

# 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

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69<sup>th</sup> Sitting

14:00h

Monday 29 December 2008

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### **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*

- (AOL)

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 Co-operation*

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 Essequibo)*

*Minister of Foreign Affairs*

\*The Hon Dr Ashni Singh MP

*Minister of Finance*

The Hon Robert M Persaud *(Absent)*

*(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 *(AOL)*

*(R# 5 - Mahaica/Berbice) Development*

*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 (AOL)

*Minister in the Ministry of Finance*

The Hon Manniram Prashad MP

*Minister of Tourism, Industry and Commerce*

\*Non-elected Minister \*\*Elected Member from TUF

\*The Hon Pauline R Sukhai MP

*Minister of Amerindian Affairs*

Mr Donald Ramotar MP

Ms Gail Teixeira MP

Mr Harripersaud Nokta MP

Mrs Indranie Chandarpal MP, Chief Whip

Ms Bibi S Shadick MP

*(R# 3 – Essequibo Island/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 Island/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 - Pomeroon/Supenaam)*

Mr Moses V Nagamootoo JP, MP (AOL)

Mr Mohabir A Nandlall MP

Mr Odinga N Lumumba MP

Mr Neendkumar JP, MP

*(R# 4 - Demerara/Mahaica)*

\*\*\* Mr Steve P Ninvalle MP

*Parliamentary Secretary in the Ministry of Culture, Youth and Sport*

Mr Parmanand P Persaud JP, MP

*(R# 2 - Pomeroon/Supenaam)*

Mrs Philomena Sahoye-Shury CCH, JP,

*MP Parliamentary Secretary in the Ministry of Housing and Water*

\*\*\* Non-elected Member

Mr Dharamkumar Seeraj MP

Mr Norman A Whittaker MP

*(R# 1 - Barima/Waini)*

## **Members of the Opposition (27)**

### **(i) People's National Congress Reform 1-Guyana (21)**

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, MP

*-(AOL)*

Mr Basil Williams MP

Dr George A Norton MP

Mrs Volda A Lawrence MP

Mr Keith Scott MP

*-(Absent)*

Miss Amna Ally MP

Mr Dave Danny MP

*(R# 4 - Demerara/Mahaica)*

Mr Aubrey C Norton MP

*-(AOL)*

*(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)*

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

*(AOL)*

*(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 Lilawatie Coonjah

*Deputy Clerk of the National Assembly*

**PRAYERS**

*[The Clerk reads the Prayer]*

**PRESENTATION OF PAPERS AND REPORTS,  
ETC.**

**The Speaker:** Hon Minister of Finance

**Hon Dr Ashni K Singh:**

- (i) *Ministers, Members of the National Assembly and special officers emoluments No. 3 order 2008, order No. 43 of 2008*
- (ii) *Constitutional officers remuneration of holders, No. 3, order 2008, order No. 44 of 2008*
- (iii) *Loan Contract No. 1929/PLGY Between The Government Of Guyana, And The Inter-American Development Bank, signed on 6th April 2008, for US\$20.9 million, for the Agricultural Export Diversification Programme.*
- (iv) *Loan Contract, No. 1938/PLGY Between The Government Of Guyana And The Inter-American Development Bank, signed on 6 April 2008, for US\$12 million for the power Sector Support Programme.*
- (v) *Loan Contract No. 1558 SSGY Amendment No. 1, Between The Government Of Guyana, And The Inter-American Development Bank, signed on 16 October 2008 for US\$17,428,200 for the agricultural support services programmes.*

- (vi) *Loan Contract Number No. 2091/PLGY Between The Government Of Guyana And The Inter American Development Bank, signed on 12 December 2008, for US\$5 million, for the Financial Sector Reform Programme.*
- (vii) *Note Verbale No. 001504 Dated 6 March 2008, Between The Government Of Guyana, And The Government Of The Bolivarian Republic Of Venezuela, For The Cancellation Of Guyana's Debt To Venezuela For The Amount Of US\$12.5 Million.*
- (viii) *Loan Agreement No. 742 GY Between The Government Of Guyana And The International Fund For Agricultural Development (IFAD), signed on 24 July 2008 for SDR1.85 million for the Rural Enterprise And Agriculture Development Project.*

### QUESTIONS ON NOTICE

**The Speaker:** Honourable Members, there are 17 questions on the order paper.

Questions Nos. 1 to 5 are for written replies. Question 1 is in the name of Honourable Member Mr. Raphael Trotman. Question No. 2 is in the name of Honourable member Mrs. Deborah Backer. Question No. 3 is in the name of Honourable Member Ms. Amna Ally. Questions



4 and 5 are in the name of Honorable Member Mr. David Patterson.

Only two answers have been received, and these are to Question No. 3 in the name of Honourable Member Mrs. Amna Ally, from the Hon Minister of Education Mr. Shaik Baksh, and to Question No. 5 in the name of Honourable Member Mr. David Patterson from the Hon Minister of Local Government, Mr. Kellawan Lall.

These are therefore in accordance with our Standing Orders being circulated.

We have not received answers to the following questions:

- Question No. 1 in the name of the Honourable Member Raphael Trotman to the Hon Attorney General Mr. Doodnauth Singh.
- Question No. 2 in the name of Honorable Member Mrs. Deborah Backer to the Hon Minister of Home Affairs, Mr. Clement Rohee,
- Question No. 4 in the name of Honorable Member Mr. David Patterson to the Honorable Member responsible for Housing and Water, Hon Mr. Robeson Benn.

Questions No. 6 to 17 are for Oral Replies.

Question No. 6 ... Honourable Member, Ms. Latchmin Punalall, please ask your question ...

All right. Mrs. Holder ...

**Mrs. Sheila Holder:** Thank you very much. I have been authorized by my colleague. The question is directed to the Hon Minister of Housing and Water, and the question is:

*When will the residents of Region 8, including Campbell Town, receive potable water through their taps?*

This question was deferred in your absence, Sir, at the last Sitting.

**Hon BH Robeson Benn:** Mr. Speaker, the residents of Mahdia, which is inclusive of Campbell Town are, or some proportion of them, are in fact receiving water through their taps. There has been a difficulty in that, there is a great wastage of water; so that, the water pressure, because of that wastage, is insufficient to lift the water to the top of the hill, to the extent that Campbell Town and the Government compound are severely affected. There is intended to be an intervention just now, where the pipelines to the homesteads: to the houses at the lower levels, will be repaired; A stricter regimen of enforcement will be adopted with respect to the wastage of the water, and that in itself should see water reaching to the top of the hill from the arrangement from the Salbora Creek.

In addition, it is intended to put a bypass line with the requisite valves to ensure that the residents on the hill, including Campbell Town, will also receive water through the pipeline in addition to the water they receive from shallow wells from standpipes, which will ensure that they will be able to obtain water on demand. I

envisage, based on the advice that I have that by February 2009 these arrangements will all be completed. If I may, Mr. Speaker, let me apologize with respect to the question at four. I had in fact prepared an oral reply, that was my mistake, and I will submit the written reply shortly.

**Mrs. Sheila V Holder:** May I ask a supplementary?

*The supplementary question, Honorable Member, relates to your comment about the wastage. As far as I am aware, these people are desperate by requesting portable water to their homes. I would like to know whether this is in relation to the GUYWA connecting water up to ... giving them the main connection, but the people are too poor to connect the mains to their houses and thus, the main is now serving as a standpipes. Could you explain to me if that is the situation, and what you intend to do about it?*

**Hon. BH Robeson Benn:** Mr. Speaker, my information is that, and I have witnessed it myself, where in fact, there have been standpipes at Campbell Town itself. There is, in the future, an intention to have, similarly with those at the lower elevations, pipelines, taps run to the homes. What we want to be able to ensure in the first instance is that we have sufficient water at the top of the hill, to reduce the possibilities of wastage of water. Ultimately, the intention is to have water in the homes.

**Mrs. Sheila V Holder:** So, Minister ... This is my final supplementary:

*The Minister has confused me further. There it is you have a desperate community begging for potable water, and you are suggesting that these very people are not using the water, but wasting it; there is a disconnect between the two. What can you do to get the water to the people? If the water is being wasted, and the people want water, there needs to be some kind of intervention to make the two meet.*

**Hon. BH Robeson Benn:** Mr. Speaker, I think I did say, in the first instance, that the water was being wasted by persons at the lower elevations, and that steps will be taken to repair those pipelines- the repair of the pipelines; of the house pipelines, repair the leaks, and buying individuals taps to be monitored. I have witnessed myself where the taps were thrown away, and water was allowed to flow freely onto the ground. Once that situation is dealt with, and I spoke about a stricter enforcement regimen, to ensure that this situation does not continue. When that is first done, water will get to the top of the hill. For additional surety, a bypass line, as I said before, with the requisite valving, will be put in place, so that at particular times and when necessary, on demand, the residents at the top of the hill will get water on demand.

**The Speaker:** Honourable Member Mr. Basil Williams, please ask the question.

**Mr. Basil Williams:** Thank you. This question is for the Hon Minister of Labour:

*Can the Hon Minister of Labour tell this National Assembly whether the nominee of the Guyana Trades Union Congress is*

*Guyana's legal Trade Union representative to the International Labour Organization?*

**The Speaker:** Honourable Member Mr. Nadir.

**Hon. Manzoor Nadir:** Thank you, Mr. Speaker. Mr. Speaker, there is no legal representative from any particular body to the ILO on behalf of workers. The ILO, Convention speaks to, consulting with representative organizations of workers; and we have to deal with issues relating to workers, and in terms of when we take workers representatives with us to the ILO Convention, -to the ILO annual Convention.

**Mr. Basil Williams:**

*Could the Hon Minister of Labour confirm that, the Guyana Trades Union Congress is the Body recognized by the International Labor Organization, as the representative from Guyana?*

**Hon. Manzoor Nadir:** Mr. Speaker, I cannot confirm that, because that is not so. The ILO does not give representation to any one union or an umbrella body of unions, as the legal representative, on behalf of the country, to the ILO. That matter is decided within the country, among the tri-partite constituents - labour, the employers and also the Government.

**Mr. Basil Williams:**

*Could the Hon Minister of Labour confirm that this year's delegation - Guyana's delegation to the Annual ILO Conference in Geneva - that*

*they were prevented from sitting because of an objection by the Guyana Trades Union Congress?*

**Hon. Manzoor Nadir:** Mr. Speaker, no such thing happened. Guyana did not send a full delegation to the ILO. The Minister attended the session this year, and was not prevented from sitting or participating in anything. In fact, as a courtesy to the organizations of workers, and also the organizations of employers, we chose not to express a Guyana position on any issue; but merely to observe. I have, sir, on my laptop, provision, pictures to show that we were there, present, sitting in the Guyana chair, but we chose not to express an opinion on behalf of Guyana.

**Mr. Basil Williams:**

*Finally, could the Hon Minister of Labour confirm that in fact, he attended with a delegation which included a FITUG representative, and they were prevented because of that breach, from sitting, being part of the meeting?*

**Hon. Manzoor Nadir:** Mr. Speaker, I do not know where the Honorable Member got his information from, but the information is very inaccurate. Only I attended, Sir. And in fact, I was fully accredited, not refused, not refused my accreditation. I was fully accredited.

**The Speaker:** Honourable Member Mr. Williams, you have another question, No. 8?

**Mr. Basil Williams:** This is also for the Hon Minister of Labour:

*Can the Hon Minister of Labour tell this National Assembly whether, the nominee of the Guyana Trades Union Congress is a standing member of the Guyana's Ministerial delegation to the ILO, International Labour Organization, Conference in Geneva?*

**Hon. Manzoor Nadir:** Mr. Speaker, as a skillful attorney, I think we are getting the same question in many different ways. But I can provide some answers. Representatives have come from the Guyana Trades Union Congress on many occasions as part of the delegation. Guyana chose to go every two years to the ILO Annual Convention with a full delegation. In 2004, we were represented by the General Secretary of one of the large unions, the CCWU. In 2006, the General Secretary of the GLU represented us.

**Mr. Basil Williams:** I do not think, with respect, Mr. Speaker, that the Honorable Member has answered the question.

*My question is whether the nominee of the Guyana Trades Union Congress is a standing member of the Guyana delegation?*

**Hon. Manzoor Nadir:** Mr. Speaker, the representative of the organizations most representative of workers, that grouping would normally nominate the representative of labour, to the ILO Convention.

