

National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2008) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

Part I of III

66th Sitting

14:00h

Wednesday 3 December 2008

MEMBERS OF THE NATIONAL ASSEMBLY (68)

Speaker (1)

The Hon. Hari N Ramkarran SC, MP

Speaker of the National Assembly

Members of the Government (40)

People's Progressive Party/Civic (39)

The United Force (1)

The Hon. Samuel A A Hinds MP

(R# 10 - U Demerara/U Berbice)

Prime Minister and Minister of Public Works and

Communications (Absent – Performing the functions of the Office of the President)

The Hon. Clement J Rohee MP

Minister of Home Affairs

The Hon. Shaik K Z Baksh MP

Minister of Education

The Hon. Dr Henry B Jeffrey MP

Minister of Foreign Trade and International Cooperation

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The Hon. Dr. Leslie S Ramsammy MP

(R# 6 - E Berbice/Corentyne)

Minister of Health

The Hon. Carolyn Rodrigues-Birkett MP

(R# 9 - U Takutu/U Esseq)

Minister of Foreign Affairs

*The Hon. Dr. Ashni Singh MP

Minister of Finance

The Hon. Robert M Persaud MP

(AOL)

(R# 6 - E Berbice/Corentyne)

Minister of Agriculture

The Hon Dr. Jennifer R A Westford MP

(R#7 - Cuyuni/Mazaruni)

Minister of the Public Service

The Hon. Kellawan Lall MP

Minister of Local Government and Regional Development

*The Hon. Doodnauth Singh SC, MP

(AOL)

Attorney General and Minister of Legal Affairs

The Hon. Dr Frank C S Anthony MP

Minister of Culture, Youth and Sport

The Hon. B H Robeson Benn MP

Minister of Transport and Hydraulics

**The Hon Manzoor Nadir MP

Minister of Labour

The Hon. Priya D Manickchand MP

(R# 5 - Mahaica/Berbice)

Minister of Human Services and Social Security

The Hon. Dr Desrey Fox MP

Minister in the Ministry of Education

The Hon. Bheri S Ramsaran MD, MP

Minister in the Ministry of Health

The Hon. Jennifer I Webster MP

Minister in the Ministry of Finance

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The Hon. Manniram Prashad MP

Minister of Tourism, Industry and Commerce

*Mrs. Pauline R Sukhai MP - (AOL)

Minister of Amerindian Affairs

Mr. Donald Ramotar MP - (AOL)

The Hon. Gail Teixeira MP

Mr. Harripersaud Nokta MP

Mrs. Indranie Chandarpal MP, Chief Whip

Ms. Bibi S Shadick MP

(R# 3 – Essequibo Is/W Demerara)

Mr. Mohamed Irfaan Ali MP

Mr. Albert Atkinson JP, MP

(R# 8 - Potaro/Siparuni)

Mr. Komal Chand CCH, JP, MP

(R# 3 - Essequibo Is/W Demerara)

Mr. Bernard C DeSantos SC, MP

(R# 4 - Demerara/Mahaica)

Mrs. Shirley V Edwards JP, MP

(R# 4 - Demerara/Mahaica)

Mr. Mohamed F Khan JP, MP

(R# 2 - Pomeroun/Supenaam)

Mr. Odinga N Lumumba MP

Mr. Moses V Nagamootoo JP, MP

Mr. Mohabir A Nandlall MP

Mr. Neendkumar JP, MP

(R# 4 - Demerara/Mahaica)

*** Mr. Steve P Ninvalle MP

Parl'ry Sect'ry in the Min of Culture, Youth and Sport

Mr. Parmanand P Persaud JP, MP

(R# 2 - Pomeroun/Supenaam)

Mrs. Philomena Sahoye-Shury CCH, JP, MP

Parl'ry Sect'ry in the Min of Housing and Water

Mr. Dharamkumar Seeraj MP

Mr. Norman A Whittaker MP

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(R# 1 - Barima/Waini)

***Non-elected Member

*Non-elected Minister **Elected Member from TUF

Members of the Opposition (28)

(i) People's National Congress Reform 1-Guyana (22)

Mr. Robert HO Corbin

Leader of the Opposition

Mr. Winston S Murray CCH, MP

Mrs. Clarissa S Riehl MP

Deputy Speaker of the National Assembly

Mr. E Lance Carberry MP

Chief Whip

Mrs. Deborah J. Backer MP

Mr. Anthony Vieira - (AOL)

Mr. Basil Williams MP - (AOL)

Dr. George A Norton MP

Mrs. Volda A Lawrence MP

Mr. Keith Scott MP

Miss Amna Ally MP

Mr. Dave Danny MP

(R# 4 - Demerara/Mahaica)

Mr. Aubrey C Norton MP

(R# 4 - Demerara/Mahaica)

Mr. Ernest B Elliot MP

(R# 4 - Demerara/Mahaica)

Miss Judith David-Blair MP

(R# 7 - Cuyuni/Mazaruni)

Mr. Mervyn Williams MP

(Re# 3 - Essequibo Is/W Demerara)

Ms. Africo Selman MP

Dr. John Austin MP

(R# 6 - East Berbice/Corentyne)

Ms. Jennifer Wade MP

(R# 5 - Mahaica/Berbice)

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Ms. Vanessa Kissoon MP

(R# 10 - U Demerara/U Berbice)

Mr. Desmond Fernandes MP

(Region No 1 – Barima/Waini)

(ii) Alliance For Change (5)

Mr. Raphael G Trotman MP

Mr. Khemraj Ramjattan MP

Mrs. Sheila VA Holder MP

Ms. Latchmin B Punalall, MP

(R# 4 - Demerara/Mahaica)

Mr. David Patterson MP

(iii) Guyana Action Party/Rise Organise and Rebuild (1)

Mr. Everall N Franklin MP

OFFICERS

Mr. Sherlock E Isaacs

Clerk of the National Assembly

Mrs. Lilawtie Coonjah

Deputy Clerk of the National Assembly

PRAYERS

[The Clerk reads the Prayer]

The Speaker: Thank you. Please be seated.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker: Honourable Members, I have several announcements.

1. Resignation of Mr. Harry Narine Nawbatt as a Minister

Honourable Members, I have received a letter dated 6th November, 2008 from Mr. Harry Narine Nawbatt, who was Minister of Housing and Water, resigning his seat as a Member of Parliament effect from 10th November, 2008. With Mr. Nawbatt's resignation, a seat in the National Assembly became vacant. The vacancy is in accordance with Section 99(a) of the Representation of the People Act, Chapter 1:03 to be filled by a person whose name is to be extracted from the list of candidates from which Mr. Nawbatt's name was extracted. As Mr. Nawbatt's name was extracted from the People's Progressive Party Civic list of candidates, I have, in accordance with Section 99(a), of the said Act called upon the representative of the said list to further extract from that list the name of a person who is willing to become a Member of the National Assembly to fill the vacancy in that Assembly.

2. Declaration

Honourable Members, in accordance with Article 156 of the Constitution, as amended by the Constitution Amendment Act 2007, I hereby declare the seat of the Honourable Member Mt. James McAllister to be vacant, having received from the representative of the list of the People's National Congress Reform One Guyana a Notice of Recall dated 2nd December, 2008,

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issued to the Honourable Member Mr. James McAllister MP as provided for by Article 156(3)(c) of the Constitution, as amended by the Constitution Amendment Act 2007. The other formalities which are required to be complied with will be done in due course.

3. Invitation To All Members

Honourable Members, the Government of Guyana is inviting all Members of Parliament to attend the official launching of the position of the Government of Guyana on Avoided Deforestation. The launching is scheduled for Friday 5 December 2008 and will be held at the Guyana International Convention Center at Liliendaal at 15:00 H. The President will host a cocktail reception at the Centre at the conclusion of the launch.

The invitation will be circulated during the course of the Sitting.

PRESENTATIONS OF PAPERS AND REPORTS

The Speaker: Honourable Members, I present to the Assembly:

1. *Public Consultation on the Perceived Needs of the Chinese Community;* and
2. *Public Consultation on the Perceived Needs of the Amerindian Community*

delivered to me by the Ethnic Relation Commission.

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Honourable Minister of Finance.

Hon. Dr. Ashni K Singh: Mr. Speaker, I rise to present the:

1. *Annual Report of the Commissioner of Insurance for the year ended 31st December, 2007;*
2. *Audited Accounts of the Office of the Commissioner of Insurance for the year ended 31st December, 2007;*
and
3. *Treasury Memorandum pursuant to Resolution No. 63 of National Assembly dated July 1st, 2008 on the Public Accounts of Guyana for the years 2002 and 2003.*

Thank you.

QUESTIONS ON NOTICE

The Speaker: Honourable Members, there are 33 questions on the Order Paper:

- Questions Nos. 1 -18 are for written replies.
- Questions Nos. 1- 5 are in the name of the Honourable Member Mr. Mervyn Williams.
- Questions Nos. 6 and 18 are in the name of Honourable Member Mrs. Deborah Backer.
- Questions Nos. 7 - 8 are in the name of the Honourable Member Ms. Amna Ally.
- Questions Nos. 9 - 10 are in the name of Honourable Member Mr. Raphael Trotman.

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- Question No. 11 is in the name of the Honourable Member Mr. David Patterson.
- Question Nos. 12 – 16 are in the name of Honourable Member Mrs. Volda Lawrence.
- Question No. 17 is in the name of the Honourable Member Mrs. Clarissa Riehl.

These answers are therefore being circulated in accordance with the Standing Orders.

For Written Replies

SCHEDULE/LIST OF ALL PROJECTS UNDERTAKEN IN REGION #3 BY THE POOR RURAL COMMUNITY SUPPORT SERVICES PROGRAMME

Member Asking: Mr. Mervyn Williams, M.P.

Minister Answering: The Minister of Agriculture

(i) Could the Honourable Minister of Agriculture provide this National Assembly with a schedule/list of all projects undertaken in Region #3 by the Poor Rural Community Support Services Programme during its period of existence under the following headings:-

(a) Roads?

(b) Buildings?

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(c) Others?

(iii) Could the Honourable Minister of Agriculture provide this National Assembly with a full report of each project listed in 1 (a); 1 (b) and 1 (c) including in the report the following information:-

- (a) How many citizens were expected to benefit from the project?
- (b) How many people actually benefited?
- (c) In what ways did people benefit?
- (d) What is the present state of repair of the facilities provided?
- (e) Who is responsible for the maintenance of the facilities?
- (f) Who is responsible for the economic viability of the buildings?

(Notice Paper No. 268 (Q 187 Opp 182) published on 2008-10-16)

Answers:

Sec Appendix I

2. BUILDINGS AND OTHER PROJECTS HANDED OVER TO COMMUNITY BASED ORGANISATIONS

Minister Answering: **The Minister of Agriculture**

- (i) Could the Honourable Minister of Agriculture tell this National Assembly which buildings and other projects handed over to Community Based Organisations have subsequently been taken over by Neighbourhood Democratic Councils and the Regional Democratic Council?
- (ii) Is the Honourable Minister of Agriculture aware that it was a condition precedent to a building/community project being handed over to a Community based Organisation that that Community Based Organisation be registered under the Friendly Societies' Act?
(Notice Paper No. 269 (Q 188 Oppl83) published on 2008-10-16)

Answers:

- (i) “With respect to question (I) under this Notice Paper No. 269, there have been no buildings nor other projects officially hand over to Community Based Organisation which have subsequently been taken over by the NDC and RDC.

In the case of the Leonora Multi Purpose Building, there was the intention to hand it over to the Community based Group but this was never done.

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PRCSSP. Project Management recognized the weakness in the ad hoc nature of the Management of the Group.

Also, due to the imminent closure of the PRCSSP a decision was made to hand it over to the RDC.

ii) With respect to Question (ii) of Notice Paper No. 269. there is ambiguity of what the question attempts to clarify. The PRCSSP agreement does not specifically state that the Community Based Organisations he registered under the Friendly Societies' Act.

If it is that lion. Member of Parliament requires information concerning the Leonora Women's Group, I wish to advise that the Leonora Women's Group has been registered # 901 under the Friendly Societies Act Chapter 36:04 -See copy of Registration attached."

3. COMMUNITY BASED ORGANISATIONS

Member Asking: Mr. Mervyn Williams, M.P.

Minister Answering: The Minister of Agriculture

(1) Could the Honourable Minister of Agriculture tell this National Assembly if all of the Community Based Organisations which received buildings/projects were previously registered under the Friendly Societies' Act?

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- (2) Would the Honourable Minister of Agriculture provide this National Assembly with a list of all the Community Based Organisations in Region # 3 which have satisfied the financial accountability aspects of the Friendly Societies' Act up to the current date?

(Notice Paper No. 270 (Q 189 Opp 184) published on 2008-10-16)

Answers:

- (i) “Reference to the subject at caption and further to the answer to the Notice Paper No. 269. I wish to advise that not all of the Community Based Organisations which received building/Project were previously registered under the Friendly Societies Act. Some were previously registered under the Coop Societies Act and the Business Name Act.
- (ii) Reference to the question for the Minister to report on a list of all Community Based Organisation that have satisfied the financial accountability of the Friendly Societies Act, since the question generally refers to a list of all Community Based Organisation. it is more appropriate for the subject Ministry (Ministry of Labour and Social Security) to respond to this question.”

4. SATISFYING THEIR UNDERTAKINGS OF PROVIDING COMMUNITY SERVICE AS ENVISIONED BY THE PRCSSP

Member Asking: Mr. Mervyn Williams, M.P.

Minister Answering: The Minister of Agriculture

Could the Honourable Minister of Agriculture provide this National Assembly with a list of the Community Based Organisations which are currently satisfying their undertakings of providing community service as envisioned by the PRCSSP?

(Notice Paper No. 271 (Q190 Opp188) published on 2008-10-16)

Answers:

See Appendix II

5. RESERVED QUESTIONS PUT TO THE NATIONAL INSURANCE BOARD

Member Asking: Mr. Menyn Williams, M.P.

Minister Answering: The Minister of Finance

- (i) Could the Honourable Minister of Finance tell this National Assembly how many Reserved Questions were put to the National Insurance Board in 2003: 2004: 2005: 2006: 2007 and 2008 respectively?

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- (a) How many of these Reserved Questions sought a determination of the classification of an insured person i.e., whether the insured person was employed or self employed?
- (b) How many of the Reserved Questions relating to the classification of insured persons have been determined by the Board?
- (c) How many of the Reserved Questions relating to the classification of insured persons have not yet been determined by the Board?
- (d) Are there still undetermined questions re: the classification of insured persons pending for the years 2003, 2004, 2005, 2006 and 2007?
- (ii) Could the Honourable Minister of Finance tell this National Assembly if he is aware that several Reserved Questions addressed to the National Insurance Board have been systematically intercepted by management and determined at that level contrary to the National Insurance Act?

(Notice Paper No. 272 (Q 191 Opp 186) published on 2008-10-16)

Answers:

“I am advised of the following:

- (i) A total of eleven (11) reserved questions were put to the National Insurance Board for the period 2003-2008 as

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follows: 4 in 2003; 1 in 2004; 1 in 2005; 1 in 2006; 1 in 2007; and 3 in 2008.

- (a) There were five (5) cases which sought a determination of the classification of an insured person.
 - (b) All five (5) cases were answered by the Board.
- (ii) (c) There are no reserved questions still to be determined by the Board in relation to classification of insured persons.
- (d) There are no undetermined questions on the classification of insured persons pending for the years 2003 to 2007.
 - (i) Reserved questions addressed to the Board are all dealt with by the Board and not the Management of the Scheme.”

6. INMATES OF THE (GEORGETOWN PRISON

Member Asking: Mrs. Deborah Backer, MY.

Minister Answering: The Minister of Home Affairs

- (i) Could the Honourable Minister of Home Affairs tell this National Assembly how many prisoners were inmates of the Georgetown Prison on the following dates:
 - (a) 31st January, 2008;
 - (b) 29th February, 2008;
 - (c) 31st March, 2008;
 - (d) 30th April, 2008;

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- (e) 31st May, 2008;
 - (f) 30th June, 2008;
 - (g) 31st July, 2008;
 - (h) 31st August, 2008;
 - (i) 30th September, 2008?
- (ii) Could the Honourable Minister of Home Affairs tell this National Assembly how many of the prisoners listed at 1(a) to 1(1) were remand prisoners at the specified dates'?

(Notice Paper No. 276 (Q 194 OppI89) published on 2008-10-21)

Answers:

(i) Listed below are the numbers of prisoners that were in the Georgetown Prison on the dates indicated:

(a) 31 st January, 2008	-	1203 prisoners
(b) 29 th February, 2008.	-	1 210
(c) 31 st March, 2008	-	1152
(d) 30 th April, 2008	-	1157
(e) 31 st May. 2008	-	1099
(1) 30 th June. 2008	-	1091
(g) 31 st July. 2008	-	1099
(h) 31 st August, 2008	-	1127
(1) 30 th September, 2008-		1058

(ii) Of the amounts listed above at 1(a) to 1(1) the following were remanded prisoners at the dates specified. (Please note that in this document a remanded prisoner means a prisoner awaiting trial in the Magistrate Court or in the High Court).

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REMAND PRISONERS

#	Dates	In Magistrate Court	In High Court	Total
(a)	31 Jan, 08	653	61	714
(b)	29 Feb	652	66	718
(c)	31 March 08	641	65	706
(d)	30 April 08	626	68	694
(e)	31 May 08	606	67	673
(f)	30 June 08	597	73	670
(g)	31 July 08	586	79	665
(h)	31 August 08	604	75	679
(i)	30 Sept 08	566	73	639

**7. DISCONTINUATION OF THE GENERAL
CERTIFICATE OF EDUCATION EXAMINATION
(ADVANCED LEVEL)**

Member Asking: Ms. Amna Ally, M.P.

Minister Answering: The Minister of Education

- (i) Could the Honourable Minister of Education explain to this National Assembly his Government's rationale for considering the discontinuation of the General Certificate of Education Examination (Advanced Level) in all Government Schools?
- (ii) What were the facts or things taken into account by his Ministry in arriving at this decision?

(Notice **Paper** No. 290 (Q206 Opp201) published on 2008-10-27)

Answers:

The Ministry of Education has set up a Task Team to consider whether the UCE (Advanced Level) should continue to be run in schools. The main Ihetors being considered are:

- CSEC has completely replaced the GCE (ordinary level) several years ago and has worked to the satisfaction of the education sector.
- CAPE run by CXC has gained a high standard and recognition internationally.
- Financial resources can be beneficially utilized to support both CSEC and CAPE.”

8. NATIONAL STRATEGIC FIVE YEAR PLAN

Member Asking: Ms. Amna Ally, M.P.

Minister Answering: The Minister of Education

- (i) Could the Honourable Minister of Education provide this National Assembly with the financial details of the International funding for the National Strategic Five Year Plan identifying the specific expenditure for each sector of the Plan?
- (ii) Say how soon will this Plan he tabled in the National Assembly?

Answers:

“International funding of the Education Strategic Plan has been obtained in the amount of SUS20.5m as a grant to continue the EFA-FTI programme.

In addition, the sum of \$US0.750m will be utilized through the BEAMS Programme (IDB Loan) to continue the Literacy Programme in Primary Schools.

Government will endeavour to fund various components of the ESP through the budget and other sources based on overall sectoral needs and demands of the country.

2. There is no requirement to lodge the ESP in the National Assembly. When the ESP is printed it will be circulated to stakeholders and interested persons.

9. FIRE AT WARAMADONG SECONDARY SCHOOL DORMITORY

Member Asking: Mr. Raphael C. C. Trotman, M.P.

Minister Answering: The Minister of Education

- (i) Will the Minister of Education say if there will be an investigation into the deaths of Zanita Sam aged 11. Savylin David. aged 12 and Sharmileza George. aged

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13 who died as a result of a fire at the female dorm at the Waramadong Secondary School in Region 7?

- (ii) Is the Minister prepared to make the findings public?

- (iii) Will compensation be offered to the relatives of the victims of the fire?

(Notice Paper No. 293 (Q209 Opp204) published on 2008-10-27)

Answers:

“The Guyana Police Force and the Guyana Fire Service are investigating the Fire at the Waramadong Secondary School Dormitory which led to the deaths of three (3) students.

If it is warranted, the findings of the report will be made public.

There is no basis for consideration of compensation at this time.”

10. CORONER’S INQUEST

Mr. Raphael Trotman, M.P., asked the Attorney General and Minister of Legal Affairs the following question:

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Can the Honourable Attorney General and Minister of Legal Affairs state the current number of Coroner's Inquest pending in Guyana?

(Notice Paper No. 295 (Q211 Opp206) published on 2008-10-27)

By a written request of the Attorney General and Minister of Legal Affairs and with the approval of the Assembly, the answer to the above question was deferred.

**II. THE VALUATION DEPARTMENT —
MINISTRY OF FINANCE**

Member Asking: Mr. David Patterson, M.P.

Minister Answering: The Minister of Finance

- (i) The Valuation Division within the Ministry of Finance has been without a Chief Valuation Officer and a Deputy Chief Valuation Officer for over two (2) and eight (8) years respectively. Can the Honourable Minister state if and when these two important public offices will be filled?
- (ii) Can the Honourable Minister advise on the present employment of the CARICOM national with whom a contract was entered into for the position of Chief Valuation Officer?

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- (iii) Can the Honourable Minister advise on the current status of the equipment and furniture procured for the Valuation Division under the Urban Development Programme, noting that this Programme ended over one year ago?
- (iv) Can the Honourable Minister advise on the status of the proposed renovation works to the Valuation Division's offices in light of the fact that this office has inherited additional staff from the Urban Development Programme?
- (v) Is the Honourable Minister aware that the Valuation Division has been without a vehicle and a driver for over two years?
- (vi) Does the Honourable Minister agree that without access to these resources the functioning of this department has been and will be severely hampered? If so, can the Minister state if and when this situation shall be redressed?

(Notice Paper No. 299 (Q215 Opp210) published on 2008-10-27)

Answers:

- (i) "The Office of Chief Valuation Officer is currently occupied by the holder of an acting appointment since the passing away of the previous

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incumbent in 2006. A Deputy Chief Valuation Officer has not yet been identified.

- (ii) This arrangement was not concluded.
- (iii) These are currently assigned to the Valuation Division.
- (iii) Some amount of renovation works were done to the offices.
- (v) and (vi) Requisite resources are provided within prevailing constraints.”

12. VALID TENANCY AGREEMENT TO GUYANA POWER AND LIGHT INC.

Member Asking: Mrs. Volda Lawrence, M.P.

Minister Answering: The Prime Minister and Minister of Public Works and Communication

Would the Honourable Prime Minister explain to this National Assembly why Guyana Power and Light Inc. requires a tenant to be in possession of a valid tenancy agreement and also to produce the transport for the property rented before that person can be allocated a meter?

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(Notice Paper No. 300 (Q216 Opp21 1) published on 2008-
10-31)**

Answers:

“The answer to the above question is to be found in section 4(1)(a), (c) and (2) of the Third Schedule to the Electricity Sector Reform Act 1999 (the Act), which provides as follows (please note that delineations are merely for emphasis):

4(1) Prior to supplying electricity to any consumer requiring a supply of electricity pursuant to section 22. a public supplier may require such consumer to provide, in a form satisfactory to the public supplier —

(a) in any case in which the supply of electricity is requested for a building or erection and, in order to supply electricity, the public

supplier would be required to place electric wires or other electrical apparatus over, on or under land not owned by the owner or occupier of such building or other erection, documentation as to the identity of the person holding legal title to such land (other than governmental authority) and permission from such legal title holder for the placement of the electric wires or other electrical apparatus over, on or under such land

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(b) in any case in which a consumer requires a supply of electricity as

(c) the occupier of premises. documentation that such consumer is authorized to occupy the premises by —

(i) the Central Housing and Planning Authority; or

(ii) the legal title holder of such premises

(2) It shall be the duty of any person, from whom a consumer requests documents in order to provide them to a public supplier under subparagraph (I), promptly to provide the documents to the consumer or the public supplier.

