon. Member spoke of, was in a particular time when we were in the exploration stage. We did not find the great reserve; we were in search of the reserves. The legislation, at that time, was crafted for the period of exploration. Now that we have found oil, it is our responsibility to draft legislation and draft laws that are transparent and open, that will safeguard and secure the management of this resource that is coming our way.

The Hon. Minister was very delighted to inform us about the amount of oil, two billion barrels which are out there. I know he said that it is good that this goes out to the public. The public has also been calling for the laying of the contract. Why not the same enthusiasm in laying the contract into the public domain?

We have to be careful, because even without getting a single dollar revenue from oil, we are hearing about commitment to finance a US500 million offshore facility that there is no feasibility study for as yet. We are hearing about free gas to be distributed, political handouts. We have not yet produced an ounce or litre of gas. We have not got a single cent of revenue and we are making all these promises not based on any feasibility study and not based on any factual analyst. This is what we have to safeguard against, these loose open-ended statement that can drive our people into a particular direction that may not bear the fruits that we are trying to say that it will bear.

The Hon. Minister said that the Minister of Finance is the custodian and revenues will have to be paid over as directed to the Minister of Finance, but that is not what the states. The Bill states in clause 43:

“Monies standing at the credit of the Commission may, from time to time, be invested in securities approved either generally or specifically by the Minister, and the Commission may, from time to time, with the like approval, sell all or any of the securities.”

It goes on to state at clause 44 (1):

“The Commission shall maintain a reserve fund and shall, out of the net surplus for each year, transfer to that fund a sum equal to not less than the sum as may be fixed by the Minister.”

The Minister is going to fix the sum that is going to be transferred. The Fiscal Management and Accountability Act (FMAA) provides that all revenues, which are in the account as net revenue at the end of the year, must be transferred to the Consolidated Fund. It is not subject to the discretion of any Minister. It is not subject to the whims and fancies of any Minister. It is written in law that it must be transferred to the Consolidated Fund and the Minister of Finance knows this well. The word “Minister” which has defined in this Act, is not the Minister of Finance but the Minister responsible for petroleum. If we think that is bad, let us look at what the Bill states under the marginal note “Audit”, clause 41 (2):

“The Minister may, at any time, appoint an auditor to examine the accounts of the Commission and to report on it to the Minister.”

This is a violation of every single financial regulation, where the Minister is going to appoint an auditor and the auditor has to report to the Minister.

6.44 p.m.

We have to be careful when we are calling names of the international organisations and individuals. Name calling does not help the situation. It is the quality of legislation that is before us and the draft. The legislation is drafted based on instructions by the executive. The executive defines the framework through which the legislation must be drafted. What we are concerned about on this side of the House is to have a legislation governing this industry that is in the best interest of the people of Guyana.

I must say, though, that we take with sincerity the statement by the Minister that we will approach this matter, every aspect of this matter, in a bipartisan manner. The Special Select Committee would review and the Government side will be opened to the suggestions that we will make here and make at that Committee. We also hope that, at that Committee, it will be opened

up, so that as much of Guyana and as many stakeholders, who are interested in this legislation, would have the opportunity to make their contribution before that Special Select Committee.

We are aware that the Bill is aimed primarily at creating the Petroleum Commission of Guyana with its intended purpose - well the commission is intended - to be an autonomous agency governed by a board and managed by political professionals - the key is the word “professionals” - with similar agencies which exist in other parts of the world.

However, when we scrutinise the Bill closely we find that the independence of the Petroleum Commission of Guyana is viciously challenged in numerous sections and this will certainly affect its ability to operate in a fair, open, objective and non-discriminatory manner as a vision in clause 6 subsection (1).

Clause 8, “Powers of the Minister to give directions to the Commission”: For example, when we examine clause 8, which deals with the “Powers of the Minister to give directions to the Commission”, it is clear that the commission would hardly be able to work without the direction and control of the Minister. According to clause 8, the Minister is not only allowed to provide policy guidance, but also gives directions to the commission regarding size of the establishment, the employment of staff and its terms and conditions of employment, the provision of equipment and use of funds, reorganisation or such works of development as to involve the substantial outlay on capital account, training, education and research, the disposal of capital assets, the application of the proceeds of such disposals. All of this the Minister will be directing. The Minister, is literally empowered to dictate how many persons and independent commission should employ, what will be the terms and conditions of employment for a staff of the commission, how an independent commission should use its fund. The reach of the Minister is beyond policy, it is beyond guidance, it is dwelling into the realm of administration, direct control of the operations of the commission.

Based on my review of similar legislation in other countries, we were unable to locate one that has bestowed comparable powers to the Minister. Indeed, based on our review, we found that the only power the Minister is granted in other countries is to provide policy guidance.

Apart from giving the Minister the powers to direct and control the commission, clause 10 of the commission allows the Minister to perform the functions of the board, where a board is not

appointed or not functioning. Therefore, based on this Bill, the Minister could assume the role of the board in the same manner the Attorney General took over the role of the Deeds and Commercial Registries Authority Board, and despite being ordered by the court to appoint one, the Minister could choose not to do so. This Government has given us live examples, real time example, of how they could abuse this power.

We are also reminded in clause 5, subsection (d) that the board has a duty to carry out the directions of the Minister as set out in subsection (8).

Clause 10 (10) states:

“The Board shall be responsible and answerable to the Minister for the execution of its policy, functions and duties as well as any directions and assignments given to it by the Minister under the provisions of this Act.”

If there was any doubt that the Minister had the power to direct and control the board, and by extension the commission, then those sections are there to remove such doubts.

Clause 14 (2): We are told that, in this Bill, if any member of the board fails to comply with the provision in the Act, which includes taking direction from the Minister, his or her appointment will be terminated by the Minister, that person service will be terminated. If the People Progressive Party (PPP), the Opposition Member on the board refuses to take a direction from the Minister, the Minister is going to terminate the Opposition Member’s service from the board. For the entire Opposition, they appoint their Member on the board, but if a Minister is not happy with the Member he will terminate the Member’s service.

According to this Bill, the director of petroleum shall be appointed by the Minister. Guess who is directing the director of petroleum, according to this Bill? It is not the board. The Minister is appointing the board and the director of petroleum. [Ms. Ally: So what?] “So

what?” Again, here we have a situation whereby a commission that is supposed to be independent is deprived of the basic opportunity to appoint his Chief Executive Officer. Can you imagine, Mr. Speaker, that you have a governing board of a company and the board cannot appoint the Chief Executive Officer? Can you understand this? Can the Guyanese public understand this? It is like Demerara Distillers Limited (DDL) and Banks DIH, there is a board,

but the board cannot appoint their Chief Executive Officer. Someone outside will appoint the Chief Executive Officer - the godfather.

Clause 21, according to this Bill, what kind of independence can you expect from an agency when the head is politically appointed and is serving at the pleasure of the Minister? Mr. Speaker, what kind of independence can you have when the head is appointed by the Minister, report to the Minister and is terminated by the Minister? How objective, fair and reasonable can you expect the commission to be when it is headed by someone who is serving at the pleasure of the Minister and governed by a board that is subject to the control and direct of the Minister? What kind of control can a board exercise when a person is serving at the pleasure of the Minister? These questions become rhetorical when we consider the fact the Minister could remove members from the board for not following orders and directions.

Worse than this, this Bill also allows the Minister to unilaterally develop regulations without any advice from the independent commission. What is the use of putting together professionals on the commission when the Minister could unilaterally make regulations? Based on review of similar regulation, we found that the petroleum authority is either solely responsible for making regulations or providing advice to the Minister, so that he or she, by legislative instrument, can make regulations.

Given the powers conferred to the Minister by this Bill and the powerlessness of the commission to work without the direction and control of the Minister, this Bill should be called the Minister Petroleum Bill of Guyana. This Bill will not create an independent agency that would be able to carry out its mandate in a fair, transparent and non-discriminatory manner, as similar agencies in the oil producing countries. Instead, the Bill will create an agency that is a sidekick or subservient creature of the Minister.

Apart from permitting executive overreach of the Minister, the Bill has other deficiencies. For example, there is no specific provision to deal with health and safety, the issue of liability, so it endangers you to pollution. Meanwhile the provision related to local content is inadequate and there is no mention of an energy fund which could be utilised.

All this talk we have about greening the economy and following a green pathway, the Bill does not even address that and issues surrounding that - the environment, pollution and health and

safety. There is also the absence of any provision in the Bill, which mandates the Minister or commission to furnish the public with information as is in the Petroleum Bill of Uganda. There is no provision to detail the agreements, licence and any amendment to the licence or agreements, whether or not terminated or valid, details of exception from our variations or suspension of the conditions of licence approve field development plan and all assignments and other approval arrangement in respect of licence.

In this regard, I wish to conclude by recommending that the Bill be referred to the Special Select Committee, so the deficiencies highlighted can be addressed. By addressing the deficiencies, we would be able to exploit our petroleum resources in an efficient, safe and environmentally friendly manner, based on the collective wisdom of professionals rather than the dictate of the Minister. We would be able to ensure that all our people benefit maximally from the “good life” this resource is expected to deliver by emphasising local content and establishing an energy fund and ensure greater transparency and accountability by mandating the Minister and the commission to provide the public with vital information regarding the harnessing of our petroleum resources.

Finally, the commission and the Minister have a duty to provide realistic assessment and realistic statement in relation to the petroleum industry and the prospects of that industry.

With this, I thank you. [*Applause*]

Minister within the Ministry of Natural Resources [Ms. Charles-Broomes]: Tonight I rise in support of the Petroleum Commission on Guyana Bill. Before I go into my presentation, allow me, because, for a moment, I thought it was the first commission or board was ever going to be established in Guyana at all.

6.59 p.m.

The Guyana Geology and Mines Commission is a commission for which the regulations speak to the Minister. Under the past Government, it was even amended to make provision for all lands to be sent a closed area, which one could only receive through a committee governed by the Minister.