**Mr. Basil Williams:** But we will get the answer from this next question ... Oh, sorry, I did not ...

**The Speaker:** Brilliant, you are on the floor ...

**Mr. Basil Williams:** No, I ...

**The Speaker:** I determine who speak here ...

**Mr. Basil Williams:** I am sorry, Mr. Speaker; I had no intention. I will now move to the second part of the question.

**The Speaker:** You are going to another question?

**Mr. Basil Williams:** No, (b)

**The Speaker:** Alright, Mr. Corbin... for the first part.

**Mr. Robert HO Corbin:**

*As answered, would the Minister confirm whether those persons who attended in the past, for the past thirty years, were not nominees of the TUC?*

**Hon. Manzoor Nadir:** Mr. Speaker, I cannot confirm who nominated them, but I know we had representatives from the labour movement, chosen by representatives of the labor organizations.

**Mr. Basil Williams:** Question two of question 8:

*Can the Hon Minister of Labour tell this National Assembly, how many times a nominee of the Guyana Trades Union Congress was a member of Guyana's Ministerial delegation to the ILO conference, between the years 2003 to the present?*



**Hon. Manzoor Nadir:** Mr. Speaker, I am saying that twice we had representatives to the ILO, and I suspect that those representatives of labour came out of the process of consultation with the most representative organizations of labour.

**Mr. Basil Williams:** I was wondering ... (supplementary) ... Mr. Speaker; if the Hon. Minister could call a spade a spade. It is a clear, simple question that is being asked:

*How many times between 2003 to the present, was the GTUC nominee a member of the delegation to the ILO Conference?*

**Hon. Manzoor Nadir:** Mr. Speaker, twice we attended, as I said before, and I named the representatives. I cannot confirm that it was one particular Body that made the nomination.

**Mr. Basil Williams:** Thank you, Mr. Speaker.

**The Speaker:** The next question, No. 9, is from Honorable Member Mr. Moses Nagamootoo, but I see he is not here.

Mrs. Chandarpal ...

**Mrs. Indranie Chandarpal:** Thank you Mr. Speaker. Mr. Nagamootoo is not in the country ...

**The Speaker:** And the Honorable Attorney General is not here either ...

**Mrs. Indranie Chandarpal:** Yes, I have been requested to seek your leave to seek a deferment of this ...?

**The Speaker:** Okay. Honourable Member Mr. Everall N Franklin ...

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

*To the Minister of Finance ... Can the Hon Minister confirm whether, some dependents of pensioners received cheques as low as G\$90 per month, and of approximately 3000 pensioners at least 400 received cheques of less than G\$500 per month?*

I will read all the questions on this.

**The Speaker:** The question has other parts?

**Mr. Everall N Franklin:** Two other parts

**The Speaker:** Okay, treat it as one question, but we will deal with the parts separately.

Hon Minister of Finance ...

**Hon. Dr. Ashni K Singh:** Mr. Speaker, the answer to the question is in the affirmative. I would go on, Mr. Speaker, by way of elaboration to say that the amount of pension that is paid by the GPF to beneficiaries, that is to say, survivors of contributors to the scheme, the amount of pension that is paid to these survivors is determined according to actuarial tables. It depends on the age of both the contributor and the beneficiary, and the rate of contribution paid over the years. So it is a contributory scheme; and the amount of pension that is paid is dependent on the period of contribution, the amount of

the contributions, and various other factors that are then computed against actuarial tables.

**Mr. Everall N Franklin:** Supplementary to that particular point ...

*Could the Minister then state that, or explain to the House, why the maximum of \$100 per contributor, still remains the contribution that persons can make to this scheme, when initially it was one percent of the total salary? That has not moved with inflation at all. Could you explain why this has not moved, in keeping with inflation and general pay raises that the government itself has implemented?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, in fact, I am advised the rate of contribution was fixed; in fact, as far back as November 1978, at that time at a rate of \$25, G\$25 per month. This contribution rate was in fact increased in August of 1995, and it was increased at that time to a rate of a hundred dollars per month, from the previous rate of \$25 per month. So the last increase in fact, was in August 1995. There has not been an increase subsequent to that, and I am sure that the Honorable Member would recognize that there would be a wide variety of considerations that would have to be brought to bear before a decision is taken to adjust contributions, to a scheme such as this.

**Mr. Everall N Franklin:** Second part of the question ...

*Can the Hon Minister confirm that the monthly administrative costs of the Dependents Pension Fund, exceed the total monthly pension payouts?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, I can so confirm.

**Mr. Everall N Franklin:** Third part of the question ...

*How long has this Fund operated at a deficit, and when will the Minister seek to rectify this situation?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, I am in fact advised that the Fund has not operated at a deficit, certainly not in recent years. In fact, I have numbers before me that certainly suggest that, at least for the past 3 years, the Fund has not been operating at a deficit.

**Mr. Everall N Franklin:**

*How would the Hon Minister clarify what a deficit is? Is it that they have funds in the kitty to make the payments, at the present rates? And if they were to go on, could they then afford to sustain it? How do you define the deficit?*

**Hon. Dr. Ashni K Singh:** Well, Mr. Chairman, the Honorable Member is the one who posed the question. I presume he would have had some understanding of what he meant by deficit when he asked the question. But in answering the question, my interpretation of deficit, is of course, the Funds, income minus its expenditure; and the Fund generates income from various sources including contributions; that is, current contributions, contributions from current participants in the scheme; But the Fund also

generates investment income; that is, the income that is generated from ... Returns generated from the investments that are made, using the funds that are currently held by the GPF. And when one takes account of the total income of the Fund, minus the total expenditure of the Fund, the information that is currently before me suggests that, the Fund has not operated at a deficit in recent years.

**Mr. Everall N Franklin:**

*If I assess that as an answer, is the Minister satisfied that the Fund is doing its best that it can at this particular time, based on the contributions that are deducted from persons who are part of that scheme? Is that the best this Fund can do for dependents in your opinion?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, given what their current level of contributions, given what their contribution rates are, given the manner in which the benefits are defined, and they are statutorily defined, I am satisfied that the Fund is doing as well as it possibly can.

**The Speaker:** Thank you, Honorable Member.

Honorable Member Ms. Amna Ali, to the Minister of Education ...

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

- a) Could the Hon Minister of Education explain to this National Assembly his Government's rationale

for closing all Community High Schools in July 2009?

- b) Could the Hon Minister of Education tell this National Assembly what programmes, if any, will be used to fulfill the objectives of the establishment of Community High Schools?

**Hon. Shaik KZ Baksh:** Community High Schools were established through a pilot of two Community High Schools in 1973. By 1977, there were 29 Community High Schools. The broad objectives of the Community High Schools programmes were geared towards providing academic and vocational training. By late 1990s, many Community High Schools were converted into general Secondary Schools, and were offering courses leading to the Caribbean Secondary Education Certificates. Presently, there are 19 Community High Schools. Some of these schools are offering general secondary programmes, and others, vocational courses, in addition to academic courses.

The Ministry of Education has introduced the Basic Competency Certificate Programmes in some Community High Schools, and in some general Secondary Schools. In accordance with the Educational Strategic Plan, there will be 70 general Secondary Schools offering the BCCP programmes by the Year 2013. A decision has been taken to convert all Community High Schools into general Secondary Schools, from the school Year 2009; and many of these schools will be doing the BCCP programmes, as envisaged in the original ... as one of the

original objectives for setting up of the Community High Schools that is to introduce a six- year secondary programme for all students obtaining less than 40% at the Grade Six Assessments. The first year of the six-year programme will focus on English, including reading and comprehension skills, mathematics, and vocational subjects. The objective is to ensure that all students come out of the Secondary School System highly literate, numerate, and with the acquisition of basic skills.

**Ms. Amna Ally:** Supplementary, Mr. Speaker ...

*Given that children have varying abilities, what programme specifically, is intended to deal with slow learners?*

**Hon. Shaik KZ Baksh:** Mr. Speaker, for slow learners I have mentioned already; for those coming out of the primary school system having done the Grade Six Assessment, and who would have scored less than 40% of the marks, we are offering a six-year programme, whereby, the first year will be spent in upgrading those students in English, in reading skills, and numeracy, plus physical education and some vocational subjects. That was the intention. In the meantime, we intend to strengthen, as we are doing now, the Primary School System, through remediation efforts, and through the fast-track initiative, which is currently in place; so that within a short period of years, perhaps three to four years, this would no longer be necessary.

**Ms. Amna Ally:** Supplementary, Mr. Speaker ...

*Could the Hon Minister tell us what is this programme for remediation in the Primary Schools, and, secondly, I do not think, in my understanding, the first part of the question was answered. What is the Government's rationale?*

**Hon. Shaik KZ Baksh:** I may have to submit this in writing to you, because it is very clear that we decided to offer both academic courses and vocational courses in all schools, not only Community High Schools. The general Secondary Schools will also have such a programme, because we realise that it is important to prepare students for the world of work out there, so all schools gradually ... And to comment on funding resources, we have to equip the schools, retool them. And that is one of the failings of the Community High Schools in the past, because they were not fully equipped; only some of them were equipped, and therefore, they had to revert to a general secondary school.

**Ms. Amna Ally:**

*Mr. Speaker, I hope the Minister has not forgotten to tell us about the programme for remediation.*

**Hon. Shaik KZ Baksh:** Well, there are several programmes for remediation. You are very well aware, as a Head Teacher that we do have the Cascade model of literacy methodology being implemented in all schools across the country - the new literacy methodology; that is one. We have the Fast-Track Initiative also, targeting those students who are low achievers, especially in the July/August vacation period. Also, we have remediation



for slow learners, in many of our schools, after school hours.

**The Speaker:** The next question Ms Ali. That would be 13

**Ms. Amna Ally:** No. 12 on my paper, Sir, The question directed again to the Minister of Education ... three parts:

*Could the Hon Minister of Education tell this National Assembly why the milk feeding programme in the Georgetown schools, and schools on the coastland, no longer exists?*

**Hon. Shaik KZ Baksh:** I would prefer that you read out all three parts of the question, so that I have one response. The milk and biscuits school feeding programme was affected by the cessation of supplies of milk, non-fat milk, by Food for the Poor; and was discontinued to enable the Ministry of Education to review the programme and assess various options for its continuation, having regard to the cost of running such a programme.

**Ms. Amna Ally:** Yes... go ahead...

**Mr. Winston S Murray:**

*Could the Minister then inform this National Assembly, whether the Government has any intention of, itself, financing the milk feeding programme in the schools; or is it, in the future, going to be wholly dependent on third-party funding?*

**Hon. Shaik KZ Baksh:** Yes, this is under active consideration, as I speak.

**Ms. Amna Ally:** Mr. Speaker, I think the second part of my question was asked by Mr. Murray ... *if there is any plan by Government to restart the programme.*

*... If not, will there be a substitute for the milk feeding programme, for those children who most need it?*

**Hon. Shaik KZ Baksh:** As I mentioned, various options have been looked at, perhaps fortified juices, and other options. We have been in touch with the Ministry of Health to provide us with ... not juice, but meals, and so on: So we have to look at all of this in terms of the costing of the products, and that is, what is under review right now.

**Mr. Winston S Murray:** Thank you, Sir.

*Could the Hon Minister kindly inform the National Assembly, when, in his estimation, is a substitute programme likely to be in place, bearing in mind that it has been a year since the milk feeding programme had ceased?*

**Hon. Shaik KZ Baksh:** As I mentioned, this is under active consideration, and I am hoping that it can come in the 2009 Budget. I am hoping it can be reflected in the 2009 Budget.

**Mrs. Deborah J Backer:** *Supplementary ...*

*Could the Hon Minister indicate, give us an idea of the cost that would be involved ... because*

*we are speaking about the 2009 Budget which is imminent. What is the kind of costs that we will incur?*

**Hon. Shaik KZ Baksh:** Yes, for a school feeding programme to cover all the Nursery and Primary School children in this country with full cream milk and biscuits, it will cost in excess of G\$1 billion.

**Mrs. Deborah J Backer:**

*You did say about non-fat, but what are the substitutes that you are thinking about? Will they be more expensive, less expensive, or around the same?*

**Hon. Shaik KZ Baksh:** This would be cream milk we are talking about, full cream.

**Mr. Winston S Murray:**

Mr. Speaker, does the Minister recognize a slight contradiction, because I am not sure I understand ... Is the Minister saying that he is contemplating a full cream powdered milk programme; or was he not saying they were considering various options which could include other things? And if that is so, should not he be giving us a range of costs, depending upon the quality of what he intends to offer? And not to simply tell us the cost for the full cream milk, because that is intended to scare.

**Hon. Shaik KZ Baksh:** I mentioned that there are various options, one of which is for the provision of full cream milk and biscuits. The other options ... we are looking at, a whole range of options having regard to cost.