Accordingly, pursuant to section 4(1)(a) of the Third Schedule to the Act, any person occupying a building on land not owned by him and to which he requires GPL to supply electricity, must provide GPL with documentation as to the identity of the person holding legal title to the land. Proof of identity to this effect is best served by the production of transport or certificate of title to the land. Further, under subparagraph 4(1)(e), a tenant must produce to GPL his tenancy agreement with the legal title holder of the premises in his application for the supply of electricity to the said premises.

Under subsection 4(2) of the said Schedule, the property owner is obligated to promptly provide such documentation to

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the consumer or GPL/public supplier when requested for the abovementioned purposes.”

13. EMPLOYEES OF GUYANA POWER AND LIGHT INC.

Member Asking: Mrs. Volda Lawrence, M.P.

Minister Answering: The Prime Minister and Minister of Public Works and Communications

Would the Honourable Prime Minister tell this National Assembly whether employees of Guyana Power and Light Inc. are authorised by law to go into a private property owned by or under the control of a citizen without receiving permission by that citizen to do so?

Notice Paper No. 301 (Q217 Opp212) published on 2008-10-31)

Answers:

“The answer to the above question is to be found in section 42(12) of the Electricity Sector Reform Act 1999 (the Act) and section 13 of the Third Schedule to the said Act.

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Under section 42(1 2). GPL has the right to the placement, construction, inspection, maintenance and repair of all of GPL's electrical installation located or to be located “along, over, under or across lands owned by private persons,” as may be necessary, with the permission of such persons “at reasonable times and upon three days notice.” Where permission is refused, the law gives the Minister the right to acquire such land on behalf of GPL. Further, section 42(12)(d) gives GPL the right to dispense with notice in cases of emergencies where it is necessary to ensure the proper or efficient operation of its electrical installations.

Particularly with respect to the issue of whether GPL can enter private premises to which electricity will be, is being or has been supplied, section 13 of the Third Schedule to the said Act provides as follows:

13. (1) Any Government Electric Inspector and any official authorized by a public supplier may at all reasonable times, on the production of some duly authenticated document showing his authority, enter any premises to which electricity will be, is being, or has been, supplied by the public supplier for the purposes of—
 - (a) installing, inspecting, repairing, altering or removing electricity meter, electric line, or other electrical apparatus on the premises;

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- (b) ascertaining the quantity of electricity supplied:

- (c) connecting or disconnecting the supply of electricity:

- (d) carrying out any other purpose of the Act or these Regulations.

and every consumer shall ensure that such persons are permitted to enter the premises at all reasonable times for those purposes.

(2) Any official exercising the powers of entry conferred by this paragraph may be accompanied by such persons as may be necessary or expedient for the purpose for which the entry is made. Accordingly, any officer of GPL, on production of authenticated documentation of his status with the company, is authorized to enter the premises of consumers within reasonable hours of the day for the above mentioned purposes. Persons accompanying the official of GPI, for above mentioned purposes are also authorized to enter the premises of the consumer. However, it should be noted that the entry of such persons cannot be by force, i.e., breaking of locks etc. Under subsection (1) the consumer is obligated to permit the entry of the said persons for the above purposes failure of which the consumer would be guilty of an offence under section 27 of the Schedule and liable to a fine and imprisonment.”

14. COMMUNITY WELFARE OFFICER

Member Asking: Mrs. Volda Lawrence, M.P.

Minister Answering: The Minister of Human Services and Social Security

- (i) Would the Honourable Minister of Human Services and Social Security tell this National Assembly in which Sub Region of Region No. 8 will the Community Welfare Officer be placed and at which location?
- (ii) What will be the Budgetary allocation for this Officer to travel around the sub-region?
- (iii) When will a Community Welfare Officer be appointed to the other sub-region in Region No. 8 and at what location the person would be based?

Notice Paper Nt). 302 (Q218 0pp213) published on 2008-10-31)

Answers:

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- (i) On the 1st day of October, 2008. in honouring a Manifesto promise of the PPP/C, a Probation and Social Services Officer was assigned to Region Number 8, Sub Region 2. The said Officer is based at Mahdia.

- (ii) The Officer shall receive enough resources from the Ministry's general budget as do other Officers, to travel around the Region and to fulfill her responsibilities therein.

- (iii) The Officer assigned to Region Number 8 shall visit regularly the oilier Sub Region. Continuous assessment of the Sub Region shall be done.

15. CYS 100 MILLION ALLOCATED TO SINGLE PARENTS

Member Asking: Mrs. Volda Lawrence, MS.

Minister Answering: The Minister of Human Services and Social Security

Would the Honourable Minister of Human Services and Social Security inform this National Assembly and the single parents in Guyana:

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- (i) Whether the distribution of the GYS 100 million allocated to single parents will be done before the 31 December, 2008?
- (ii) If it will be distributed before 31st day of December, 2008 when will this distribution begin?
- (iii) What are the main criteria that will be used to qualify single parents for receipt of this allocation?
- (iv) How many single parents are expected to benefit?
- (v) If it will not be distributed before the 31 day of December, 2008, could the Honourable Minister say why?

(Notice Paper No. 303 (Q219 0pp214) published on 2008-10-31)

Answers:

“The assistance plan for single parents is currently engaging the attention of the Cabinet.

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As soon as the plan is finalized a representative of the Government shall, through an appropriate method, inform the National Assembly about the contents of the plan and matters related thereto.”

16. SINGLE PARENT QUESTIONNAIRE

Member Asking: Mrs. Volda Lawrence, MP.

Minister Answering: The Minister of Human Services and Social Security

Would the Honourable Minister of Human Services and Social Security inform this National Assembly whether the information received from the recently acquired Single Parent Questionnaire will be used to add persons to the Public Assistance list?

Notice **Paper No. 304 (Q220 Opp215) published on 2008-10-31)**

Answer:

“The grant of public assistance is governed by the Poor Relief Act, Chap. 36:02. Certain procedures must be followed, and certain conditions complied with, under the Act before one can be granted public assistance.

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It is therefore beyond the jurisdiction of the Minister of Human Services to add persons to the public assistance list. The National Assembly may be interested to know, however, that unverified data suggests that in excess of 10% the registrants on the register have indicated that they are already in receipt of public assistance.”

17. LIST OF LEGISLATION

Member Asking: Mrs. Clarissa Riehi, M.P.

Minister Answering: Attorney General and Minister of Legal Affairs

Could the 1-lonourable Attorney General and Minister of Legal Affairs provide this National Assembly with a list of legislation his Government proposes to introduce in the National Assembly between December, 2008 and August, 2009?

(Notice Paper No. 308 (Q224 Opp2I9) published on 2008-11-04)

Answer:

Bills for December, 2008 to August, 2009

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“The practice regarding introduction of Bills in the National Assembly includes-

- (a) the request for the legislation by a Minister to the Cabinet;
- (b) submission of instructions from the Minister or the Office of the President to the Attorney Generals’ Chambers for the preparation of a draft Bill along the lines suggested;
- (c) the preparation and submission of the draft Bill to the Minister and the Office of the President;
- (d) circulation of the draft Bill to Members of Parliament and all other interested parties by the Minister for their views;
- (e) resubmission of the draft Bill to the Attorney Generals’ Chambers for finalization and transmission to the Minister for his approval for presentation to the National Assembly.

What is stated is a broad outline of some of the steps involved in the preparation of legislation. Some of the steps may be abridged while others may be extended.

Hereunder is a list of Bills that may be introduced in the National Assembly between December, 2008 and August.

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2009. Some of the procedures outlined above have in some cases in relation to the Bills been followed —

Bills

1. Fisheries Agency Bill
2. Mutual Assistance Bill
3. Justice Protection Bill
4. Time Limit for Judicial Decisions Bill
5. Maritime Zones Bill
6. Persons with Disabilities Bill
7. Physical Planning and Development Bill
8. Adoption of Children Bill
9. Custody, Contact, Guardianship and Maintenance Bill
10. Status of Children Bill
11. Child Care and Development Services Bill
12. Protection of Children Agency Bill
13. Child Protection Agency Bill
14. Sexual Offences Bill
15. Livestock Development Board Bill

16. Health Professions Bill
17. Health Protection and Promotion Bill
18. Private Security Service Regulations Bill

18. NUMBER OF PERSONS DETAINED FOR 72 HOURS OR MORE

Mrs. Deborah Backer, M.P. asked the Minister of Ionic Affairs the following question:

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Could the Honourable Minister of Home Affairs provide this National Assembly with a list of the number of persons detained for the year 2007, at each Police Station listed below, for 72 hours or more, who were subsequently released without any charges being preferred against them:

- (i) Sparendam Police Station
- (ii) Beterverwagting Police Station
- (iii) Vigilance Police Station
- (iv) Cove and John Police Station
- (v) Brickdam Police Station
- (vi) Providence Police Station

(Notice Paper No. 309 (Q225 Opp220) published on 2008-11-05)

At the request of the Minister of Home Affairs and with the approval of the Assembly, the above question was deferred.

For Oral Replies

Questions Nos. 19 - 33 are for Oral Replies.

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Now, where a Member who has a question is not present I will permit another Member, and I assume that you would have the authority to do so, to ask the question. So Member kindly ensure that you ascertain who are the persons who are required to ask questions, if they are present or if they are not, and who will ask the questions.

Let me just call the names of those who are to ask oral questions, so you would have the opportunity, so we would be able to proceed smoothly:

Honourable Member Dr. John Austin

Honourable Member Mrs. Deborah Backer

Honourable Member Mrs. Sheila Holder

Honourable Member Mrs. Latchmin Budhan-Punalall

Honourable Member Mr. Aubrey Norton

Honourable Member Ms. Amna Ally

Honourable Member Mr. Everall Franklin, and

Honourable Member Mr. Raphael Trotman

Thank you.

Honourable Member Dr. John Austin, please ask your question ...

Mrs. Deborah J Backer (for Dr. John Austin): Thank you very much Mr. Speaker. I have been authorized by Dr. Austin to ask the question standing in his name and I now so do.

Question No 19:

Could the Honourable Minister of Home Affairs inform this National Assembly how many persons have been charged under the provisions of the Combating of Trafficking in Persons, Act No 2/2005?

The Speaker: Hon. Minister of Home Affairs, you may reply ...

Hon. Clement J Rohee: Mr. Speaker, the problem I have with that question is that it does not say for what period, so unless I have a specific period that the question tells us, I would not be in a position to answer that

Mr. Winston S Murray: Mr. Speaker, is the Minister not aware that this Act came into being ...

The Speaker: Mr. Murray, you want to ask a question based on when the Act came into being, you can ask a Supplementary ...

Mr. Winston S Murray: Supplementary question, Sir. It is a supplementary.

The Speaker: Okay.

Supplementary Question No 1.

Mr. Winston S Murray:

Because I am inquiring of the Minister whether there are so many persons charged between the coming into being of

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this Act in 2005 and 2007 that it is a logistical nightmare for him to provide this information, or is it that he does not have the necessary information at his disposal to provide?

The Speaker: Hon. Member, you wish to respond?

Hon. Clement J Rohee: Mr. Speaker, I would prefer to have a more definitive period from those who are asking the question. It is not a logistical nightmare for me to answer the question.

The Speaker: Honourable Mrs. Backer ...

Mrs. Deborah J Backer: Mr. Speaker, I rise to ask the Honourable Minister questions standing in my name.

Question No 20:

Is the Hon. Minister of Home Affairs prepared to facilitate visits to the Brickdam and Alberttown police lockups for Members of Parliament who are so interested?

And this would be the Brickdam lockup at Brickdam and the Alberttown lockup at Alberttown.

The Speaker: Hon. Minister, you may reply ...

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Hon. Clement J. Rohee: Mr. Speaker, the answer to that question is *No*. I am not prepared at this point in time to allow visits to the lockup at either station or any station.

Supplementary Question No. 1

Mrs. Deborah J Backer:

Could I enquire of the Hon Minister if his reason ... if it is related ... if it is for security reasons that he is not prepared to allow this access at this time ... if it is for security reasons?

The Speaker: Hon. Minister ...

Hon. Clement J Rohee: Mr. Speaker, it is not for security reasons, because I think we can provide security. It is for other reasons.

Supplementary Question No 2

Mrs. Deborah J Backer:

Is the Hon. Minister prepared to share with this House what are the reasons then that he is denying Members of Parliament, when the newspapers said that Don Gomes, a citizen, a private citizen of this country has access to visit the lockups?

The Speaker: Hon. Minister ...

Hon. Clement J Rohee: I cannot go according to what the newspaper reports have said, but simply to say Mr. Speaker I

am not prepared at this stage to disclose the other reasons why.

The Speaker: Honourable Member, Mrs. Backer ...

Mrs. Deborah J Backer: Thank you very much. I ask Question No. 21 standing in my name:

Question No 21:

Could the Hon. Minister of Home Affairs tell this National Assembly whether his Government is prepared to immediately increase the academic entry requirements to the Guyana Police Force from a sound primary or secondary education, as is the present requirement, to that of a sound secondary education.

The Speaker: Hon. Minister ...

Hon. Clement J Rohee: Mr. Speaker, first of all the force's recruitment drive focuses on applicants who possess passes at the General Certificate in Education, at least English and Mathematics, or its equivalent, and they are also required to pass a written entrance examination set by the Minister of Education to determine suitability.

Secondly, those applicants without a secondary education or secondary school grounding are examined likewise to determine their suitability. Once successful, and another criteria ... they will be given an opportunity to join the force. Over the years, Mr. Speaker, applicants without the secondary grounding joined the force and have developed to become

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component police officers. While the ideal situation is to recruit applicants with the relevant academic qualifications, to refuse the other sector might be a little premature.

Supplementary Question No 1

Mr. Aubrey C Norton:

Could the Hon. Minister state if he is satisfied with the level of education and performance of the recruits at the present time?

The Speaker: Hon. Minister ...

Hon. Clement J Rohee: Mr. Speaker, giving the realities in Guyana, I would say *Yes* but one could never be satisfied. We are always striving to improve those qualifications.

Supplementary Question No 2

Mr. Aubrey C Norton:

Could the Hon. Minister outline to us what are those realities in Guyana?

Hon. Clement J Rohee: The realities I referred to, Mr. Speaker are the socio-economic and political realities. Thank you.

The Speaker: Honourable Member Mrs Holder ...

Mrs. Sheila VA Holder:

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*Will the Hon. Minister of Agriculture say
what price or prices ...*

Mrs. Deborah J Backer: Please, Mr. Speaker, I thought this was a supplementary. I have Question 22 which I have not touched on as yet.

The Speaker: Okay, I am sorry, Mrs. Holder.

Yes, Mrs. Backer ...

Mrs. Deborah J Backer: Thank you very much.

Question No 22 (1):

Can the Hon. Minister of Home Affairs inform this National Assembly whether citizens of Guyana and citizens of other countries held overnight at the Brickdam and Alberttown Police Stations lockups are provided with a bed, mattress, foam or any other type of bedding to sleep on?

The Speaker: Hon. Minister ...

Hon. Clement J Rohee: Mr. Speaker, when I was there in '68 and '89 we did not have bedding or anything to sleep on. Bedding and beds are not provided, lights are available ...

Mrs. Deborah J Backer: I want the first question, please, Minister, because I have a supplementary to that.

Hon. Clement J Rohee: No, beds and beddings when I was there ... No.

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Supplementary Question No 1

Mrs. Deborah J Backer:

Okay, is the Minister then aware that he is saying that between 1989 and 2008, a period of nineteen years, sixteen of which were under the watch of the People's Progressive Party, there have been no improvements in the sleeping conditions at Brickdam and Alberttown. Is that what he is saying?

The Speaker: Is that a conclusion?

Yes, Honourable Member ...

Hon. Clement J Rohee: That is precisely what I am saying.

Supplementary Question No 2

Mrs. Deborah J Backer:

Is the Minister aware that the absence of any type of sleeping material contravenes International Conventions to which Guyana is a signatory?

Hon. Clement J Rohee: I am not aware.

The Speaker: Honourable Member Mrs. Holder ...

Mrs. Deborah J Backer: This is supplementary. Sir, I have three questions ... three parts ...

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The Speaker: I have you listed here for Questions No. 21, which you asked already, and ...

Mrs. Deborah J Backer: 22 ...

The Speaker: ... Question No. 22.

Mrs. Deborah J Backer: ... which is in three parts, Sir; I have only put the first part to him.

The Speaker: All of that that you asked is just one part?

Mrs. Deborah J Backer: It is just to do with sleeping at the moment, Sir; we are now going to lighting.

The Speaker: Well, you have a time limit for these questions.

Mrs. Deborah J Backer: Yes Sir, very quickly.

The Speaker: You bear that in mind ...

Mrs. Deborah J Backer: Could the Hon Minister answer Part 22 (2) of the question?

Question No 22 (2):

Can the Hon Minister inform this National Assembly whether the Brickdam and Alberttown Police Stations' lockups have any lights?

Hon. Clement J Rohee: Well, I told you. Well, there is light at Brickdam but no light at Alberttown.

Mrs. Deborah J Backer:

Question No 22 (3):

Can the Hon Minister inform this National Assembly whether the Brickdam and Alberttown Police Stations' lockups have functioning toilets and bathrooms?

Hon. Clement J Rohee: They do, Mr. Speaker.

Supplementary Question No. 1 of 22(3)

Mrs. Deborah J Backer:

Is the Hon. Minister aware that there are several persons who have spent an overnight in the Brickdam Lockups, who have sworn to affidavit that there are no functioning toilets and they were forced to defecate on the floor of the lockup at Brickdam. Is he aware of that?

Hon. Clement J Rohee: I have not seen such affidavits, Mr Speaker.

The Speaker: Yes, Mrs. Backer.

Mrs. Deborah J Backer: No...

The Speaker: You are finished now?

Mrs. Deborah J Backer: Yes.

The Speaker: Mrs Holder.

Question No. 23:

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Mrs. Sheila VA Holder: Mr Speaker, I see that the Hon Minister is not present but I can still ask the question if somebody else has the answer. If not, I am requesting that the question be rolled over, please.

The Speaker: Is there anybody in a position to answer Mr Persaud's question? There is nobody apparently.

Honourable Member Mrs Latchmin Budhan-Punalall ...

Question No. 24:

Mrs. Latchmin Budhan-Punalall: Thank you, Mr Speaker.

My question is addressed to the Hon Prime Minister, but he is not here, and Minister of Works and Communication.

The Speaker: Is there anybody in a position to answer questions on behalf of the Prime Minister?

Question No. 25:

Mrs. Latchmin Budhan-Punalall: I also have here Minister of Works and Communication.

The Speaker: Is not one person? The Prime Minister holds that portfolio.

[Inaudible]

The Speaker: That is one person, Honourable Member, and he is not here, and nobody seems prepared to answer any question on his behalf.

Mrs. Latchmin Budhan-Punalall: Okay, **Question No. 25**, to the Minister of Housing and Water.

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The Speaker: There is no such Minister, Honourable Member; that Minister has resigned. I can ask if there is any Member on the Government side who is in a position to answer a question relating to the Ministry of Housing and Water.

Question No. 26:

Mrs. Latchmin Budhan-Punalall: The Minister of Health, No 26 ...

The Speaker: There is no such person ... we are still at Housing and Water. There was no response to my question, so we will have to ... that question will have to be asked at another time.

No 26, Honourable Member; I see the Minister of Health is here ...

Mrs. Latchmin Budhan-Punalall:

Can the Hon. Minister of Health tell us when again the Mahdia Hospital will be equipped with a working ambulance?

Hon. Dr. Bheri S Ramsaran: The Ministry of Health will, within the next two weeks deploy to the hospital, the Mahdia hospital, a working ambulance.

Question No 27:

The Speaker: Honourable Member Mr. Aubrey Norton.

Mr. Aubrey C Norton:

Could the Hon. Minister of Foreign Affairs outline Guyana's policy vis-à-vis Venezuela at present?

Hon. Carolyn Rodrigues-Birkett: Guyana's policy towards Venezuela, as with all of its neighbors, is premised on the principle of good neighborly relations. Guyana's policy with Venezuela is therefore aimed at ensuring closer relations and co-operation based on mutual respect; the tenets of international law and the fostering of deeper understanding at both the formal and informal levels.

Supplementary Question No. 1

Mr. Aubrey C Norton:

Could the Hon. Minister state if in pursuance of her policy with Venezuela we will still use the approach of concentricism in foreign policy and if that is the case, how are we approaching it?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, in response to that question our policy has not changed very much from what it has been in the past, and as I said, it is based on mutual respect, the tenets of international law and the fostering of deeper understanding.

Supplementary Question No 2

Mr. Aubrey C Norton:

Mr. Speaker, I did ask if it is still going to be approached based on a concentricism,

and I would like to know how we will approach it?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, I have answered the question already and the Honourable Member is aware of the policy.

Supplementary Question No 3

Mr. Aubrey C Norton: Mr. Speaker, I do not agree but I want to ask again, let's assume that it is answered.

Could you state where in this concentricism does the Caribbean region falls?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, as I said before, we are going to ... we have always approached our policy with Venezuela based on international law, and we are a Member of CARICOM, and whenever we have to consult on that level we will so do.

Question No 28:

The Speaker: Honourable Member Mr Norton.

Mr. Aubrey C Norton:

Could the Hon Minister of Foreign Affairs state when will there be promotions in the Ministry of Foreign Affairs?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, we just had promotions in the Ministry of Foreign Affairs.

Supplementary Question No 1

Mr. Aubrey C Norton:

Mr. Speaker, the question came before the promotions.

What I want to ask now Mr. Speaker is if any mechanism was put in place to compensate those people who were not promoted in the last ten years, since the Minister would be aware that the last promotion was in 1998?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, the promotions are from various dates, so I do not want to call it compensation, because promotions are not always based on the year's work but based on merit.

Supplementary Question No 2

Mr. Aubrey C Norton: One final question.

Could the Hon. Minister outline to this National Assembly why it took the Government ten years to have promotions in the Ministry of Foreign Affairs?

Hon. Carolyn Rodrigues-Birkett: I think it is never too late Mr. Speaker and I think this is the right time.

Supplementary Question No 3

Mr. Aubrey C Norton:

Mr. Speaker I think this House needs to know why is it a Ministry in which people are working hard and are supposed to be defending the territorial integrity of this country, why it took that Ministry ten-years to have promotions and we need to know?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, I do not think the Ministry of Foreign Affairs is different from other public service Ministries and I think that there was a period in this country when we had no Public Service Commission as well and that may have also played a part in not having promotions as well.

Question No 29 (1):

Mr. Aubrey C Norton: No 29.

Mr. Speaker, could the Hon. Minister of Foreign Affairs update this Honourable House on what aspect of the Strategic Plan of the Ministry of Foreign Affairs has been accepted by Government?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, the Ministry's Strategic Plan is an expression of the goals and objectives to be achieved over a period of four years and it gives focus to the Ministry's work and bench-marks for achieving our goals and objectives in keeping with the foreign policy adumbrated by the Government of Guyana. The plan is being continuously reviewed and implemented depending

on the priorities, existing realities and the availability of resources.