It was this very commission, and the board, not so long ago, that cried foul over billions of dollars being put into some housing project. Are these the same people I have lived today to hear speak of power? What joy has come to my soul! The very people, the Hon. Members, who exercised power and went beyond, today, in this very House, try to give the impression, maybe to the media and the general public, that this Government has now arrived and is creating boards and policies and giving powers to Ministers. On that point, the Petroleum Commission of Guyana lies in good hands, the hands of the Hon. Minister Mr. Trotman.

Guyana is on the verge of capitalising on what is being considered one of the most promising oil discoveries of the last decade. This raises the prospects of existing times ahead. Our Government is already actively contemplating the prospects and the possibilities that lie before us. It is, of course, critical that we create efficient and reliable systems for the management of these resources. The Petroleum Commission on Guyana Bill is a single element with a vital ingredient, one to enable the realisation of that goal. Its contents provide the legislative framework with which to create a regime of good order in the sector and with which to optimise the fiscal benefits that will derive therefore.

Strong and reliable petroleum legislation is a must for Guyana and it falls to this administration to establish the building blocks in that regard. The global petroleum industry is ever evolving. With advances in technology and global practices, stakeholders are constantly seeking more and more resourceful methods of hydrocarbon production. These developments help to counter-balance the inherent volatile future of the industry such as fluctuating prices and global market trends, for example.

The Petroleum Commission on Guyana Bill will provide Government with the ability to remain dynamic and proactive, giving us the edge we need to match and surpass the demand of a growing industry and to skilfully manage the risk that accompanies development. The Petroleum Commission on Guyana Bill highlights the fundamental need to promote local content and to provide scope for Guyanese for them to participate directly in petroleum-related activities. For Guyana to preserve its competitive advancement in a global market, we must cultivate and support the technical capacity of Guyanese who would be able to efficiently meet the skills requirement of the industry. This is a key component of the industry's sustainability and it is a consideration that the Government of Guyana holds in extremely high regard.

Yet another era of monumental significance is the need to protect our environment at all costs. The Petroleum Commission on Guyana Bill provides the scope through which Guyanese can ensure that all of the elements of our physical environment will be maintained in high regard. Moreover, the reaches of this Bill extend to include the social environment and compliance with health and safety standards associated with day-to-day petroleum sectoral operation. It is the responsibility of the Government of Guyana to guarantee the well-being of employees on the job and the Petroleum Commission on Guyana Bill provides the opportunity to provide this assurance to the citizens of Guyana.

To stay on top of the demand of the petroleum industry, many critical decisions must be made. The degree to which our petroleum sector will succeed lends heavily on how well we are able to make assertive judgement, precise estimate and correct assessment. We do not have the luxury of being uninformed. When it comes to decision making in the petroleum sector, the Petroleum Commission on Guyana Bill provides the basis for crucial decision making by allowing for the establishment of the national petroleum data bank and the integration of system and key technical personnel that will deliver invaluable insights and findings to the decision makers and policy planners.

The Petroleum Commission on Guyana Bill secures more than just financial benefits for Guyana. It helps to optimise our ability to manage the sector, encourages transparency among all stakeholders and ensures a sustainable future for Guyana and the Guyanese people. This Bill, which is before this House tonight and which will be sent to a Special Select Committee, is one of great importance. That is the reason the Hon. Minister Trotman, in his opening, made it clear that this Bill would be sent to a Special Select Committee.

I think that this time will mark history in our country when we can come together for a sector such as oil which we are watching evolve before our eyes. We can come together to ensure that the legislative measures which would be put in place would be what we all can be proud of.

I thank you. [*Applause*]

Mr. Speaker: Hon. Members, it is now five minutes after seven 'o clock. I propose that we take the short break and return at 7.35 p.m.

Sitting suspended at 7.07 p.m.

Sitting resumed at 7.58 p.m.

Mr. Neendkumar: I rise to speak on Bill No. 4 of 2017, captioned the Petroleum Commission on Guyana Bill 2017. I endorse what my colleague, Mr. Irfaan Ali said about this Bill. I want, from the inception, to join with him to say that this Bill should be sent to a Special Select Committee.

[Hon. Members (Government): The Minister said that it would be sent to a Special Select Committee.] I recognise that the Minister said so.

This important Bill has been brought to this honourable House at a critical time when we must emphasise the need for caution in considering its contents, a time when we must reflect on the worrying trend of this Government's rush to force legislation into place which it deliberately refused to or ensured maximum delay in putting in to operation, when the intent does not seem to benefit a selective few because of changing conditions.

In this regard, I refer to this Government's blatant refusal to appoint the Local Government Commission and I join with the entire nation in calling for its immediate implementation. We have had too many promises and were assured that the Government would appoint the Local Government Commission.

Mr. Speaker: Hon. Member Mr. Neendkumar, it is a commission, but it is not the Local Government Commission.

Mr. Neendkumar: Mr. Speaker, I know that. I am saying that the Government is talking about commissions and it has a commission to implement and it is not implementing it.

Mr. Speaker: Hon. Member, it is customary, when the Speaker is speaking that you allow him to speak and listen to him. What I am asking you to do is to stay on track. Please proceed.

Mr. Neendkumar: Mr. Speaker, I am staying on track. This *de facto* coalition Government has not made any effort to appoint the Local Government Commission. I am insisting because I want to see the Government do it. This is also because the Government wants to stymie development in some communities after the APNU/AFC coalition Government was soundly beaten at the

2016 Local Government Elections. It is quite relevant because I have already heard about all of the handouts and benefits that would be given to communities in the election campaign.

A lot of promises are being made about the finding of oil. We have seen the destruction of the other industries in this country. It is quite relevant since it must be recognised that these delays run contrary to the further development of our communities for the impact and delivery of implications as a consequence of the needed internal and external adjustment due to many issues of oil.

One could easily anticipate the major shift in the consumption of gas patterns that local households in communities may be required to adjust to, for which the commission would play a significant role in guiding National Democratic Councils (NDCs) and regions. We must not, therefore, be myopic, as the Government has demonstrated, to its importance.

The discovery of oil and gas by ExxonMobil Corporation was done under the astute leadership of the PPP/C. It is also imperative for us to recall that it was the PPP/C Government that opened up the aluminium plant and that plant was closed down by the PNC. It was the PNC that also ruined the bauxite industry. We must recognise that it was the PPP/C Government that brought Russian Aluminium (RUSAL) and opened up the Berbice operation. The PPP/C also brought Bosai Minerals Group (Guyana) Inc. and reopened the Upper Demerara operations.

We thought about the development of this country – Guyana. We must not forget that it was the PPP/C Government that developed the rice and non-traditional sectors and Guyana was described as the bread basket of the Caribbean. These products have contributed meaningfully to Guyana's development for decades and we must not put all our eggs in one basket by sacrificing these sectors. Today, we see that the coalition Government is destroying the rice and sugar industries. In just two years, both sugar and rice production has dropped significantly.

While we welcome the development of the oil and gas industry, it is imperative that we have good oversight of the industry. As such, the regulatory framework must be on target to address all of the relevant issues of this new sector.

Clause 42 of the Bill provides absolute discretion to the Minister to invest in securities and it also provides for the commission to sell securities. Given that the commission reports to the Minister,

this puts a financial risk associated with such a massive investment in the hands of one person, without sufficient counter-checks or criteria. This does not auger well for the moneys of our nation.

8.04 p.m.

There are several instances where moneys can be withdrawn from the Consolidated Fund to finance the on-going concerns about oil. Article 34 A provides for the appropriation of moneys by the Parliament for the purpose of the Commission. Additionally, the reserve fund creation in clause 43 allows moneys to be taken from the Consolidated Fund to replace deficit positions in the profit and loss statement of the Commission. Yet, I have not observed one instance in this Bill where moneys from the Commission, even after an audit, would be placed in the Consolidated Fund. Yet, these same people, the same Members on the other side, used to *shout out* all the time that they wanted the money to go into the Consolidated Fund and now they do not want it. They are saying something at one time and doing something else at another time. If I could be pointed to this section by the Hon. Minister, it would be highly appreciated.

There are some measures of inconsistency with respect to clauses 40 and 41 of the Explanatory Memorandum. The clauses indicate that the Auditor General would have to report to the Minister, whenever an audit is completed. This is wrong. It is the same Comrades, when they were in Opposition, who were fighting for the Office of the Auditor General to be under the Parliament and now this Minister is telling the House that he wants the Auditor General to report to him. This is a damning position for accountability and transparency, should this ever to be allowed to occur. The Minister should, therefore, provide clarifications.

The establishment of the Petroleum Commission and speaking to the functions of the Commission are of tremendous importance to the People's Progressive Party and the Guyanese people. We must have oversight and be able to monitor and regulate the efficient, safe, effective and environmentally responsible exploration, development and production of petroleum in Guyana.

It is notable that the Bill has a number of generalised responsibilities and functions for the Minister, the Board and the Commission. It, however, does not speak to the empowerment of any person to make regulations that would transparently define the scopes, rights or obligations of

persons affected by the manner in which things must be done. In this respect, the Bill does not have anything to do with redress. Unlike the Ghana's Petroleum Exploration and Production Bill 2016, which states that if an operator is not satisfied with what is happening, he could appeal to the Minister and if the Minister does not answer within 30 days, then he could go to the court. This Bill must have some form of redress.

In this context, let us consider "operator" as stated in the interpretation on page 5.

"Operator" means a licensee or any other entity executing on behalf of one or several licensees, the day to day management of petroleum activities;"

Clear guidelines and, as such, enforceability becomes an issue.

Today, with all of the interest in our people living in a clean environment, we must be fully cognisant of the possibilities of oil spills. The effective, technical environmental friendly development is most important to the operational approaches and those approaches must be given adequate scope through the creation of regulations. The Minister must tell us how he will deal with immediate and appropriate regulations with respect to the functioning of the Commission. Further, the Commission must ensure transparency in relation to the activities of the petroleum sector. The Commission must have due regard to sound and internationally accepted financial principles for good oversight, the collection and recovery of all rents, fees, royalties, penalties, levies, tolls and all of the other charges payable under the Petroleum Exploration and Production Act, which must be carefully looked at.