**Ms. Amna Ally:** Supplementary ... Mr. Speaker ...

*It might be important for the Minister to tell us the various options and what would be the cost for each option?*

**Hon. Shaik KZ Baksh:** These are being worked out right now, and I can provide you with that.

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

**Ms. Amna Ally:** Thank you, Mr. Speaker. Again directed to the Minister of Education.

*Could the Hon Minister of Education inform the National Assembly why the over 300 teachers who successfully completed the Teachers' Upgrading Programme were denied entry into the Teachers Training College?*

**Hon. Shaik KZ Baksh:** Remember ... Mr. Speaker, it is again incorrect to state that over 300 teachers who successfully completed the Teachers' Upgrading Programme were denied entry into the Teachers Training College. The facts are as follows:

(i) 33 teachers who completed the upgrading programme, and who applied for admission to the Cyril Potter College of Education pre-service programme, were admitted in September 2008. Those teachers who applied for the In-Service Programme are currently being processed for admission in July 2009, the regular commencement date for the In-Service Programme. It should be noted that, the upgrading examination was held at the end of August 2008.

**Ms. Amna Ally:** Supplementary Mr. Speaker.

*Mr. Speaker is it true that when the teachers applied for Pre-Service training they were told they could not be admitted because of blackouts, furniture and lecturers?*

**Hon. Shaik KZ Baksh:** No.

**Ms. Amna Ally:**

*Mr. Speaker, could the Minister say whether it is true that there will be a batch to be admitted in January 2009. These very teachers who were not given entry in September, whether they will be admitted in January ... I heard you speak of July, but I am aware that applications are being processed for January.*

**Hon. Shaik KZ Baksh:** I am unaware of that.

**Mr. Winston S Murray:**

*Could the Minister say whether the 33 persons who applied and were admitted in this Teachers Training Programme, who had completed the Teachers' Upgrading Programme, represent the total number of teachers who graduated from that programme?*

**Hon. Shaik KZ Baksh:** No.

*[Inaudible]*

33 were admitted, and the remember, the teachers were sent letters stating that they were successful at the upgrading course, and they would now have to apply for admission: Many of them asked for deferral of one year. Many teachers stated that they could not have attended this year, but next year ... So we have all the applications in the system as they applied.

**Mr. Winston S Murray:**

*Could the Hon Minister say how many teachers altogether applied, of which thirty-three gained admission?*

**Hon. Shaik KZ Baksh:** 60 teachers applied ...

**The Speaker:** Honourable Member Mr. David Patterson ...

**Mr. David Patterson:** Thank you Mr. Speaker. This question is for the Hon Minister of Finance.

*Could the Hon Minister of Finance advise on the status of the contract awarded by the Procurement and Tender Administration Board, for the construction of a primary school, a health outpost, and teacher's quarters at Bamboo Creek, Region No. 8?*

**The Speaker:** Hon Minister of Finance ...

**Hon. Dr. Ashni K Singh:** Mr. Speaker, as the question suggests, indeed contracts were awarded for the construction of a primary school, health outpost, and teachers' quarters in Bamboo Creek. This project, in fact,

is being executed under the Basic Needs Trust Fund, which is a Government of Guyana/CDB Project. The contracts, in fact, were awarded, and work in fact commenced. But I am advised, Mr. Speaker that the work was discontinued, and the works were not resumed because of difficulties with access to the area. I am advised, in fact, that the contractor made a couple of attempts to re-enter the area, but his truck, which is a lorry, I am advised, slipped off the trail. But we are, Mr. Speaker, I hasten to assure the Honorable Member, anxious to see these projects completed. And I am advised that the project unit will, in fact be convening a meeting with the consultant and the contractor very shortly with a view to resolving this matter, with a view to ensuring a timely resumption and ultimately completion of the project.

**Mr. David Patterson:** Thank you very much Minister ...

*You should be aware that this contract started in 2003, and it has been reported in this Assembly that this project was completed. Are you aware of this ... 2003? So therefore, the attempt the contractor made, was it an annual attempt?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, information I have before me suggests that the contracts were awarded in 2005, and the attempt was periodic.

**Mr. David Patterson:** Supplementary, Mr. Speaker ...

*Is the Minister aware that residents of Bamboo Creek are owed over half a million dollars for labor and material provided to this contractor,*

*and if so, what measures will the Ministry be putting in place to help the persons recoup their money?*

**Hon. Dr. Ashni K Singh:** Mr. Speaker, I am not in possession of that information.

**Mr. David Patterson:** Supplementary, Mr. Speaker ...

*Could the Minister confirm that all three projects were awarded to one contractor; and if so, is this contractor still being awarded contracts by the Government of Guyana?*

**The Speaker:** Hon Minister ...

**Hon. Dr. Ashni K Singh:** Mr. Speaker, once again, the information before me suggests, that in fact, it is two contracts. Two contracts - one for the construction of the health outpost, and the second for the construction of the nursery school and living quarters - two contracts awarded to the same contractor.

**Mr. David Patterson:** Is he still ...?

**Hon. Dr. Ashni K Singh:** I would not be able to say.

**The Speaker:** Honourable Member Mrs. Judith David ...

**Mrs. Judith David-Blair:** Thank you, Mr. Speaker ...

*Could the Hon Minister tell this National Assembly, when last the Government Officer responsible for our scholarship students in Cuba visited our students in Cuba?*



**Hon. Dr. Jennifer Westford:** Mr. Speaker, currently, we have two officers, and not officer, responsible for the students in Cuba. We have 843 students, in 15 institutions, in ten provinces. There is a programme where those students are visited on a monthly basis by the Student Affairs Officers and, as I speak, both of them are currently visiting two institutions, in two separate provinces in Cuba, at this point in time.

**Mrs. Judith David-Blair:**

*Could the Hon Minister tell this National Assembly how much is the stipend received by each of our scholarship students in Cuba, and how is this stipend being paid to the students?*

**Hon. Dr. Jennifer Westford:** The students receive Cdn\$50, the sum of which has been increased, and that amount will be told to this National Assembly, when the Minister of Finance presents his Budget for 2009; and that money is paid currently by cash to the students. May I say that I suspect this question came from the Honorable Member, who fully knew that we had a problem, where students were being ... She fully knew, she has someone there who is receiving this Stipend. Now, the students were receiving money via their cards, their ATM cards, and it was brought to our attention, that the administrative fee that was being charged after that was deducted at the ... because we paid the administrative fee to this end, they were getting less than Cdn\$50 after the conversion. *[Interruption]* Yes, it's a month, sir. So we have currently been paying that money in cash to the students.

**Mrs. Judith David-Blair:** Supplementary, Mr. Speaker.

*Is the Minister satisfied with this amount of money being paid to the students, and would she agree that Guyanese students are being paid the least amount of stipend per month, during their scholarship?*

**Hon. Dr. Jennifer Westford:** Mr. Speaker, I just mentioned that there has been a review of that amount, the sum of which will be announced in this National Assembly, come the day of Budget presentation; *one, Two*, I am not aware of what the stipends are that are received by other students who are currently studying in Cuba. I know about the Guyanese students.

**Mrs. Judith David-Blair:** Mr. Speaker, before I go to my other question, I am representing my constituency. I am very disgusted about the statement the Minister made, in terms of my having a relative or family that needs appeasing. These questions are being asked because of people asking me, requesting me to ask these questions in Parliament.

**The Speaker:** Thank you Hon Member. We do not need an explanation, we are aware of that.

**Mrs. Judith David-Blair:**

*Could the Hon Minister inform this National Assembly if there is any current arrangement between the Governments of Cuba and Guyana, enabling students studying in Cuba to be supported by their parents?*

**Hon Dr Jennifer Westford:** Mr Speaker, as far as I know, and as far as everyone in Guyana knows, these

students are on a scholarship, a Government of Guyana scholarship which is being offered by the Government of Cuba, and there is no such agreement of the parents giving self-support to these students. If people want to give self-support, they are free to access scholarships, training from any institution in Cuba, which is like any other country in the world, which offers training at a cost to students.

**Mrs. Judith David-Blair:** Mr. Speaker, a supplementary ...

*Is the Minister aware that parents have been posting boxes to their children with things that they need like toiletries, clothing, and so on, for students who cannot afford to come home within that six-year period, and things that have never been easy to obtain. They are left to suffer and to feel embarrassed, because they have to borrow clothing and toiletries, and this is especially for the female students.*

**Hon. Dr. Jennifer Westford:** Mr. Speaker, I am not aware of any such incident.

- (i) it has not been reported to us, and
- (ii) it is the prerogative of any parent or relative to send anything for any child who they have studying out of this country.

**Mrs. Judith David-Blair:** Mr. Speaker, another supplementary ...

*Could the Minister say if in 2009 there will be a proposal between the Government of Guyana and the Government of Cuba, to enable our students that they can receive whatever needs their parents are sending to them so that they can be comfortable?*

**Hon. Dr. Jennifer Westford:** No.

**The Speaker:** Honourable Member Mrs. Judith David, this is 17 now, Honorable Member, 16, proceed ...

**Mrs. Judith David-Blair:**

*Mr Speaker, could the Hon Minister tell this National Assembly how many students have completed their studies in Cuba during 2008, and returned to Guyana to fulfill their contractual obligations?*

**Hon Dr Jennifer Westford:** Forty-three students.

**Mrs. Judith David-Blair:**

*Has the Government of Guyana been able to provide each Cuban graduate with relevant employment?*

**Hon. Dr. Jennifer Westford:** Yes Mr. Speaker.

**The Speaker:** Next question, Honourable Member ...

**Mrs. Judith David-Blair:** Mr. Speaker, this question is directed to the Minister of Health.

*Could the Hon Minister tell this National Assembly, how he proposes to distribute the*

*medical supplies donated by UNICEF for the interior regions?*

**Hon. Dr. Leslie Ramsammy:** Mr. Speaker, as part of our *Safe Motherhood, Safe Childhood Programme*, a partnership programme with UNICEF and WHO, UNICEF delivered the following items at a cost of US\$129,300.

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- Both adult and infant scales
- deliver y beds
- baby cots
- stethoscopes
- blood pressure kits
- suction pumps
- solar fridges
- incubators,
- Doppler, foetal heart rate detectors

We can say most of these items will be going to Region 1: There are 15 adult scales, 23 infant scales, 14 delivery beds, 8 baby cots, 22 stethoscopes, 20 blood pressure kits, 6 solar fridges, and 5 Doppler foetal heart rate detectors ... going to Region 1.

For Region 7, there are 2 baby cots, 4 blood pressure kits, 1 incubator, and 2 Doppler fetal heart rate detectors.

Region 8 will receive 5 baby cots, 8 stethoscopes, 5 solar fridges, and 2 Doppler fetal heart rate detectors.

And Region 9: Some of these are already there. Region 9 will receive 5 Doppler foetal heart rate detectors.

**The Speaker:** Thank you.

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**PERSONAL EXPLANATIONS**

**Hon. Clement J Rohee:** Mr. Speaker, with your leave, I would like to refer to Standing Order 23. And this is a special question of which, with your leave I would like to give a personal explanation on this.

**The Speaker:** Proceed Honourable Member ...

**Hon. Clement J Rohee:** Mr. Speaker, the answer to this question has taken quite some time, precisely because ... Question No. 2. The answer to this question has taken quite some time, Mr. Speaker, because in my own personal opinion, in reflecting on the position of the Guyana Police Force, the question needs some additional information which would require the police to establish whether the persons, where...whether permission was sought from the courts to have these persons held for more than 72 hours. 72 hours is the time under which they could be held, but one has to seek permission from the courts to hold them for 72 hours and beyond. So that, the information, Mr. Speaker, that we are awaiting, is linked to the answer, in order to make the answer complete, and not partial, so to speak. And it is with that in mind, Mr. Speaker that I wish to ask for a further deferral of this question. Thank you.

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PUBLIC BUSINESS

(i) GOVERNMENT BUSINESS

**Bills – Second Reading**

**Local Authorities Elections (Amendment) Bill 2008,  
No. 24/2008**

*(published on 8 December 2008)*

*A Bill intituled an Act to amend the  
Local Authorities (Elections) Act to provide  
for the postponement of the election of  
councilors of Local Democratic Organs*

**The Speaker:** Hon. Minister of Local Government and Regional Development ...

**Hon. Kellawan Lall:** Thank you, Mr. Speaker. I rise to move for the Second Reading of the Bill standing in my name, in Local Government Elections. Mr. Speaker, this Bill seeks to have Parliament postpone Local Government Elections for yet another time. We have been doing so for quite a number of years. This is indeed a very sad situation. This further postponement will certainly add to the difficulties presently being experienced by Local Government organs throughout the country. Our Local Government system was devised in such a way to allow for greater empowerment of communities, through the devolution of power from the center to the Regional, Municipal and Neighborhood governments. The objective



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is to create greater space for communities, to decide developmental issues as they see fit, within the context of the development of the country as a whole.