Supplementary Question No 1

Mr. Aubrey C Norton:

Mr. Speaker, the Honourable Minister will be aware, that the former Minister; Minister Insanally told the Committee on Foreign Relations that there were different parts that were accepted, different parts were rejected and that we will be briefed as to what those elements are that are accepted and those that are rejected. Could we be told what they are?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, there are things that might be rejected at one time that might be reviewed at another time, depending on the changes or the amendments in our foreign policy. So that is why I said *continuously being reviewed*. For instance, we have promotions was one part of the Strategic Plan and we have dealt with that. The issue of the ... Guyana's submission for an extended continental shelf, we have passed an allocation in this House for that, so there are various aspects that we are working and it depends on our priorities and also the resources at our disposal.

Question No 29 (2):

Mr. Aubrey C Norton: Mr. Speaker, her answer puts me right into the next question:

What is the rationale for those accepted and those rejected?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, as I said, I would not want to say that there are complete aspects at this time that are totally rejected; you might be able to look at one or two areas and be able to accept parts of those. So I am not in a position at this time to say well, that fifteen have been rejected and twenty have been accepted, for instance.

Supplementary Question No 1

Mr. Aubrey C Norton:

Mr Speaker, the plan calls for appointment to the Ministry of highly qualified people that can do the job. Could the Minister say if this is being done and how many people have been employed as a result of this element of the Strategic Plan?

Hon. Carolyn Rodrigues-Birkett: Mr. Speaker, we normally would look in our Ministries where there are persons that can fit those positions that are eligible for promotion, and as I mentioned we just had twenty-one such promotions. There have been some other appointments as well into some other positions, so we have been following that aspect of the Plan as well.

Mr. Aubrey C Norton: Mr. Speaker, I will withdraw the last question since answers are not forthcoming.

Question No 30

The Speaker: Honourable Member Ms. Amna Ally ...

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Ms. Amna Ally: Thank you, Mr. Speaker. My question is directed to the Minister of Education:

Could the Hon. Minister of Education inform this National Assembly of the circumstances leading to the injury of a teacher at Hackney Primary School on Tuesday, 14 October 2008, which lead to her hospitalization at the Charity Hospital?

The Speaker: Honourable Minister of Education ...

Hon. Shaik K.Z Baksh: The first point is that no teacher from the Hackney Primary School was hospitalized at the Charity Hospital ... *[Interruption]* ... Further, a step from the stairway at the Hackney Primary School became loose and a teacher fell down and sustained minor injuries. She was taken to the Charity Hospital where she received medical attention and was sent home the same day. Maintenance work has since been carried out to ensure no recurrence.

Question No 31

The Speaker: Honourable Member Ms. Ally ... sorry, yes, you have another question?

Ms. Amna Ally: Question 31, Mr Speaker:

Could the Hon. Minister of Education explain to this National Assembly why nothing has been done to address the

*prolonged flooding at the Liberty Primary
Scholl in the Pomeroun Region?*

And secondly;

Supplementary Question No 1

*What is proposed to be done to remedy this
situation and how soon will this be done?*

Hon. Shaik K.Z Baksh: It is not correct to state that nothing has been done to address the flooding problem at the Liberty Primary School in the Pomeroun, which occurs when there is an exceptionally high tide. The Regional Administration has cleaned and cleared the drains and has raised the walk-way from the dam to the school. I have been assured that improvement works will be done in 2009.

Supplementary Question No 2

Ms. Amna Ally:

*Could the Hon Minister indicate when last
he has personally visited the Liberty
Primary School in the Pomeroun River?*

Hon. Shaik KZ Baksh: I have not recently visited.

Supplementary Question No 3

Ms. Amna Ally:

*No, Sir it was a very specific question;
when last?*

Hon. Shaik K.Z Baksh: I have never visited.

Ms. Amna Ally: You do get around, don't you?

Question No 32

The Speaker: Honourable Member Mr. Franklin ...

Mr. Everall Franklin: Thank you Mr. Speaker. To the Minister of Home Affairs:

Question 32 (1)

Does the Guyana Police Force perform ballistic tests on weapons under its control?

And the second part:

Question 32 (2)

Are ballistic tests carried out on weapons held by other security personnel, for example Army, CANU, City Constabulary, etc?

Hon. Clement J Rohee: Mr. Speaker, the answer to that is yes, the system was implemented in 2005, and all new firearms are tested for ballistic standard before being licensed. This principle is applied to weapons being renewed by licenses including City Constabulary, CANU, but save for military weapons which do not require licenses and are not tested by the Guyana Police Force.

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Supplementary Question No 1

Mr. Everall Franklin:

The Guyana Police Force in particular, Sir, am I to understand that because personal licenses are not issued for those weapons that no ballistics are done on weapons used by the Guyana Police Force per se?

Hon. Clement J Rohee: No, I am not saying that. I am saying it is a standardized system applied to all firearms, even if it is a personal firearm issued to a member of the Guyana Police Force.

Mr. Everall Franklin:

All right, so now we are clear; let us forget the personal firearms ... arms that are in the strong room of a police station used by the Guyana Police Force. Are these weapons ballistics being controlled; yes or no, Sir?

Hon. Clement J Rohee: Yes, they have to be.

Supplementary Question No 2

Mr. Aubrey C Norton:

Could I ask the Hon. Minister then to explain how it is in a recent case the Police

could not determine whether a round had come from their weapon or somebody else?

Hon. Clement J Rohee: Mr. Speaker, I need more specifics in respect to that.

Question No 33 (1)

The Speaker: Honourable Member Mr. Trotman.

Mr. Raphael GC Trotman: Thank you Mr. Speaker. Mr. Speaker, this is a question for the Minister of Education:

Could the Honourable Minister of Education tell this National Assembly if the relatives of Tenesha De Souza received compensation for her death from drowning in a pit latrine whilst attending school at the Santa Rosa Primary School, Moruca, North West District?

Hon. Shaik K.Z Baksh: As far as I am aware, no compensation has been paid to the relatives of Tenesha De Souza.

Supplementary Question No 1

Mr. Raphael GC Trotman:

Does the Hone Minister consider it appropriate, some gesture of good faith for even an ex gratia payment to be made to the family as compensation for her death?

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Hon. Shaik KZ Baksh: That has not been considered or is it under consideration.

Question No 33 (2)

Mr. Raphael GC Trotman: Second question Mr Speaker:

What steps, if any, are being taken to review the government's policy of providing flush toilets at all schools in Guyana?

Hon. Shaik KZ Baksh: There is no need to review policy of providing flush toilets to all schools. The Ministry of Education and the Regional Administrations have been building sanitary blocks with flush toilets on an ongoing basis. The Ministry will continue to promote the building of flush toilets in keeping with its non-academic standards. However, this will depend on financial resources, availability of water supply and topographic factors.

Question No 33 (3)

Mr. Raphael GC Trotman: Third question:

Can the Minister of Education confirm whether on Wednesday, 22 October 2008 a female first form student at the Annai Secondary School in Region 9, did in fact fall into a pit latrine and sustain injuries, though not, fortunately, death?

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Hon. Shaik KZ Baksh: The regional administration has reported that no female first form student fell into a pit latrine at the compound of the Annai Secondary School, Region 9.

Supplementary Question No 1

Mrs. Deborah J Backer:

Could the Hon. Minister say whether his report revealed any child, male or female, at the Annai Secondary School in Region 9, whether there was an incident involving any child falling into a pit latrine?

Hon. Shaik KZ Baksh: There was no such incident.

PRIVATE MEMBERS BUSINESS

The Speaker: Honourable Member Mrs. Holder, you may proceed with the Motion in your name.

Mrs. Sheila Holder: Thank you very much Mr. Speaker.

It is, from my perspective, a very bad omen for all the Guyanese people when the need has arisen for me to come to the National Assembly to urge Government to respect the fundamental rights and freedom of the people in Linden and Wismar.

Regrettably these are the testing times in which we live, so I have no other choice than to move:

WHEREAS Article 156 (1) of the
Constitution of the Republic of Guyana provides for

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the protection of fundamental rights and freedoms of citizens and is the supreme law of the land and directs, and I quote:

Except with his own consent, no person should be hindered in the enjoyment of his freedom of expression, that is to say, freedom to hold opinions without interference; freedom to receive ideas and information without interference; freedom to communicate ideas and information without interference; and freedom from interference with his correspondence.

And WHEREAS the people of Linden and Wismar have expressed to the leadership of the Alliance For Change their frustration and anger at being denied the right to access local and external television channels other than NCN Channels 11 and 8, operated by the state.

BE IT RESOLVED that the National Assembly endorses the fundamental rights of these citizens to receive ideas and information without interference by television media other than those which are provided by NCN.

And BE IT FURTHER RESOLVED that the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators of private television channels in Guyana, the right to relay and beam

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their channels in Linden and Wismar without having to attain additional licenses and pay additional fees.

Mr. Speaker, Apart from Article 156, Section (1) of the Constitution that enshrines these rights, the right to chose, is a basic consumer protection right that has been fought for and won many decades ago. What is even more troubling about this situation is that citizens of Georgetown and indeed, citizens of Region 3, 4, 5, 6 and 9 generally have access to several private and foreign television channels as well as the state media, where possible.

So to deny citizens of Linden these same rights when local investors are willing to provide such a service and when other licensed operators of private television stations have expressed the willingness to extend their services to Region 10 is unlawful, discriminatory and also in breach of Article 34 of the Constitution which places the duty on the State to enhance the cohesiveness of the society by eliminating discriminatory distinctions between classes, between town and country, and between menial and physical labor.

But worse than that, Mr. Speaker, is the greater cause for concern which this situation presents in the context of developing our fledgling democracy, since along with transparency and accountability; freedom of thought and expression form the very rationale needed for constructing a democratic society. It was the Commonwealth Law Ministers who declared in 2002 that, and I quote:

The right to access information is an important aspect of democratic accountability and promotes transparency

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and encourages full participation of citizens in the democratic process.

With the current policy of monopoly control of the television airwaves in Region 10, Government has disallowed citizens from fully participating in the affairs of their town and in the affairs of this country. Therefore, I have no choice but to conclude that the intent of the administration is to deny citizens of this region the right to entertain a wide cross-section of views, emanating from local/foreign sources in the areas of social, economic, political and cultural affairs. But more specifically, I must conclude that the intent is to foist on the people of Linden, views emanating only from the Government. This imposition demonstrates beyond a shadow of doubt that this administration has targeted these citizens for punishment and is prepared to violate the supreme law of the land to carry out a sort of a vendetta against them.

What could have ruffled this Government to such an extent? Mr. Speaker, I hazard a guess that one reason for such a policy could be the Linden people's political preference as demonstrated at the last national general elections. *[Interruption: 'Nah !']* It is therefore an act of punishment being directed at this region, the intention being to peddle propaganda and to spread fear among the people, but history should tell this Government that they are tangling with the wrong people, because the people of Linden are strong-willed and spirited in their independence. *[Applause]*

When a Government acts unfairly as this one has done, it is usually a sign that the end is near but in the meantime, such vindictiveness has far-reaching consequences for the rest of the society.

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The evidence of it is all around us to see, in the disregard for the law as exhibited by the populace at large; by the daily display of uncivil and uncaring behavior among our people; by the propensity for, and tolerance of all sorts of criminal behavior thereby threatening the very fabric of our society, that as the Government they should be seeking to improve by the conduct they themselves display.

Mr. Speaker, this Motion was brought to the National Assembly because I was alarmed by the anger and strong feelings expressed by the people of this Region about the quality and standard of the programs being aired by NCN television channel, while Government has refused to license other television providers. I have indeed noticed Berbicians are also raising their voices against the censorship and the biased programming in favor of the governing political party and its political directorate.

Like the Lindeners, the Berbicians consider this imposition an insult to their intelligence. We in the Alliance For Change understand their anger because we have also suffered injustices at the hands of the Government-controlled NCN during the 2006 general elections. The Alliance For Change had cause then to issue a press release dated 14 July 2006 condemning the refusal of the state's media to air our political advertisements on the Voice of Guyana, 98.1 FM radio station and our 15-minute television infomercial program, *Alliance on the Move*, on the Linden television channel even though bookings for them had been accepted and paid for.

For four weeks, NCN accepted the Alliance for Change's programs, which were transported to Linden at a cost to the party, but which NCN, without notification, never aired. When an explanation was demanded this government

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television station informed us that it had taken the decision not to air any political ads until after Nomination Day. Meanwhile, the rates for the Alliance For Change skyrocketed by over 300%. By denying the Alliance For Change access to government's monopoly-controlled NCN television and radio stations, this government violated civil conventions to which it is obligated.

Today these violations are targeting citizens in Linden, so I bring to the attention of the House Article 19 of the Universal Declaration on Human Rights. It states and I quote:

Everyone has the right to freedom of opinion and expression. The right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any medium, and regardless of frontiers

Similarly, Article 19 of the International Convention on Political and Civil Rights states, and I quote:

- 1. Everyone should have the right to hold opinions without interference.*
- 2. Everyone should have the right to freedom of expression. This right should include the right to seek, to receive and to impart information of all kinds regardless of either orally, in writing, or in print, in the form of art or through any other medium of his choice.*

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The fact that the PPP/Civic party, which fought for decades to end the trampling of its political rights should think nothing of trampling the political rights of others, serves greatly to destroy the trust that ought to prevail in our political process and in our Government.

Recently, the Commonwealth Human Rights Institute in India had this to say about Governments that behave as this one is doing, and I quote:

In robust democracies the media acts as watchdogs, scrutinizing the powerful and exposing mismanagement and corruption. It is also the foremost means of distributing information. Where illiteracy is widespread, radio and television have become vital communication links. Unfortunately, this power to reach the masses has often been perceived as a threat by closed Governments, which have carefully regulated private ownership of the press and attempted to curb the media's ability to gather news, investigate and inform. Zimbabwe's repeated attempt to close the independent daily newspaper is an example of this sinister tendency. Satellite television and the internet are now slow inroads but even the content of these are sometimes restricted.

For what is worth, I want to urge the Members of the Government side to allow the people of Linden access to

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television channels other than those provided by the state media. I want to urge them to show respect for our Constitution and the many international conventions to which Guyana is obligated.

During a recent sitting of this House we were regaled by Members Nandlall and Lumumba about how it was that this Government aimed to be fair and lawful. Well, gentlemen, you and your Government are being put to the test this afternoon and the masses are watching to see what you will do.

Mr. Speaker, in closing, I am proposing an amendment to the Motion standing in my name to include the words *and other communities in Region No. 10* in the two relevant clauses of the Motion, as requested by residents specifically of Kwakwani and the other communities of Region No 10. I close with the words of Ignacio Alvarez, special rapporteur for freedom of information, the International American Convention on Human Rights, and I quote:

We are currently confronted by another failure: indirect restrictions the current guise of legality to administrably deny or restrict the freedom of expression; it is the cosmetics of state demeanor.

Thank you very much. *[Applause]*

The Speaker: Thank you, Honourable Member,

Honourable Member Mr Corbin ...

Mr. Robert H O Corbin: Thank you, Mr. Speaker.

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I wish to say at the outset that the People's National Congress Reform has absolutely no difficulty in giving unequivocal support to this Motion before the House raised by the Alliance For Change. Since this matter of access of the people of Linden to the media, and particularly to independent broadcasting is not a new one that arose a few months ago, but one which falls into a wider context of media in Guyana, which the People's National Congress Reform has been championing for a number of years.

And so I would like to put in proper perspective, because if it is looked at only in isolation of Linden, then we may lose the total picture of what has been happening in terms of monopoly of the state media by the Government, which is reflective of what happens at Linden, and it is only highlighted there because of the fact that the Government unilaterally removed from Linden access to their own television station which they had control of, and imposed supervision of the television media by the state media in that community.

I had hoped that the Member who moved the Motion was fully ... would have elaborated on all the facts, but perhaps, those reported ... she said reported to the Alliance for Change ... did not elaborate on all the issues surrounding the broadcast at Linden. Later in this debate, I believe the Member of Parliament from Linden will put the total perspective of this issue of broadcast at Linden in a wider perspective.

But I want to start by saying that in 2001, the late Leader of the Opposition, Mr. Hugh Desmond Hoyte signed a Memorandum of Understanding with President Jagdeo to establish an Advisory Committee on Broadcasting, and this

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was at the end of a prolonged period of discussion between the Government, the PPP and the PNCr about the issue of independence of the media, state media in Guyana.

By 2001, the Special Committee which was established between the PPP Government and PNCr under then Leader Mr Hugh Desmond Hoyte received a report from that Committee which was set up to deal with radio monopoly, non-partisan boards and broadcasting legislations. The report and recommendations of that Committee, Mr. Speaker, were adopted by President Jadgeo and Leader of the Opposition, then Mr. Hugh Desmond Hoyte, in December of 2001 and the objective of that report, among other things, was to ensure that political control over the state media in Guyana should be completely removed.

The late Member of that committee who headed our team on the part of the PNCr, Mr. Deryck Bernard, was very forthright in reporting to then leader of the Opposition and I think to the nation, that there was unanimity in the recommendations, and I think those sentiments were repeated by not the late but the present and active Member of this House, the Honourable Member Ms. Gail Teixeira, on several occasions I heard her, that the recommendations of this Committee were unanimous and there was cordiality in arriving at decisions of this Committee on Broadcasting.

That Committee agreed, Mr. Speaker that among the recommendations there should be established in this county:

1. An independent broadcasting authority;
2. That they should be removed from political control;
3. Licensing of televisions stations;

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4. That there would be objective criteria established for setting standards of broadcasting in Guyana; and
5. Radio will be liberalized in this country; and
6. There will be independent radios stations in this country.

2001, Mr. Speaker. In the interim, to demonstrate allegedly the commitment of the Government to have this matter expedited, an interim arrangement was put in place to begin to monitor what was happening in the media, and that is how the ACB came into being. The Leader of the Opposition made a nomination of one person; the Government made another nomination and there was a Chairman agreed upon, that would have overseen standards of broadcasting in this country.

The life of that advisory Committee should have been very short-lived, because it was expected that broadcast legislation would have been brought to this House expeditiously in keeping with the recommendations of that ACB. Mr. Speaker, I have spoken in this House on this matter before ... on several occasions about it, but it needs to be put in the context of this ... What happened after then was not only complete foot-dragging, but back-tracking. Because what resulted from that exercise was a draft legislation that was circulated that completely ignored these *unanimous* recommendations of this Committee that the Honourable Member Gail Teixeira was happy to announce publicly. The report of the Committee speaks for itself ... and the Committee recommendations were agreed upon but the draft legislation completely avoided the major recommendations,

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essentially placing back under political control all the essential decisions in relation to broadcasting.

When the draft was seen and these issues were raised it was obviously a careful strategy to create further delay as we have seen in many others instances. The draft was withdrawn and nothing more was heard of it, notwithstanding this issue has been the subject matter of constant discussion, debate and argument between the Government and the People's National Congress Reform.

And so, Mr. Speaker in 2003 after a period of hiatus including a boycott of this Parliament by us, the People's National Congress, we agreed that we should try to create a new environment to have progress. This issue of non-implementation of these agreements was one of the reasons we boycotted this Parliament, and so in 2003, Mr. Speaker, on May 5, a few months after I assumed responsibility as Leader of the Opposition, as Leader of the PNC rather, and agreed to come into Parliament as Leader of the Opposition, there was a communiqué signed between President Jadgeo and myself, which was given wide publicity, the basis upon which I came in and took the oath as Leader of the Opposition, and I want to read and quote from a section of that communiqué, so that Members would not think that we are dreaming this story up.

Section 2(4) of that communiqué stated, and I quote:

Radio monopoly and non-partisan boards: the President and the Leader of the Opposition...

This is not Mr. Hoyte's initiative of 2000 that was finished in 2001; I am speaking now of a new initiative by your humble

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servant, that is, the Leader of the Opposition agreed to the following, and I quote:

In accordance with the guidelines agreed by the joint committee in its final report, the appointment of non-partisan boards of directors of state owned media and the NFMU was approved and would be implemented within four months.

The draft broadcasting legislation which would include provisions for the creation of a National Broadcasting Authority would be ready for consultation within two months and be laid in the National Assembly within four months from the 1 May 2003. Equitable access ... equitable access based on Parliamentary representation in the state owned media by all Parliamentary parties as distinct from Government would be instituted without undue delay ...

2006 ... Mrs. Holder, welcome to the club. This 2003, *without undue delay*, from 6 May 2003:

The independent national broadcasting authority would be the license issuing authority for all commercial licenses and commercial frequencies for radio and television. The NFMU, that is the National Frequency Management Unit, would be responsible for providing technical advice to the National Broadcasting Authority for the granting of commercial frequency licenses.

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The interim broadcasting committee would be disbanded immediately the NBA comes into existence, taking into consideration the options presented in the final report of the joint committee, the relationship between the NFMU and the National Broadcasting Authority will be determined after the consultations on the draft broadcasting legislation. There will be a freeze on the granting of all new....

And I underline here, new:

...commercial frequencies for television and radio by NFMU, until such time as the new broadcasting legislation comes into effect.

And I need to underscore that it was intended *to be in four months*:

Both leaders agreed that priority would be given by the National Broadcasting Authority to the granting of commercial radio licenses using the statutorily enshrined criteria which emphasized high standards on broadcasting and serious penalties for their infringement.

Mr. Speaker, this was published by the late editor of the Stabroek News as a special supplement in full, so this was not a secret document, and indeed it was well publicized and as I said, the basis upon which we believed that a new era of co-operation would have ensued in this country in terms of media.

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When in December 2008, Mr. Speaker, we can hear a Motion has to come to this House asking that the people of Linden have equitable access to other television channels, that alone explains the incompetence, the unreliability, the bad faith and the political chicanery that is at work when the Government of this country makes pronouncements, makes lofty decisions, and it is dangerous when the words and signed documents by a Government cannot be relied upon by the citizens of a country.

It is a sad day, and that is why if I might take ... as an aside I wonder how the Minister of Human Service who is looking so intently, and I thank her for her attention, because she is not to blame in this matter, she was not around here then, so I am giving her the history, but I want to give her notice that I hope next year we do not have somebody else moving a Motion to find when the single parents relief that was announced loudly on television by the President of this country, when we had this global food crisis, as one of the urgent measures to cushion the impact of global increase in prices. When will this assistance to single parents be made available to this country? Would it be waiting for another eight years, like this agreement? So I am giving her notice so that she does not fall into the same boat long from now. *[Interruption]*

I know it hurts, it hurts, and it is shameful indeed for you to have signed an agreement, shameful! I agree with you. Very shameful indeed, Mr. Speaker, for the Special Advisor to the President to have sat on a Committee and made such vehement recommendations, and now is a Special Advisor to the President and cannot see any of them implemented. I want to hear her, Mr. Speaker! I agree with you! *[Interruption]*

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And so, Mr. Speaker, we want to see the kind of chicanery that was at work here. I raised this matter in every subsequent meeting with the President of this country. We have had all kinds of excuses, all kinds of excuses, but what has happened in the meantime there has not only been a failure to implement this decision, but what has happened there has been a further incursion on the private media of this country, an assault on the private media of this country, in the meantime and a harassment of them, while the monopoly of the state has persisted. That is what has happened.