The appointment of the Board of Directors of the Commission must not present opportunities for party hacks and cronies of the Coalition. We expect that the Minister will use his good office to appoint men and women of integrity who would function in the interest of a petroleum industry that will operate in the best interest of the Guyanese people. There is much preparation for production from the Liza Well being made by the ExxonMobil Corporation. The Liza Field Development Plan has been submitted for the Coalition Government's review and we expect that the Leader of the Opposition will get a copy of same. The development of the oil and gas sector is notoriously intentionally for the risk and the threat that it pose to a nation's economic and political stability and the environment. Management of the sector is a major challenge for Governments and domestic institutions. Government must put in place institutions and regulatory

frameworks that will allow for transparent and efficient management of all of oil revenue. Oil windfall must be directed towards productive investments in physical and human capitals so that the long-term sustainable and equitable growth can be realised.

Mr. Speaker, with these highlighted shortcomings and those already highlighted by my Colleagues, I move that this Bill, and I support the view that it should be sent to a special select committee. I further call on the Coalition Government to implement the Local Government Commission now. Stop procrastinating and implement it now.

Thank you. [*Applause*]

Mr. Bharrat: I rise in support of my Colleagues as we continue our deliberations on the Petroleum Commission of Guyana Bill 2017, a Bill that is no doubt necessary for the development of the oil and gas sector in Guyana, a much anticipated and talked about sector which is already burdened with political promises reminiscent of the good old saying *Do not count your chickens before they are hatched*.

We wish to thank the Minister of Natural Resources for tabling such a Bill and also for having realised that there were little or no consultations, thereby recommending the Bill to a Special Select Committee to examine the excesses and oversights that exist. However, it is our hope that after the passage of this Bill the Petroleum Commission will not suffer the same fate as the Local Government Commission and the other commissions which are to be instituted. It must be noted that this Bill is modelled after other oil producing countries such as Ghana, Trinidad & Tobago, among others. What must be noted is the deliberate ploy to exclude sections which speaks to the overall direct and indirect benefits and welfare of citizens, which is in stark contrast to those countries.

Further, too, Guyana must not go down the same desolate road as those countries in neglecting their traditional productive sectors for oil and gas. This resource and revenue earner must be seen as a bonus to our economy and not the trump card for an economic turnaround. We have witness, the death of the sugar industry in Trinidad, the death of coffee in Ghana, and not far from us, the starvation in oil rich Venezuela, the real value of the other sectors to complement oil & gas.

Guyana must not and should not go down this road. We are all aware that the dreaded journey has already begun by the A Partnership for National Unity (APNU) and the agreeable Alliance For Change (AFC) Government, but it is not too late to take a U-turn and keep these traditional sectors alive. We in the People's Progressive Party call on the Government to give these sectors the attention they need with the same exuberance it is now approaching the petroleum sector with.

The Petroleum Commission on Guyana Bill 2017 should, first and foremost, take into consideration that one of the most important functions of the Commission is to ensure that the petroleum activities be planned, monitored and executed in a sustainable and cost-efficient manner in order to achieve optimal level of production that will ensure the overall benefit and welfare of the citizens and development of this country. Unfortunately, there is no mention of this as a function in the Bill.

I am not sure if another Bill or an amendment, as was mentioned by the Hon. Minister, will be tabled in the near future, which will speak to petroleum revenue management and which will outline the direct benefits that would be derived or passed down to the citizens of the country, and which will speak to the Sovereign Wealth Fund (SWF) and the corporate social responsibilities among others or whether it is an omission or whether the Minister will dictate the flow of revenue. The point is that the people of Guyana are eagerly awaiting to hear how they will benefit from this much talked about oil and gas production or should it be oil production, since the contracted company has not expressed much interest in gas.

In fact, I was given the opportunity to tour the Sienna Oil Rig to have a first-hand experience of the operation which is currently providing employment for about 30 Guyanese. The team of MPs, which included the Hon. Mr. Rutherford and the Hon. Mr. Figueira, were told, in no uncertain terms, that the company has no interest in gas. In fact, the gas will be pumped back into the wells to maintain the pressure so as to optimise oil production. Further, the promised US\$500 million investment in the Canje Basin seems to be an impossible venture, judging from the state of our economy which is currently being driven by taxation.

While reading this Bill, I was confused to the point that I was wondering whether we actually need a commission and why not just allow the Minister to control the sector, judging from the

amount of power and authority that this Bill will give to the subject Minister. Quite frankly, the work of the Commission will be dictated by the Minister and the Commission will be baseless and ornamental in nature. The power that will be given to the Minister over the petroleum Commission, as stated in the Bill, is one that is unacceptable and strange in comparison to other oil producing countries. In fact, in most of those countries a lot of the authority is vested in the President. The function of the Minister should be to provide guidance and direction to the Commission and to act as a link between Parliament and the Commission. However, this Bill proposes that the Minister can, as was mentioned earlier by my Colleagues:

- (1) Determine the size of the establishment, determine the employment of staff and the terms and conditions, determine the use and transfer of funds to which the Commission must comply with such directions;
- (2) Appoint or in other words hands pick the Board of Directors, maybe with the exception of the one Members from the Opposition who would be responsible for the functioning of the Commission;
- (3) This Bill is proposing that in the absence of a Board, the Minister can discharge the functions of the Board;

Our proposal is that the Board of Directors be nominated then appointed by the Minister through transparency and consultation by the Government, the Opposition and other stakeholders. Further, the Bill should include that all academic information of the Board of Directors and Chairperson should be gazetted for transparency and accountability purposes. Further, it is our view that the Board of Directors should or must include at least one female.

The Minister will appoint the Chairperson, Deputy Chairperson and Secretary. If not the Minister could function as the Chairperson and also unilaterally decide on the remuneration of the Chairperson and Board. I am not sure if we can find someone in Guyana, probably including the Minister, who will satisfy the criteria set out in this Bill much to the resemblance of the famous fit & proper criteria that we are still trying to interpret.

The Minister should not be appointed as the Chairperson or appoint himself as the Chairperson since the roles of each position differs. Who then will scrutinise the work of the Board. It will be the Minister monitoring himself.

The Chairperson reports to the Board of Directors, whereby the Minister reports to the Executive and the Parliament. This will lead to a breakdown in the entire structure and reporting bodies.

8.19 p.m.

The Bill further seeks to empower the Minister to terminate the life of the Board at any time. Again, this will allow the Minister to usurp the full authority of the entire Commission. So the Minister decides who sits on the Board, control and dictates the work of that Board and then decides when to get rid of them. Now, this is certainly not the good governance, transparency and accountability as promised by APNU/AFC.

The craving for power and control do not stop there. The Minister will appoint the Chief Executive Officer (CEO) or the Commissioner. We are proposing that the Board of Directors be responsible for the appointment of the Commissioner through the consultation of the Minister. The power should not be given to the Minister as stated in the Bill since the responsibility lies with the Board to appoint the Commissioner. If the Minister should take such responsibilities then there will be no need to appoint a Board of Directors.

It boggles the mind as to whether this Bill seeks to establish an independent body or a department in the Ministry of Natural Resources. Where is the independence of this Commission when every appointment will be done solely by the Minister? Who will then dictate the work of the statutory agency and can even act or function in the capacity of the Commission or as the Chairperson?

So Mr Speaker, I am sure that you can understand my predicament as to whether this Commission, as much as it is needed, will be given the freedom to function effectively. What is interesting too, and like us in the Opposition, I am sure the citizens of this country, would like to know what will be the operational costs of this proposed Commission, be it monthly or yearly, since a loss will result in an additional burden to taxpayers?

This was even hinted to by the Hon. Minister of Finance in today's *Kaieteur News* with his reference to the volatile nature of the oil market and the Government's capacity to ensure proper transparency and accountability. The Bill also speaks to the term limit of the Board, which may need to be reconsidered, taking into consideration our proposal for the appointment of members. One year to function in this role may not provide the expected performance required by the Commission. It is also very costly to appoint a new Board in such a short term. A proposed term limit of at least 2 years is more suitable for such a position. Ideally, most oil producing countries allow for a three-year period and limits members to two terms. This is also another option that can be considered so as not to create fossils, but to engage in the business of fossil.

Since taking office in May 2015, the Government embarked on a mission of penalising and creating more hardship for the Guyanese people through increased taxation and hefty fines and penalties, most of which are applied at the whims and fancies of the Administration, even to the extent of garnishing. I am making reference to this because, again, we see in this Bill the proposed exorbitant penalties and fines for offences of Executive Members, as well as imprisonment. In no way we condone corrupt practices, but fines and penalties should not be fixed across the board, but should vary according the offences committed. But then who will be the judge and jury, again the Minister.

The Bill, as was mentioned by my Colleague, who spoke just before me, omitted the clause for review of decisions by persons who may have grievances with the decisions made by the Commission. Where is the representation? It should be added to this Bill that any person aggrieved by the decision of the Commission can lodge a complaint with the Executive, providing the relevant documentation and proof of the aggrieved decision for a review. This will allow for a fair and just process.

Finally, my research on this Bill, and my increasing knowledge of this still embryonic sector in our country reveal a total omission with regards to the Commission maintaining a beneficial and healthy relationship with other public and private entities, as well as stakeholders who may have a special interest in the petroleum industry or who may have both backward or forward linkages to the industry or even seek to stimulate the interest in this new sector. The Bill should state that the Commission should adhere to its corporate responsibilities, so that the Commission may function effectively and efficiently by being good corporate citizens.

In conclusion, we in the People's Progressive Party welcome the concept of having a Petroleum Commission on Guyana, which is necessary as we venture into oil production in 2020. However, this body must be devoid from political inference and directives. This process can only start with the appointment of the Board through a more inclusive and consultative process. Hence, we look forward to working with the Government in the Special Select Committee to ensure that this Bill is tailored in the interest of the people of Guyana.