Additionally, the system allows a greater collaboration among, and between political and civil groupings at the local level, in finding common solutions to community development. Generally speaking, the system, as it now exists, provides a very good basis to achieve this objective. And as we all know, there are currently efforts underway to modernize the system to take it to another level.

An obvious setback to this process, Mr. Speaker, is the absence of the regular three-year Local Government Elections for almost a decade and a half. Because of this situation, many of the councils are not working as they should. Many councilors, for various reasons, are not functioning any longer - some have died, some have migrated, some are just tired. Some of these councils are affected to the extent that they do not have a quorum to hold meetings. Some of the elected councils have given way to interim management committees. Some of those, who have been holding on as I said are very tired, and only their strong commitment to serve their communities keeps them going. And as we all know, councilors are not provided with any monetary rewards - it is voluntary work.

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It is clear, Mr. Speaker, that after such a long lapse, in the holding of those elections, we really need it, so that we can have renewal at the grass-roots level. There are lots of young, enthusiastic people, who are willing to serve; and these elections will give communities an opportunity to put them in positions of responsibilities, to serve their communities. This present situation that has developed over the years, has led to very ineffective monitoring of works done by the councils, inefficiencies in some instances, and the general lack of guidance. The collection of rates and taxes is far from acceptable. Almost 50 percent of persons in rated areas do not pay rates and taxes, and legal recourse at the moment is ineffective, since the penalties prescribed are of little or no consequence.

Some of the most basic community services have been severely affected ... the cleaning of drains and parapets, collection and disposal of waste, and building and maintenance of community roads. These deficiencies have led to dire consequences, especially in the rainy season, as the one we are now witnessing. Flooding in some areas has been exacerbated, due to blocked drains, kokers, canals and in many instances these have resulted from inappropriate dumping of waste, garbage by residents, by individuals in the canal systems. It is very hurtful, Mr. Speaker, to see that there seems to be an increase in the dumping of ... inappropriate or improper

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dumping of garbage by persons. People go to restaurants, to simply buy food, and eat it and throw it in the drain; drinking water in plastic bottles, and just leaving it by the roadside. So it is a continuing and very expensive exercise. You have these councils sometimes on an hourly basis, being called upon to clean roadsides and drains and all these different things. They certainly do not have the kind of resources to do this.

A lot of people believe that an NDC, the neighbourhood council, is a very big apparatus. Mr. Speaker, sometimes some of these councils consist of just ten persons. Many of them do not have the equipment to collect garbage. Many of them sometimes collect less than \$3 million a year in rates and taxes. As I said, many citizens in rated areas are not paying their taxes; and I think one of the ways that we could solve some of these problems is to infuse some enthusiasm within the Local Government system to bring about a community spirit, so at the community level, we can have the basic essential services being provided to residents.

Mr. Speaker, the situation, the worsening situation is quite evident in our capital, Georgetown. I must say that, unfortunately, at the level of some of these councils, many of them are using these councils, mainly for political posturing and political reasons; and I suspect one of the reasons for the mis-functioning, or a dysfunctional council in this city is that people want to play politics and

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not get down to the management of the city. And so, we have a situation where, as we have seen in the last week or so, the city has been full of garbage being dumped practically everywhere ... no proper arrangements for the collection of that garbage. We have seen main canals being blocked by plastic bags, plastic bottles, and there is no evidence that there is any proper management of the municipality. I see the Mayor now, instead of trying to deal with the situation, is trying to moderate in some kind of dispute that currently exists within the PNC. I do not know how far he's going to get with that.

So Mr. Speaker, we really need these elections ... we really need these elections ... so we can have a better infusion of new blood, so we can have proper guidance to the various managements to improve supervision and to see how we can improve systems to collect more rates and taxes. Like I said last year when I spoke on the same matter, I am hopeful that arrangements can be made for us to have these elections early next year.

There are two main issues we have to deal with.

Firstly, the Task Force on Local Government Reform must complete its work. I am advised that major pieces of legislation are being addressed: The Local Authorities Elections (Amendment) Bill; the Fiscal Transfer Bill; the Local Government (Amendment Bill); and the Local Government (Commission) Bill, are nearing completion. I believe the Task Force can complete its work in just a

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few days, in January of next year. His Excellency, President Bharrat Jagdeo has seen to it that after some a lull, the Task Force is meeting again, and we are all hoping that within a very short period, they can finish this work. Further, I believe that there is a prevailing view that should we encounter any further delays, we should at least go ahead and pass legislation to hold the elections, as shortly as possible. I believe the President has taken this position, because any further delays to give communities the right to elect their representatives borders on irresponsibility.

Secondly, Mr. Chairman, as far as GECOM's preparations for elections are concerned, I am advised that current efforts at verifying data collected during the House to House Registration through cross matching and restarting of the continuous registration to capture those who were not registered could come to an end within the first half of next year. I know Mr. Speaker, like previous occasions, this is an occasion for pointing fingers and blaming others for the delays. Those who are responsible for the delays obviously know themselves. Now I think we can consider, and do everything possible, to share the credit for holding these elections without any further delay. I know that many would want to harp on past commitments made, and create all kinds of ... We need to look at the real situation on the ground, and take the appropriate steps now. As far as the government is

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concerned, we want the elections now, and more importantly, as far as the committees are concerned, they want the elections now. I think we should heed their call and collectively make this a reality.

In conclusion, Mr. Speaker, I want to signal my intention, before we complete this debate on this matter, to introduce an Amendment that, in spite of the postponement of Local Government Elections, we are going to make provisions for the Election of Mayors and Deputy Mayors, and Chairmen and Deputy Chairmen. Thank you

**The Speaker:** I have not seen any Proposed Amendment, Honorable Member; and no Amendment has been made available to me to circulate to Members of the House for study. I just need to let you know that. At the appropriate time, when the Amendment comes before me or the House, I will have something to say.

Honorable Member Mr. Williams ...

**Mr. Basil Williams:** Mr. Speaker, I rise to speak on behalf of the People's National Congress Reform, in relation to this Bill, which is yet another Bill of the same ilk seeking to postpone another election for another year. I notice it says December 2009. Mr. Speaker, normally, we would try to just pass this Bill without much ado; but it would really be remiss of us, in light of the prevailing circumstances, where different political figures, including

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the President of the Republic, the General Secretary of the PPP/C, and other Governmental executives, are suggesting that the reason why elections, Local Government Elections are not being held is because some other persons are failing to perform, or do not wish to have elections held for whatever reasons. Their explanations are many and varied, and I highlight some of them.

This is one occasion where we have to get into the nitty-gritty of this matter. But at the outset, we should look at the reasons for this state of affairs prevailing right now, and the history of this Bill. We know that this Bill comes because we do not hold elections, and over the past 11 years we were asking, notwithstanding the holding of elections, we should have annual elections for Mayors, Deputy Mayors, Chairmen and Deputy Chairmen, or Chairpersons. On several occasions, Mr. Speaker, the members on the Government side have resisted stoutly ... So to hear the Hon Minister lamenting the state of councils, and municipalities around this country ... Is not that surprising? It is now signaling a new state of change in the policy of the Government towards the Local Government system and the Local Government issues that we had.

But why are we requesting another postponement, Mr. Speaker? When I say *we*, I am talking about the Government. Why are we in this House, seeking to have

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another postponement? The reason is simple, Mr. Speaker; this is all about recognition on the part of all stakeholders, including the Government that new Elections, new Local Government Elections are dependent on two factors:

- (i) the implementation of constitutional reforms for the Local Government organs, which is here in the Constitution, and that task was given to the Joint Task Force on Local Government Reform, and
- (ii) the completion of House-to-House continuous registration processes which would culminate in the production of the voter's list, and that is the task of GECOM.

In the case of the Joint Task Force on Local Government, its remit was given to it since 2001 by the late President Hoyte and President Jagdeo, and largely that committee was comprised of members from the PPP/C and the PNCR; and it was always up in the air whether one member was a member of the PPP/C delegation, or whether that member was from the GGG. I really am not too sure. I know that member is now formally a member of the People's National Congress Reform, a component of that Task Force.

Now what were these reforms that this Task Force had been given in 2001? These reforms largely, Mr. Speaker,



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were directed to empowering people in the communities in which they live:

- (i) to give greater autonomy to Local Government organs, more or less, not to have the Minister riding roughshod over them as happens presently;
- (ii) to ensure that there were objective criteria for allocation of resources from Central Government to Local Government organs;
- (iii) to ensure there was a new electoral system; and the question of broadening a revenue base, in terms of garnering resources for Local Government organs, and
- (iv) most importantly, the establishment of the Local Government commission.

Now, the Task Force began its work, and we keep hearing that it has taken eight years, but Mr. Speaker, let's get the facts. There were nationwide consultations conducted by this Task Force at the outset, and those consultations traversed and covered most communities, if not all, including Amerindian communities in this country. And we know this is no small country. That took some time, and because of the lack of funds, that process was delayed; land that was because the Government said they did not have the funds. When they managed to get the funds, the consultations were completed, and after that, the Task Force then begun the preparation of its report,

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which would have embodied recommendations from the various Local Government organs throughout the country, including Amerindian communities.

We completed that report and right now, the Task Force is in the process of putting together legislation which would embody recommendations agreed in that report. In other words, Mr. Speaker, most of the work, or the work of the Task Force has been substantially completed. For example, the new electoral system has been agreed upon, by all the parties in the Task Force, so that's not an issue. Outstanding, is the question of the objective criteria for allocation of resources, and the question of the establishment of the Local Government Commission.

Now Mr. Speaker, throughout this period, the work of the Task Force was hampered largely by the representatives of the PPP/C on the Task Force. In fact, there were two long delays, one almost took three years, and that was because members of that Task Force, on the Government side believed that because there were certain things happening in the society they would no longer take part in the work of the Task Force. And then there was a one-year delay. So it is almost four years we are talking about where the work of the Task Force was stymied because of the withdrawal of the PPP/C from the process.

Now, Mr. Speaker, nonetheless, the People's National Congress Reform persisted, because they recognized the importance of having these reforms instituted before the

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next Local Government Elections; and in doing that we have perfected the art of compromise. I personally did not think I had that ability myself, but after having to deal with all those antics that were perfected by the Co-Chair, Mr. Collymore, one had to develop infinite patience, and recognize that one should look at the ultimate goal, that is realizing the objectives of the Constitutional Provisions, improving Local Governments and the people in the communities in which they live. In other words, people are supposed to be masters of their own destiny.

And so, Mr. Speaker, there were problems in completing the work of the Task Force. Latterly, without reason, without let or hindrance, the Co-Chairman, Mr. Collymore, unilaterally, *a la* the manner of the late Ian Smith in Rhodesia ... unilaterally declared the work of the Task Force finished. He alone aborted the work of the Task Force. And this is only a reflection of what has been happening over the years. And if you feel that there were any ... language or so employed by Mr. Collymore in addressing this unilateral declaration, you should have said so. Let me just read this letter from Mr. Collymore:

*Dear Sir,*

*Re: Suspension of Task Force Meetings*

*Please be notified that the weekly meetings of the Joint Task Force on Local Government Reform have been suspended, with effect from Tuesday 22<sup>nd</sup> July, 2008.*

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*This is due to other, more pressing engagements of a temporary nature, stemming from the 29th Congress of the People's Progressive Party. The Congress is being held on 2<sup>nd</sup> to 3<sup>rd</sup> August 2008, and as the head of the Local Congress Committee, I, the undersigned, am required to devote much of my time towards the preparations. Any inconvenience to the Task Force members is deeply regretted.*

*You will be similarly notified in writing when the meetings resume.”*

So, Mr. Speaker, this belies the fact that there are two ... Co-Chairmen of this Task Force. We have been proceeding over the years, where the two co-Chairmen would relate to each other on meetings, etc. In fact, it is a rule of procedure in the Task Force that you could not have a proper meeting if there is not a quorum unless both Co-Chairs were present. Yet you have a letter like this sent, and carbon copied to Bharrat Jagdeo, Robert Corbin, etc.

Well, I did not think we could have done much about that. And so we awaited the completion of the Congress; and many of us in here on this side know about the Congress, and the consequences of the Congress, etc. But then, the Congress has long come and gone, and still we have not had any meeting; and yet, there was the Honorable Member Mr. Donald Ramotar out there in the media, saying: *We want Local Government Elections now, we*

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*are ready for Local Government Elections.* So I do not know if the Honorable Member Collymore, the past Honorable Member Collymore, has nothing to do with the General Secretary. Every morning, when I am passing to go to work, I see Mr. Collymore's vehicle parked up at Freedom House. So how could Mr. Collymore unilaterally suspend the work of the Task Force on the one hand, and on the other hand, the General Secretary of the PPP/C telling this nation that they are ready for elections now?