Linden, for example, Mr. Speaker, was not without television, it did not wait for NCN; Linden had television long before NCN thought of going there. There was a dish that was donated to the people of Linden by the company, managed. You all just sell it, without notice and I am going to ask a question with it...the private dish. There was a dish donated to the people of Linden, Mr. Speaker, by the company....*[Interruption]*... There was a Committee managing it but I do not want to go into Ms. Kissoon area, she will tell you about that dish and what happened to it and how you recently sell it to one of your supporters quietly.

But the point is, that instead of expending and allowing the people of Linden to run the television, the Government disbanded it.

I see the Honourable Minister Nagamootoo...sorry, Member of Parliament Nagmootoo, smiling. I want to draw no inference by seeing him smiling, but I think he must have a recollection of this matter, having been a former Minister of Information, and I do not think he is unaware of the historical circumstances that I am referring to, that that local Committee was disbanded and not only the freezed transmission, the

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Government then took over and dominated it and made NCN a monopoly transmission from the people's dish in Linden. That is what has happened; that is why the people are so angry. It is not that they went there with their own assets. ...*[Interruption – Robbery with aggravation!]*... You took away the people's assets...*[Interruption – That is called nationalization, Mr. Rohee!]*... without any compensation and then you foist on them political, monopolized transmission in that community. That is why it is aggravating to the people there and then subsequently you hustle to build your dish, but that is how it started.

So the point I am making here, that such bad faith cannot do well for the progress of this country. We had the ACB assuming the role as though it was the National Broadcasting Authority, being used to silence independent voices on private television, closed down without due process private television stations and C N Sharma, Channel Six, was only the last and most severe.

Private television stations sought to expand their signals to various parts of the country, because I want to remind you that this agreement said that within four months there would have been a broadcasting authority; there would have been radio and this broadcasting authority would have been managing the spectrum, managing licenses and so on.

There would have been collaboration between the NFMU; it would not have been directly answering to the Office of the President, there would have been an independent body managing it, and after that there would have been licenses granted for televisions, and during that four-month period you would not grant any new license, and the reasons for that was that we wanted to ensure that the Government would not seek

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in the four- month period, while waiting for the broadcasting authority, to issue a series of licenses, so that when the broadcasting authority came into being there would be so many licenses already issued that it would barely make the broadcasting authority job *more profound* and that was the reason it was put in, not really to restrict transmission or expansion of television; it was put in to curb excesses of the Government in that four-month period, so that the broadcasting authority would not be undermined ... new licenses.

In the meantime, Mr. Speaker, private televisions stations applied to extend their signals to Berbice; that has been denied. The Government and the Prime Minister in particular, I am sorry he is not here, waved this agreement to impress and fool the public, that there is some agreement with the PNC that they cannot extend their signals to Berbice because this agreement says no new licenses. This is very clear, that is why I quoted it: *No new licenses*. Existing television, CN Sharma is one, Channel 28, Vieira, applied to extend their signals to Linden...

The Speaker: Time is up, Honourable Member.

Mrs. Deborah J Backer: I rise, Mr. Speaker to move that the Honourable Member be given fifteen minutes to continue his presentation.

The Speaker: Proceed, Honourable Member ...

Mr. Robert HO Corbin: Thank you, Mr. Speaker.

Channel 28 applied to extend their signals to Linden; refused. In the meantime, the four months had passed, a number of applications for radio have gone in, and of course the excuse

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is being used that nothing can be done until the Broadcasting Authority is established. One enterprising businessman decided that they will test the system and began playing some music on a transmission signal. The next thing we know is that the Frequency Management Authority was quick to go and seize that equipment...*[Interruption]*...seize that equipment, and I am talking about Georgetown radio, seize the equipment, and of course I think you are familiar with the Antiguan case, sir, of a similar act that was placed before the courts, that there was a breach of the Constitutional right of those citizens for the Government to deny them a license to broadcast radio in Antigua.

And that was the landmark case that forced the Antiguan Government to ensure that they have private radio stations, that caused even a governmental change in the last elections in Antigua, because free radio was introduced after an enterprising businessman in Antigua decided since the government was doing that he will transmit. They seized the equipment in the same way the Frequency Management Unit seized their equipment and they went to the court and challenged it constitutionally, and the court ruled that it was a deprivation of the constitutional right and so the licenses had to be issued for private radio in Antigua. It is a hallmark case.

I am still to hear when the Guyana Courts, and I do not want to elaborate on the Guyana cases, Sir, but there are cases brought of a similar vein to the Guyana Courts that cannot be heard, and while the Honourable Member Mrs. Holder is hopeful that this Motion will bring results after I am finished; I hope I do not dampen her enthusiasm too much when I tell her all that has gone on before. But the people of Linden have gone to Court; it is a matter before the Court, where they have filed a class action saying that the failure of this

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Government to allow private broadcast is a deprivation of the constitutional rights of the people of Linden, it is in the Guyana Court right now.

Ms. Gail Teixeira: Mr. Speaker, I think in our speeches we are not allowed to refer to matters before the Courts.
[Interruption]

Mr. Robert HO Corbin: I would sympathize with the Honourable Member, she is not familiar with the rule, Sir.

The Speaker: The rule is a *sub judice* rule; that means that you are not allowed to discuss, but you can refer.

Mr. Robert HO Corbin: I am not discussing the content of the matter or the merits of it. I am stating as a fact that the people of Linden have gone to Court and are still waiting for their day in court to have this matter settled, I am not going to undertake ... cannot be settled. So the point I am making is that in the interim period, while the government has failed to act on a commitment made, they have proceeded to undermine further freedom of expression and to limit broadcasts for political purposes. We have raised the issue of equitable access to the state media by Parliamentary parties *ad nauseum* in this parliament. We have had the situation in which, while the Government has refused to honour that commitment and continues to inhibit these private broadcasters from extending existing signals to these areas, the National Broadcasting Authority continues to put, not extend signals, build a new transmission site in New Amsterdam, takes a new dish to Linden, so while the other private operators are not even allowed to extend their signals, the Government builds new transmission signals and infrastructure in these Regions around the country, and that is

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the kind of hypocrisy that we have in Guyana masquerading as good governance.

And so, Mr. Speaker, the issue of the Government allowing the people of Linden to have access to private media is one which cries out for justice, and I must say that the behavior of the Government over the last eight years gives little hope that this Motion will see the light of day, if the President himself, because this Motion asking to persuade the Government to act, but if the President signature and Leader of the Opposition signature are on a document which commits the Government to implement these things, and the President addressing this Parliament even after the last elections, if you go back to the speech about the new era of cooperation and suggestions of working together, has not seen it fit to implement what he has signed, I do not know if the Motion will see the light of day.

If the Court fails to adjudicate because that is one of the arms of the state; that is the institution that supposes to protect the citizens, that has not done so yet. If the middle, the justice system has failed to provided that protection for the citizens, I think we are flogging almost a dead horse in this Parliament, because we are facing a Government that is bent on using Hitlerite tactics; Hitlerite, yes, Hitlerite tactics ...*[Interruption]*...utilizing all the lessons of Goebel, the bigger the lie, the bigger the lie, the better it is, or easier it is to be believed, so that we could read and see all the misinformation that is transmitted in the Government media.

And so, Mr. Speaker, in supporting this Motion this afternoon, I want to urge not this Parliament, I want to urge the Executive to honour its word, to recognize, that is what I am asking, for the Executive to honor their word, to recognize

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that the people of this country are not going to be fooled by rhetoric...*[Interruption – that is what you doing there!]*... the people of this country are not going to be fooled by grandiose speeches; they are going to be looking to see what results from talks and signed documents.

And so I look forward to see what happens in the new year and trust that we can have immediately...we do not have to have legislation; the Prime Minister has the power right now to ensure that Channel 6 is allowed to transmit from tomorrow to Linden. They have made an application, grant it tomorrow. Channel 28 – VCT – has already applied to extend their signals to Linden. You do not need broadcast legislation for that, because Channel...NCN has already build two transmitting stations since this agreement, and are now sending fresh signals, stronger signals in those areas. Allow Vieira and Channel 6 and any other station to extend their signals all over this country right now. *[Applause]*

That will be good faith; immediately allow those persons who have applied for private radio to have transmission from tomorrow, and that will show good faith. Or perhaps you would like to see instead of the one test trial radio station that you have before the Court right now, that is to be tested along the lines of the Antigua case, you might have more radio stations springing up like the one that sprung up at Linden during the last election campaign. There may be many like that around this country if you do not take action shortly, because if the Government fails to act after a certain time, and we are not creating history, it is happening in England, the university; what has happened under the BBC is happening in other countries of the world. Do not think you can prevent the tide; it is like what a certain politician at a certain event

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said some years ago, a long time ago that you cannot stop communism.

I do not know if any Member of the House here has any recollection of those statements from any familial contacts, but what I would say this, that it is easier to have a multiplicity of radio stations in this country than the Government to stop them, I want to alert you to that fact, and the people of this country will not allow their constitutional rights to be deprived because I believe they have given the Government long enough time to act upon their commitment. Thank you very much. *[Applause]*

The Speaker: Honourable Member Ms. Teixeira ...

Ms. Gail Teixeira: Mr. Speaker, I have listened to the speeches with great interest, one from a person tabling the Motion, I have listened with great interest to those speakers, one who is not familiar with the long, arduous and painful process of trying to reach agreement on the broadcasting issues.

Regrettably, the speaker before me, the Honourable Corbin has also not been in the nitty-gritty sparring situation over the years of trying to get the broadcasting legislation through. He has been at a far higher level than myself and has had much high level discussions at the plenipotentiary level and also directly with the President on this issue, so that my interventions.... and also I look around the room and probably the only person who is here today that had some interaction on some on the bi-partisan committee work, Bheri was there for a...Dr Bheri Ramsaran was there for a short time, Minister Robert Persaud, but Deryck Bernard, God rest his soul, he is no longer with us. Sherwood Lowe... he knows what I would

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be speaking ... Sherwood Lowe is also not a Member of this House any longer.

But I think we have to ... we have to... and I think I have listened to some statements where I think it is downright incendiary in this House, and I really believe that it is not befitting of this House to have those kinds of incendiary comments. After all, the intention of the Motion, I believe, in the best interests, tabled by the AFC is to.... and I would hope that it is not used for opportunistic purposes, but really to discuss an issue which they felt strongly about and therefore to also have the views of others and also maybe to have some fact sharing which they may not have been privy to. ... *[Interruption]*... We will come to that, Mr. Corbin; we will come to that, Mr. Corbin. But when we look at the Motion, because I think we are dealing with the AFC's Motion and not also dealing with every issue under the book, as it seems people have strayed into many areas.

But the AFC Motion on the Constitution, I just want to comment on that. Actually, certainly, that the Constitution, Article 146, in dealing with the right of expression and the freedom of expression, I want to remind this House that the Human Rights Task Force of the Constitutional Reform Commission was made up of myself, Mrs. Deborah Backer, Manzoor Nadir, and Jean La Rose, and we are the ones who made the proposals to the Human Rights... on the human rights section of the Constitution that went to the Constitutional Reform Committee and so forth, and in its own wisdom of that body, it reached this House.

But we are the ones in the Human Rights Task Force during that period that put the caveats that no human right was absolute and that we therefore put in the sections which

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related to 2 (a), (b), (c), (d), (e), (f) of Article 146 which puts restrictions on the issue of the rights of expression. So I just want to comment to Mrs Holder that the issue is not an absolute. It is an issue that was ... that the Constitution of Guyana, which we hold as the supreme instrument of Government, governance and governing of our country, also recognized that the expression, the right had to have areas where it could be ... it would be conditional or provisional.

And therefore the issue of national security and also the technical requirements, because it goes on to point out the technical operations and technical issues in relation to the dissemination of information. I think that that is the first comment I want to make. The second one has to do in relation to the whole discussion that started in 2001, and May I, Mr. Speaker, remind this House of how the bipartisan committee was set up, what was the genesis of it.

The genesis of that committee was the constructive engagement that started after the riots and violence of the 2001 elections, and that the 2001 elections, Mr. Speaker, led to such violence, and in addition to that why was the issue of the media so important when Mr. Hoyte as Leader of the Opposition, and Mr. Jagdeo as President of this country, why was it listed as one of the 13 or 14 items that was felt that had to be addressed.?The reason was that the media in the 1997 and 2001 elections were unregulated, they were incendiary, they were encouraging people to riot based on race.

I am not making these things up, ladies and gentlemen; these have been documented by the elections observers of 1997 and 2001. Furthermore, in the 2006 elections the creation of the media monitoring unit and the peace accord which regrettably was not signed on the day by one of the opposition parties

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here, when the parties came forward to sign it on the lawns of this Parliament to have an agreement on a code of conduct as to how we would operate as leaders and as opinion influencers during the election period ...

if ever an issue ... if any issue ... the conveyance of the opposition in this House as if the issue is black and white, and the Government is evil and the oppositions are angels. There are many issues, there are things that have been said here today that I personally, Mr Speaker, question the moral authority of this Honourable Member to say some of these issues, having experienced the 1970s and 1980s in this country. But you know, nobody wants to hear history anymore because history is embarrassing, it is embarrassing ... *[Interruption: 'To whom?']* ... what was done to the people of this country? But let us get back to the issue of ... the frequency issues.

Mr. Corbin, Honourable Member, referred to the bipartisan committee, and in fact at the bipartisan level, Deryck Bernard ...*[Interruption]* ... the Motion is not on torture, Mr. Norton, we are dealing with broadcasting. You will bring your Motion. The issue of the bipartisan committee and our views, there were commonalities on many, many issues and the report stands there for anybody to examine. But we did not reach unanimity on two issues, and the two issues are encapsulated in the report.

One had to do with the issue of should the National Frequency Management Unit come under the National Broadcasting Authority, or should the NFMU be treated as a separate entity, but deal with the technical aspects of applications for frequency in relation to the commercial radio and television. We put two options in the December 2001

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report which Mr. Corbin has reported on and tried to convey...there were issues that we could not find a solution for. It was not that there was acrimony, we just could not find the answer amongst ourselves. We flagged it and we put one option up and we put a second option up.

Mr. Speaker, one of the interesting things in the report that people do not pay attention to is the section, two sections on page 4 of the *December 2001 Final Report Of The Joint Committee - Radio Monopoly, Non-Partisan Boards And Broadcasting Legislation, December 6, 2001* and it is co-signed by Mr. Deryck Bernard and myself, addressed to the leader of the opposition, Mr. Hoyte and the President of Guyana, Mr. Jagdeo.

But Page 4, Section C talks about two important issues which now come into and influence the discussion on this Motion by the AFC. One was the recognition by the bipartisan committee that

... broadcast technologies were evolving rapidly, and that the pathways by which consumers receive data, information and entertainment are becoming increasingly diverse and multifaceted. Therefore our broadcasting policy framework for Guyana must be flexible to cater for future developments in technologies and philosophies.

I will explain why I am quoting from this in a little while.

The second issue was a very important issue that we discussed and we had unanimity on, and this was it: *that the*

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electro-magnetic spectrum is a national asset and a limited valuable resource to be used and regulated for public and commercial broadcasting in a manner that serves the public interest and convenience. The reason why I quote from this Mr. Speaker is that frequency management and electro-magnetic spectrum is limited. It is not infinite, it is not infinite; countries are given certain band frequencies that have to be used.

There are different types of frequencies:

- What is used for aircraft;
- What is used for maritime purposes;
- What is used for a range of other things to do with security; and
- What is used for commercial purposes - for television and radio.

So that that is why in the discussion on NFMU the issue of NFMU should not be part of an NBA because the NBA would not be dealing with those other areas of the frequency management to do with security, aviation and maritime and other areas. In the 2003 communiqué with Mr Corbin and with the President there is recognition in the communiqué that the NFMU would be responsible for providing technical advice to the NBA for granting of commercial frequency licenses. There is recognition by the two gentlemen of this.

The frequency issues, I believe, are important when we look at this. Mr. Corbin has tried to be clever, as a member of this House, to say that the 2003 communiqué said that the Bill should come forward in four months. It was signed in May

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2003 and it said 'four months', and this was with the gentleman's agreement that we would reach agreement on the draft Bill. Now the draft ... this is May 2003, it is signed by the two persons at the signed copy. Mr Speaker, the draft Bill was finished and it was put in the press on 25 July 2003 and there was a solicitation of people to write their views, opinions, etc. It was published in every newspaper in this country, day after day, for several weeks.

Who are the persons who responded? Mr. Nascimento wrote several letters to the editor, but ... this was in July 2003. So Mr. Corbin, in terms of us having completed draft, we kept the agreement. *[Interruption]*

Secondly, secondly ... *[Interruption]*... secondly, Mr. Speaker, in August 2003, having not gotten a response from the PNC to the draft, the agreement with the two gentlemen at the top was that let us re-activate the bipartisan committee and get them to go through this Bill and let us look at what were the problematic areas. So Mr. Speaker, in August 2003 I have proof of letters sent to the PNC, Deryck Bernard who then wrote me and said he is not longer involved, send it to Sherwood Lowe. We had a matrix which we asked the PNC to give us what were the problems in the Bill; they did. In October we met and we identified what were our positions.

In November 2003 ,the PNC was to respond to our submission, attempts were made in December 2004, January 2004 and the whole thing, baby party went to sleep after that. However, the important issue ... *[Interruption]* ... no, I have letters to prove, do not accuse me of being dishonest in this House. Mr. Speaker, I am calling on the Standing Orders that the Member of Parliament retrieve that word. I am not a

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dishonest member of this House. Mr. Speaker, I am appealing to you to defend me.

The Speaker: Honourable Member, I can only respond to what people stand up and say.

Ms. Gail Teixeira: Thank you very much, Sir.

The Speaker: I have not heard anybody saying anything.

Ms. Gail Teixeira: Thank you, Sir.

The Speaker: I do not pay attention to people who are sitting and speaking.

Ms. Gail Teixeira: Thank you very much Sir. I accept your ruling. However in 2004, there are letters:

- There are letters between Bernard and I;
- There are letters between Sherwood Lowe and myself;
- There are letters to show that we are trying to meet and then we no longer succeed.

Life goes on and everything moves on. However, an important part of the agreement of 2003, the communiqué of 2003 is that the freezing of the new applications, and let me quote again:

There would be a freeze on the granting of all new commercial frequencies for television and radio by NFMU until such time as the new broadcasting legislation comes into effect.

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Mr. Speaker, it is regrettable that we do not have the legislation here, but maybe we are also guilty as a Government from a different thing, not what Mr. Corbin is accusing us, that we would sign an agreement that said we would freeze this until we have agreement. We have meetings afterwards, the PNC says we do not agree with the draft report; we have discussion over several Saturdays; the last word was the PNC was responding to our positions and never did. However, we kept to the communiqué, because this communiqué dealt with a whole series of issues under the constructive engagement in which most of those issues have been implemented except the broadcasting issue. Mr. Speaker, I want you to move off from history for a minute because I think that... *[Interruption]*

The Speaker: Honourable Member, if you are going to move off to another area, this may be a convenient time in which we can suspend. We are almost at four o'clock; according to my watch we are two minutes to four o'clock. This would be a good time to suspend.

Ms. Gail Teixeira: No, I am not going to finish in five minutes. Thank you, I accept your ruling, Sir.

---- H - SUSPENSION OF SITTING

---- H - RESUMPTION OF SITTING

The Speaker: Honourable Member Ms. Teixeira ...

Ms. Gail Teixeira: Thank you Mr. Speaker.

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I left off before the break quoting from the communiqué. I think it is an important issue I need to emphasize, because I think there is a misunderstanding out there as to what the agreement was and what it meant, because when the agreement talks about a freeze on the granting of all new commercial frequencies for television and radio by NFMU until such time as the new broadcasting legislation comes into effect we are talking about new commercial frequencies. Therefore the view that a broadcaster who has a license now can therefore just relay or beam to another area, if it is within his frequency, within the spectrum he has been assigned then certainly he can do so, but if the frequency is changing, then it requires a new license or an amended license. What happened in 2003 based on this communiqué was that all broadcasters, whatever frequencies they had at that time were frozen and therefore they could expand within those frequencies, they could put up better antennas, better equipment, enhance the quality of their work and the quality of their transmission, but they could not go outside of the bandwidth and that is how a number of broadcasters ended up not being able to expand.

This was an agreement that was made and I think that one, the issue of honouring an agreement is an important issue. So the agreement never said four months, it said that it was awaiting broadcasting. Now, to deal with the frequency issues, Mr. Speaker, presently there are twenty television stations in Guyana and one radio station. NCN before it became NCN, GTV, etc, always the State media in Guyana, going back for many, many decades had exclusive rights in terms of their frequency and their expansion.

Therefore I think these are issues that the broadcasting... the bipartisan committee did not get into any aspect of reducing the frequency and exposure of the State media to all over the

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country. There was no such thought by the members of the bipartisan committee. What the bipartisan committee talked about was access to the State media. The other issue was the public service responsibility of the entire media, private and public, community and regional, in terms of their social responsibilities, their moral responsibilities to be used as educational, as informational and not to be used to divide and incite people, because as I talked earlier about, the reason why all this came about.

The fact that there are twenty television stations, we have one of the highest levels of television stations in this region, and we know that one is Government and the rest are all privately owned; they are all in the private spectrum. When we look at the issue of frequency management, and remember this report was done in 2001, the communiqué was done in 2003. The issue that the Committee had pointed out, the issue of new technologies, we are now seeing that today in the sense that we had recognized that there was a possibility of using satellite to home transmission as well as cable operators.

So you have right now five cable operators in Guyana, and these operators are outside of the traditional spectrum – the broadcasting spectrum. The five cable operators, two are in Linden, one in Georgetown, one in Corentyne and one in Mahaica. These are bodies that are there. You also have Direct TV, Sky TV and this is as I said satellite to home and in some cases, you pay for the service that you access through the provider or the person who has the franchise here on behalf of the provider overseas.

We also have the new technologies of internet... persons using the internet, television using internet protocols (IPTV) and you have two operators that are operating. This fall outside of

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the present Radio and Telegraphy Act as well as outside of what the bipartisan group also spoke about. It did not deal with it specifically; it dealt with new technologies in anticipation that this whole field of new technology and transmissions were going to go light years ahead of what we could conceptualize at that time in 2001. Therefore two operators use the IPTV, and therefore they are not using the traditional broadcasting spectrum. They are using their ...outside of the traditional broadcasting spectrum. I think these are important things for us to take into consideration.

Also, when we go back to looking at the last Clause on the Motion, the BE IT RESOLVED where the recommendation is made, the right to relay and beam their channels. The present broadcast operators who might have an interest in Linden would most likely have to get new frequencies assigned to them as they may not be able... depending on what the frequency has been assigned to them, they may not be able to access Linden. I also want to go back to the point about the broadcast spectrum, the whole issue of the electro-magnetic spectrum is a national asset and it is a limited resource.

In case... I just want to reiterate, the assignment of the bandwidth is done by country. It is not that we decide what bandwidth we assign to ourselves. It is done for your country by an international body and that these are then re-assigned and there are different frequencies assigned for different types of purposes, whether it is security, whether it is aviation, maritime and/or for the purposes of broadcasting. So it is important that we recognize that if we are looking over the next 20/50 years that if you distribute whatever is the assignment of broadcasting on television and radio and you are very cavalier with it in terms of... in a short period of time you will not have frequencies to be distributed for the future.

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These were issues that were discussed by the bipartisan committee over a long period of time.

One of the issues we may have to go back to is the issue of a plan that was done early in 1992, 1994 somewhere in there, of a telecommunication plan, that was actually a television plan that was looking at dividing Guyana into geographic areas and then looking at the assignments of channels per area. This may need to be examined back again and based on the interest and what are new types of operators that may be coming on board. There is also going to be need in the old draft law that we did in 2003, probably a need to also bring in now these new non-traditional electro-magnetic users for the Bill.