Thank you. *[Applause]*

Minister of Public Infrastructure, [Mr. Patterson]: Mr. Speaker, I rise to make a short intervention in support of the Petroleum Commission on Guyana Bill 2017. Sir, this, of course, is an important Bill for several reasons, most of which were highlighted by the subject Ministers during their interventions. Listening to the Hon. Colleagues on the other side, I was somewhat taken aback and surprised because I thought one of the very first things that Minister Trotman did was to say that he was going to have the Bill referred to a Special Select Committee. Several Members got up, obviously, I think they missed that part of it, and they kept repeating it. Obviously, their speech writers prepared speeches for them and they were unable to adopt on the floor - their lack of dexterity.

Before I actually make my short intervention on the Bill and its usefulness, particularly to my sector, I just wanted to remind my good Friends and Hon. Members over that side about a few agencies. I am sure that every Minister could get up and speak on agencies under their portfolios, but I will refer to the Guyana Power and Light (GPL), Guyana Energy Agency (GEA) and Cheddi Jagan International Airport (CJIA). All of those that I refer to were under the hand of the Hon. Leader of the Opposition. In each one of those Bills, the Minister appoints the CEO. The Civil Aviation Authority Bill, the Shipping Act, the CJIA Act and the one I particularly liked, the Berbice River Crossing Act, all of them give the Minister the power to make regulations and all of them were penned under the hand of the Hon. Leader of the Opposition. So, this eureka moment that they experienced, of Ministers bringing regulations here, obviously, I do not think that they read the Bills that they brought here before.

Hon. Member, Mr. Bharrat, thank you very much. I note and I would like to thank Minister Trotman because you have visited the rig, but some of those courtesies were not extended to us

when we were there. If we did not have a hung Parliament, we would have never seen the Amaila Falls. But as I said, it is a fresh approach, so we are doing things differently.

Sir, you made a statement which I think is somewhat incorrect in the sense that...

Mr. Speaker: The Hon. Minister will address the Chair rather than the Hon. Member to whom he is referring to.

Mr. Patterson: Right. Mr. Speaker, the Hon. Member, Mr. Bharrat, made a statement that the ExxonMobil Corporation has no interest in the gas and that may be true. But the country and the Government of Guyana have interest in the gas. To that effect, there are studies ongoing as we speak on the possibilities of bringing natural gas to the shore and it is very possible and practical. So they are speaking on their own and I am speaking on the behalf of the Government of Guyana.

I want to commend Minister Trotman and his drafting team. They have included a section in the Commission for a Member of the Opposition. I would like to, with all sincerity, wish you good luck. This is because I have done that and I continue to do that. Up to last Tuesday, some of the boards from the Hinterland made positions available for the Members of the Opposition, which are still available. The Guyana Power and Light Company- the Hon. Leader of the Opposition makes wild statements about how much money GPL has. The easiest way to find out is to just take up your seat on the Board and you can go through all the records. You do not have to speculate. I am just talking under my sector where there is the CJIA, the Sea Defence Board and some very important boards and all them still remain open. I do urge you to take up your rightful place so that you could be part and parcel of the governing of this country. Sir, I do hope that the Hon. Member Damon takes up his place as well or is recommended for one of the boards. I do think it would be beneficial and helpful to him to see how others persons cooperate.

The Petroleum Commission, when established, as I mentioned in my opening remarks, is an extremely important Commission, particularly for my Ministry. Two particular reasons why I am happy that the Petroleum Commission is being established are the local content and the advancement in the maritime section.

Since the discovery of oil in 2015 and yes, the Hon. Member Neendkumar was absolutely correct. It was discovered under the PPP. But the people of Guyana saw it fit that they should not develop the sector. I just wanted to remind him of that. Since the discovery of oil there have been calls for local content, particularly by the Members of our local seafaring association. With the establishment of this Commission, the agency, in particular, the Maritime Administration Department (MARAD) Board will have a direct counterpart so that we could address the issues on local content. Sir, in January of this year, an international firm conducted a fact-finding mission to determine the proprietariness of MARAD for the challenges of the offshore oil and gas industry. This is an area that has its own unique, legal, regulatory and administrative challenges. They made several recommendations which could be twinned with the establishment of this new Commission.

Some of the recommendations they made were that we have to establish being the regulatory agency with the responsibility to marine pollution, with specific reference of pollution from ships. We should be more intimately involved with the Ministry of Natural Resources and obviously now, with the establishment of this Petroleum Commission, we will be directly liaising with them. They have also made recommendations that we have to enact legislation for the prevention of oil pollution because we are a signatory to the International Convention on the Prevention of Marine Pollution.

8.34 p.m.

They have also made a particular recommendation specific to this industry. The proper implementation of the International Convention of Oil Pollution requires the creation of a national response system and the completion of a national oil spill contingency plan, identifying a competent national authority and the role of the stakeholder. That competent national authority will now be the Petroleum Commission.

In addition to the maritime section, it was found that, in collaboration with the impending production of oil, we have to update our Shipping Act. We have to amend it to include provisions for the registration and management of offshore installation, as distinct from ships, including fixed and floating offshore platforms. In other words, we need to liaise with an agency to establish a regime. When the Shipping Act was enacted, it was not contemplated that oil

would have been discovered offshore and so we now have to liaise with an agency to ensure that we have that. There are several different areas where we have to coordinate. We would have to enact a few things which were mentioned here, like the ship and port security. In addition to ensuring that we are absolutely compliant, we are now in the process, with the assistance of the new agency which was previously the Guyana Geology and Mines Commission, the registration of vessels, the permits for mobile offshore drilling units and permission for vessels to conduct seismic surveys and other scientific research. We are doing all of that in collaboration with the Ministry of Natural Resource. We are also issuing permits for offshore supply vessels to operate in our maritime zone and finally, we are now issuing regulations for floating, production, storage and off-loading vessels.

We are at the embryotic stage as the Hon. Member, Mr. Bharrat, said of a very exciting and challenging new vista. Everybody and every agency have to come on board and be helpful. Both sides of this House have to work together because, obviously, this is a national patrimony. It does not belong to any one party; it belongs to the people of the country. There are no *devils* in this Bill and there are no hidden prints. We, as a responsible Government, will always adhere to the law and ensure that the Hon. Member, Mr. Damon... *[Interruption]*

So, with those few words, I would like to lend my support to this Bill and, obviously, I would hope to be able to contribute when it goes to the Select Committee.

Thank you very much. *[Applause]*

Mr. Lumumba: Mr. Speaker, I rise to offer my comments on behalf of the PPP with regard to the issues and concerns that we have in relation to the Petroleum Commission Act.

I must commend the Minister for bringing this Bill in a timely manner because the country or the industry cannot move forward unless there is some manner of supervision, some manner of management and some joint approach by the Opposition and the Government as to how we will proceed.

We must bear in mind that no one political party will be in power forever. The People's National Congress (PNC) knew that and whether we knew it or not, we know it now, and it is important

that you know that it might be reversed. So, it is very important that whatever we do, we will do it in conjunction with national unity.

Guyana is a fortunate country. The oil and potential gas find has the capacity to reenergise this country and place us in the realms of the *haves* and away from the *have nots*. This enormous oil find will in time pour billions of dollars in our Treasury. It will enable us to retool our sugar estates; it will enable us to resuscitate our bauxite industry; it will enable us to fix our infrastructure, and in particular our roads and bridges; and it will enable us to finance hydro projects such as the Amaila Falls Hydropower Project, which will cause the electricity cost to drop substantially and result in a dynamic manufacturing sector. This vast pool of cash will allow us to build modern schools and universities and modernise our health sector, but most of all, we will be known around the world as an economic, strong and vibrant society, but we must be careful. A pool of money could disappear if not managed efficiently; a pool of money could disappear if *the cheese is watched by the mice*; and a pool of money could disappear if proper systems are not put in place.

Let us look for a moment at Nigeria's economy. At the onset, Nigeria's economy benefited from tremendous petroleum resources. Today, Nigeria should have been better off than 90% of the European countries. But because of bad management and corruption, well over 70% of the population in Nigeria are on the *breadline*. We could also look at Ghana in Africa. There were good things for Ghana and good thoughts for Ghana. Many people believed that Ghana would have done extremely well, but today the economy in Ghana is on the brink. The World Bank had great expectations of Ghana. Petroleum and coffee should have done it. But what is happening in Ghana today? The economy is in trouble.

Let us turn to our neighbour Venezuela. The country that has the largest reported oil reserves in world, but in 2017, this country lacks potable water, soap, critical food items and medicine. People are lining up in lines marked towards to Colombia, just to buy napkins, tissues and basic sugar and salt.

The issue is not the size of the oil field. Minister Trotman is proud and I am proud too to announce the size of the oil field. It is not the size of the oil field; it is the management of the resources that would determine the future of this country.

I recognise that it is not an easy task for any one person, including the Hon. Minister Raphael Trotman, to ride this *petroleum horse*. Therefore, it is important that both sides are provided with the opportunity to analyse this Bill, line by line, page by page, in order to isolate the effects and to make a proposal to improve the presentation.

This Bill, which represents an attempt to provide an instrument to manage the petroleum industry, is too important to be seen as the child of one political party or organisation. We are here to provide input so as to guarantee our children and grandchildren a good and glorious Guyana. This Bill must represent a joint effort by both sides.

It would be folly on my part if I do not caution the Minister on some of his approaches to this industry. Some of his approaches are sound and some are questionable, but he is human. None of us could do everything right. Therefore, it is important that we listen to each other. I think the Minister has a tendency to speak publicly on how he or the Government plans to utilise the petroleum revenue. For some, this has an implication of vote purchasing down the road.