Mr. Speaker, it speaks for itself. As we say in the law, *regis non sequitur*; but recognizing these utterances that were emanating from that side, and being conspiratorial as I am, I spoke to the Leader of the People's National Congress, and I recognized that there was an attempt to find a scapegoat, and they were intending to use the Joint Task Force on Local Government, and to blame the People's National Congress representatives for the delay. In fact, what we started noticing was, when we have Parliamentary meetings, meetings of the Task Force would be summoned for the same time. I recalled one day we had Parliament, and while at the break there, I said ... *wait, there's a Task Force meeting right now, I better go down there.* And I told the Leader and the Whip that I was going down to this Joint Task Force meeting. Lo and behold, when I reached the venue, I saw a member there waiting for me saying they postpone the

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meeting ... they postpone the meeting. In other words, if I had stayed in Parliament, that meeting would have gone on.

And so after I recognized that, I said, look, let me discuss this, and so, we sent a letter to Mr. Collymore. His letter was on the 22 July, and my letter was on the 25 August, you would recognize, a month and a day later. Mr. Speaker, in that letter, I said that:

*I was impelled to express the concern of the People's National Congress Reform, about the tardiness with which the Government's representatives on the Task Force are attending the work of the Task Force.*

And I indicated that the Task Force had rarely been meeting due to the failure, his failure; this was addressed to Mr. Collymore, to call meetings.

And that recently, in a letter of 22 July, you informed us that we were going to take a temporary suspension until further notice. But despite that, we have had no word from you on the resumption of the meetings.

Now I do not know who told me to pen that letter, because the next response we got from Mr. Collymore was this, I do not know what to call it: *Memorandum of Static Work*, dated the 2 October. I see it is addressed to His Excellency President Bharat Jagdeo, and carbon copied to the Leader of the Opposition. And in case we

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just forget, the first letter said that he would notify us by a similar route about the resumption of the meetings. Now this October letter is saying:

*... You would have noted that the Task Force has been meeting now for a lengthy period, and can hardly be said to have accomplished the desired results, after nearly eight years of on and off deliberation. Due to this fact, it is the view of the PPP/Civic members, that the Joint Task Force on Local Government Reform should be considered deadlocked on vital aspects of...*

*Recommendations: Taking the view of the PPP/Civic members into consideration, it is recommended that the whole Bill be referred to Cabinet, and that Cabinet establish a special sub-committee to deal conclusively with the said Bill, prior to the Bill being Tabled in the National Assembly for debate and eventual passage into law.*

I hear somebody else echoing the same thing now, but we will deal with that.

The point is, unilaterally Mr. Collymore has decided that he is not only aborting entirely the meetings of the Task Force, but he was going to put it entirely in the hands of the PPP/C, his Party and Government. So we responded, and there were releases, and the President got into it: and

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the President then instructed that they resume. Even that had problems, Mr. Speaker. Even the resumption instructions given had problems. In the interim, Mr. Vincent Alexander wrote Mr. Collymore on the resumption of the Task Force meetings, and he told him:

*As you were made aware, I was overseas on official business, and could not attend ... your notice except for the ... my secretary forwarded. I have returned to the country and I am ready to resume the work of the Task Force which was suspended by you on the 22 July 2008,*

*However, I noted the shenanigans that preceded this notice. This has due cause, and if so absent, protocolary as I respond to this notice.*

*Please be advised that I am no longer prepared to facilitate unilateral decisions pertaining to the conduct of the affairs of the Task Force.*

So there you have a Co-Chair, Mr. Vincent Alexander at the time, showing you clearly, that there is no consultation whatsoever, in respect of Task Force business by Co-Chair Collymore. And what has happened? When Mr. Vincent Alexander wrote, indicating to the Co-Chair that he would be out of the country from the 1<sup>st</sup> to 4<sup>th</sup> of this month, the co-chair would probably fix the meeting for the first to the fourth



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of this month, within the same period: and that happened on at least two occasions.

And so, Mr. Speaker, the fact that I am here, before this Honorable House, and this nation, and so we would be able to make a proper determination as to who is practicing dilatoriness; who was really delaying the work of the Task Force ... And I would say this: it has even gone so far that the President himself has been misled on this matter. Because, I saw the President on a GINA programme, and I think the President has been misled, because the President is always travelling. The President said that he understands the meetings ... The President was saying that he understands that the meetings of the Task Force were not going on because *Basil Williams is out the country*. So I do not know where the President got that from, but I am sure ... the fact is that, he was misled, I suspect because he was out of the country, so when he came back, he was told any old thing.

But, Mr. Speaker, when they were finally forced ... because the Leader of the Opposition also wrote the President on this matter, and sought to have the stakeholders involved in this matter ... stakeholders would include those international bodies ... the President ordered a resumption. And what was this resumption? The resumption was, I do not know if the President indicated that himself, but I know that Mr. Collymore is

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saying that from now on the meetings could go on every day until the work is finished.

But even in those cases, we have never had to do that due to a simple fact that persons have other responsibilities, and we do not live off the bounty of the state, those of us on the PNCR side. You can not want to have to attend to people's grievances, where they are abused by the police, and destroyed by the police, their property and their person, and they need representations in the court, and they asked me to represent them, and I have to leave the representation and go sit down daily in some matter. I note the threats have been issued again by the Hon Minister of Home Affairs.

Now, in doing that, they are saying two things: we have no respect for the status of the late Cheddi Jagan, nor the late Forbes Burnham, who are here decorating this hallowed Chamber, because it is saying to you, if you are a professional, you cannot participate in the work of this Parliament. They are setting meetings for 8 or 9 o'clock in the morning, and all that, and all of those things, Mr. Speaker. These two great men ... if they did not have the opportunity to attend Parliament for 2:00 and do work, and do professional work, how will we all be in here? I think it is a great disrespect for trained and professional people who earn their living the old-fashioned way, by working for it. Or they could be saying that only pensioners or retirees must be involved in the business of

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Parliament. Because I just heard somebody saying; I heard the Honorable Member saying ... of Local Government ... you need more energy, you want young people, you need more energy. And therefore, Mr. Speaker, it was our perception that, there was no real genuine commitment to resume the work of the Task Force, by trying to impose on the PNCR members this requirement to attend daily, to complete the work of the Task Force.

But thankfully, thankfully, better sense has prevailed, and even as the Task Force meetings are to resume, the Honorable Member Collymore consented to meeting twice a week, with seven days intervening. That makes better sense. So one must observe that as a leading counselor, as a leading advocate in this country, I am in a position to say to you ... *[Interruption]* ... Yes, a successful attorney in this country, and it has nothing to do with Government patronage, by the sweat of my brow, and you must listen when I tell you something ...

The point is, that when we resume, when we resume the meetings, it was agreed that we will work for two days, but seven days would intervene between those days. But now we hear Minister talking about every day working again ... the PPP/C is a confusion. It is clear that the Hon Minister of Local Government is not informed of the work of the Task Force by the Honorable Co-Chair Collymore. And we are saying that, in these situations

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we must show a genuine commitment to complete the work of the Task Force and not go blaming anybody, when you are the person who does not want to have the work of the Task Force completed.

You even blamed the Speaker when you could not get through; when we sent off that letter to you and preempted you, you blamed the GECOM; Mr. Surujbally must be wondering what he did. You blamed GECOM for the delay in the holding of the Local Government Elections. And so, Mr. Speaker, we are urging the Government side, we are urging the Government side, to let us get on with the business of completing the work of this Task Force. Let us get on with the business of completing this Task Force's work.

And it must be for the record: The reason why the Government does not want to have the work of the Task Force completed ... It would mean that the reforms would have to be implemented before the next elections are held. And why do not they want these reforms? They do not want these reforms; not because of some of those *difficulties* mentioned by the Local Government Minister, the Honorable Kellawan Lall, but because their control, their control over the present system of Local Government would be non-existent, after the reforms are passed. And that is why they do not want that. They do not want to hear *nothing* about the Local Government Commission, even after a specific remit by the leader. We

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are being told in the Task Force they must deal with some other legislation, but we are not dealing with the Local Government Commission. Why? Because the new Local Government Commission as proposed, would take over most of the powers that are presently exercised by the Local Government Minister.

And so that situation that you have, where people are employed by the City Council or the NDC, but they cannot be dismissed by the Chairman or the Mayor, but only the Minister, and we are talking about the relevant senior officers, only the Minister ... That is a great anomaly, Mr. Speaker, in this system. You do not have any ability to raise funds for yourself and for your community. All these things are the most serious *difficulties* that you have. And let me give an illustration:

The Government, because of how they are presently situated in control of the system, they play games. They play games with municipalities that they might consider not favorable to them, and Neighborhood Democratic councils they consider not favorable to them ... They play games. They do not give them their subventions in time; or if they give them, they give them sometime in October/November, and then they come out and criticize them for not working, and failing to do their work, and they have to return all this money. I am not talking ... I see the Hon Minister of Finance looking at me. I am not talking in the air, I am not talking in the air, because I

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could give you a real example. Let us take the New Amsterdam Town Council, for example. The New Amsterdam Town Council ... they have a subvention of \$10 million. In November, the Leader of the Opposition visited there, and that subvention was not paid. In November 2008, the subvention was never paid over. In addition to that the taxes ... In addition to that, Mr. Speaker, the taxes owed by the Government to the Municipality, also were not paid. And then, lo and behold, on the 13 November, the Government paid the New Amsterdam Town Council, half of the amount of money that they normally get for the year ... half the amount.

What was the result of that? The result was, if the money had been paid in a timely manner, they would have had money to dig drains, fix roads and all that before the rainy season. And so, this clogging of drains that we heard about just now, from the Honorable Member, the Local Government Minister, that was not the reason. If the people do not get the money in time, how are they going to clean the drains? How are they going to clear the parapets? How are they going to fix the road before the rains come? It is instructive ... I remember one year the former Region 4 Chairman, Mr. Alan Munroe, had predicted that, if he does not get the money, he can not say what would happen and what happened in 2005?

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They didn't give him the money in a timely manner, and we had the great floods. He predicted the floods.

Mr. Speaker, I do not know if this is not permitted in Parliament, I will research it, but I am guided by you, but you know how the old people used to say, *Easy lesson good for dunce*. Yet the place flooded again. They are paying the money in December. On 13 December 2008 they paid half of the subvention. So it is clear that the other half is not going to be forthcoming, because we only have couple more days left in the year. And that is a substantial municipality! So when we talk about the reasons why the Government wants to keep the system as it is, we know what we are talking about.

Look at Buxton/Foulis ... When did they did receive their subvention? ... October. What could they do? What could they do in October with that money? And they only have up to the 31 December to spend that money. So this system, Mr. Speaker, this system is dysfunctional. It is dysfunctional. It does nothing for us, and I do not know ... I do not know where these lofty ideals came from, with respect to the system as it is. *Greater involvement of the communities* - that is a proposed reform to this existing system. It is not inherent in this system as it is. So I think the Hon Minister has it wrong ... *to ensure greater space and greater collaboration between political groups*. All of those things are being envisaged by the new reforms. They cannot be

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successfully achieved or accomplished in the present system as it is.

And so, Mr. Speaker, this dysfunctionality goes to the core, because we have elected persons, people that are elected by the people in the community in which they live, and yet, you have persons like the REOs, Regional Executive Officers, directing these elected officials; how they must conduct their business, where they must spend their money, what project they prefer them to spend money on, and all of that, and withholding money: And the Minister ... *[Interruption]* *[Inaudible]* ... I am responding to the Hon Minister who is saying that this system as it is, is so good, but the problem is because the people, who are the leaders in the municipality, the council, are not doing what they are supposed to do. In fact, the Honorable Member went so far as to say that the Mayor of Georgetown is doing political grandstanding instead of fixing the city, when we all know they do not give enough money ... this is the Georgetown City Council; and secondly, they have prevented them from widening their revenue base for years. And instead, I remember when I was a Councilor, the Georgetown City Council proposed to have that same Lotto, the lottery, and the Government refused it when they took power, and that's it, they took it in hand. Well, I can't tell you what happens to the proceeds of that.