And so these are new events that are facing us, but not terribly complicated because other countries have also addressed these, but in the last BE IT RESOLVED clause, the issue of allowing relay and beaming is not something that can be done easily in terms of the agreement in 2003. Therefore one of the issues I will come to in a little while is what do we do about that communiqué. Should we honour it in the breach, should we honour it, or should we just forget about it? Should we just decide that 2003-2008 there has been no movement in terms of the PNC, the opposition, in terms of the draft broadcasting Bill, which in the Government's opinion it is still a good Bill. It is a beginning Bill that can be added and amended and improved because it is an important Bill that a bipartisan committee spent a long time, Mr Speaker, dealing with policy. One of the most powerful things in the bipartisan committee which there was unanimity on, was the issue of broadcasting policy. We outlined broadcasting policy and we insisted that the elements of that be actually included in the legislation, including issues of self-regulation of the entities.

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But let us go to Linden, because this is where the Bill...the Motion focuses on. The aspersions that have been cast in this House by the two speakers before me, honourable speakers, are disturbing because they create a picture, they paint a picture of some dastardly, sinister hand that is denying the Linden people what are their rights. I want to put to this House, I leave it to the public and for you to decide, and that is that Linden has, as I said, two cable operators that have twenty five channels each - Linden Cable Network and Infinity Communications. They also have NCN that has a central feed and they also have a channel that is NCN, but in which there are community programs that are put on by Linden. There is a point being made... there is also Sky TV and Direct TV, so the area does have some choice.

The point was raised, I believe, by the Honourable Member Corbin about the issue of the ownership of what GTV is operating. Now I want to say this, and the records again for the bauxite industry and others can be checked. The television operations of the bauxite company was officially handed over to GTV prior to the merger with radio in March 2004. The buildings and the assets which were part of that handed over to GTV in 2004 were destroyed by fire in 2006, in the post 2006 election fever, and it was reconstructed at the tune of \$17 million so that the station could operate again.

If the Government had decided that the buildings that were destroyed would not be rebuilt then Linden would not have had any station at all. The station as reconstructed was re-launched in December 2007, as I said, and in which there are two channels as I have described. I have also pointed out the cable operators, and therefore the view that is presented here and I believe by the AFC maybe innocently, that they were unaware of these other opportunities.

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I also want to put Linden in the context of the rest of the country in that whoever had licenses in 2003, those were the licenses they had and the frequencies. There has been no expansion of the frequencies by anybody and so the issue therefore before us as a Government and a House in terms of the resolution that is presented here has to do with an issue of a communiqué which was an agreement. My view and I believe that it is the view of members on this side, that the Government has the right to exercise its right to remove its moral obligations under the 2003 communiqué and proceed to offer new licenses, but unfortunately for the AFC in the last clause, the licenses as proposed by them that would not require additional fees and cost cannot be adhered to, in that these are extensions and or new frequencies that have to be paid for.

So the issue that has been presented to this House, we have had Motions, but no one has brought legislation to amend the present legislation, that is the present laws that govern telegraphy and radio, to allow for the extension of this whole thing. I call on this House to look at the broadcasting legislation, the draft, and to relook at it because clearly it was created post bipartisan committee, that was in 2001 and drafted in 2003, at a time when this House was drafting much legislation and Parliamentary reform to do with the Constitution and setting up of a number of Parliamentary Committees, including the Parliamentary Management Committee and the other Committee of Appointment.

Therefore in the draft law what it says and it tried to mirror on what was going on at that time and the opposition has not addressed that if they wish it to change back to what was reflected in that Bill. It said that the President in consultation with the Leader of the Opposition would appoint the

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Chairperson; that three persons would be nominated by the Committee of Appointments to membership of the National Broadcasting Authority; and that there would be representatives submitted from civil society including the Consumers Association ... *[Interruption]*

The Speaker: Your time is up, Honourable Member.

Hon. Dr. Leslie S Ramsammy: Mr. Speaker, I move that the Honourable Member be given fifteen minutes to continue.

The Speaker: Proceed, Honourable Member.

Ms. Gail Teixeira: Thank you.

Mr. Speaker comments have been made about not having a chance to be on television and so forth. One of the things the bipartisan committee paid attention to was the fact of allocation of time during election period, and that it agreed that the allocation of time on all the television stations - public and private - would be done by GECOM, not by any particular broadcaster.

Secondly, it also talked about public service and that it was a requirement of all stations, private and public, to carry public service information free of charge. We cannot in recognition of the bipartisan work that was done, and in recognition of the work done by the Leader of the Opposition, Mr. Hoyte and President Jagdeo, in recognition of the work done by the Honourable Member, Leader of the Opposition, Mr. Corbin and the President Jagdeo in 2003, that we cannot grandstand on these issues. The Bill is there, it is a viable document that needs to be discussed. It needs to be able... instead of nitpicking, to be able to move it forward. The Opposition has given no indication between 2004 and now that they have

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changed any of their views in relation to the Bill, nor that they are in any great hurry for any Bill, nor have they made any suggestions of how the Bill needs to be reworked so that it could be acceptable to them.

I therefore repeat, Mr. Speaker, that the allegations made and the insinuations made in this House, that there is some sinister move to deny the Linden people, is an unfortunate conclusion and more than that, Sir, it is absolutely mischievous. It is mischievous, and therefore the threats that have been said in this House I think are also not befitting of this House. I believe that since the indication of the two top speakers on the Opposition side thus far, that the Government will exercise its right to say that the communiqué no longer binds it and will therefore exercise its right to start issuing licences. Thank you. *[Applause]*

The Speaker: Thank you, Honourable Member.

Honourable Member Mr. Trotman

Mr. Raphael GC Trotman: Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Motion in the name of the Honourable Member Sheila Holder, and in doing so to congratulate her in what I consider to be not only a timely Motion even though it took several months to get debated, but more importantly, to congratulate her on her presentation this afternoon which I believe captured and captures not only the sentiment of all of us representing the Alliance For Change in Parliament, but more importantly and more particularly the views and exasperations of the people in Region 10. I believe, Mr. Speaker, that in her words we find the mood of the people being one that says that they are being discriminated against.

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It is against that backdrop, Mr. Speaker, that I would like to say a few words on this Motion. I would not speak for long, I will have, Mr. Speaker, no choice, but to note that today is an important day. I believe we have witnessed thanks largely in part to the Alliance For Change's, efforts the return of Members' Day to this House. I thank both opposition and Government Members [*Applause*] for supporting the return of this day.

Today is also an important day, perhaps infamously so, because the right of recall of one of our members has been invoked, and I believe that it should not have come on Members' Day, but it has and that will go down in the annals of the Hansard, but it has happened.

More significantly Mr. Speaker, however, is the fact that we are debating a Motion on the rights of citizens, some 40-odd thousand or more of them in Region 10.

- We speak of democracy;
- We speak of progress;
- We speak of rights and responsibilities;
- We speak of Government's rights;

But what, Mr. Speaker about the right of the people to have of their choice information that they desire? That concept seemed to have escaped the lead speaker for the Government as she spoke at length and perhaps at times *ad nauseum* not so long ago. She did, Mr. Speaker, say that she was disturbed by what she heard. Well, we on this side were flabbergasted by what we heard from her, Mr. Speaker, nothing in her argument has convinced us and will convince the people in Region 10 why it is:

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- Communiqué aside;
- Broadcast Bill aside;
- NCN aside;
- Satellites aside;
- Frequencies aside;

why is it that they still as at 2008, in December 2008, cannot have public television of their own choosing? We have heard all kinds of arguments about spectrums being allocated, but we have not been told, Mr. Speaker, whether in fact... and I know this not to be the case; the spectrum as it is cannot accommodate other television stations in Region 10.

My information is... and I rely on it, that in fact it can be done, but all we were taken through, Mr. Speaker, is a historic discourse about what happened from 2001 to present. In fact, the Honourable Member ought to be embarrassed for her Government to know that after seven or eight years no progress has been made and if in fact her last statement about pulling out of the communiqué is to hold any water, well then we wait to see who and when television and radio licences will be granted to as of tomorrow.

Mr. Speaker, if we were to take Region 2 for example that would be Pomeroon/Supenaam a population of 45,000 persons, but yet accessing 8 television stations. The population of Region 10 is, as I said, just over 40,000 accessing one public television station. We are told about cable, Sky and Direct TV, but has the Honourable Member inquired about the prices of those favoured channels to ordinary working class people in Region 10? They are out of reach, Mr Speaker, of those people so that is no compensation whatsoever to say that Direct TV, Sky TV or cable television

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is available to the people of Region 10. [Applause] None whatsoever.

I thought Mr. Speaker that we would have heard this afternoon that because of... to use the Minister of Education words, *topographical or other scientific or other reasons* it was not physically possible to have television signals extended from as far as Georgetown to Linden. We know that because there is the presence of NCN, that that would not hold water. All that we have heard is that the blame lies somewhere between a communiqué that was done in 2001 and what happened today.

Mr. Speaker, that quite frankly is not good enough, and whilst, Mr. Speaker, the Alliance For Change is just three years old and may be considered, to use Mr. Corbin's words, to be now joining the club, what we can say that in just three years at least we have brought this matter to this House, and those of you who had the responsibility to do something about it before should have done so, because for too long the people of this country and as we speak again about the people of Region 10, have been waiting and longing for relief, Mr. Speaker. Yes, I may have been there before, but I am speaking now that we are bringing this matter to the attention of the House not for this course of discussion and for edification, but for resolution.

Mr. Speaker, in the past, the status of the state of the Demerara Harbour Bridge has been described as criminal, and I wondered to myself that if the bridge that bridges the East Bank and West Demerara is in a criminal state, how then could we describe the state of affairs where the people of Region 10 have been begging and begging and begging for over a decade for access for more than one television

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channel? How do we describe what is happening to them? Mr. Speaker, without apology, I am going to describe it as intellectual genocide. The people, Mr. Speaker, in that region are being discriminated against, and I believe it is deliberate. There are no other reasons I can find why they cannot access other television channels, and I am going to quote, Mr. Speaker from the Random House dictionary its definition of genocide and it says:

The deliberate and systematic extermination of a national, racial, political or cultural group.

I am saying now that intellectually the people of Region 10 are finding themselves deliberately and systematically, intellectually exterminated whether because of their geographic location, their race, their politics or their culture. It is for the Government, Mr. Speaker, to tell us otherwise. As I promised, I will be short.

On the last occasion when we spoke on torture, Mr. Speaker, I referenced a movie called Amistad which is based on a real story of a slave ship that had been captured and a trial which ensued. But there was a very, very poignant moment during that trial, Mr. Speaker, when Joseph Sinké, the free man from Africa who had been captured and attempts were being made to enslave him held out his hands and said; *give us us free, give us us free* in the best English as he knew it then.

The people of region 10 are asking Mr. Speaker, give us our freedom, and give us our freedom. I thank you Mr. Speaker.
[Applause]

The Speaker: Thank you Honourable Member

Honourable Member Ms. Kissoon

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Ms. Vanessa Kisson: Thank you very much, Mr. Speaker.

Mr. Speaker, I rise to give my contribution to the Motion that is before this Honourable House, a Motion that speaks to the monopoly of NCN, a Government-controlled entity in Region No. 10.

Mr. Speaker, it really saddens my heart as a young person representing so many young people out there, to know that an issue like this, the Government is still giving us a hard time. This Government likes to talk about freedom of the press. Unfortunately, Mr. Speaker, Region 10 and more so Linden does not experience a choice of television stations. We are not just talking programs here, we are talking about television stations. Mr. Speaker, just imagine Lindeners are compelled, if you turn on the television, you are compelled to watch what NCN wants you to watch. You do not have a choice of watching any other television station but NCN. Mr. Speaker, as a resident of a town where there are educated people, note I said educated, Neil and children who have inquiring minds, there are inadequate means of communication and Lindeners are disgust - we are fed up of watching weekly diarrhea, I mean diary. Mr. Speaker, Lindeners want to determine, we want to determine, we have rights, so we want to determine what we want to watch.

Mr. Speaker, I must let you know that the young people of Region 10 see no hope for themselves. Mr. Speaker, could you imagine that even the RDC- the elected body to represent that region - they were given an hour air time and another hour for rebroadcast a week later. First let me let this Honourable House know that that rebroadcast time was taken away. Now, the airtime that they have, the program that the RDC produces, it has to come to town to be vetted and I

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would like Members of this Honourable House to know that two such programs were sent and to date they were not returned and they were not shown in Linden. We would like to why? Is it because what was on that programme, the Government does not agree so it has to be vetted?

Imagine the RDC-the regional elected body programs - are vetted and you are sitting over there to tell us about freedom of choice. Mr. Speaker, it would be remiss of me if I do not inform members of this Honourable House about the origins of television in Linden. Mr. Speaker, I must inform this House that television in Linden was acquired through the residents of Linden in the late 1970s, and the people of Linden did enjoy the service of television long before GTV.

Mr. Speaker, it should be noted that Channel 13 was a gift to the people of Linden by a corporate citizen. Mr. Speaker, I must inform you and the Members of this House that the people of Linden still consider themselves the rightful owners of Channel 13. *[Applause]*

Mr. Speaker, in supporting this Motion of allowing access to local and external television channels other than NCN in Linden, the people of Linden are also calling on the Government of Guyana to return Channel 13 to its true and rightful owners-the people of Linden who are fully prepared to run this channel, which was a gift and seeing that we are in the season of Christmas and it is a time of giving, please, we are asking you give us back as a gift. It was a gift and we would like you to return it as a gift.

Mr. Speaker, such a request was made to the President himself, who is on record saying that he would return...our channel would return to the residents of Linden. Such a

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request was made by the residents after this television station was hijacked by the Government and now sold by this Government, from the people of Linden since 1998.

Mr. Speaker, I can recall in 2003... [*Interruption: Is who apologise to him?*]...when the President was met by a group of Lindeners, he agreed and signed a document, but to date Channel 13 was not handed over to the people of Linden. May I remind you Mr. Speaker, these are the real true owners of this channel. Mr. Speaker, the residents of Linden are really concerned and frustrated over this issue and are calling on this Government to return Channel 13 and also give access for other local channels to operate in Linden.

Mr. Speaker, I would like to bring your attention to the fact that there is only one outlet of information via television in Linden and it is not this case in Berbice, Georgetown, Essequibo, and even in the Rupununi. So the people of Linden, imagine even when we want to air our views on any issue affecting us via television, we have no other choice, Mr. Speaker, but to do so through the one Government controlled entity-NCN.

Mr. Speaker, Music Media was a program aired via NCN and because of a single news item which was critical of the Government, immediately after the organisers of that show were asked to produce their program two weeks in advance so that it could be vetted. I would like members of this Honourable House to know that that was the last time Music Media was aired in Linden. Mr. Speaker, a classic case of censorship of the media. Mr. Speaker, I wish to ask members of the Government side, how would you feel having to watch *Justice for All* all day, seven days a week, three hundred and sixty five days a year [*Applause*] Well Mr. Speaker, it is the

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same way we Lindeners feel when we have to sit and watch NCN, NCN, NCN.

Right now Lumitol is selling in Linden, diarrhea all the time. Mr. Speaker, the residents of Linden feel restricted, restrained, imprisoned and so this unconscionable, heartless and ridiculous behaviour is wholly unacceptable by the residents of Linden and Region 10.

Mr. Speaker, I know persons on the other side of this House or even those persons who are representing the State media would say that there is a program called *What you need to know*. Well Mr. Speaker, I will tell you what you need to know. You need to know that even the *What you need to know* program is vetted... even the *What you need to know* program is vetted even the *What you need to know* program is vetted, Mr Speaker, in order.... ..[*Interruption*]... You only about one word, check your dictionary.

Mr. Speaker, the residents have to pay for this programme; there are cases where residents offered to pay for their own programs, but because what the programme entails does not please those of the Government side, we are not allowed even to pay for programs to be aired. Mr. Speaker, allowing access to other local television channels will and we know give rise to job opportunities to the many young... Note, Neil, *educated*, unemployed and will create the avenue for those young people who are aspiring to become journalists. We all know that the rate of unemployment is very, very, very, very high in Region 10, and so, Mr. Speaker, we the residents of Linden are calling on this Government who claims, I repeat, who claims to have the interest of young people at heart, to allow other channels to operate in Linden, allow us to have what we know, freedom of choice.[*Applause*]

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Mr. Speaker, the *Son Chapman* is a historical... [Interruption]... *one that you would never attend*...event which took place in Linden down the Demerara river, and would you believe that the airing of the memorial service of such an event was grossly vetted by NCN when the service was aired? Why is this Government trying to block out history out of the minds of Lindenians, especially the youth population? Why are you trying to block out history-the *Son Chapman* that happened in Linden there?

Mr. Speaker, I do hope that the President realises how Lindenians are really feeling. I will not remind members of this Honourable House of the reaction of the President when he felt some amount of injustice of coverage by a certain reporter; Mr. Speaker, a real case of taking your own medicine with a pinch of salt. Imagine how we Lindenians are feeling. I say no further on that. Mr. Speaker, we the people of Linden would like to know why is it that this Government continues to have a monopoly. You want I tell you what they did? Since this Motion was brought to this House, they came with a programme called; *Let's talk Linden*. [Laughter]

We do not want a program *Let's talk Linden*, we want another television channel. We want 6 and we want 28. [Applause] and we want it as early as yesterday. [Applause] We want to choose, we have choice, and this is our right, especially the young people. Why are you stifling the young people? This thing is not about... you know what I cannot understand sometimes, Mr. Speaker? Why is it whenever we are trying to... the Government talks about moving forward, all they do is talk about moving forward, but when things come into place to move forward they stifle these things?

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Mr. Speaker, I would like this Honourable House to know that Lindeners are restricted to access information via television which interferes with the fundamental rights of the people of Linden - the right to freedom of choice and access to information.

I stand here on behalf of the people of Linden this evening, and I say that we support the Motion that was brought to this House and I do have two amendments. Thank you very much.
[Applause]

The Speaker: Thank you Honourable Member.

Honourable Member Mr. Nadir.

Hon. Manzoor Nadir: Thank you, Mr. Speaker.

Mr. Speaker, let me commend the last speaker for at least putting the Motion in a bit more context, because when I first read the Motion before us, it spoke of limiting persons' right to information and to views, and we were regaled with all of the international conventions by the mover of the Motion.

Mr. Speaker, I tried to look and see where we were limiting persons right to information, we were trying to stifle their access to information. Mr. Speaker, in the last...
[Interruption]...I know that... Mr. Speaker, one person from the Government side, Ms. Teixeira, I think she put everything in context and I want to commend her for at least setting the record straight, because what we have heard from the Opposition speakers thus far does not stand up to the test of scrutiny and reality that exists today.

Mr. Speaker, the people of Linden has, like the overwhelming majority of Guyanese, access to so many sources of

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information. So many, Mr. Speaker. They have access to four daily newspapers that bring them information. Four daily newspapers!

Mr. Speaker, access to information to educate the young people of Linden, Mr. Speaker, they have access today to a well stocked national library, well staffed, well stocked, Mr. Speaker. Mr. Speaker, in access of half of the people of Linden have email addresses which tell us they access the internet for information, Mr. Speaker.

Mr. Raphael G C Trotman: Point of order, Mr. Speaker.

Hon. Manzoor Nadir: Mr. Speaker...

Mr. Raphael G C Trotman: Could I have the return of the paperweights, please Mr. Speaker? *[Laughter]*

Hon. Manzoor Nadir: Mr. Speaker, I know that you...

The Speaker: I warned about the paperweights and nobody will listen to me.

Hon. Manzoor Nadir: Yes, Mr. Speaker. Mr. Speaker, the people of Linden has much more opportunities today *..[Interruption]* ... than they ever had in terms of ... and especially those educated people of Linden, than they ever had before.

Mr. Speaker, I want to commend the last speaker from the Opposition also for at least understanding the distinction between a dish and a TV station, because I listened over and over again to the Honourable Leader of the Opposition and I know that these technical arguments, the technical issues in terms of telecommunication may escape him, but I listened

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carefully as he kept saying the people of Linden were handed a dish, and so one of our persons had to speak of the dish running away with the spoon.

But Mr. Speaker, I want to raise this issue that a television station is not a dish. A television station is not a piece or a set of equipment being transferred from one person to another. It also deals with the right to the frequency that was assigned to that broadcasting unit. So the last speaker, Mr. Speaker, she had it correct talking about the station, but I never knew that a private company can pick up themselves and say that *I am going to give a community this national resource, this spectrum.*

Mr. Speaker, we see what is happening with Somalia, when private people feel that they are bigger than the State. I know, Mr. Speaker, one of the last licenses to issue just before the PNC regime changed and that was issued, Mr. Speaker, to give a particular television station the right to broadcast on a certain frequency. No company can pick up its equipment and hand it to another company and say *here, take this and run it.* The right to the spectrum is a national right and it is not a privilege for one person to hand the nation's asset over to a next.

Mr. Speaker, the Honourable Member, Gail Teixeira, spoke of this architecture we are creating where we will have proper regulation of that spectrum. When the Honourable Leader of the Opposition spoke, he spoke, Mr. Speaker, that this licence that is issued is a licence to broadcast anywhere in the country, that once you have a licence you had some divine right to broadcast whatever you want, wherever you want, however you want. That is not so Mr. Speaker.

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We were told by the Honourable Member Ms. Teixeira that they said no new commercial frequencies will be allocated. No new commercial frequencies will be allocated. I for one, Mr Speaker, am not supportive of the Government going at it alone and deciding tomorrow that it will start issuing licences here, there and everywhere. The Government, Mr. Speaker, and the Opposition, they have an understanding and both parties need to sit down and work this particular understanding to the end. So Mr. Speaker, the mushrooming of Direct TV, the mushrooming of cable TV happened outside of that agreement and was allowed to happen, because Mr. Speaker, the Government wanted to ensure that the people have access to more opportunities for exposure. That is what the Government wanted.

So it happened. It is not only Linden, it is happening in Mahdia, Port Kaituma, and Mabaruma. All of them have an explosion of cable television, an explosion of more information coming to the people of the country. We had one speaker, one member from the Opposition stood up and said Region 2 has 8 channels. Well I do not know about that, I was just recently in Region 2 on Sunday, 8 channels [*Interruption: Why did they not keep you?...* They wanted to send me back here to harass you.

Mr. Speaker, there are 2 channels properly operating in Region 2; 2 channels, not 8. To get additional signals you have to send your antennas up almost 300 feet, Mr. Speaker, and still the signal is not of the quality that would encourage you to watch that particular channel continuously. Mr. Speaker, and this is the kind of fabrication we have heard from the ...

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Mr. Raphael GC Trotman: Mr. Speaker, I rise on a point of order.

Hon. Manzoor Nadir: Mr. Speaker, these are ...

Mr. Raphael GC Trotman: I rise on a point of order.

Hon. Manzoor Nadir: Yes, Mr. Speaker.

Mr. Raphael GC Trotman: The Honourable Member is saying that I fabricated my statement.

Hon. Manzoor Nadir: Mr. Speaker, I am talking of these types of fabrication.

Mr. Raphael GC Trotman: Mr. Speaker, I take offence. Mr. Speaker...

The Speaker: Yes, Mr. Trotman.

Mr. Raphael GC Trotman: I take offence because I verified that information with the Frequency Management Unit and I take objection to any Member saying that is the kind of fabrication that I bring to this House. I would ask that it be withdrawn.