It seems to me that the Minister of Finance and the Planning Unit, with input from the Opposition, should initiate and develop programmes and projects for funding, and these projects implemented are managed by the respected Ministry and let me go through this. In the old days and that was one of the sound things that was done by the PNC, the PNC had a State Planning Department and this department would have analysed every project. It would have analysed the refinery, the use of gas... **[Hon. Member: ... [Inaudible]]** That is true. We make mistakes; we are humans, but we need an State Planning Unit or some unit in the Ministry of Finance that would make these analyses and carry out and implement these studies through the particular ministries.

I do not want to see the Minister of Natural Resources speculating on oil refinery. I do not have a problem with him stating that it is one of the options, but I do not want to see him getting involved in semi-analysis of what the Ministry means, when that it is not his area. We need it to be taught out. We need a fair and correct position so that it does not seem that we are trying to purchase the thoughts and minds of the Guyanese public.

The Minister of Natural Resources is the manager of the petroleum sector and not the manager of the oil revenue and that is important. He speaks on behalf of the Cabinet and to a large extent he

speaks on behalf of the President. This is because, in most countries, the President has the ultimate power when it comes to oil revenue and the oil industry because of the size and the quantum of the revenue. The Hon. Minister, Mr. Raphael Trotman, who is my good Friend, steps out of his arena when he is pronouncing on oil revenue in Guyana and other industries that can or cannot be developed from access or without access to the associate gas fields.

Again, these matters are in the realms of the Ministry of Finance and the Minister of Finance, who should pronounce on Government's intention, after the necessary feasibility studies are carried out, and in terms of gas and substantial gas, he will be identified. I am puzzled as to why the Minister of Finance has taken a back seat on these issues. The Minister of Finance is not an accountant. He is our Minister of Finance of the whole country. I do not want him to behave like an accountant. I want them to carry out these studies and implement them after they are sanctioned by the Cabinet and the President.

The Minister seems to be overreaching and there is confusion as to his role. My understanding is that he is the manager of Government policy in the area of natural resources and should not be involved in any unilateral pronouncement on projects. The petroleum industry is a large and powerful industry and we cannot allow it to be managed by one person. No one person in the world has such knowledge. Even God had Angels with duties.

The Minister is proposing that he must have a commission that will bow to him. I said bow, but I am not being insulting by saying bow to you. But if you have a commission that only you could appoint... *[Interruption]* Nowhere in the world can we compare the petroleum industry with the forestry industry, with the rice industry or with the sugar industry.

8.49 p.m.

Petroleum is billions of United States US) dollars.

[Mr. Patterson: Is that your

problem?]

Yes, that is the issue. The money is too huge. We cannot allow it to be influenced and controlled by one person.

If you put a board which is not sound... I congratulate the new commissioner of the board but the Commission must have some independence. The Commission should not be at the *whims and fancies* of the Minister. The Commission should not be the Minister's commission. It does not

bother me if you say the Commission must be appointed by Cabinet and by the President with some suggestions or input from the Private Sector or the Opposition. When you put a Commission in charge of a country, you are basically shutting down the rice and sugar industry. Therefore, we are depending now on oil and gas. If we are to depend on petroleum, we have to ensure that whoever is protecting that industry is manageable, efficient and could be controlled. I am saying that no matter how bright Mr. Trotman is - and he is a bright and sincere person - we cannot allow one person to manage the industry. It is too big.

I do not know if the deal in the Herdmanston Accord was with the understanding that the Alliance For Change (AFC) would control the oil industry and the A Partnership for National Unity (APNU) would control the sugar industry - breaking it up - or control the bauxite industry. I do not know if that is part of the Accord. I have never seen the Accord. I have never been the fly in the room with the Accord. If I were a Member of APNU, I would be very concerned that APNU seems to have no vigilance and have no input in managing the oil industry.

This oil industry should be managed by the Government, by the Cabinet or even the President but it cannot be managed by one person. One person, together with input, the Minister of Natural Resources' policy and projects, but its policy directives must come from the Cabinet and the President... It is too huge. It is our lifeline. We cannot risk that.

First of all, the Minister would appoint all Commissioners. He determines who the Chairman, Vice-Chairman and Secretary would be. Why do you want a commission? Explain to me why you want to have a Commission. Do like Trinidad. In Trinidad, the Minister of Energy is the boss. Do not put any in between thing here. I do not have a problem with you putting the responsibility on the Minister and he would then appoint the relevant experts to work with him. Do not insult this nation. Do not appoint a Commission that is a toy Commission.

The Minister could fire any Commissioner at his discretion. He could fire the whole Board for any reason he sees fit. That is the implication and that is the analysis. What makes this issue more contentious and suspicious is that this Board, with such magnitude, would be appointed for only one year. Before you sleep and wake up, the Board would be finished and you would have to appoint a new Board and that may take two to three months, and, in the interim period, the Minister would be the Board. Indirectly, he is already the Board. Maybe for eight months in a

year, he may be the Board by himself. That has to change. If I were the Minister, I would not want to have such authority. If anything goes wrong, they would say it is Minister Trotman. If anything goes wrong, I would have to defend Minister Trotman.

Minister Trotman must not want the responsibility of taking on this horse by himself.

[**Mr. Ramjattan:** That is why he has a Commission.] It is not a Commission. It cannot be a Commission if you appoint it and you could fire it. How can it be a commission? It is a *blow blow*.

The People's Progressive Party objects to this Trump-like approach to governance. I spent some time analysing how Norway manages its resources. I believe that we could agree that Norway is a bit more sophisticated than Guyana in the area of management of natural resources. It has placed its petroleum resources under several agencies. Norway has the Ministry of Petroleum and Energy, the Norwegian Petroleum Directorate, the Ministry of Labour and Social Affairs, the Ministry of Finance, the Ministry of Transport and Communications, the Ministry of Trade, Industry and Fisheries, the Ministry of Climate and Environment and three state agencies.

I will give you an example of Norway – the Ministry of Petroleum, Energy and Norwegian Petroleum Directorate: the Ministry of Petroleum and Energy is responsible for resource management and of the petroleum sector as a whole. It is also responsible for managing the State's ownership in several corporations.

The Ministry of Labour and Social Affairs has the overall responsibility for the working environment and safety and emergency preparedness in the petroleum sector.

The Ministry of Finance - and this is interesting - has the overall responsibility for the taxation system for the petroleum sector. The petroleum tax office is part of the Norwegian Tax Administration which is subordinate to the Ministry of Finance. The main function of the Petroleum Tax Administration is to ensure correct assessments and collections of taxes laid down by the political authorities.

The Ministry of Transport and Communications is responsible for the preparedness and response to acute pollution in Norwegian waters. These agencies, administrations and functions are designated in their laws. There are clear input and position as to what they are responsible for. It

is not a view or a suggestion by the Minister or by the Commission. It is a clear cut. You are a good Lawyer and you understand. At least you used to be so you would understand these things.

In essence, Norway understands the complexity of this industry and has decided to diversify the responsibilities so as not to burden one person with such enormous responsibility in Guyana.

The Minister is proposing that he should have a Commission which could be like his toy. He must have a Commission that could say no. It must not be a toy Commission. He must select, find a way or a mechanism that his Commissioners could tell him that they disagree with him without the fear of being fired the next morning. I am not saying that he should not have an input in this. He is the Minister and he must have input. But there has to be a mechanism that allows his Commission to say that they disagree with him and to say that he is wrong. [Mr.

Patterson: And then be fired by Trump.] That is another story.

The Minister, in this Bill, indicated that the commission has a reserved fund. The PPP recalls the then Opposition, which is the Government now, in particular the AFC, and, in particular, Vice-President Khemraj Ramjattan, who used to sit somewhere around here, used to hold a piece of paper and say “corruption, thieving, no money should be given to the Guyana Geology and Mines Commission (GGMC); it should to be in the Consolidated Fund; they should not control one penny”. The Vice-President remembers that so why now would we have a reserved fund? Do not tell me that it happened during our time in office. *If it is good for the goose, it is good for the gander.* We must have a budget as part of the Appropriation Bill that has been brought to this House by the Minister of Finance. That budget would have the projections of what moneys are required by the Commissioners or by the Commission annually. I am sure that you would accept that, Minister Ramjattan. [Mr. Ramjattan: That is right.] Thank you for being on my side on this. The moneys must not rest on the shoulders of the Commission. It must go straight to the Minister of Finance at the Ministry of Finance. [Hon. Member:

[Inaudible] are making a mistake.] Thank you. I have two votes so far from the Government’s side.

What is so dangerous about this proposal? It is not clear as to how this money would get to the reserved fund. I am proposing that it goes through the Ministry of Finance. Under the presentation of this proposal, it does not point out how this money would get there or where

these moneys would come from, whether from over the table, under the table or through the window. Where would the money come from and how would it be scrutinised? We have to find some methodology to deal with that.

If the Minister could unilaterally appoint the Board and fire the Board, then the Minister basically would be another Minister of Finance because, if you have the reserved fund and you could tell the Board what to do, then we would be having two Ministers of Finance – one that controls the petroleum reserved fund, which would be a larger pool of money than the overall Government's fund, and the... Mr. Speaker, why do you not fire the Minister of Finance? What is he there for?

My final point is the lack of a comprehensive position by the Minister on the issue of local content. The Commission's presentation is a touch and move. It is not concrete. This Bill disregards the need for Guyanese citizens to be part of the economic opportunities that this industry would create. While we do not agree that this Bill has to follow the Ghanaian rule in totality with a fixed percentage for local content, some type of mechanism should be in this Bill that would guarantee partnerships with our local business community. I think that the Minister could play an important role in this because he is in charge of policy. This Bill needs to rectify that by stating, without a doubt, that the Government's intention is to ensure that 50 Trinidadian businessmen cannot come here, collect all our business and the Private Sector in Guyana gets 1%, 2% or no per cent.

Again, Mr. Speaker, with these comments, I accept the Minister's offer to present this Bill to a Special Select Committee and I applaud the Minister for being brave enough to bring this Bill to this House at this point because he recognised that there will be some disagreements.

9.04 p.m.

But we are not here to fight. Why can we not get along?

Thank you. [*Applause*]

Mr. Trotman: Mr. Speaker, I rise in response to the rebuttal...