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So, Mr. Speaker, I'm merely trying to show that, this system as it exists, does not work; it cannot work; it is frustrating the councilors more than ever. And so, it is impossible that one could conceive holding new elections with the same system, to elect new Councilors, to put them into this frustrating mill, to grind them into dust, until whenever you're ready to hold another election. To reinforce and buttress our contention that the hand of the PPP/C is geared at delaying the work of the Task Force USAID, in an endeavor to speed up the work of the Task Force, offered assistance to provide lawyers, specific draftspersons, to deal with the legislation coming out of the Task Force; a most reasonable request, and the government refused it. And up to now we cannot get *nothing*, and yet we are hearing all this noise of people delaying it: You could tell me ... but up to this day, we do not have a salient explanation, why the government would refuse assistance from USAID, not only to provide draftspersons for the legislation, but to get them to run the public education programme, because that is one of the remits, the specific remits of the Task Force, that they need to educate the Guyanese nation, the Guyanese people, about these reforms

And we had wanted to start by educating the people about the Constitutional provisions for these reforms, and the members objected ... they objected. We could have started the process, because the law is already in the

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Constitution. And the Guyanese people must understand they are not begging a favour of this Government; they must understand it is a constitutional requirement that we must have these reforms. And furthermore, Mr. Speaker, after they apparently found fault with USAID, CIDA, the Canadians, also offered assistance, only again to meet with the refusal of the Government on this matter.

So I think I have given sufficient illustrations, Mr. Speaker to show that we have no ... or in no way or wise are we responsible for the delay in the work of the Task Force. And in fact, I would like to make a plea, a plea to the PPP/C Members of the Task Force, on behalf of our side, to let us get on with this business and get this work finished. I personally ... I personally would never like to know that, all that time I spent in that Task Force would be unrewarded, in the sense that the work will not culminate in the desired reforms. We are ready to meet at reasonable times. If you want to meet three times a week and we knock out this thing we do not have a problem, but do not come and tell us we have to meet every day and all of that, because it is clear that you are trying to put roadblocks in the way of progress, of the work of the Task Force.

**The Speaker:** Honorable member, you were about to conclude?

**Mr. Basil Williams:** Yes please, Mr. Speaker ... but Mr. Speaker...

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**The Speaker:** When I say you are about to conclude, I mean, do you have two or three sentences more, because, firstly, your time is up, and secondly, we are at four o'clock. So if you have another five or ten more minutes you can conclude?

**Mr. Basil Williams:** Five minutes, and I will conclude.

**The Speaker:** Proceed ...

**Mr. Basil Williams:** And in this respect, we are saying in these forms we must have subsidiarity. Now what does that mean? It is a process simply where you determine the specific functions of the specific Local Government organ, and then you give them resources to complete those functions; and that you also prevent Central Government, or any extraneous factors, from going and interfering with those specific functions in that Local Government system. So we would also like to see that also implemented. So, Mr. Speaker, in all the circumstances, and in all of the premises I just outlined, the PNCR *ex necessitatae*, must be constrained to support this Bill, for the postponement of the Local Government Elections, for yet another year, one more time. I thank you, Mr. Speaker.

**The Speaker:** Thank you, Honorable Member.

Honorable Members, it is now four o'clock, and I think it is the appropriate time for us to suspend.

**16:00 H - SUSPENSION OF SITTING**

**17:16 H - RESUMPTION OF SITTING**

**The Speaker:** My list is a bit skewed. Who is the next person to speak? Mr. Williams was the last person to speak.

Honorable Member Mr. Donald Ramotar ...

**Mr. Donald Ramotar:** Thank you, Mr. Speaker, I rise to also give support to this Bill, in order to have us postpone the elections until they could be held. But I think we have to put things in their proper perspective. I, myself think that I have been on record over and over again expressing the views on this side of the House that we would like to have Local Government Elections very, very early.

Indeed Sir, in our 1992 Manifesto, one of the things that we promised was to have Local Government Elections, and to have them at regular intervals. Unfortunately, we could not ... we had even wanted to have those elections three months after we came into office, when we came into office in 1992, but unfortunately we did not have an Elections Commissions Chairman, and we had to set up a new Elections Commission, and we held those elections in 1994.

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The facts are, Sir, that the next Local Government elections should have been held in 1997, but that coincided with the General Elections of 1997, and it subsequently had to be postponed, and you know very well what took place since then. We were out of an Elections Commission in 1997; a new one was set up only to hold the 2001 elections ... I need to remind you, because your companion was speaking a lot of half-truths, your blue-eyed boy, Honorable Member Mr. Williams

Mr. Speaker, I would like to also say as Mr. Williams said in his presentation, that you had, in that period of time, the changing of our Constitution, in which there was an agreement that we would change the Local Government System. The fact is also, and this Mr. Williams did not mention, that the PNCR boycotted that arrangement for more than a year, when we set up the Commission, when we set up the joint Commission to look and deal with this issues. For more than a year, the PNCR did not participate in the work of this Commission, as they did not participate in the work of Parliament in that time as well. So we had a big delay ... we had a major delay in that period of time, because of this situation.

However, we have now a joint committee working to try to deal with many of these issues, and I believe the PNCR has an opportunity, or the opposition will have an opportunity now to demonstrate their sincerity, if they

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really want to have Local Government elections very early.

Mr. Speaker, one of the things that the PNCR has been arguing about is that we should have all of these Bills as a package; but what I would like to propose, if they do agree, is that we should have ... take out the Elections Bill itself, as Mr. Williams said, that we agreed with what the electoral system would be like. But we should bring that to Parliament now, and pass that immediately, because of the process it entails. Because we have to pass that Bill before the Elections Commission can begin its work in demarcating boundaries, and the list they have to get out; the Elections Commission will have to do that after we have passed that Bill. Therefore I propose at this point in time that the PNCR accept that we bring that Bill to the National Assembly and pass it immediately, so we can have the Local Government elections in that way.

Mr. Speaker, I would like to also say that despite the fact that we were not necessarily having these elections, because we were not having these elections, the PPP/Civic government has been giving enormous support to the NDCs, all the Local Government bodies in the system itself. Mr. Williams spoke about subventions, \$3M for each NDC per year, but that is not the only amount of money that the NDCs receive in order to carry out their work. They have money budgeted in the RDCs, the regional budgets, and central government spends

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billions and billions of dollars in these areas. For instance, the Urban Roads Programme, which is concentrated fundamentally in urban areas, mainly in Georgetown the government has been spending a large amount of money in fixing the roads in Georgetown, in New Amsterdam, and other towns.

Moreover, Sir, in the Miscellaneous Roads Project, millions of dollars have been spent in the NDC areas; these are monies not coming out of the pockets of the NDCs but coming out of the budget of the Central Government. Apart from that, Sir ... the government has been spending billions of dollars in all of these areas, in roads, bridges ... and moreover, Sir, I would like to say also that millions have been coming from the government's budget in D& I. Drainage and Irrigation works have been implemented and millions spent in many, many areas, in the many rural areas, to try to have drainage and irrigation within our country

The Honorable Member, Mr. Williams spoke about New Amsterdam. We were not starving New Amsterdam. New Amsterdam got 50 percent of their subvention in September of this year. That is the fact. They got fifty percent of their subvention; they got it in September of this year. And New Amsterdam was supposed to give a progress report, because they said they wanted this money to spend. They wanted tubes for D&I, they wanted to build bridges, and they were supposed to give a progress

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report before the other monies were released. So it is not true. Mr. Williams is either badly informed ... I would like to believe he was wrongly informed, because I hate to believe that he wanted to mislead this House, so I think he has been badly advised, because as I said, much, a lot of money has been spent by various government agencies in these areas..

Apart from that, he mentioned also Buxton NDC, Buxton area. Their budget was approved in June of this year, and money handed over on 17 July. On 17 July of this year they had all of the subvention for the Buxton NDC to prepare their work and therefore, it is not true, and it is very wrong ... I think you should probably check your information before you bring it here to this body to try to mislead this Honorable House. Clearly, Mr. Speaker, I believe that we have done a lot in the Local Government area. The Amendment that the Minister is proposing is also an Amendment that the opposition has been proposing year after year. And yes, I would say that is true. We rejected it because we had always hoped that we would have had these elections very, very soon. We still hope that there elections will be very, very soon. But based on our experience, Honorable Members, let me say, we are ready. Let me repeat, the PPP/Civic is ready to have these elections tomorrow.

We have never been afraid of facing the poll, because I am sure that with the kind of work we are doing, this time



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we will win the Buxton/ Friendship area. So we have no doubt, we have no fear of facing the electorate. So we believe, the proposal that you have been putting, maybe we were wrong to reject it all the time. But we are now offering this change at this point in time so that we will be able to have an election of the level of the leadership of those bodies in order to have these things go on. But Mr. Speaker, as I mentioned before, we have done quite a lot of work in providing services to these areas, many of the lights we see along the roadways, those monies are not coming out of the budgets of the NDCs, those monies are coming from the Central Government, so a lot of money has been spent in the capital budget in order to ensure that goods and services are provided to our people.

Mr. Speaker, I just want to respond one other point that Mr. Williams made. It was very unfortunate that Cde. Collymore is not here to respond to some of what has been said here, but I remember that he made a press statement, the same thing that was said here, the same thing that Mr. Williams said here in the Parliament, the PNCR said that in their press statement on the Thursdays when you had your get-together at Sophia. And Mr. Collymore responded with a press statement explaining some of the situations that existed. One of these things that he mentioned, and maybe this reflected some of the problems that were existing within the PNCR itself, because you know that Vincent Alexander has always

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been an expert on the Local Government System, and he has done a lot of work, a lot of good work, on the Local Government issues.

And very often, Collymore in his press statement mentioned, that very often Mr. Williams, maybe because of his busy schedule at the bar, would be missing meetings, and when he turns up to meetings, he wants decisions that have already been taken gone over again, put it back into the pot and have these matters ... that was said, I did not hear you contradict Mr. Collymore's statement when Mr. Collymore made those statements in response to the PNCR's statement, when you made your statement at your regular weekly press conference. Collymore responded to that, and you did not contradict what he actually said. Therefore, clearly, to say that all the blame is on Collymore ...

I suspect, Sir, the impression I sometimes get, it is because, I suspect that this Committee sometimes, they were working hard at times, and at times they seemed to have lapsed, because they were looking at the Elections Commission's work in establishing the house-to-house registration and the list and so forth, and maybe there were some of the lapses there, but Collymore clearly in his press statement mentioned that part of the problem had to do with when decisions were reached, and one person was missing, that all these things had to be started again.

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So Mr. Speaker, I just want to assure colleagues in this House that we have nothing to gain, absolutely nothing to gain by delaying Local Government Elections. We believe that the Local Government system is a fundamental part of our democratic system, something that can strengthen and promote the democratic process in our country, and because we have always been on the side of democracy, and always fought for democracy in this country, obviously we have a vested interest in having Local Government elections as early as possible. I just want to assure you, Sir that we will be working with our colleagues, hopefully they would agree that we can bring this Bill outside of the package so that work could begin, and hopefully we can have elections earlier rather than later. Thank you very much for your attention ...  
*[Applause]*

**The Speaker:** Honorable Member Mr. Ramjattan ...

**Mr. Khemraj Ramjattan:** Thank you very much. Mr. Speaker, if we have to be frank to our democracy, we would have to state that indeed, the first couple of years after the 1994 Local Government Elections that indeed there were some reasons why there was need for deferrals. And the need was legitimate. But since the elections last held, we had been given the promises that indeed the Electoral Bill, the Local Government (Amendments) Act, that will necessitate that which was agreed to by a process of consultation, and then

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recommendations from the Task Force, would have, at least come by the end of this year. The Alliance for Change, as a result of the last adjournment or postponement of the local authority's elections last year, indicated as such.

We also indicated that we would like to be a participant in that Task Force, so that we can quickly bring it to a conclusion and to a finality. We have heard from the Opposition Leader, that indeed, he personally engaged the President on this matter, and the President indicated that he does not see the necessity for the inclusion of the AFC, because the Local Government Task Force would be further delayed. Well, what do we have here now? We are not there, we are not participating, and we still have the delays, and come here again, we are seeing another tactic: we are going to get it sometime, early.

And Mr. Donald Ramotar would have us not want to define how early is early. It should very well be, being such a serious important player in this, and talk about how important and fundamental it is as General Secretary of a party that will contest it, that okay, a deadline of by July next year ... Nothing of the sort is forthcoming from that prominent political figure who might be even more prominent in years to come. But the trouble is, and in relation to that, I want to say this, because now he is reminding me of a point, constitutional provisions must not be blocked by agreements between the PNCR and the

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PPP/C. We have a right to have elections, just like the broadcasting legislation. You come here and say we cannot have more radio stations, we cannot have more TV stations, because of some future broadcasting legislation.

But that is how you control the thing, and you perpetuate the non-occurrence of Local Government elections, just like the non-occurrence of TV and radio licences. Because we are going to get it soon, it is going to come soon, and it never comes. This is the 12<sup>th</sup> year now and we cannot get another Local Government election. It is important then, that we appreciate that this cannot continue, and that is why the AFC would like to make this statement. A statement we would have preferred not to make, had we gotten a statement from the PPP/Civic, that indeed it is going to happen as soon as possible, not later, and a deadline given; but as soon as possible here, means twelve years now coming up.