The Speaker: Yes, Honourable Member.

Hon. Manzoor Nadir: Mr. Speaker, I maintain that this is the kind of fabrication that we have heard from the Opposition with this Motion. No person in Region 2, I maintain, Sir, can turn on and we can go there now, turn on your television and catch 8 channels just like that. If you cannot do it, it is information that has been fabricated. *[Applause]*

The Speaker: The Honourable Member said that is not true.

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Hon. Manzoor Nadir: Mr. Speaker, he is saying it is not true, and I was there on Sunday and you cannot do it.

The Speaker: Well Honourable Member, unless ... we cannot accuse ... if we accuse one Member who says something and another Member accuses him of fabrication and there is nobody here to judge that, where do you think that will lead us?

Hon. Manzoor Nadir: Mr. Speaker, if he withdraws, I withdraw ...

The Speaker: The Honourable Member said ...

Hon. Manzoor Nadir: ... but if he is going to stand up and say to this House that there are 8 ... sorry, Mr. Speaker.

The Speaker: Mr. Trotman said something, which he said he verified, and you said that is a fabrication. What would you like me to do? You advise me on what you would like me to do on the basis of the known rules of this House. You being a member of this House far longer than I have been, you tell me what you would like me to do.

Hon. Manzoor Nadir: Mr. Speaker, Mr. Trotman made a statement, I know the statement not to be accurate, and if something is not accurate in my view, Sir it is fabricated.

The Speaker: Honourable Member, I cannot get Mr. Nadir to withdraw the statement. I will direct that the statement be expunged from the record.

Mr. Raphael GC Trotman: Thank you Mr. Speaker.

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Hon. Manzoor Nadir: Mr. Speaker, it is inaccurate to say some of the things which were mentioned by the Opposition, not only in terms of the access of several of our citizens in the country to different channels, but in terms also of the motive behind what is being imputed by the mover of the Motion—why the People of Linden are not being served by more than one channel from within this country.

Mr. Speaker, I want to go back to this whole issue of what was said by the Leader of the Opposition, that NCN is given the opportunity to build new transmitting stations to do x, y and z in New Amsterdam, Linden and in other places.

As far as I know Mr. Speaker, NCN is not being given a new frequency. As far as I know NCN is not being given the permission to broadcast at 5000 watts, 2000 watts more than it is broadcasting now. Every single one of our television stations every single day strive to improve the service within the parameters of the licence that has been granted. That is exactly what NCN has done. NCN is striving within the parameters of its licence to extend the quality of the service it is providing to the consumers. Every other owner of a television station, Mr Speaker, is doing the same thing, every other owner. What we are not seeing ... *[Interruption]*

Mr. Mohamed F Khan : Mr. Speaker, I rise on a point of order to set the record straight. I am a Member of Parliament in Region 2 ...

The Speaker: Honourable Member, we cannot set the record straight on points of order. I am very sorry. Proceed Honourable Member ...

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Hon. Manzoor Nadir: Mr. Speaker ...

Mr. Mohamed F Khan: Mr. Speaker, on a point of information I will like to set the record straight for the benefit of this House.

The Speaker: I am not allowing you to set the record straight Honourable Member.

Hon. Manzoor Nadir: Mr. Speaker, and so we are confusing many of the issues. There is an understanding among the parties that signed that agreement that no new commercial frequencies will be issued until this agreement has been finalized, and as far as I know Sir, this agreement has not been finalized.

Mr. Speaker, I want to deal with the mover of the Motion when that mover said that the only reason why the people of Linden, Mr. Speaker, are not being given another channel was because they did not vote overwhelmingly for the party in Government and they are being punished. Then in the same breath, they went on to say the same thing is happening in Region 6 that no new channels are going to Region 6 because of political bias. Mr. Speaker, I again want to say that there is agreement on the table as Mde. Teixeira said, and that agreement I would like to see work to the end.

Mr. Speaker, the issue in the RESOLVED CLAUSE, the first one I do not think anybody has any problem with-*The National Assembly endorses the fundamental rights of citizens to receive ideas and information without interference by a television media other than those which are provided by NCN.*

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We are providing this all over. Member of Parliament Teixeira said that we have 19 television channels in the country, 19. It shows that the first part of the RESOLVED part of the Motion is being honoured, Mr. Speaker, being honoured. The issue is the second part, and here we are saying that we must give out license to operators without charging them any additional fees, and we must take this spectrum that is limited, this national resource that is very limited and give it... I want to assume here to anybody that wants to operate in that particular area.

It says, Mr. Speaker, that

... the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators, never said one or two, of private television channels in Guyana the right to relay and beam the channels in Linden and Wismar without having to attain additional licence or pay additional fees.

Mr. Speaker, I am saying that I am interpreting that to mean that anybody who wants... any one of the 19 that exists right now, or 20, whatever it is, can immediately start doing that, Mr Speaker. Could you imagine if *TARZ*; if *RCA*; if *IBUT*; *DAVE*; *LRTV* all start putting up ... I do not know how many watts they need to beam their channels all over the country, what will happen to the use of the spectrum and the kind of interference we will have all over Guyana. We saw when we were trying to expand channels 1 -13. Remember we had channel dozen, and then Rex had two channels, I think it was 6 and 7, and in order to regularise that particular part of the

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spectrum, just in Georgetown we had to cut 12 by 2 and make it a half dozen, that is how we ended up with Channel 6, right. So ... and eliminate a few other channels so certain channels cannot be used.

And if every single one who has a television station today is allowed to put up a mast, and the capacity to beam, and put on whatever channels, what will happen with the electromagnetic spectrum, what will happen with our television stations in Guyana?

Mr. Speaker, it is very difficult, extremely difficult to support this Motion in its present form.

- I submit that it is not an abuse of consumer rights;
- It is not a violation of any fundamental rights and freedoms in any convention we have signed on to;
- It is not a violation of our Constitution; and
- Certainly, Mr. Speaker, it is not signalling that this Government is discriminating against anyone anywhere.

I am confident that the people of Linden who is getting a new hospital does not feel discriminated against; that the Government's effort to ensure that we have an alumna plant once again in Linden is not discrimination. I am confident that as we start on January 1 to train heavy duty equipment operators through the Board of Industrial Training is not discrimination against the people of Linden because they did not vote for the PPP/C Government. Mr Speaker, those are all signs, Mr. Speaker, that the Government of Guyana is a Government that cares about all the people of Guyana, wherever they are, whoever they voted for, and so, Mr. Speaker, I am proud to stand on this side of the House and

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support the programs of the Government for the benefit of all of the people of Guyana.

Thank you very much. *[Applause]*

The Speaker: Mr. Ramjattan.

Mr. Khemraj Ramjattan: Thank you very much, Mr. Speaker.

Let me immediately state that I am very heartened by the fact that today we are here dealing with a private member's Motion which came as part of a struggle some weeks ago, and which have been realised very fruitfully this afternoon into a debate of some major significance and importance in our august Assembly.

I must say thanks to Sheila, because quite frankly from what I have been told, struggled hard for that Private Member's Bill and it is important that we give at least some gratitude to her for ensuring that this happens here today.

Mr. Speaker, there was a time when there was a predominance of what we used to call PNC media; it used to happen prior to 1992. It used to be a dominance of radio station that was controlled by the State, and I used to remember members of the present Government giving a real good cuss down when that ... *[Interruption]* ... Yes and I too when that used to happen, we used to also give a good cuss down and tell the PNC:

- How mischievous they are;
- How dominant they want to be with the airwaves;

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- How they want to mould people in accordance with PNC attitudes and approaches because they literally controlled the airwaves, they controlled the newsprint.

Today what we see at least on the television ... what we see today in the electronic areas of expression, and I mean here the television largely, and also the radio, if I may say so, is but a replication of that dominance that wants to mould the country in accordance with how this executive feels that it should be moulded. Twenty channels do not necessarily mean that you are going to have non-executive Government forces dominating. You can have one and I want to make this point.

It has been said that other television stations can have their relay systems and they are doing nothing about it, but I have applications here by Mr Sharma and by Mr. Vieira that yes ,they want further relay beams or what you call the relay stations, towers so that they could go into Linden. *[Interruption]* My dear, it is within the band, but you know what NCN wants whenever it applies for the relay towers.

- They got one at Linden;
- They got one at Long Creek;
- They got one at Anna Regina;
- They got one at New Amsterdam;
- They got one at Drill, Mahaicony; and
- They got one at Benab- 63 village.

They could apply and they could get. Private commercial station owners like Sharma, like Vieira, like so many other people that also want to have issues with new license, they cannot even get. I am saying that that is what is important to the issue here. Let me say this, what we know helps to make us what we are. What we know.

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- Information is power;
- Information is influence;
- Information is largely success or failure.

This administration, by controlling that greatest purveyor of views of opinions of information, that is the television stations by controlling them. What you call constraining them to certain geographic areas by not giving them the tower beams so that they could go to Linden. Controlling them like Mr Sharma, you cannot go to Skeldon. What is that for? But yet NCN could get at least seven towers to extend all over the country. I am saying why allow that when we cannot give other ... that is discrimination, it is discrimination ... *[Interruption: ... 'What the PNC did?'... "You used to cuss; why do you not change it?"]*

In 1992 you got in there to change things. Is that not what you got in there for? But no, they must not be any change; there must be a continuation of that what the PNC did and you will be proudly stating ... *[Interruption]* ... Well, that is not what is called a moving forward; that is not a moving forward. I want to also state this, and it was a point mentioned that it is ludicrous again to say what is happening within the regions. We got so much television stations, cable, there is the Direct TV and all of that. But the point should be made that the Government willingly is granting license to those persons because they know that the masses of the people or whatever it is, they can allow that because the local programming-programming that could probably voice what we are now stating in this Parliament- are not going to come from cable and Direct TV.

What Ramjattan says here, what Ramjattan debates and debunks of Government, they are not going to hear that on

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cable television and Direct TV. That is why you want to mould the people into basically your view point. It is important to understand that that is the control again that this Government wants to have over the masses of the Guyanese. Direct TV is very expensive; even some lawyers cannot afford it, but you expect the people of Linden... oh yes, there has been an explosion of cable television and the people hardly could make \$30,000 a month, you are going to tell them *oh sign on*.

Even if they have the monies to sign on:

- They are not getting the other side;
- They are not getting Opposition views;
- They are not getting views that are normally to be given to them from another perspective.

It is largely the President's Diary and the President's GINA and the President's NCN and things like that. A lot of excuses have been made here as to why it is not possible at this stage to give; the excuse being largely there is an agreement between the PNC and the PPP some time ago. I am well aware of that, but the freeze of licenses being issued through that agreement must never mean freeze of the constitutional freedoms that we have in Article 146. The parties to that agreement of 2003 well know that they agreed to whatever they agreed to, but that cannot mean that if ... I thought that you would have finished it in four months or probably eight. *[Interruption]* ... I have given you almost double the time Gail, but it is now almost how many years? Five years and it is important to understand that you never could freeze the constitutional provision of Article 146.

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You know what? I get the impression from the Government side here, Mr. Speaker, that because of this agreement, the constitutional freedom of expression has to be halted for the moment until we work things out. So if they do not work things out, we are then not going to issue any licences neither are we going to issue permissions for those towers which can expand your services. No, we cannot do that. Well, let me urge upon this House that that is most unconstitutional. That is most unconstitutional, and to hear that agreement being promulgated here, to hear that argument being pressed on as if indeed we have a pretext for doing what we did, or not doing what we were supposed to do, is totally irresponsible and moreover, unlawful.

This administration must understand it was taken to court just like the elections petition, it has been taken to court, but we might very well have the elections petition on the eleventh hour of this Parliamentary term being determined. That is the frightening thing about it.

The trouble is we would have executive members across the... by the way, executive members who are talking about good governance. Why we do not take it to court? There is no need sometimes to take things to court if you see that it is a breach of the Constitution. I am arguing here that indeed there are very many cases across the Caribbean which have ruled on this point.

We all know that only too recently in Trinidad and Tobago, you had the same scenario: the Telegraphy Act of Trinidad and Tobago, the Minister is in charge, well here it used to be the Prime Minister, and it has now been taken away by the President. They did not want to grant the Hindu organization run by Sat Maraj, a radio station. No, they did not want to;

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they were saying *we are going to pass a Bill, just hold on*. Same thing like what Ms. Gail Teixeira is talking about and... *[Interruption]*... Okay, you see that is the trouble, when the PNC was talking about that about the newsprint, you were not saying it was distinguishable. You were quoting the same cases all across the world saying that newsprint is a necessary thing for having a newspaper run. We are saying to have televisions run, you have to grant the licenses. It is the same thing, the license to import newsprint and the license to have something, but you do not want to give it, but I am saying at this point you have what is called the identical situation.

And they were claiming the same pretext; I have the case here, *Central Broadcasting Services Limited vs. the Trinidad and Tobago Attorney General*. Only in 2007 it has been reported. You cannot state what is called a legitimate exemption to freedom of expression, that we are going to wait until the law or some Bill that you got to agree to with the Opposition past before you can enjoy your freedom of expression. So if the two of them argue forever, what happens to the issuance of licenses or the expansion of those that exist as licenses? The regime will never change, oh my goodness, and that is the point that has to be brought home here. This is...what we have and the director then, a fellow by the name of Ragbeer, we have a fellow named Mr. Valmiki here, this identical argument.

By the way I have gotten the Constitutional Motion that was brought as the Opposition Leader spoke about and what did Mr. Valmiki indicate there? That we cannot issue any further license or radio license because of this agreement. That is what these paragraphs are talking about; we have agreed in 2003 that we are going to freeze it, and so as a defence to the Constitutional Motion... *[Interruption]*

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The Speaker: Honourable Member, really, I mean, I allowed Mr. Corbin to refer to these matters, but it.. You know, I do not think I can allow you to delve into pending matters. Is it a pending matter?

Mr. Khemraj Ramjattan: I understand that there was a ruling, Sir and that the Honourable Chief Justice indicated that the license is national. *[Interruption]*

The Speaker: Do not bother to go into...is it a concluded matter?

Mr. Khemraj Ramjattan: I understand so, Sir.

The Speaker: Yes.

Mr. Khemraj Ramjattan: Yes. Well, Mr. Valmiki should know, he probably could advise you, because he was one of the ... all right it does not matter, Sir. But the point I am trying to make is that this pretext must not be used to curb our constitutional freedoms and our civil liberties; it must never be used. This is exactly what the court, and it is a very powerful court, it is the Privy Council, has to about that kind of argument that ... it says at Page 33, I think it is a Law Reports of the Commonwealth, 2007 Volume 2 at Page 33.

The present case concerns with the Government's controlling of the licensing process in relation to which the Government's legislative and constitutional role is to ensure the efficient objective and non-discriminatory handling of license applications. It must secure the speedy granting of licenses where appropriate and thereby also securing the constitutional right of freedom of expression. Where there can be a failure in this respect an applicant's freedom of expression can in the board's opinion be said to have been infringed. You just

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cannot come and say we are dealing with the application, and all other applications will be pending there until certain legislative arrangements are put into being. They are saying no, our constitutional rights do not depend on what the executive might want to agree with certain other forces.

The board, of course I may say, I do not want to state just that portion of it. The board emphasized however that no one has an absolute right to establish a broadcasting station, but indeed the licensing conditions that exist even with the old regime in Trinidad takes care of what certain conditions of that licence must be. We have that right now, the licence has the terms and conditions. If you breach them you could very well get a penalty. Mr Sharma got a penalty of suspension for four months. So the old regime can still apply, so yes we know that freedom of expression is not absolute, but whatever it is under the existing regime, we can have a scenario whereby the conditions of the licence can take care of that.

And that is why I find it somewhat out on a tangent for Mr. Manzoor Nadir to indicate here what expanding licences can cause like in Sudan and Rwanda; why he has to bring that, or Zimbabwe? Is he giving the impression that that is the kind of conditions? How Trinidad has so many television stations and so many radio stations? How does Jamaica have so many? What is wrong from a region that we have the same value system, literally the same cultural systems, we cannot have it here.

But it comes back to the point I am making. It is ultimate control and I am saying that that control which I generally call *control freakism* is of course something that we see through recent happenings. So all the pretext that Ms. Teixeira and the rest over there are talking about is not

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consistent with what they are saying. Look at what the recent happenings were, because I just want to close by getting as to the motive as I indicated. The motive is to mould in accordance with what their views are. They do not want opposition views; they want to mould the people in accordance with their views.

We must not ... The paternalism must be predominant, but what were the recent happenings? It just shows there were a few people that I understand applied for licences. None were granted for radio licences. I have one here, where Mr. Sharma applied for an FM station, not granted. No extension for broadcasting outside of the geographic areas; none granted.

We had another recent happening that is illustrative of the point I am making that indeed they want control: suspension of Mr Sharma, a well known critic. They do not want Sharma's program to be seen all over the place, especially in Linden. Then of course, further to bolster the point, taking away ads from Stabroek recently ... On what? A pretext that Stabroek's circulation is not expansive enough, but you know what? As soon as they give Stabroek they also give Guyana Times. I do not know if Guyana Times has circulation like Stabroek News.

No passing of the Freedom of Information Bill. How many years do we have that now, the Freedom of Information? What is happening is that they do not want to have that facility where citizens can be allowed to get the information. I want to urge here Mr. Speaker, that our freedom of expression Article under the Constitution does not only mean freedom of the press. Freedom of expression also means the freedom of the ordinary citizen to be imparted with news and views. It means also getting opinions from others, that is what it

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means, but we see from these recent happenings, we have what is getting to be very frightening here in Guyana, a control situation- a controlling of the scenario - and then to come and argue, literally argue, the points exactly like the PNC used to do in 1970 as regards newsprint and the airwaves.

No, I knew there were applications in for radio stations in those years; none was granted. How did we feel then? I knew how it used to feel. That same feeling is setting back now when you do all of these things, and we only have one radio station literally now, an AM station. One that could go far places; you do not want to grant licenses. There at least has been a little outward break by the last statement Ms. Teixeira made, and that was that, yes, we can withdraw the agreement and proceed to issue licences. *[Interruption]*... Well, if you want to do it, and you are going to open up the place fine; do it! So you depend on the PNC! That is what... you are behaving incestuous now. You want the PNC to agree before you can give license? Oh, that is how the constitutional provision is supposed to be ruled? The PNC got to agree with the PPP before we get more radio licence? Oh my.... this is what I am talking about. We would like you to grant it under the existing regime and do not use as the ludicrous pretext that we got to agree first. It seems like you all could only agree on recall legislation. Only that you can agree on; you cannot agree on good things. But that is the control that you know you would like to have. It is important that we understand that. *[Interruption]*

Ms. Gail Teixeira: Mr. Speaker, under Standing Order 41, the Member is imputing certain things to what I said. I made it very clear that the Government is quite prepared to come out of the communiqué which talks about freezing licenses

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and to exercise its right to issue new licenses. That is exactly what I said. Thank you.

Mr. Khemraj Ramjattan: Yes, well, I am saying that that is... thanks very much for that; you can do that if you wish, but you just made the other claim now saying, *oh, we got to get the permission of the PNC*. I do not know PNC... oh, that is what you are saying.

Mr. Speaker, this is an important debate. This is an important debate because what makes a democracy forward-moving is more ideas from more of its peoples more of the time. Also, it requires a lessening of the predominance of what is State-owned. It has caused the collapse of so many countries. It is that which provokes people into doing all kinds of things, when you just want to constrain them, crib and confine them. That is what you want, and it is important ... *[Interruption]*... Well, why not 22? You do not want to have it that way.

I want the Members on that side of the House, Mr. Speaker, to ensure they read the decision of *Mr Sat Maraj versus the Attorney General of Trinidad and Tobago*. It is instructive because it comes from some great law lords, how they denounced what happened over there, when they say that the board also, although it will not make any emphatic statement on the point as to whether the policy was motivated by a desire to suppress or limit criticism of the Government of the day, although it saw some cause for concern on this score. Well we know how diplomatic these law lords could be, but they were giving the impression here that indeed the only reason why they did not want to give Mr. Sat Maraj his license was because of suppression and limiting of the criticism, but they are smart enough to say that, you know, *let*

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us not deal too much with that, and then they went on to deal with the question: when there is a conspicuous failure to deal with applications for over three years, with unexplained and unjustified discrimination in favour of another applicant.

Well in this case, there was another applicant that got, which favoured the Government of Trinidad and Tobago. One has to indicate then that the Board sees certain concerns; the Board is of the view that there are certain concerns, and what did it do? It stated this: it stated that they were going to grant what is called a mandatory order that the Director of Telecommunications issue Mr. Sat Maraj with his license. That is what they did. They ordered a mandatory order. It is not as if they only made a declaration. They went on to order mandatorily that yes, the Director of Telecommunications must get.

With this kind of jurisprudence Mr. Speaker, coming from a country that is similar where the constitutional provisions are almost identical, and of course quoting cases out of Antigua that the Opposition Leader mentioned, and quoting certain... and by the way, do you know who argued the case? Sir Fenton Ramsahoye on behalf of Mr. Sat Maraj, our own Sir Fenton; he has been knighted now.

He argued these points, we could... I know that His Excellency the President had asked him to advice on certain electoral matters. I hope that he could ask Sir Fenton Ramsahoye for some advice on radio licenses and TV licenses. It is important; we might very well get the development. We must appreciate not only technologies are developing, but the expansive nature of freedom of expression. More and more, the jurisprudence on this concept is widening too, and so you cannot use pretext like what is

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being used here today. *Ad terrorem*, oh, we going get like Rwanda, oh, we get an agreement to say no, we cannot have radio license, TV license and relay systems.

I am urging them, that in the context of all this jurisprudence and only of recent times, that the Government instructs itself and ensures that that which the RESOLVED CLAUSES are asking for in this Motion by Sheila Holder, Honourable Member, that you make it happen, and happen as early as possible.

Thank you very much. *[Applause]*

The Speaker: Thank you.

Honourable Member Mr. Franklin

Mr. Everall Franklin: Thank you, Mr. Speaker.

It is rightful, since addressing this Assembly since my absence; I would like to use the opportunity to thank all Members who wished me well in my recovery. For your kind words , I am very appreciative.

For the Motion at hand, it is actually a pity that we have to use our first Members' Day to debate a Motion that should be a matter of fact, easy to pass, should not have come here in the first place, because what is missing from this entire discourse is that we are speaking of NCN as if it did not belong to the people of Guyana - all the people of Guyana. We are actually begging for time on the nation's station; if we were clear and understood that this national asset is not the purview, or does not belong exclusively to any one of us, this debate would not be taking place. We would have been discussing true access, how much time, which programs.

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And whilst we are arguing about this particular Motion, and using examples of how many other stations could beam into our country all over, that we have to pay for of course, there is no discussion as to the content that is being bombarded on our people, none whatsoever. Apparently, that does not matter. Therefore, I see that the true debate is here is that we have to realise that this national asset belongs to all of us. To refuse access, or to restrict access, to this national asset in this day and age, in an age where information is much easier to access, then it is only a matter of time before these restrictions will not make any sense, because technology would surpass and bypass all the regulations that Government or any particular regime or power tries to exercise. In a matter of time it would be obsolete to try and do that.

Are we saying then that we are supposed to control information coming over the Internet? No, we cannot say that, because no matter who blogs, no matter who spreads all sorts of dangerous information on the blog, you cannot control that, so it comes true. We cannot control that, but the national asset we can control and it is a question of control, political power, and exercise of political power, which the People's Progressive Party Civic is very adept at doing.