Mr. Speaker: Hon. Minister, there was an indication given to me that there was another speaker; the Hon. Prime Minister wishes to speak.

First Vice-President and Prime Minister [Mr. Nagamootoo]: Mr. Speaker, I want to bow to the competence of the Hon. Minister of Natural Resources to rebut as he is entitled to. But because of some red herrings that have been dragged into the path of the debate on this very historic Petroleum Commission on Guyana Bill 2017 – Bill No.4/2017, I think that I would be failing in my duty, as Leader of the House, not to engage those issues. *[Interruption]*

[Mr. Speaker hit the gavel.]

I wish to commend the Minister of Natural Resources for pioneering this very important Bill.

Mr. Speaker: Hon. Members, it is courteous to at least maintain silence or keep your voices much lower than what is being done. The Speaker has given a lot of latitude but I think we are on the verge of now abusing that.

Please proceed, Hon. Prime Minister.

Mr. Nagamootoo: As I was saying, I wish to compliment the Minister of Natural Resources for guiding us into a very important area of our development, that is, how to devolve power, and democratise authority.

This Bill would have been unnecessary if we accepted that the amendments introduced in 1997 to the Petroleum (Exploration and Production) Act had sufficiently addressed the administration of the petroleum sector when it vested and reincorporated total power to the Minister.

The Minister, under the Act that was amended by the People's Progressive Party/ Civic (PPP/C), when I was also a part of that Government, entrenched the powers of the Minister to grant a licence and also to revoke the licence to a petroleum producer.

The excuse given was that the powers that were granted then to the Minister were because Guyana was only in the exploratory stage of the petroleum sector, and it was said, this afternoon, by the Hon. Leader of the Opposition, not realising that the amendment was to the Petroleum (Exploration and Production) Act. And therefore, it has always been within the contemplation of

the framers of the powers to be vested that production would ensue and that revenue would be accrued and that we would, in fact, be the national owners of the sector.

In this Bill, it was seen that, wherever the Minister had exclusive powers, those powers have now been shared or will be shared with a body to be intituled as a Petroleum Commission. And this red herring that this was intended to be a toy Commission is also intended to mislead the Guyanese that this was a toothless poodle being created. There would have been no need for a poodle or even a Commission if we had just remained truthful to the powers that had been vested in the Minister in the Act. And I wish to go back historically to the evolution of the powers under the Act.

The Petroleum Act dates back to 1939. And therefore, one has to look back, like a prophet at history, in order to know where to move forward, and one looks back at history to foretell the future. The history I want to refer to is one where this Act was amended on several occasions in 1939, 1972 and 1986, and I want to refer to 1986. I was in this House, sitting as a reporter, on one of those benches over there, when the Petroleum Act 1939 was repealed and introduced by the then Deputy Prime Minister, Mr. Haslyn Parris, as the Petroleum (Exploration and Production) Act 1986.

Among those who spoke to the Bill at that time were the Hon. Late Leader of the Opposition, Dr. Cheddie Jagan, Mr. Eusi Kwayana and Mr. Reepu Daman Persaud. I recall, during that debate, that the then Hon. Member, Mr. Reepu Daman Persaud, referred to clause 21 of the 1986 Bill, saying that it had vested too much power in the Minister. So, it was recognised way back in 1986 that the 1986 version of the Petroleum (Exploration and Production) Act had vested powers in the Minister. But what was amazing was that, in 1977, those on that side did not change those powers; they ratified the powers and went beyond that. But when you hear someone like the Leader of the Opposition speaking and saying that he wants to see the agreement, they did not come to this House to tell this House that, in the 1997 amendment, they had provided for a non-disclosure clause, even if it had been mentioned that no disclosure should be made.

Tonight, one Member of the Opposition spoke and said that he wishes for a copy of the agreement to be given to the Leader of the Opposition. [Mr. Neendkumar: Yes. I said

that.] The Hon. Neendkumar said that he read that in his presentation. But it was not

catered for in 1997 when those over there, were over here, in the Government. They had not even contemplated that one day they would have been in the Opposition, and would have provided for the Leader of the Opposition to be given a copy of the Petroleum Agreement with any of the companies that would have been in existence and would have signed an agreement.

That is what a prophet does; he foretells the future. But they lacked the capacity to even see beyond their noses, and they are clinging on to this picture of *gloom and doom*, terrifying the Guyanese people, that all manners of atrocities are going to be committed and perpetrated by diluting. And sharing the powers of the Minister with a Commission is qualitatively an improved position and one which this Government should be commended for.

I believe the Hon. Member, Mr. Odinga Lumumba, has struck a very important chord when he said that we needed unity. He said that the vast pool of cash that will flow from petroleum and hydrocarbon resources needed national administration. And I will go back to 1986, while the climate in the National Assembly then was hotter than it is now because, after the 1985 Elections, the then Leader of the Opposition, Dr. Cheddi Jagan, said that he would had rather see... In 1986, he spoke, and I have a copy the Hansard here. Mdm. Teixeira said that he was not in the House. [Ms. Teixeira: You were not in the House.] I was a reporter sitting over there. I was a journalist. You can find anything to repudiate me. Dr. Cheddi Jagan said that he had rather then, two things: that they would have been a Government of national unity; and, two, as he said, he was concerned that the then Government had not approached the socialist countries to invest in oil in Guyana. The Hon. Carl Greenidge was a Minister of Finance in the Government then and he would remember when the then Leader of the Opposition spoke to the issue that the Government should stand firm to the Sophia Declaration that had pointed to a socialist future for Guyana, and that we should try to break free from political and economic dependency on imperialism.

Those were lofty declarations within the context of the direction that Guyana had set itself at that time. But we do not see that today; the vision has melted and disappeared. The isms have now resulted in schisms; they have abolished the isms. And so, they have now seen that they can only dabble. As one right commentator said, "They can only salivate over the prospect of oil revenue while they languish in the Opposition." That is all they can do – salivate over the prospect of the oil revenue, wishing that they can put their hands on those revenues.

There is a lot of jealousy and envy that is being seen, permeating in the discourse that the Minister has too many powers, and, when the Minister tries to share the powers, then the Minister is not serious or does not have an intention to actually do that as the Commission will be a ‘toy’.

9.19 p.m.

We know that this *gloom and doom* is coming at a time when the Opposition wants to wage total war against everything, even things that are considered to be good and worthy. The last speaker of the Opposition, Mr. Lumumba, also said that this Government will rely on oil only and that we will kill sugar and rice. That is again dragging the red herring of fear, gloom and doom. The nature of their politics is to be able to sell pessimism and negativism in the minds of the Guyanese people. For this year, I have been informed that rice production will reach almost 700,000 tonnes. There is no issue of rice being closed or killed off under the Coalition Government. Those who are committed to political “harakiri” will kill anything that seems to prosper in this country. It is the politics of philistinism, negativism. *[Interruption]*

We are told that the sugar industry will be closed and the prophet of doom... *[Interruption]*

[Mr. Speaker hits the gavel.]

Sir, I can handle this. I have handled worse than that – labarowers.

Mr. Speaker: Hon. Prime Minister, language which is not acceptable in this House ought not to be used by the Prime Minister in his presentation. The Prime Minister will withdraw the unparliamentary word and then proceed.

Mr. Nagamootoo: Sir, I am not sure what is the unparliamentary word. *[Interruption]*

Mr. Speaker: Hon. Members, if you are going to do it, then the Speaker need not say anything. The Speaker will correct a Member if, in his view, what the Member has said is unparliamentary. Hon. Members will, at the time when the Speaker is making a correction, will allow him to do that. Hon. Prime Minister, the word complained of is, I believe, “philistine”. The Prime Minister will withdraw that word and then proceed with his presentation.

Mr. Nagamootoo: Acting on the advice, I withdraw. Sir, in the context of the debate, we are also told that the Government will kill sugar. I am accustomed, as I said, to heckling. In fact, I am accustomed to more vibrant heckling than I encounter in this House. No one has said who killed sugar, who rendered sugar bankrupt in the tune of \$5 billion, who spent \$50 billion on the Skeldon Estate, ostensibly to modernise it and create a glorious white elephant. The then President said that, without Skeldon Estate, sugar would be dead and it was so pronounced. When the sugar workers protested, a letter was issued to ban the sugar workers union, the General Agricultural Workers' Union (GAWU), in 2010, to de-recognise GAWU. The leader is here. I was the one who stood up for the sugar workers union, so going to Enmore is not a problem. My credentials are solid and impeccable as a fighter for the sugar workers of this country. *[Interruption]* You could scream all you want; you could shout all you want; they have slaughtered the sugar industry and they come here and try to say that they are the champions of the sugar workers.

This Coalition Government stands firm in trying to ensure that the people of this country benefit from the resources of oil and gas. We recognise that the Petroleum Commission of Guyana Bill is a step in the right direction. The Hon. Member, Mr. Bharrat, the last Member to be sworn in, recognised and supported the Bill. He agreed and consented to make a contribution in the select committee. Therefore, we need not have been engaged in this exchange tonight.

I had not intended to speak because my very learned and competent Colleague, Minister Trotman, would be addressing the issue of the content of the Bill more than adequately, but I thought that I should stand to rebut some of the contentions raised, and the attempt to mislead the nation and the people that this Government has created an institution that seems to be arrogating and appropriating the powers of the State of the people when, in fact, we are trying to dilute and widen the authority given to the Minister and ensure that there is a commission that will share the authority, guide the Minister and recommend to the Minister how the oil and gas sector should be administered.

I say these words tonight, hoping that, even at this last moment, after the riotous behaviour that we saw which greeted my pronouncements, there would be a change of mind and that we would have the unanimous support of all of this House, in a show of national unity, because oil and gas resources is the dream of all Guyanese. It is the hope of all Guyana. Therefore, we cannot have

those Members come here, under the umbrella of speaking for Guyana, to mislead, distort and truncate an honourable piece of legislation that we have brought here in order to better administer our new sector, the oil and gas sector.