We want also to indicate that both the PPP and the PNC, here, upon their non-agreement, are literally causing an impasse, and we are stating that indeed we should be in the Task Force, even at this stage, be allowed to participate. We will have lots of things that probably could cool the heat, and put some light on that which is causing some darkness there, and so we can proceed apace. I also want to indicate, Mr. Speaker, that the same reasons that Cde Donald indicated just now as to why it is

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indeed not a thing so bad, it is not too bad, because the Central Government is giving the local authorities monies, that is not the point ... Because if you use that as an argument, that the Local Government is getting money from the central government, we might as well, and your rationale might be used to extend it beyond 2011. Why you rowing? You rowing? Central government is giving the local authorities lots of money. It is not the point. I am saying your rationalization for not wanting to hold it or to give a deadline is becoming very suspicious, because you are going to state that we are going to give another \$7 billion to the local authorities.

We want to indicate also that almost all the reasons given by the Minister of Local Government, Mr. Kellawan Lall, are reasons why we should have this elections held as early as possible. Yes, we are going to have it ... 2001, 2002, yes, we are going to have it. And then 2003, yes ... and what happens? Why then we cannot say that this will happen until 2014? Is there a serious commitment? We are an independent party, Gail, we will speak on our own. And you have to understand that! We will not be lumped ...! The trouble is, we are not going to be. We are also indicating that even if agreements cannot be held, or come to, the Constitution is the supreme Law of the land; it indicates that democracy is paramount and fundamental, and so we must have it.

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Assuming there is no agreement as to allocation of resources, the three points of disagreement ... assuming there is no agreement as to the establishment of a Local Government Commission, assuming there is no agreements as to subsidiarity, in relation to that Amendment that you are trying to seek, assuming there is no agreement, then what happens? It would appear from our standpoint in the Alliance for Change that the PNCR and the PPP/C will not agree on this, and so ... *[Inaudible]* ... Elections Commission, that they might have that by April. Why then the PPP/C cannot indicate as to when they will be able to compromise with the PNCR now that the AFC is not part of the Task Force as to these three things? They do not want to compromise. Exactly, but it also requires a sense of appearing to be accommodating and inclusive with your Opposition. But you are not. You want to control, and this is how you control it, you are going to say like the Honorable Member Donald did, *we are giving enough money to NDCs, why you rowing?* It comes back to that.

Mr. Speaker, we want to also state that this non-holding of the elections as a result of the disagreements on the three important issues, is causing a massive stranglehold not on the physical infrastructure of the NDCs, but it is causing a stranglehold on the education of Local Government personnel to understand the system. Initially in 1994, and just the prior period, from 1992 to 1994,

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there was a kind of education for people who want to be part, and an enthusiasm ... It has waned dramatically. Today, those who were elected in 1994 wanted to serve; very many of them have gone overseas, they have died, some of them, and we have not set the conditions for holding the Elections as early as possible. Our early as possible is now meaning 12 years. We want to compete with the PNCR ... How many years it was? It was 24 years they did not hold it?

It is important that we strive to give that education, that sensitization to the personnel so that our roots people can understand what democracy is: how to manage a community, how to take care of the litter, how to take care of the garbage, how to get taxation in the forms that they are allowed by the Law to do, so they can learn how to spend money, how to make representations to the central government, but you know, that kind of education, it appears, the PPP does not want to give to these roots people, so they are going to delay the process. They prefer them in their ignorant state as it is, so you can not have people then who can become community politicians, probably the fear factor that they might start being independent of the PPP/Civic.

So that is also an extraordinary stranglehold. And that brings me now, in view of what points I have made here, to what I regard as a very serious and a rather suspicious Amendment at this very late hour. The Amendment



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stating now, that in view of the circumstances that have brought us here, we must now give the Minister certain additional powers, whereby he could instruct elections of Mayor, Deputy Mayors, Deputy Chairmen and Chairmen, and so on, of NDCs. And that is why I am saying that this thing is suspicious. You do not want to give a definition as to how early is early, you do not want to give a timeline, like they used to argue. When I was over there, we used to argue against the PNCR as to what the timeline should be, elections should not be held later than 1998 or whatever it was, and things like that. Timelines are not any part of the PPP/C now that they are in Government. But this has to do largely with breaching certain constitutional precepts too, Mr. Speaker.

In proposing this Amendment, did the Minister go and get any of the local authorities consulted with? Did he deal directly with certain persons that would support this Amendment? This constitutional precept of consultation is very important. It is important even in one of the Bills that we will have to deal with, the Trade Union Recognition (Amendment) Bill, later, where it is observed in the breach, although let me say this: this Government, then in Opposition, supported legal argumentation that consultation should be a constitutional right, and managed to win in the Teemals case, that indeed consultation is a right. *[Applause]*

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Remember the case fought by Mr. Ashton Chase? Honorable Member Komal Chand will remember that. He will remember that. Today they are coming not only with this Amendment to the Local Government Act, they want to force down the Trade Union Recognition (Amendment) Bill. Well, if this is not deferred, we are going to not participate in it.

I want to indicate that this is what causes my suspicion, and sometimes, Mr. Ramotar will say that I am very impassioned, or bitter, but more and more as you see the circumstantial bits and pieces of evidence, it is indeed that they want to defer it, but they are going to make speeches like he made just now, and show it on NCN ... *is not we fault, is the PNC fault* ... and they are going to get their lieutenants on the ground to say, *well, you see, they do not want to agree to this thing, and they do not want to agree to that, we got to defer the elections.* But that is plain mischief; that is plain untruths and inaccuracies. We have to, in the Alliance For Change, bring this to members of the public. Why is it at this late hour, if you are waiting 12 years, why you now want to give the Minister the power to go and hold elections for Mayor and Deputy Mayor? Is this going to now be used to the advantage of the PPP/C, knowing that the elections might very well come, whatever is their definition of early? I want to know that. What is the defect in the Law as it exists now in the present regime that you have got to

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give the Minister the power? What is the defect of the existing Law?

I am urging, indeed, that this not be supported; it be withdrawn. Because if as Mr. Ramotar and the Hon Minister are indicating, then it would appear that their meaning of early is not very early at all, and so they would want to use this Amendment that was proposed here to Section 3, to give the Minister power, and then probably to look good just before the elections, get their boys into the mayorships and the chairmanships, make them look good, then they will say elections will be held as the existing regime is ... the councilors then elect their Chairman, Deputy Chairman, Mayor, Deputy Mayor. What is it that the Minister wants to get involved in, if not a bit of control freakism again? It is! Try to rebut that, Mr. Ramotar, try to rebut that. What could it be then? If you mean early, why you do not let the ball game remain as it is? This has got lots of suspicion about it, and it will be abused, and that is why I am saying it should not ... and indeed it is coming without absolutely any consultation whatsoever, a precept that we have enshrined in accordance with the constitutional argumentation made, and the brilliance of Chancellor Keith Massiah in the Temals case. What are you doing? Everything that you struggled for you cracking up now just for the purpose of your perpetuation there. It is terrible. It is so terrible.

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Mr. Speaker, I am urging then that in those circumstances we ought not to pass this. We could understand that, look, you can not hold the Elections in 2008 now, we got four or five days to go; we need to defer it. But even that further deferral, I want to argue, it is making this Parliament look on this issue as a major aberration. And all the talk and spouting about democracy, and Rule of Law and Constitutionalism, it makes a mockery of it, a huge farce. And then to say because we are agreeing, and then we are not agreeing, and that is the basis now, to hold back our democracy, hold back a whole lot of Local Authorities and people benefitting ... no, it should not be, I am urging. It should be withdrawn, and we have a certain deadline that we are going to have the Elections, the Local Government Elections. Thank you very much, Mr. Speaker. *[Applause]*

**The Speaker:** Honorable Member Mr. Corbin ...

**Mr. Robert HO Corbin:** Mr. Speaker, having heard the last speaker, and the belated Amendment, and Mr. Ramotar, I think I should set the record straight. First of all, also to warn my colleague of the AFC that he should not fall into the trap of the PPP/C. Mr. Ramotar, Sir, stated that the PPP/C had nothing to gain by the delay in the Elections, and nothing can be truer. What he did not state was that the PPP/C had everything to win by immediate elections, and that is, to succeed in holding Local Government Elections in violation of the present

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Constitution, which mandates that certain constitutional reforms must be completed to have a new Local Government system. And that is the root cause of this prolonged delay, because there has been a resistance to have the constitutional reforms already approved, and it will be a violation of the Constitution to proceed as you want to do, and as the Minister amounts to proceed to do what you wanted to do in the first place nine years ago, to proceed to hold Elections without Local Government reform. And I want to warn my colleagues not to fall for that. That is the whole reason.

But recently, Mr Speaker, the Honorable Members are aware, that His Excellency the President and the PPP/C along with all the Parliamentary Opposition Parties, in the presence of the Diplomatic Community, signed an agreement, and that agreement, Mr Ramjattan, was not with the PNCR and the PPP/C, so I want to put the record straight. All Parliamentary Parties were involved in this agreement which stated that (a) the Elections Commission shall proceed to have a new voter's list; (b) that there will be new Local Government Elections, and (c) that all the reforms will be implemented before those Elections, signed by all of us. The question must be asked, why is there the procrastination in having this matter settled? And I want to set the record straight: that the PNCR has absolutely no objections to anyone being involved in the

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Task Force, and I have had meetings with the AFC; I have fully explained this.

The position as it relates even to the Elections Commission, where the Elections Commission sought to have representation even to observe the proceedings of the Task Force, were objected to on the part of the Government, and the Elections Commission stated that if they were going to be involved in implementing the Laws, that is why I want to set the record straight, there was no harm in them being observers on the Task Force, and that was objected to by the Government, and Mr Surujbally is on public record, publicly stating his annoyance at not being allowed to even have an observer there.

And I have explained to the AFC in public meetings, that in order to not give the PPP/C an excuse to further halt the progress of the Task Force, we are prepared to move along so that they do not have an excuse to bring the work of the Task Force to a halt, and that has informed our position. We went as far as to suggest to the AFC that we are prepared to expose their members, and all members of the opposition, to meetings with the PNCR representatives on that Task Force, so we could benefit from their ideas as to how the work of the Task Force could be expedited, and our members have been so instructed, and I believe that consultation will start very shortly, when they meet under Mr Carberry's

chairmanship, so that they can share their ideas; I gave that publicly.

But the point I want to emphasize is that it is a dangerous development for the Minister to subtly mention in this Parliament this evening that since things are delayed, let us rush to the Elections. It is echoing what has been stated on public television by His Excellency a few days ago, so it must not to be taken lightly. And then it is re-echoed by the General Secretary of the PPP/C exposing that that is the real intention.

And so, when we consider what transpired in 2001, this Parliament should be wary. In 2001 we were discussing the electoral system for this country, the whole question of the various constituencies, their boundaries, the representation that should come from both constituencies. He had a deadlock, because all the experts recommended that if you are going to have a real proportional representation system, you have to have at least two representatives from each constituency, but there could be no agreement, and the members of the PPP are aware of this, and in order to expedite the elections the same kind of argument was advanced: *let us proceed to the elections, and after the elections, we will rectify the geographic system.* To this day, Mr. Speaker, the electoral system has not been perfected, the PPP/C are very happy with it at the moment. And so it is dangerous, it is dangerous, it is dangerous to proceed to have

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elections in a system, (this here is not demarcation,) the whole question of the electoral system which is to be implemented in this country should not be left, I agree, to only the PPP/C and the PNCR; everyone has to be involved, it still has to come here, but it would avoid a lot of acrimony if the various stakeholders can find some consensus on some key areas.

If the Government is so concerned about holding elections, why is it you refused the opportunity to let us start the education programme? Because there's much to be exposed to the electorate, even before the nitty-gritty of electoral system is understood, and therefore these are the things ... you want to hold elections, let us start with the education of the public. If you want to start ... we are part and parcel of that list. And it is no excuse, Mr. Speaker, for the Honorable Member Mr. Ramotar to seek to distort the situation by suggesting that everything is bright and beautiful now because the Government is making subventions and grants. Every country in the world, from the UK down, has an obligation, and has been giving grants to their Local Government bodies. It is nothing new; it is not a favor to anybody.