To prevent and restrict access to this asset is simply a matter of control. In 1821, the play by Al Mansour, the German writer Heinrich Heimann, referring to the burning of the Koran by the inquisition, Mr. Nadir probably knows of them.

[Dort wo man buecher verbrennt man auch am ende menschen] and it translates to: *[where they burn books they soon will burn people]*. Now books were... *[Interruption]*... Yes, books, that is the translation; that is the meaning. Then, books were the medium used to disseminate information, so

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you control books, you get rid of books, you control how people thought.

Right now we control the licenses, we control the information. I am not... I should not respond to the Honourable Teixeira directly, no one is saying that there should not be license, no one is saying that, and if that is what you have gotten from what I just said, then something is wrong with the Honourable Member.

The point is simple and straightforward: when books were the form that information was spread, you controlled the books. To control the books, you could not hide it, you burnt it. So that is the point. So.... you could think what you want. Who the cap fits!

This control of information went on to the absurd, because in 1842 at the School for the Blind in Paris, even the Braille books were burnt because they did not conform with the thought of the day. Luckily, we still have Braille today, and the Honourable Minister Manickchand would know, that that is what helps a lot of our disabled and unsighted people today. It is used even today. Had they not fought to preserve this, we would not have been beneficiaries of that.

History is replete with examples of controlling of information, but I just want to remind this House once again that the national asset does not belong to the Government's side; it belongs to the people of Guyana. They have to understand that, and if that is understood, then we would not have been having this debate, because I truly believe if your arguments are strong enough, then it would not matter to NCN if another station was disseminating information. Your arguments, your debates, your presentation, the

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professionalism of NCN would have won the day. But we know because you have a mediocre and substandard programming, because I am the only one, so I could do what I want. I could be as substandard as I am, and therefore, I think the whole stature of broadcast in the whole essence would have improved tremendously, but a fear of other ideas seems to be troubling.

Why should a Government that is doing so good, so well and achieving all of its objectives be afraid of competition? To stand up and argue your points and to... [*Interruption.. Government....*]... the *people's* station; the *people's* station; give time. If time was given to other ideas, we would not be having this debate; we would not be having this debate. If you had the guts to give other people with dissenting ideas time on the nation's station, we would not be having this debate.

We often talk about what happened in the past. What happened in the past is important, because we have to learn from that, but does past behaviour justify the behaviour now? Why must this generation be punished for transgressions of the past generation when you supposed to know better? That is a simple question. Why must we react the same? Why must we use that defence: *you used to do it to us?* Why are we going that way?

I was heartened to hear the Honourable Teixeira say, well we will do away with that stalemate thing there, and get something going, and issue licenses. That is heartening. I wonder if that will be the statement tomorrow and two days from that. We are looking forward to that.

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We talk about a spectrum; that is a technical issue. It is obvious, you cannot issue more stations to operate in a spectrum than the spectrum would allow. That is such an irrelevant argument, because it cannot be done. If it could have been done properly without interference, well then we could talk about... but that is a moot point, it is ridiculous; it cannot work. The road narrow, it got eight feet, it cannot take five cars side by side, right. *[Interruption]*...No, well, if you want chaos, of course that is what you will do, but I am sure that is not what you want.

Why we are debating the access to other stations in Linden? Two reasons. First, one is because of technical – because if we had a mountain between Channel 28, and for him to broadcast somewhere in Berbice, and you could not get over there, the same situation would apply because Vieira or Sharma station will not be able to beam into Region 5. So because of the landscape and because of the terrain, it is not possible. You have to relay, so what the people on the flatland coast could enjoy, people in a bit of hilly terrain will have problems with. That is what this is about, so either we seek to overcome some of these technical difficulties, because we want to spread information, or we use that as an example of how we could control it.

That is what we are dealing with here and so with all the pressing problems that we have; sugar in trouble; the world economy bouncing up and down, that we have to sit down and stand up in the National Assembly to discuss something that should be fundamental, something that should be a matter of cost, that we waste time, not that it is not important, it is important, but probably this is what the Government wants, to distract us in dealing with things that do not affect the

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Guyanese people directly, and it is a good tactic, it is smart, it is well worked out.

Therefore we have to be a little more vigilant, when we see certain things are purported to go through, you take your eyes off the prize. I am not talking about... you take your eyes off the prize, so we have to be a little more careful, I think, and alert. I think it is a commendable tactic of the Government. I would like to also state we cannot use the argument of cable TV; we cannot use that argument, and at the same time we speak about developing our own capacities, developing our own culture, disseminating our own culture.

How can we then speak of doing these things and suppress and make it difficult for our own people to have access to productions that we create? How could we argue and at the same time we boast that we have access to cable or everything foreign. We boasting about that: you have access to cable. Where are we going? I can cut short my presentation because... no, I am going to cut short because the Honourable Gail Teixeira already stated the Government is prepared tomorrow. *[Interruption]*... Well, of course, tomorrow, and I believe the Honourable Gail, I believe her to issue licences come tomorrow, and I really look forward to that.

I would like to say, we cannot burn as we have burned the books, as people have burnt books in the past. *[Interruption: 'Say it in German for them']*. [*'Dort wo man buecher verbrenment man auch am ende menschen'*] With you, if we cannot burn the spirit of the people, we ought not burn the spirit of the people in Linden and Region 10, or anyone else in any other part of this country, who would like to have access to an alternative form or alternative views. This is what democracy is supposed to be about, being able to stand up and defend your ideas, your thoughts, without putting

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pressure on someone who has a different view. That is where the strength lies, not to hide behind the licences.

I therefore wish, with the amendments that were proposed earlier by the Honourable Member Sheila Holder, that we support this Motion, because it is in the interest of all of our people, and I would look forward to speedy resolution of some of these issues so that we can really get down to what is really bothering our people, making sure that Skeldon work, making sure that electricity functions, real problems that we should be addressing in this National Assembly.

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

The Speaker: Honourable Member Mr. Rohee.

Hon. Clement J Rohee: Mr. Speaker, I rise to speak from this side of the House on this Motion.

I have to say from the very outset, Mr. Speaker that I am very disturbed, very disturbed, and I will tell you why, Mr. Speaker. You know, if you sit on this side of the House and you listen very, very carefully to the arguments that have been raised by most of the persons who spoke, the Honourable Members who spoke on that side, they made a hue and cry about control.

Honourable Member Mr. Trotman spoke about intellectual genocide, peddling propaganda and spreading fear. I will go on to mention a few others in a different context later. But you know, I am surprised, I am totally floored. *[Interruption: 'You are floored?']*...Yes, because listen, Mr Speaker, Lindeners are exposed to a number of other channels even though they might be cable and otherwise, through Direct TV and so on, and when ... *[Interruption]*... No, we have to talk about it, because I have to defeat this argument that was

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raised, weak as it is, about this question of control and intellectual genocide, etc, etc.

Now, let us take a recent situation. For months, the people in Thailand were protesting; for months, the people in Thailand were protesting let us talk real life here. Let us not get into political mischief. A few months ago Mr. Speaker, up to yesterday, the people of Thailand in a number of protests, took over the Prime Minister's house in Bangkok, took over the airport, made many protest in the streets, and so forth. Then you had the political campaign within the United States, where you had views backward and forward, Republicans, Democrats; you had the primaries. [*Interruption: 'Yes, and secondaries'*]... You had debates in Europe and between North American leaders, in respect of the global, economic and financial crisis.

Now Lindeners have been exposed to this footage. Lindeners have been exposed to this. They saw these things on the TV, so my question is, Mr. Speaker, when we sit here and hear that the Government or the administration is controlling what Lindeners see by not allowing them to see Channel 6 and Channel 9 and Channel this and Channel that, I ask myself, how could some other members of the House say that they have thinking people in Linden. Now if you have thinking people in Linden... [*Interruption*] ... if you have thinking people in Linden, and I quite agree with that.

If you have people in Linden who can assess, if you have people in Linden who can interpret, if people in Linden are thinking people, am I not to understand that when they see these images, they draw their own conclusions and think for themselves? Why do they have to have a Channel 13 or a Channel 9 for them to be able to think? [*Interruption*] Is that

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what you are saying? Is that what you are saying? No, the argument was never about what is happening in Guyana; the argument was that we are denying them accessibility to other TV channels; that was the argument. *[Applause]* The argument had nothing to do with what is happening in Guyana.

Are you saying to me, Honourable Member Mr Murray, are you saying to me that Lindeners do not know what is happening in Guyana unless they see it on Channel 9 or Channel 13? Oh, my God! *[Interruption]* Mr. Speaker, this is indeed very, very sad. You yourself, you are defeating your own arguments by saying Lindeners cannot think for themselves. You are defeating your own argument, so only when they see 13 and 9, then they could understand what is happening, then they know what is happening in Guyana. *[Interruption]*... Mr. Speaker, I maintain... *[Interruption]*

The Speaker: Let us get back to the debate, Honourable Members, and not cross talk.

Hon. Clement J Rohee: I maintain my position, Mr. Speaker, I maintain my position, that what I heard here this evening from those members on the other side of the House, that when Lindeners see graphic scenes before them, irrespective of whether it is happening in whichever part of the world, and when they come to the city of Georgetown, when they use the telephone, when they use the Internet, and incidentally, Channel 6, when you look at it, you see at the background, *that we can be seen on .com*, and so on and so forth.

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Mr. Speaker, my main point is this that Lindenens do not have to have access to the channels which I am hearing here this afternoon before they could:

- Draw conclusions-political conclusions-that is what I am talking about, political conclusions;
- Make political analysis;
- Make economic conclusions;
- Make economic analysis for themselves

They can do it because they have the information at their disposal to enlighten them and to decide whether this action is just or unjust.

Mr. Speaker, the objective of the Motion is very clear. The objective of the Motion is very clear. It is set out to embarrass the Government and to put it in a bad light. That is fundamentally speaking, the objective of the Motion, but apart from what is written in the Motion, we heard that from the speakers themselves. Listen to the political verbiage, the political rhetoric:

- That the Government is being vindictive;
- That we are trampling on the constitutional rights of the people of Linden; and
- That we are peddling propaganda and spreading fear.

I wonder those people who are saying those things, whether they live in Guyana or whether they are saying these things just for the TV to score political points, so that people in

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Linden could see that; oh yes, they are making representation on our behalf.

[Interruption]...I do not have a problem with that! We are politicians. We are politicians, but I think, Mr. Speaker, it is downright cheap politics, and you are playing political football with Lindeners! You are playing political football with Lindeners! That is what you are doing. You are using...unfortunately, you are using Linden as a political football to score political mileage. That is what you are doing; highly irresponsible! Highly irresponsible ... seeking to send a political message which does not do well for the entire Guyana.

Mr. Speaker ... *[Interruption]* ... when the Honourable Member who sponsored this Motion, Ms. Sheila Holder mentioned *peddling propaganda and spreading fear*. *[Interruption: 'Under the PPP']*... I wonder where Mrs Holder was under the dictatorship of this country. I wonder where Mrs. Holder was. While some of us, and they accuse us, for quite obvious reasons, for harping on the past, and incidentally I see some questions coming on the Jonestown issue soon.

They accuse us of harping on the past, but Mr. Speaker, the PPP/Civic government got into government ... the PPP/Civic party got into government in 1992. Who must we compare ourselves with? Who must we compare ourselves with? With whom must we draw the political parallel? You want us to go to El Salvador? You want us to go to Suriname? We have to draw parallels, and we have to draw conclusions on the basis of what went on in this country before we got into Government! *[Applause]* That is how we measure ourselves,

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and that is how you measure yourselves when you listen to when you speak.

So Mr. Speaker, I for one am not going to forget my country's past, because I lived here and I will stay here in Guyana. I lived through that past and I will speak about that past; I will speak about that past, because that is our history, and anyone who wants to deny or blot out a chapter in our country's history, well, I cannot help them. I cannot help them.

Mr. Speaker, I sat here and I heard reference to things like chicanery and Government using Hitlerite tactics; I felt so sad. I felt so sad. Coming especially from a man like the Honourable Leader Mr. Corbin, who has lived through thick and thin and who knows the score. I do not think there is anyone else as I look around the benches over there, even Mr. Murray, a newcomer brought in by Mr. Hoyte, from a Permanent Secretary. I do not think there is anyone sitting in any one of those chairs who knows the secrets that Mr Corbin knows. I am looking forward to when he writes his memoirs; I am looking forward to the day when he publishes his memoirs, because he will have a lot to say.

So when we raise ... it will be like a detective story when we bring things here, like *using Hitlerite tactics*. I am disappointed by my colleague Parliamentarian Mr. Corbin, because I think you are giving too much credence to Mr Freddie Kissoon's analysis. You are giving too much credence to Mr. Freddie Kissoon ...you are elevating poor analysis to Parliamentary level and this is most unacceptable.

The PPP/C administration, by virtue of its own inherent philosophical and historical positions, can never ever set out to discriminate against any section of the population of this

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country, and Mr Corbin knows that. We could never set out to do that, because politically it would be shooting yourself in the foot. Any political party that is seeking to extend its political influence, and they must be seeking to extend their political influence, any political party that is seeking to achieve as the PPP has done in the last elections, national acceptance, could ever seek to target and discriminate against any particular section of the population. Mr. Speaker, therefore I reject that claim. I reject that claim, Mr. Speaker.

What we heard here this afternoon was a combination of threats as well as political distortions. Let me tell you what I discern, let me refer to what I discern as a threat:

- 1) Threat number one - encouraging the establishment of illegal radio stations around the country. I discern it as a threat, that we could very well see the establishment and the mushrooming of illegal radio stations around this country. Now I do not know, it was not said who is going to initiate it and who is going to promote it. *[Interruption]*...All right, well thank you for telling me.
- 2) Threat number two, Mr. Speaker ... Yes, but when this is coming from a Parliament, when this is coming from the National Assembly, from the Opposition Leader and is being transmitted on that TV across this country, you tell me when certain people see that, whether they would not take it as a signal to start I do not know. Mr. Speaker, what is threat number two? Threat number two, Mr. Speaker is that people will not allow their constitutional rights to be trampled upon. *[Interruption]*

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Mr. Speaker, you know, most of the contributions on the Opposition benches, Mr. Speaker, remind me of the song when Sparrow sung about Coleridge making a cow jump over the moon. You know, *Hey diddle, diddle*, that is what I would reduce it to, *hey diddle, diddle*. It was sheer fantasy. What we heard was share fantasy! Nothing connected with the realities of this country.

The technical arguments were made, my colleague Mr. Nadir made some technical arguments, Gail Teixeira made some technical arguments. The political and constitutional arguments were made, the historical genesis showing how this matter evolved to where it is today was made out. Yet, Mr. Speaker, what we heard on the other side was sheer *hey diddle, diddle* and fantasies. Mr. Speaker, we are being asked to act in a highly irresponsible way. That is what we are being asked ... to act in a highly irresponsible way, as if we should go by Stabroek Market and start distributing licenses willy-nilly. Mr. Speaker, I do not know in which part of the world, I have not ... I would not say that I know of the reality of every country in the world, but there may be some. What I can assure you is that in this country called Guyana, under the PPP/Civic administration, we certainly will not be distributing radio and TV licenses willy-nilly. We will not be doing that, as we are being encouraged to do. Adhocracy certainly cannot be entertained in this sector. That is what we are being asked to do, to make a pledge in this Parliament that tomorrow we will issue a license to Linden. That is what the Opposition Leader asked us to do.

Mr. Speaker, what does the Motion say? *[Interruption]* Mr Speaker... You do not worry about what I cannot find, I will find when I am ready to find. Mr. Speaker...am I to understand from what is being said from the other side of the

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House, let us begin distributing, let us begin handing out licenses for radio and TV. Somebody said *this is the yuletide season, we must begin giving out things.*

Am I to understand from what is being said from the other side of the House that we must begin giving out firearm licenses, casino licenses, liquor licenses? *[Laughter]* And that if we do not do that we will be discriminating against the people of Linden. Is that what I understand you to be saying? *[Interruption]* That if we do not... that in the same way that we do not grant TV and radio licenses to these – to Lindeners, whoever may wish to have it, that we will be discriminating against Lindeners because they have the freedom to protect...they have the right to protection as well, and they need a firearm license to protect themselves, so if we do not grant that we are discriminating against Lindeners?

They have to engage in economic activities. They have a rum shop so if we do not give them a liquor license, we are discriminating against Lindeners? And that if we do not give a casino license and establish a hotel in Linden, we are discriminating against Lindeners? Is that what I understand you to be saying?

Mr. Speaker, I heard shouts and cries of shame from the other side of the House, but for those who have short memories, let me remind you that we had to wait and struggle, we on this side of the House. We had to struggle from 1968 to 1992 to have free and fair elections in this country. What greater shame is that? What greater shame? What greater shame? So if you want to talk shame and politics, let us talk shame and politics - the fundamental right of the Guyanese people to elect a Government of their choice; fundamental right of the

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Guyanese people. What about that? Was that shameless, or was that something to be proud of as a nation?

Incidentally all Guyanese were affected, even Lindeners, their votes were stolen. *[Applause]* Even Lindeners' votes were stolen. So when we talk about shame, when we crying shame, let us look at crying shame in a historical perspective as well.

Mr. Speaker, we agree, I do not think anyone could argue with where Article 146 (1) is concerned, nobody could argue against that, but I think the problem we have with quoting from the Constitution is that we stop, we stop at a certain section and we do not go on to read for example where it says that the regulatory, regulating the technical administration or the technical operation of:

- Telephony;
- Telegraphy;
- Post;
- Wireless;
- Broadcast; or
- TV

So all of these things have to be looked at from a regulatory perspective. So we have no fundamental opposition whatsoever, but we must not twist claims about constitutionality and constitutional rights to fit into a particular political dispensation, as you are seeking to do with this particular Motion, Mr Speaker. Who says that... you say here:

Without interference, freedom to receive ideas, inform...

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This is going on, but you want to particularize and bring down this particular constitutional right to dealing with two TV channels, and that cannot be done. That cannot be done! Mr. Speaker, the Motion says that the AFC leadership went to Linden and they were told by Lindeners that they are frustrated and angry. We went to Linden too, but Lindeners never told us that? Lindeners never told us that, so where do we go? As the comrade said, we got more votes. So PPP leadership, Government outreach meetings with President Jagdeo, the Prime Minister meets with Lindeners, they never said anything like this. They never said anything like this. *[Interruption]* I do not know, you bring the quotation and show me. You bring it in print and show me where Lindeners told President Jagdeo that *[Interruption]*...Well, I do not know about that. I do not know about that. Your view versus our view, Mr. Speaker.

Mr. Speaker, we certainly do not want to get into any blame game, who is responsible for what. We simply want, Mr. Speaker, to set the records straight and I believe the colleagues who spoke before me have done so quite well, quite effectively, so I do not want to go over those grounds once again.

But Mr. Speaker, this administration, this administration, Mr Speaker... we want to get to the point where there are laws and regulations that lay down consideration for licenses; and we do not want to do so for only Linden, but across the country. So when I hear someone said that residents in Region 2 have access to ten TV stations... Mr. Speaker, there is one local TV station called RCA Channel 8 and all the others are beamed from Georgetown. *[Interruption]*...All right, do not blow your lid! I thought I heard the argument that residents in Region 2 are... no that residents in Region 2

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are enjoying access to eight channels while residents in Linden are enjoying access to one. It is not eight channels; it is one channel, Channel 8; in the same way as Lindeners have access to Direct TV and the other TV. It is the same situation obtaining over there.

Mr. Speaker, what is being done here is the AFC is advancing a political case for their supporters in Linden. I noticed Mr. Corbin cleverly stole the thunder and ran with it. *[Interruption]*...I am proud of selling Thunder it is my party's publication. I do not have a problem with selling Thunder. Mr Burnham used to sell New Nation all around Bourda Market, you do not know that? No wonder you ended up where you are! *[Laughter]*

The Speaker: Your time is up, Honourable Member.

Hon Dr Leslie S Ramsammy: I would like to ask that the Honourable Member be given fifteen minutes to continue.

The Speaker: Proceed, Honourable Member.

Hon. Clement J Rohee: Mr. Speaker, I am emphasising, I wish to emphasise *[Interruption]* ... It does not bother me, I do not rely on TV, I rely on walking the streets and talking to people. *[Interruption]* ... I rely on bottom house meetings. *[Interruption: 'And see if they will come back']*...I did that even during the difficult days; do not worry with that.

So Mr. Speaker, this adhocacy which we are being encouraged, this *ad hoc* methodology that we are being encouraged to pursue this evening without... to grant licences without having to attain additional licences and pay additional fees as the Motion is calling for, Mr. Speaker, and as I said before, I do not know which part of the world this could

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happen. I am sure... you know it is only because of Opposition politics, I am sure that if the PNC and if the AFC, maybe in combination or separately, were in the Government that a Motion like this would have never seen the light of the day, because you yourself would recognise that it is impossible to do it. You yourself would have recognised, let us talk real politics. If you were in the Government, you would have never encouraged a Motion like this and put it into operation, no way! [*Interruption - Why not?*]... I do not know why not.

Mr. Speaker, I want to conclude by saying, Mr. Speaker, that the Motion as it is before this House sets out to put the administration in a bad light; it claims that we are discriminating against Lindeners, and to say that we are violating their constitutional rights; and I want to emphatically reject that the PPP/Civic administration will never set out to discriminate against the people of Linden or to violate any of their rights, because they are Guyanese just like Guyanese in any other region.

- When we encouraged Bosai to invest in Linden, billions of dollars, a depressed community, we encouraged Bosai to invest there.
- When we decided to build a new hospital in Linden;
- When we decided to subsidize bauxite;
- When we decided to subsidize electricity;

Let us look at the holistic picture, do not let us only talk two TV channels for the sake of political mileage! Let us look at the total picture. Mr. Corbin said he wanted to put things in context; well, let us put this in context, let us put the situation of Lindeners in context. Let us put the role of the

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administration in context. When we set out to do these things, were we setting out to isolate, discriminate, marginalise Lindeners? Mr. Speaker, I close by saying absolutely no!

Thank you very much. *[Applause]*

The Speaker: Honourable Members, we will suspend for fifteen minutes.

----- **H - SUSPENSION OF SITTING**

----- **H - RESUMPTION OF SITTING**

The Speaker: Thank you, Honourable Members. Please be seated.

Honourable Member Mr. Norton.

Mr. Aubrey C Norton: Mr. Speaker, permit me first of all to congratulate Ms Vanessa Kissoon. I thought her presentation suggests somebody who knew what is happening in Linden, on the street, and represented it well. *[Applause]* That is not to say that the other Members of the Opposition did not, but that she did exceptionally well on this occasion.

Mr. Speaker, like those before me, I am grateful for this day, in the sense that, from the beginning of this session, it seemed the Honourable Member Mr. Murray struggled continuously for us to have this Private Members' Day. And while I do not want to take issue with what has been said by Mr. Trotman, I would want to suggest that the People's National Congress Reform was fundamental and critical in ensuring this day.

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At the same time, I do not want to take all the credit for the PNC, and to acknowledge that at a particular point, the Honourable Mrs. Holder did play a significant role, but that we should have the information correctly stated, I thought I should.

Mr. Speaker, the Members of the Government bench, to me, tried seven arguments to suggest why this Motion should not be passed. One of the first things they did, Mr. Speaker, was to suggest under the PNC in government, no freedom existed, and so it is okay for them to do what they are doing now. Let me deal with that first.