I say no more. Thank you. [Applause]

Mr. Speaker: I thank the Hon. Prime Minister for his statement. I understand the Hon. Bharrat Jagdeo has expressed a wish to speak. I shall give him the floor.

Mr. Trotman: I wish to put the question that the debate be concluded now. *[Interruption]* That is my right as the mover of this motion. Mr. Speaker, as the mover of this motion, for this Bill to be read a second time, I move that the question be now put. *[Interruption]*

Hon. Members (Government): Put. Put. Put.

Mr. Speaker: Hon. Members, there is an option open to the Speaker to leave the Chamber until this manner in which Hon. Members disport themselves have ended. I have chosen not to do that. I am remarking on the fact that we were just talking to a commission on oil. We are not talking about anything else and we are fighting. We cannot continue like this. I would say to Members that I thought that, after two years, you would agree that your shouts do not persuade me in one direction or another. I would have thought that, by now, Hon. Members would know that. The Speaker will do what he thinks is right here, every time. I give the floor to Mr. Jagdeo.

Leader of the Opposition [Mr. Jagdeo]: Thank you, Mr. Speaker. I wish to thank the Hon. Minister for his statement, indicating that this Bill will be sent to a select committee and that, in the committee, we will have an opportunity to share our views on elements of the Bill. We hope that those views will be taken seriously, given his statement that he hopes to address this issue in a non-partisan manner. We were hoping that expressing the concerns here would not be met with this sort of reaction, given the statement that we do have genuine concerns about the management of the sector. What happened in the past may not be the best indicator, the best guide or even the best practice, which keeps evolving all the time for the management of an oil economy. It is not just an oil sector that we are speaking about, but also the well-being of our entire economy.

We have seen enough examples around the world where bad management of oil flows, well-intentioned as they may, have led to a change in relative prices and the destruction of many other sectors of the economy, sectors that generate jobs and income for people who are labour intensive and that have led, after many years of producing oil, to those countries being worse off. It is the careful stewardship of these resources and the management architecture that matters significantly here.

9.34 p.m.

The guide should not be what happened in the past. The guide should be international best practice. The historical period, we have heard from the Hon. Prime Minister and those who spoke before us, about how long this legislation have been in effect, the various amendments that were made over the years, and the concerns expressed about the authority that those in charge of the Government would have given that piece of legislation, the legislation that has guided us thus far.

It is important to understand the context within which we saw the industry when we had stewardship of the Government. We were very concerned about the creation of an architecture that would be costly without a substantiating sector. We had seen the practice within the Guyana Geology and Mines Commission, where for almost 30 years it had had a Hydropower Department with a large number of staff in that department, yet we never produced a single kilowatt of hydropower electricity generated from hydropower. It was, frankly speaking, a waste of money.

We settled for a tiny department there that would have guided the Minister, who was the President at that time, and to move the process forward, in terms of exploration, always with the recognition that at some point in time, once the discovery is made, you would have to ramp up activities rapidly to create the architecture at that time in a whole series of institutional, skilled types, procedures and maybe new laws that would have governed the production part of the agreement. Therefore we see this now, some areas, as critical for the future management of the sector.

I am glad that the Government talks about this industry as the saviour of Guyana, an industry that can bring in vast pools of resources - that it agreed with this, and it must be carefully managed.

May I remind you, that you have done nothing, absolutely so far, in Government to bring in a single investment in this country. That the ExxonMobil and the discovery took place under the PPP. Any attempt to talk about creation of wealth in this country, or creation of a sector, Hon. Members on the other side, you are not the initiators, the creators of this industry. You have now been given temporarily stewardship over the industry.

I would urge you to constantly be reminded that so far we have seen a lot of talk about gold production and largely because of the efforts of the PPP and the people who were brought in here. I am glad that this Government is so excited about these sectors, given the efforts of the People's Progressive Party in government, they should really be thankful.

The Hon. Prime Minister is right. The "isms" have receded in Guyana on all the sides. Our country is less ideological than in the historical period, in the cold war era, and I think most of us are guided and shared the philosophy that what is good for Guyana and our people should be our guide as legislators and members of the executive, not a slavish adherence to "isms".

One thing that is on the rise as, those "isms" recede, is opportunism, Prime Minister. That is on the rise today. That "ism" is ripe.

We are not motivated by jealousy or envy because of oil proceeds in the future. Our concerns, which are being expressed here today, are largely because we are worried about incompetence. We are worried that this valuable resource, which can make a vast difference in the life of our people, will be squandered because of incompetence by this Government. That is what we are worried about. It is not that we are envious.

Mr. Speaker, it is difficult to explain to a neophyte, and I hope that is not unparliamentary, how oil proceeds spent in a cavalier manner can, through the changes in relative prices, kill off the manufacturing and agricultural industries, as has been demonstrated. We have heard from the Prime Minister saying that they are these "prophets of doom" speaking about the sugar industry and the rice industry being killed, while practices have demonstrated this. This is why I do not want to explain it too much, but there is a concept called the "Dutch Disease", Mr. Prime Minister. **[Mr. Nagamootoo: Speak to the Speaker.]** All right, thank you. The

"Dutch Disease" is recognised around the world as being harmful to most countries that have seen large inflows of cash in their economies. It changes the competitiveness because the

exchange rate appreciates; it changes the competitive nature of the products, the exports, particularly exports in goods, agriculture exports and manufacturing, as I said before, and those sectors eventually die off. What you are left with is a sector that becomes dominant.

If you look at Trinidad and Tobago almost 60 per cent of its proceeds come from a single industry - in Suriname, it is the same thing - of its national revenue. When you do that and the industry starts changing... For example, we speak about these vast pools of resources, but I am not sure we will ever get vast amounts of money. I am not even sure that that is going to happen, because we have a realistic understanding of the future and the future is not static. It is not immutable. Every day it changes because other things change. Even the rapid development and the diffusion of new technology for powering motor, say the electric vehicles, is estimated now that that will create a huge problem, a reduction in demand for fossil fuel which will have an impact on price by 2030. That is when our industry will be on its ascendency because of climate change.

The United States of America now, maybe under the new administration, opens up new sources, the fracking of gas, so natural gas could replace a lot of demand that is traditional. The introduction of renewable technology, wind and solar, can change so many things. Just imagine if we kill off, through the resources not being spent properly, the traditional sectors which have created jobs for people, and then we do not get this as expected flow, what happens in the future?

We must make allowance for large inflows and that is why the Sovereign Wealth Fund of the Norwegian type model, not a Trinidad and Tobago model, should be established and brought to this House urgently to ensure that we can manage those resources well. It is not the direct killing off of the industry - that you are going to take a spray can and go and spray down the rice - that is what we mean by killing the rice industry. We are talking about an economic concept, Hon. Prime Minister.

I had no intention of speaking about the sugar industry but the Prime Minister pontificated at length about sugar and death in the sugar industry. Their message to the sugar workers is that “we love you, we know what is good for you - we will take away 10,000 jobs from you for your own good and for the good of this country”, even if we bankrupt the industry. Even if we make that concession, which I will not, workers had jobs. Seventeen thousand workers have jobs. We

did not have a letter long before it was decided. Mr. Speaker, we have asked for an economic feasibility study to be done, that this Government refused to do. Any self-respecting Government will not take a cavalier decision of this nature that will affect the lives and livelihood of thousands of people and their families without, at least, doing a study on this matter.

Mr. Speaker: Hon. Member, you must address your remarks to the Speaker.

Mr. Jagdeo: Mr. Speaker, it is to you. No self-respecting Government will do this without studying the issue, doing an economic feasibility study. We believe that if an economic feasibility study is done, given the contribution that the sugar industry makes to Gross Domestic Product (GDP), to foreign currency earnings, to employment, to tax revenues, its impact on drainage and irrigation, and the many other contribution, the linkages to the well-being of the major sections, big geographic areas in Guyana, you will see, Mr. Speaker, that the transitional subsidy we are giving to sugar to make it competitive, that that transitional subsidy will be less than the loss that we would have, because we have not done an economic feasibility study. We have made a decision about a critical industry that will affect all of Guyana based on a profit and loss statement for four years. No self-respecting Government will do this.

Secondly, if the decision had to be made about the closure, then a Government that cares for people would have done a social impact assessment of how the closure will affect these people and how they are going to live tomorrow, the 10,000 of these workers and the five members of the family, the 50,000 of them. The International Monetary Fund (IMF) was critical on this Government for not doing it.

9.49 p.m.

Mr. Speaker, you go to the estates, if you have an opportunity to, Wales or Enmore or Rose Hall, and talk to people about their fear of their future. They are worried about these areas, how it will affect New Amsterdam and many of these areas, no care for ordinary people, and no social impact study.

As it is typical of this Government's approach to everything, it has been marked by grave incompetence and lack of vision. We have heard about diversification, but so far there is no study on diversification. We have heard about rice over at Wales Estate. We heard one time that

we are producing too much rice. The PPP used to be blamed for it, that we encouraged people to produce too much and there are no markets. Then the Government wants to compete with the rice farmers by producing rice and that is not going anywhere. We are seeing a White Paper that comes here, a process that they talk about consultation on, that they genuinely want to consult with the People's Progressive Party about the way forward for the sugar industry.

We were invited on the 31st December, 2016 to a perfunctory meeting and then another one in February. Long before that, we have seen from a letter issued that the Government had made a decision to already privatise the industry in whole or part, no good faith negotiation, all clouded in secrecy. We have seen the Dr. Clive Thomas said that the Skeldon factory and the co-generation is important, people can make billions of dollars from selling power to the Guyana Power and Light Inc. (GPL) and now we are seeing that there seems to be a surreptitious move to sell off the co-generation facility to private individuals. If it would have made billions for Guyana Sugar Corporation (GuySuCo), then it will make billions for the private investor at the expense of the taxpayers and the consumers of electricity.

The debt that the Hon. Prime Minister just spoke of in GuySuCo, many of those are pension liabilities, much of those are Pay As You Earn (PAYE) debts to the Government itself. We have seen billions of dollars given in write-off to private individuals and companies, but they cannot write off those to the sugar industry which is state owned.

One thing PPP is about, we would make a statement and defend it with arguments. We are not going to deal with fluff and political rhetoric and praise ourselves here. You never heard me praise myself as one person has a proclivity to do. Every speech the Hon. Member talks about himself and his role in something. It is all fictitious, imaginary, a figment of their imaginations.

I come back to the Petroleum Commission on Guyana Bill. This Bill, it sets up the reserve fund and so we hear that there is a Sovereign Wealth Fund coming along the line. This has been promised to the international communities. They have been going around having conferences and consultations, but we are yet to see it come here, because there is a big worry everywhere, expressed privately and publicly, that the approach we have heard from giving cash money, cheques, out to individuals, supplying free gas, although we have not found a gas field, and cooking gas to people. We have not brought it on shore to the Crab Island Project. We have

heard the Minister declared that it would start this year, 2017. We are at mid-year. A firm declaration was made that we would start. We are nowhere close to raising the US\$500 million to do that. If we had to raise US\$500 million to do that, we would see the opportunity cost of using that money which should force us to spend it in another area. All of these things are designed to 'talk up'. I hope that the future would be wonderful because we would have tons of investments in the sector and all these jobs created. It is a pipe dream, right now. We have seen that.

I am concerned now, because of the Guyana Geology and Mines Commission, we knew where its money came from that went into its account. It came from royalty payments for gold and other sectors. This fund, the reserve fund, being established in this (Petroleum) Commission, we are still a bit unclear about where it is going to come from. Is it going to be from royalty payments for oil and gas? Is it going to be moneys from profit oil, if so how much? Or is it going to be a direct charge on the Consolidated Fund and there would have appropriated budget appropriations to go into the fund? These things are very important. Each has a different implication. Then, how would this square up with the Sovereign Wealth Fund, which is designed to manage our resources sustainably? Is this a slush fund being created to siphon off or to deal in transparent ways with resources that would flow from the industry?

I am not going to get into the type of politics that the Prime Minister just spoke about. Frankly, there is a word for it. I do not know if it is unparliamentarily. It is "gutter" politics. Is the word "gutter" politics unparliamentarily?

Mr. Speaker: I am sure it is unparliamentarily.

Mr. Jagdeo: I withdraw the word "gutter" politics, not from you, the typical type of politics. Out there the situation is very different. As I have said before, this Government lives in a cocoon, a dream world. It thinks that all of the things that it is doing are resonating wonderfully with people out there, because they hide from going to the activity at Enmore tomorrow. I know that the line top meetings bother the Hon. Member Trotman and the few others ... He mentioned the line top.

Mr. Speaker: Hon. Member, you should address the Chair. You must address the Speaker.

Mr. Jagdeo: Mr. Speaker, I know that the line top meeting, which we had yesterday, the Hon. Member Ralph Trotman referred to, bothers the entire Government and that is why they were so concerned about it. If they were not concerned, they would not have raised it here, but that is the message to the people. We said to them that we would push to ensure that the resources are spent well and I thought that we were supposed to be the ones who are prone to venality. This Government should have done better, but yet we are seeing a deterioration. [Ms. Lawrence: Bye-bye.] Bye-bye 2020.

Thank you Mr. Speaker. [*Applause*]

SUSPENSION OF STANDING ORDER NO.10 (1)

Mr. Speaker: Hon. Prime Minister, I am seeing that we are approaching the 10 o'clock hour. I will have a motion for us to continue until this debate is over.

Mr. Nagamootoo: I move, Sir, that this House continues the sitting until the conclusion of this debate.

Question put, and agreed to.

Standing Order suspended.

Mr. Trotman (replying): Still I rise to end this debate. The Leader of the Opposition chose to intervene. He said that he had chosen not to speak and maybe he should not have spoken. What we heard tonight was an exhibition of grazing which ended in the gutter. How could you, Mr. Speaker, come here and try to lecture us after you left that behemoth, that has failed in Skeldon, \$280 million, that cannot produce one kilowatt of power? Then you want to come here and lecture as if you are the world greatest economist. How dare you come here to lecture us? This Hon. Member is nothing but a doctor of doom, because if the people of Guyana were to hear him, they would know that he has nothing good to offer. The Skeldon Estate is down because of him; the Berbice River Bridge, we are barely holding it up because of him. Every sector that the Hon. Member touched is down because of him, the National Insurance Scheme and the Marriott Hotel, under his Government. [*Interruption*]

Mr. Speaker: Hon. Members, there was a certain silence that spread over the whole chamber a little while ago, neither side was making noise. Now it starts again. I wonder if you could try a bit harder just to allow a speaker to be heard.

Mr. Trotman: I was going to say that just seven years ago we had become a pariah state, washed with drugs money and corruption. There are people in this House who could not have travelled abroad and now we are being told and lectured to. Who are the pharaohs who have just showed up and try to tell us how to run a country? No. The Opposition Leader has to remember that he is in Opposition and he has to remain in the Opposition. Do not come and lecture to us about good governance. We would not be lectured by the Leader of the Opposition on good governance - anybody else. I will take a lecture from Ms. Teixeira; I will take a lecture from Mr. Odinga Lumumba, but we would not take a lecture from you on good governance, no not you - never. You could say whatever. You are a failure as pharaoh. That is why you are sitting here because you have failed.

I will wrap up very quickly.

The Hon. Member Mr. Lumumba said we are good friends and we are good friends indeed, but it was Bob Marley who said:

“...your best friend could be your worst enemy,

Some will eat and drink with you

Then behind them su-su ‘pon you”

That is what I heard tonight. I only quote from Prophet Marley, “some will eat and drink with you and then behind them su-su ‘pon you.”

We are good friends and we do come as good friends. We come in good faith, and that is why we have included a Member of the Opposition on this commission. That is why we have included civil society on this commission; that is why we have decided to send this Bill to a Special Select Committee; that is why we have send this Bill since last year to over a hundred entities including, Member of the Opposition, so that they could criticise and comment and make

recommendations. We do not come here to be lectured to. We come here to join with you so that we could together build this resource.

All those who lectured about the Norway's models obviously are in the dark ages because the new literature states that the Norway model cannot be applied to countries that are developing such as Guyana. You need to do some new reading. You are in the past; you are ancient; you are a relic; your time has passed; you are irrelevant and your time is up.

I just wish to quote. I have here a Bill entitled the Guyana Forestry Commission Act...
[Interruption]

Mr. Speaker: I fear that most of what you are saying is not being heard. I hope Hon. Members will think that is worth it, the conduct of this House, that we would allow a speaker to say what he has to say.

10.04 p.m.

Mr. Trotman: As I wrap up, I have, in my hand, the Guyana Forestry Commission Act 2007 with the signature of the then President Jagdeo. I wish to quote.

“The Commission comprises the following members –

- (a) not less than nine and not more than thirteen members, including a chairman, appointed in writing by the Minister.”

We were led to believe, today, that this new invention of this Government has just arrived, “by the Minister” - “...the Commissioner and all of the members by the Minister.”

Reserve fund: I just pulled an Act at random. Section 16 (1) states:

“The Commission shall maintain a reserve fund...”

Was it a slush fund then? It is not *monkey see, monkey do*. We are not going to do as you did.

We do not, in any way, seek to take or arrogate on to ourselves any new or different powers. We seek only to administer the petroleum sector in a manner that is fair and it is in the best interest of the people.

There are some misconceptions that I wish to address.

Firstly, the Government of Guyana never intended to create an independent commission. We are creating a semi-autonomous commission. It is quite apposite to note that no lawyer, who is a Member of this House, spoke on this Bill. It is because the concept of public law, administrative law and semi-autonomous agencies... We are not creating an independent commission.

Secondly, the Bill, as I said, does not seek to exclude anyone. We have included the Opposition and civil society.

Thirdly, regarding the questions about resources management and finances, this commission is a regulatory commission. All fiscal taxation and royalty affairs would be managed by the Ministry of Finance. The commission only would collect fees and penalties.

Also, we were asked about health, safety and the environment. My good sister to my right, the Minister of Public Health, would take care of health matters. My other sister, the honourable Chief Whip, would take care of the labour matters. The Environmental Protection Agency (EPA) would take care of environmental matters. People believe that this commission is the mother of all commissions. No. It is a regulatory commission for a particular section.

I believe that the Hon. Prime Minister quite well addressed the issues of the powers of the Minister. As I said, I could go through all of the legislation, from 1966 to present, which show that the Minister oversees an agency and does have certain powers. I need not take up the House's time much further.

I just wish to say only that some of people should not go grazing about the place because they end up dirtying themselves and smelling bad. I rest my case.

I ask that this Bill be read a second time. [*Applause*]

Mr. Speaker: Hon. Minister, I think a question is apposite here.

Mr. Trotman: Mr. Speaker, the rule states that after a Bill is read a second time, then it is referred to a Special Select Committee, but I may do so now. I wish to refer the Bill to a Special Select Committee.

Mr. Speaker: Hon. Minister Trotman, is it that you are asking the House for the Bill to be read a second time and then committed to a Special Select Committee?

Mr. Trotman: Yes, please.

Mr. Speaker: Grateful. Thank you. Hon. Members, we will proceed with the second reading of the Bill, bearing in mind that it is the second reading and then the Bill would be remitted to Special Select Committee for consideration.

Bill read a second time.

Bill referred to a Special Select Committee.

ADJOURNMENT

Mr. Speaker: Hon. Members, this concludes our business for this evening. We will meet again tomorrow.

Mr. Nagamootoo: Mr. Speaker, I move that this House be adjourned to tomorrow, Friday, 16th June, 2017 at 2.00 p.m.

Mr. Speaker: The House stands adjourned until tomorrow, Friday, 16th June, 2017 at 2.00 p.m.

Adjourned accordingly at 10.12 p.m.