Mr. Speaker, I believe the people who sit on that side, particularly those who claim to be Marxist, know there is a thing called *historical materialism*, and that it demands that history be dealt with as it actually occurred, rather than man imposing ... *[Interruption]* ... ‘That is not dialectics ... but let us continue. It is the application of dialectics to history, it is a different thing. But the point is, Mr. Speaker, if we are to take such an approach, everyone will recognise that there was a time in this country when both the PPP and PNC subscribed to socialist policy and believed in a particular approach, and that approach, Mr Speaker, led to a certain amount of State control, not only of the media, but the economy. And Mr. Speaker, unlike those on the other side, we accept that we embraced that philosophy, but then, Mr. Speaker, the People’s National Congress took a decision that we will embrace liberal democratic approach to politics, and by 1989 ... *[Interruption]*... If silence permits information, you will get it ... By 1989 in Guyana, under President Hugh Desmond Hoyte, the Stabroek News came to Guyana as an initiative opening the media. No one over there can doubt that. That is a

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historical fact that even those who distort information will find difficulty distorting.

I want to add this, Mr. Speaker, that it is under the PNC and Desmond Hoyte that private television came to Guyana. *[Applause]* Now having said that, Mr. Speaker, I believe that the People's National Congress Reform up until 1992 had initiated the liberalization and opening of this society, and we thought when we saw in the PPP manifesto of 1992, that they will continue that liberalization and openness, but now they come here and argue in a comparison, in an era that we said we were through with, that you said you were through with, you are going to operate based on that era. I believe that is backward.

If we are to progress, Mr. Speaker, if we are to progress, Mr. Speaker, we have to recognize that mistakes were made on all sides in this House. Mr. Rohee must know that they burned sugar cane. *[Laughter]* The PPP must know that in politics they killed Akbar Ali. I do not come here to read ... *[Interruption]*

The Speaker: Honourable Member, we cannot go that road; please.

Mr. Aubrey C Norton: I apologise.

The Speaker: You cannot go that road, sorry.

Mr. Aubrey C Norton: I was about to make the point ... Mr. Speaker, I withdraw, but I wanted to make the point that we cannot go down that road. We have to have new thinking, and I believe that voting on this Motion should be done based on new thinking. *[Applause]*

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The new thinking is that people in every community should have access to a multiplicity of television channels. *[Interruption]* ... I am coming to that, Mr. Rohee. The Honourable Member Mr. Nadir suggested that Linden people have access to newspapers, they have access to cable television. Mr. Speaker, the issue here is access to other television other than NCN. The question is: are the people in Linden entitled to have information from television in Guyana from both private and public, and the answer is yes. That is the issue here Mr. Speaker, not whether they have cable, because you would not see on cable the issues in Guyana.

I can bet you... could I make a point to you, Mr. Speaker, a Linden person told me, I want to give you a practical example. A person from Linden told me that they sat in Georgetown and watched Capitol News, and then they understood what was happening with Roger Khan. *[Interruption: 'I do not tell you that?']*...The point we are making here is that you have to give people access to the private media so that they can make their own assessment. Linden people do not get a chance to see the members of this Opposition debate. What they get is extracts that suit the Government.

What we are saying is that a people in a democratic society must have the option to see all the issues and then make decisions based on that, and that is what we are saying, Honourable Minister Rohee and that is the issue here ... *[Applause]*... not whether they have cable or they do not have cable. If they have cable they are going to see Obama, but they will not know that every night they does lock up people wrongfully at Brickdam. *[Applause]* That is what we want them to see.

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Mr. Speaker, the Honourable Member Ms. Teixeira argued that we have the most television stations in the Caribbean. That is true; no one will doubt that, but the people in the Caribbean see all the channels of their television; they have access.

- In Jamaica they see Television Jamaica Limited, CVN Television.
- In Barbados they see both private and public;
- In Grenada the same is true.

This is not restricted to parts of the country, people have access everywhere. And you know, one of the mistakes we make... well, it is not a mistake; it is a deliberate ploy by the Government. They are always saying we have the best Constitution, we have the most television, well, Linden people does see the least. That is the issue at hand, and all we are saying by this Resolution is that the people of Linden should have access to private television stations and not be restricted to the National Comedy Network.

Mr. Speaker, the other argument that the Government seems to be making is that there is a broadcasting Bill that should go forward, and it is not going forward because of the PNC. Let us deal with this issue. Mr. Speaker, first and foremost, it is well known that that draft Bill was expected to come out of the bipartisan discussions that occurred. Agreements were made, but what did the Government do? The Government, rather than living to the discussions and the agreement made, produced a Bill that was substantively different from that which we had agreed to.

I draw to you the fact ... this was one of the main ones, that in the agreement, the Broadcast Authority was supposed to be

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autonomous, and in the legislation that was proposed, it is not autonomous, and therefore to argue in this House that there is a Bill before us is really a fallacy. There is a Bill before us that is not in keeping with the agreements made. The argument here is that we should have a Bill which is reflective of the discussions.

The Honourable Member Ms. Teixeira has an interesting way of skewing the facts in the wrong direction, and in that process she suggested that this issue of the National Broadcasting Authority and the FMU were not resolved, but as I understand it, and if you look at the communiqué signed between the President, Mr. Bharrat Jagdeo and the Honourable Leader of the Opposition, Mr. Robert Corbin, on Friday 2... Monday 5 May, 2003 it says and I quote:

The independent National Broadcasting Authority would be the license issuing authority for all commercial licences for commercial frequencies for radio and television.

It continues.

The NFMU would be responsible for providing technical advise to the NBA for the granting of commercial frequency licences, taking into consideration the options provided in the final report of the joint committee, the relationship between the FMU and the NBA will be determined after the consultations on the draft broadcasting legislation.

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What this suggests Mr. Speaker, is that at the level of the Heads, this issue was dealt with and clarity was brought. Therefore to come here and suggest anything different is an attempt to brow-beat people who can see. Mr. Speaker, the Honourable Member Ms. Teixeira, by her own words, admitted that we ended up in this process because there was protest after 2001, and there was instability and by her own words, she suggested that when that instability is not there, you do not have to live by these agreements. Unfortunately, Mr Speaker, what some people can infer from that position is that for you to get any consensus and decision there must be instability. That is unfortunate, because a country cannot develop like that. Government and Opposition, when they make agreements, will have to honour them. There is no sense in making an agreement to disagree about the agreement, to go and make another agreement to disagree about the following agreement. We appear to be in that cycle; we do this society an injustice when we operate like that, and so it is unfortunate that the Honourable Ms. Teixeira who is responsible for Governance, a word which has strong French origin and means *steering*, but with involvement. So it is unfortunate when she goes down that road.

Mr. Speaker, I want to also point out very quickly that the trend of the conversation seems to suggest that there is no difference between Government and State. I want to submit, Mr Speaker, that in a democratic society there is a difference between Government and State. The State is the extant machinery that is there to govern the society. The Government operationalises the State. And so to try and suggest that the two are the same is a very dangerous thing in the context of a democratic society.

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So we must be clear in our mind, Government is, on behalf of the people, managing NCN. NCN is a State institution, and therefore it has obligations to the people of Guyana and those obligations should be honoured properly, fairly and with respect for the people of Guyana. *[Applause]* And it is here that the Government is lacking. It is here the Government is lacking, Mr. Speaker.

So Mr. Speaker, I want to make it very clear that Government seems to commit itself to procedural democracy, that we vote every five years, and that is it, but democracy is both procedural and substantive. It is substantive democracy that is worrying us because... *[Interruption]* ... Yes, if you go to any of the good books on ... I can direct you to a book called *Challenge of Democracy* and you will see it in there. I can direct you to about three more, Mr. Rohee if you care ... well go to ... the American Embassy does give you it easy. The American Embassy! *[Laughter]* I am not sending you to the Embassy. I am suggesting that you can use your ... no, but it is there and within the first ten pages you will see procedural and substantive democracy.

Procedural democracy deals with voting and the procedural things, but democracy can only be operationalised in a society if it is substantive, if the processes, the institutions are gradually transformed to operate in a democratic way. That is the process that is eluding us in this country.

Mr. Speaker, I want to make it clear that we have to recognise that the people of Linden need choices; the people of Linden need to see alternative views. And I want to clarify: the tendency is to read the last RESOLVED clause out of context, but let me read it and then contextualise it for you.

It says ... It says, Mr. Speaker:

That the National Assembly calls on the Government of Guyana and its National Frequency Management Unit to permit operators of private television channels in Guyana their right to relay and beam their channels in Linden and Wismar without having to attain additional licences and pay additional fees.

Now, implied in that, Mr. Speaker, I heard the Honourable Member Mr. Rohee trying to suggest that we were saying give licences to everybody. Implied in that people have licences, it is now just permission, 28 and 6; it is just permission for them to relay into Linden, so Mr. Speaker, the Honourable Member Rohee therefore, appears more like Murali. He bowled one of them fancy balls that he believed people couldn't read. Well, I am now reading it for you, and telling you that you did not interpret this correctly and I read for you, and based on the correct interpretation, it does not mean that you have to share put licences willy-nilly. All it means is that within the present extant arrangement you allow the relay.

So Mr. Speaker, let us not try brow-beating each other. The real issue before us, Mr. Speaker, is contributing to taking the society into a more substantive democratic approach. One good step will be to allow private radio and television in Linden. Mr. Speaker, sometimes I worry. I worry if the Government is not operating based on a wide strategy. When you look at the information, I gain the impression that the Government has a strategy to hegemonise areas, to ensure

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they dominate areas, and what is the strategy they have developed? Since they would have come to power, what they did was to ensure that areas that did not have television do not get and if they get, they only get NCN.

When you do that you are signalling that you are not democratic you are interested in State control. When you look at the programs, Mr. Speaker, they remind you of the good old Soviet days. There are ... a smack of Government propaganda that is aimed at indoctrination, with the hope that people would not think, but the reality is that when you speak to Linden people they think; they resist the indoctrination. In fact, idle gossip is best for houses.

In fact Mr. Speaker, they resent it. It is well known that people who have only NCN in Linden leaves their house to go by somebody to look at cable to get stress relief, because to stay and watch ... *[Interruption]* ... Boy, you are permanent stress; there is no relief.... to stay and watch is a burden. It is also clear, Mr. Speaker, the intention seems to be to ensure that those areas that do not have access continue to be prohibited from having that access, so that control can be exercised over the mind. Mr. Speaker, I hope that that is not the intention, though it appears as though it is, because in this modern world that would not work.

And so that the Minister is agreeing that it would not work, he shall grant permission for the people to extend their relay. You agreed too quick. Mr. Speaker, you also deprive people of information not only if they do not have that kind of access; you also deprive them if you put a situation, as I understand it, NCN gets for the year like \$120 million in subvention – in public assistance- and then they compete with

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the private sector. You and I know that that is not good for a democratic society.

What is worse, Mr. Speaker, a young man in Linden said to me that he had one problem. He was hoping that when he looked at NCN he would see educational programs like he sees on cable. The point is, Mr. Speaker, it is because they had that chance of comparing with the cable that you talked about, they recognize that they are being done an injustice, and when they come to town and they see the private channels, it becomes obvious to them that they are being deprived of information that they should have.

Mr. Speaker, we have had a long day, and I promised all those that I spoke with that I would not talk for long, but I wanted to make this final point: that we have a glorious opportunity to take ideas from the Opposition, and for the Opposition to take ideas from the Government. It is unfortunate that we seem not to be able to recognise that positive ideas can come from any side and that we are better off seeking to have a consensus and try to achieve objectives that are clearly in the interest of the people of this country.

I humbly submit Mr. Speaker that the Honourable Member Mrs. Holder has produced a Motion that, if it is allowed to go through successfully, it will be a positive contribution to the body politic in Guyana, but somehow, Mr. Speaker, I am getting a sneaking suspicion that on that side of the House, that there is not even a willingness to discuss this Motion, deal with those that are rough for the Government to take, not as in roughing up, rough for the Government to take, and then try and agree on a Motion that is acceptable to us that we can implement.

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Mr Speaker, I ask what is it that is in this Motion that makes it not acceptable? The Honourable Minister Rohee suggested that the attempt is to embarrass the Government. If that is the case before the Government should have asked the Opposition, engaged us and let us see if we could have taken out what would have embarrassed them because... *[Interruption]* ... I said *we*, and since the collective suggests that others own it, then I would believe as a lawyer it should follow naturally to you. But I was saying ... *[Interruption]* ... That is difficult. The point I was making, Mr. Speaker was that there was that glorious opportunity for us to show political maturity, and accept a Motion that would have contributed significantly to the people of Linden, and at the same time we all would have been able to say that we would have served the people of Linden in particular, and the people of Guyana in general, but we are now being forced in a position where it is clear. *[Interruption]* ... That is the problem; you only believe in procedural democracy ... vote, vote. What about the substantive one where you discuss, disagree and agree? He symbolises the problem of that side of the House.

But I was making the point, young Ali that we really needed to go in that direction and I hope that the next Opposition resolution... Motion that comes before this House is treated in a way that I am suggesting here, because the only way for us to progress as a nation is if we can discuss, disagree and then find areas of agreement to operate in the interest of the people of Guyana. Well, Mr. Speaker, I like to fight; I like to fight with a purpose, and I would hope that the next fight I am involved in, in this House, the purpose will be served and the people will benefit from the decision.

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I close by saying, Mr. Speaker, that I do hope there is a change of heart on the other side of the House. I do hope that they recognize that this has a lot of meaning for Linden, that it serves the people of Linden interest. It is no attempt to make it a political football; it is a genuine attempt to ensure that the people of Linden are allowed to access a wider array of information to be able to make decisions based on the facts at their disposal.

I thank you, Mr. Speaker. *[Applause]*

The Speaker: Thank you Honourable Member

Honourable Member Mrs Holder

Mrs. Sheila VA Holder: Thank you very much, Mr. Speaker.

It would be improper of me to close this long debate without acknowledging the important contribution that you made in bringing about the sitting of the very first Members Day sitting today. I believe it is proper for me, as a Member of the Parliamentary Management Committee, to let the other Members on this side of the House understand that without your intervention at crucial moments, today's sitting might not have been possible. *[Applause]* I therefore thank you on behalf of the Alliance For Change.

Mr. Speaker, I believe it is also proper for me to extend my gratitude to the members on the Opposition side who did so excellently in advancing the intent of this Motion. They ably represented the desire of the people of Region 10.

It is, nonetheless, of particular note that in today's sitting, we saw some eight Members of the Opposition speaking on this Motion, and in fact only three Members on the Government

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benches responding. It is indeed historic and worthy of mention, and what is even more significant, Mr. Speaker, is the fact that the three Members on the Government side who dared to speak on the Motion are indeed known for their ability to spin, and indeed known for their vigor with which they exercised their expertise as spin doctors.

This Motion, Mr. Speaker, was clearly positioned within the fundamental rights that have indeed been an obligation by this Government, and it was with some degree of concern that I sat here and heard the Honourable Member Nadir suggest that these Conventions were not relevant to the Motion and to the predicament of the people of Linden. What else can a spin doctor attempt to say, other than the ridiculous? In fact, the more I see the Honourable Member as he attempts to defend his colleagues, the more I am convinced the one important ingredient in his terms of reference is indeed spin-doctoring.

Mr. Speaker, the Honourable Leader of the Opposition did this House a great service by recounting in great detail the history in terms of the arrangement between the PNCR and the PPP/C in regards to attempting to bring to this House broadcasting legislation. I am grateful for the history that you recounted, because it not only educated those of us who were not here and who were not privy to all the detail, but I dare say that he provided a comfortable plot for Honourable Member Teixeira who gladly jumped upon it and stayed very comfortably, seeking instead to give her version of history.

Mr. Speaker, the people of Linden is interested in none of this; they have a simple request and that is that this Government should stop discrimination against them and allow them access to private television media. *[Applause]* It is a very simple request and so all the attempts that have been made here this

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evening by the three Members who were brave enough to face those of us on the Opposition benches, to present their spin in a situation where spin is most inappropriate, because we are talking about fundamental human rights that cannot be excused.

Mr. Speaker, as I listened to the Hon. Member Rohee, who claimed that many of us on this side of the House issued threats ... preceded himself to couch his language in nothing else but threats, and so I would suggest that he would be brave enough to air his presentation in Linden. Let the people hear your argument. You have control of NCN; I dare you to play your presentation to the people of Linden.

Nobody on this side of the House suggested that the Government benches should introduce any kind of system, the Frequency Management Unit; that would be *ad hoc*; nobody on this side of the House suggested any craziness. All we asked is what the people of Linden are entitled to.

As the Government, you are entitled to exercise your power without discretion. We are not unfamiliar with the exercise of indiscretion from you, and the people of Linden in particular are accustomed to such treatment, but I dare say, Mr. Speaker, there are political consequences for pushing people too far and I really do not care whether the Government benches consider that to be a threat or not. I believe that what I am doing is exercising my constitutional right as a Member of this House, to give warning where warning is needed.

A great deal is heard from time to time from many Members on the Government benches about governance. I want you to know that state control of the media is not good governance

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and that state control of the media will lead to problems in time to come.

What it will do, Mr. Speaker...*[Interruption]*...Ms. Teixeira, you are behaving exactly the way you objected a while ago.

The Speaker: Honourable Members, Mrs. Holder does not interfere with anybody while they are speaking, so I would be obliged if ...

Mrs. Sheila Holder: Mr. Speaker, I think it makes very little sense ...

The Speaker: There is nothing wrong ...

Mrs. Sheila Holder: ...for me to continue to present an argument to persuade the administration, but let the record show that I made my position known, that if any of the resolution clauses are troublesome to the administration, we will be quite prepared to amend them to satisfy you to do what ought to be done.

I heard a great deal of talk about when the Honourable Trotman sought to give an example of a reality, where in one region they in fact access to several other channels in this country, apart from the one that is licensed in that particular region and that is a situation, I pointed out as I moved the Motion, that prevailed in other regions of the country.

To the extent that the Linden residents are denied that right you are indeed discriminating. Twist it and turn it as much as you like, in the final analysis it constitutes discrimination. Mr. Speaker, cementing trust in Government and building our shaky democracy could only be achieved where visionary leadership is present. An opportunity has been presented here

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today for the Government to exercise vision about a future in Guyana that many of the people of this country desire to see. This administration must be aware that national stability could only be enhanced by policies of openness, which engender greater public trust, particularly in the representatives in this House. This is a crucial aspect of effective governance, without disporting trust of the people, government will be more likely to face resistance to their policies and programs and implementation will become extremely difficult.

A Commonwealth Foundation study conducted in the year 1999 which sought the views of some 10,000 citizens in some 47 Commonwealth countries reflects the feeling not only of the Linden community, in relation to the matter before the House, but very much the whole of this country. This Commonwealth study has shown that there is a growing disillusion of citizens with their governments. This matter is indeed relevant to our own circumstances.

I quote very briefly from this report that says:

Citizens are suspicious of the motives and intentions of their Government. They feel ignored or even betrayed by their elected representatives. Indeed, they feel suspicious of the very programs and agencies created to meet their needs. They feel neglected, ignored and uncared for.

I mentioned that to you in the hope that when you leave this House this evening, you would give consideration to some of the decisions that you make that adversely affect the well-being, the comfort, of many of our citizens in this country. The contributions we heard coming from the Government

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benches highlights why, from the perspective of many communities, the Government's image is at an all-time low.

This Motion before the House today presented an opportunity for Government to be seen to be improving their integrity in the eyes of the Linden community, by being willing to be open and by being willing to provide access to television channels other than that, and the propaganda that is spewed out by the state media. Over the years, studies have clearly shown that inability to do these essential things create instability and conflict and has resulted in huge setbacks to development in many Commonwealth countries.

Surely this Government should understand that by enhancing the people's trust goes a far way toward minimizing the likelihood of conflict. Openness contributes to national stability, by establishing a two-way dialogue between citizens and the state, by reducing distance between the government and the people, and by reducing feelings of alienation. That is how the people of Linden feel. Systems that enable people to be part of, and personally scrutinize, decision-making processes, reduce the feelings of powerlessness and the perception of exclusion from opportunities and unfair advantage of one group over another.

By refusing to support this Motion, Mr. Speaker, Government has failed the people of Linden in a major way. It is regrettable.

Thank you. *[Applause]*

The Speaker: Honourable Members, there are two amendments. I will put the first one by Mrs. Holder.

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After the word *Wismar*, in the clause beginning with the words *And Whereas*, the following words be added: *and other Region No. 10 communities*.

Amendment to the Motion, proposed by Mrs. Sheila VA Holder, proposed, put and negatized

Next amendment, next proposed amendment, is in the Clause beginning with the words *And be it resolved*, after the word *Wismar*, the following words be added, *and other Region No. 10 communities*.

Amendment to the Motion, proposed by Mrs. Sheila VA Holder, proposed, put and negatized

The next amendment is by Ms. Vanessa Kissoon, seconded by Mrs. Backer. Two amendments:

First is, addition after the *And Whereas* clause, the second *And Whereas* clause, reading: *And Whereas Channel 13 was a gift to the people of Linden by a corporate citizen*.

The first Amendment to the Motion, proposed by Ms. Vanessa Kissoon, seconded by Mrs. Deborah J Backer, proposed, put and negatized.

Secondly, after the *Be It Further Resolved* clause, the second *Be it further resolved* clause be added to the following effect: *Be it further resolved that since Channel 9 was a gift to the people of Linden by a corporate citizen, this National Assembly calls on the Government of Guyana to return the management of the television Channel 13 to the people of Linden, its rightful owners*.

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The second Amendment to the Motion, proposed by Ms. Vanessa Kisson, seconded by Mrs. Deborah J Backer, proposed, put and negatized.

Honourable Members, I now propose the Motion to the House.

The Division is called.

The Clerk takes the Division:

AGAINST

FOR

Mr. Whittaker

Mr. Franklin

Mr. Seeraj

Mr. Patterson

Mrs. Sahoye-Shury

Mrs. Budhan

Mr. Parmanand Persaud

Mrs. Holder

Mr. Neendkumar

Mr. Ramjattan

Mr. Nandlall

Mr. Trotman

Mr. Nagamootoo

Mr. Fernandes

Mr. Khan

Ms. Kisson

Mrs. Edwards

Ms. Wade

Mr. De Santos

Dr. Austin

Mr. Chan

Ms. Selman

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Mr. Atkinson

Mrs. David-Blair

Mr. Ali

Mr. Elliot

Ms. Shadick

Mr. Norton

Mrs. Chandarpal

Mr. Danny

Mr. Nokta

Ms. Ali

Ms. Teixeira

Mr. Scott

Mr. Prashad

Mrs. Lawrence

Dr. Ramsaran

Dr. Norton

Dr. Fox

Mrs. Backer

Ms. Manickchand

Mr. Carberry

Mr. Nadir

Mrs. Riehl

Mr. Benn

Mr. Murray

Dr. Anthony

Mr. Corbin

Mr. Lall

Dr. Westford

Mrs. Rodrigues-Birkett

Dr. Ramsammy

Dr. Jeffrey

Mr. Baksh

Mr. Rohee

Mr. Hinds

Against = 31

For = 24

The Speaker: Honourable Members, 24 Members voted **For** and 31 voted **Against** the Motion. The Motion is defeated. Thank you very much.

Hon. Member Mr. Rohee ...

Hon. Clement J Rohee: Mr. Speaker, I ask that the House stand adjourned until 11 December 2008. Thank you.

The Speaker: Honourable Members, the House is adjourned until 11 December 2008. Thank you very much.

Adjourned Accordingly At H

20:44