What we are speaking about is the unscientific and political partisan way in which those subventions are handled, to manipulate the Local Government bodies, And it is precisely for that reason that you want to have a fiscal Amendment, you want to have a proper formula, so



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that you could remove, to have fiscal transfers from the Central Government to Local Government body by certain principles and set criteria, and not at the whims and fancies or the political discretion of a Government Minister. That is why you need it, and you want to make sure the Local Government Reform Commission is there, so the Minister does not decide he is over-ruling a decision of the Georgetown City Council to discipline staff, and the Minister puts them on the next day, or politically appoints people in the functioning of the system; and that is why you need the Local Government Reform. So it is very dangerous, and I want to advise the Government to rethink their plan, because I do not consider it an accident that it could be hinted by the President, repeated by the Minister in his presentation, and re-echoed by Mr. Ramotar, the General Secretary of the PPP, this evening in the context of a signed agreement, that those reforms will be implemented before Local Government elections. The PNCR is all for Local Government Reform. We have demonstrated a willingness to work for it. We understand the need to postpone the Elections to expedite it; we are prepared to involve all stakeholders to expedite this arrangement; we are making that public, but we will not want to do anything that will delay it, and therefore in that context, I want to advise the Government: *forget this idea of avoiding Local Government Reform. It cannot happen in this country.* Thank you very much. [Applause]

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**Mr. Robert HO Corbin:** This Amendment, Sir, we are allowed to speak on it now?

**The Speaker:** Well, it is circulated ...

**Mr. Robert HO Corbin:** Well, first of all, Sir, I think that I am surprised that it is here, because it is in violation of even your own ruling, but I will wait to see how you treat with it. But the point is, as Members have stated, that the PNCR argued that from the very first postponement this should have been happening, and it is not necessary to pass any special legislation. In fact, we said that the Municipal and District Councils' Act, I think it is Section 9, provides for the Mayor and City Council to have elections for Mayor and Deputy Mayor every year, and I made that submission, I think, to you, Sir, sometime ago.

Whatever may have been the legal ramifications, all that was necessary was to deal with the Neighborhood Democratic Councils. And so to wait belatedly to bring it surreptitiously and at the last-moment, I agree with Ramjattan, must cause concerns, particularly where it places not a general principle of election, Sir, but again, brings into the whole milieu, Ministerial dictatorship over the council. It is the Minister who will decide now when elections should be held.

The Law, should be amended to run in accordance with the existing Municipal and District Councils Act, and

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what it should read, do not worry, forget all that section with Minister, just allow the present Section to run as is, that the election of the Mayor the Deputy Mayor or Chairman, should be held annually until the holding of Local Government Elections. Why you want to insert the Minister there? It was never there even in the original act. But now you want to insert a Ministerial dictatorship over the Local Government system, which is all part of the old archaic system that the Local Government Reform is supposed to remove.

So this has to be drastically redrafted, and if indeed they believed in consultation, they would have had the input of the PNCR, particularly since they knew that from the inception the PNCR supported having elections for Chairman and Deputy, but they proceeded unilaterally. Thank you.

**The Speaker:** Any other Speaker?

Hon Member Mr. Lall ...

**Hon. Kellawan Lall:** Thank you, Mr. Speaker. There are several issues ... I want to deal with issues that were raised by Members of the Opposition ... I think Mr. Ramotar has already dealt with some of them, especially the ones dealing with the subventions. I want to further state that we have never really as a Government starved anybody of their subvention. There is a procedure that is in place for the NDCs and the municipalities to receive

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their subventions, and there are also certain laid-down criteria, when they should have these subventions. It is not automatic that they get those subventions at the beginning of the year. They have to first of all present the budget; then they have to get it passed by the Councils. They have to do some consultations with the communities. That is a process, and they decide, generally speaking, how fast this process goes on, not the Minister of Local Government. In fact, the Minister Local Government has absolutely nothing to do with it. Once it is passed by Parliament, I can not say yea or nay. It is automatic that they get it, but to get it, they have to present a programme and how they are going to use the subvention. I do not think, I can not recall, in any year that the Government has not given any local organ their subvention. They all got their subvention every year. They all got their subvention. And to speak about the City Council and the subvention, Mr. Speaker, is ridiculous. The subvention from the Central Government is \$17 million, as against the budget of the city council of \$1.6 billion. It cannot be that \$17 million given by the Central Government is holding up the City Council from cleaning up the mess in Georgetown. It can not be. If their budget is \$1.6 billion, how \$17 million from the Central Government ... I think some people are mixing up about what the Government owes as rates and taxes, and subvention. Subvention is decided on by Parliament; we decide on what the subvention is here. And when the

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budget comes up next year, you should make that argument. This year whatever is given to the municipalities was decided by Parliament, and we cannot give more if the Parliament says give them \$17 million.

Secondly Mr. Speaker, the question the Honorable Member Mr. Basil Williams spoke of, the REO controlling finance and controlling elected officials. Mr. Speaker, this is a reflection of a very aggressive move by the Opposition to disturb the work of the RDCs especially where they want to get the REOs to shift line items and to spend the monies that were allocated to them by this Parliament outside of the framework passed by Parliament, and that will not happen. The REOs cannot, regardless of who controls the RDC, whether it is the PNCR or the PPP/C, the REOs cannot change the format given to them passed by this Parliament. So when Chairmen go and tell the REOs to pay monies for their councils to go into a particular area to do political work, the REO cannot pay ... the REO cannot pay. (You give me one instance where I did any such thing. You give me one instance.) So we are not going to allow that. The REOs are the chief accounting officers, and there is nobody that is going to control them; and we have to accept that. They have to accept that. There is a prescribed role for the Chairmen of the RDCs and councilors, and the councils, and there are prescribed roles and authority of the staff, the REO and his staff, the

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administrative staff. And there are clear-cut responsibilities. The councils cannot go, just like here the PS in my Ministry, or any other Ministry, cannot go and shift line items for the budget approved in Parliament. They cannot do that. The Minister cannot do that, the Ministers cannot do that; why should Chairmen want to do that? But I think it is a point that Mr. Williams spoke about, and we find a battle has been going on, especially in Regions 10 and 4; in Regions 10 and 4, because they control those councils, and so they want to control the money. They want to control the money. It will not happen ... It will not happen. As they say, the Minister has all this authority ... it will not happen. (You want to control the NDC, the RDC.)

Mr. Chairman, Local Government programmes cannot, generally speaking, conflict with national objectives. Generally speaking, that is how our system is crafted and constructed. They all are part and parcel of our political makeup, and one cannot be in conflict with the other, all must work towards certain national objectives. So it cannot be, because one political party wins this particular constituency, or this particular neighbourhood council, that they are going to set up their own principles and policies, and spend their money how they want to spend it. We cannot accept that. And there are many instances where they attempt to do this, many instances, especially in the past few months. There seems to have been a

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political decision made by the PNCR for the majorities that they have in a few of the RDCs to push this point, to control the administration and control the monies allocated by the Parliament.

I want to advise the Honourable Member Mr. Ramjattan to probably have Mr. Corbin allocate one of the two PNCR seats on the Task Force, rather than denigrate the AFC to observership at the Task Force level. All they have to do is give one of the seats to the AFC, if they really want the AFC to play a role. We have two, the Opposition two, and government two. Why we give the Opposition three? The Government has two, and the Opposition got two. Why you want to give the Opposition three? Let the PNCR give the AFC one. And especially since Mr. Ramjattan spoke, the PNCR will not give them a seat, because it seems as though Mr. Ramjattan is saying, let us pass the Elections (Amendment) Bill, and go ahead with the elections. He accepts that. So they are not going to put the AFC there, because they generally accept our position. It is no trap: it is leading into the reality of what is going down in the ground.

We have made all these commitments, but we cannot always be stuck by the dead hand of history. What is going on in the ground is very disruptive, very, very destructive. We know that it takes a very long time for the various political forces in this country to come to compromises. Indeed, a lot of compromises were made.

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Mr. Basil Williams, the Honorable Member mentioned that. He said he himself had to make compromise outside of what he thought he could have done.

And although we all believe that the Task Force is coming to an end in terms of dealing with the issues before it, dealing with the four drafts, there are many other issues which the Task Force cannot deal with. Many other issues will have to probably engage the attention of the two maximum leaders. We do not know how long that is going to take. That is why we are suggesting, not with any ulterior motive, for us to go ahead with one of those that we have all agreed upon, that is, the Elections Amendment, and go ahead. We will have our lifetimes to deal with Local Government Reforms. We will have all our lifetime to deal with Local Government Reforms, and succeeding generations will continue. What we are doing now will not be the end of it all. It will not be the end of it all. Ten years from now, the next generation will find all we are doing need amending, and changing.

Mr. Chairman, it is a way out. We have a real dilemma down on the ground; we have to deal with it. There is nothing insidious about it, or sinister about it. I want to again repeat that the ground swell all over the place is for us to have new elections. And I want to say this, Mr. Speaker, in relation to the Amendment. Mr. Speaker, I really cannot speak too much about the manner in which



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the legal draftsmen have crafted the Amendment. What I can say is that a lot of representation has been made over a period of time, that since we cannot have the Local Government Elections, at least where it can happen, let us have the elections for Mayor, Deputy Mayor, or Chairmen or Deputy Chairmen.

Unfortunately, bringing all this together having the discussions and intervening holidays, it all created a condition where I brought this Amendment a bit late; my apologies for that. I do know that there are certain procedures and all these different things. But I thought about this since we are going ahead with this Bill today, it will be an appropriate occasion for us to introduce this Amendment, so at least in the coming months we can have those bodies, those Local Government organs, that are in a position to hold these elections, that they can do so; many of them are not in a position. Many of them do not have a quorum. So to say that let it be automatic, and automatically everybody will have elections, it will not happen, that is because we did not have elections for so many years. Many of them face a big problem. So the insertion here of the Minister has nothing to do with the elections *per se*. The crux of the matter is this Amendment provides for elections to be held of Mayors, Deputy Mayors, and Chairmen. (It says here *on request* ... on request, on request ...

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Mr. Chairman, Mr. Speaker, the ultimate objective of this Amendment is to allow the organs to have their elections, and so I want to urge that Members consider this Amendment, and agree with it. So Mr. Speaker, I want to close by urging all legislators present here this evening, not to ignore the people of Guyana ... the people of Guyana are clamouring for Local Government Elections, so I think we should all acquiesce to their behest, and approve this Amendment, approve this Bill and the Amendment. Thank you. *[Applause]*

**The Speaker:** Thank you, Honorable Member. Honorable Member, I am in a position now to put the Bill to the House. But I would like you to tell me, you have not done so, give me a good reason why I should put the Amendment, which is in violation of the rules established by me some time ago, a copy of which you have available.

**Hon. Kellawan Lall:** Mr. Speaker, I thought ... my apologies for bringing it a bit late ...

**The Speaker:** Honourable Member, let me tell you exactly what was said:

*Mr. Speaker, the Amendment is in breach of the rules. I apologise.*

I do not consider that ...

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**Hon. Kellawan Lall:** I want to add, Mr. Speaker, *I wish if you can favorably consider to allow it ...*

**The Speaker:** Honourable Member, you had the whole of this morning, you had the entire holiday period, to prepare and submit this Amendment. Now, I would like to know why you did not do so. I do not want to know that it is late, we are all aware of that, and I am sure you are more than sorry that it is late. But tell me, notwithstanding that, why I should put the Amendment. You have to give me a reason. You have to engage me. You have to let me know why I should extend my indulgence.

**Hon. Kellawan Lall:** Mr. Speaker, I really do not know what else to say. The time was short, and by the time I got the actual Amendment agreed by the framers of these kinds of things, and so forth, it was already Parliament time.

**The Speaker:** But you had the entire ... you have not told me ... I mean, what have you been doing this morning? Working time starts at eight. The Rule says the Amendment must be presented by ten, if it is not controversial ... What happened?

**Hon. Kellawan Lall:** Mr. Speaker, I really cannot say anything more, that's the truth ...

**The Speaker:** I find this thoroughly amazing.

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Mr. Corbin, do you have anything to say about this matter? Not whether you support the Amendment ...

**Mr. Robert HO Corbin:** No, Sir. I was waiting, Sir, to hear your ruling. I hinted at it, because I have here very clearly the guidelines given to this House.

*Notice of Amendments must be given in sufficient time to enable Members to consider them.*

I have already pointed out that the Government could not be afraid that the PNCR would not support such intent.

The second one says that:

*Amendments which require some study by members, or which are likely to generate discussion, disagreement or debate, must be delivered to the Clerk before 10.00 am on the day on which debate is to take place ...*

These are very clear guidelines. And further:

*Substantial or complex Amendments, as in the case of the Motion on National Development, must be delivered before 10.00 am on the day before ...*

Well, let us not worry about the day before, the day before we were still celebrating Christmas, but the point is, the guidelines are very clear here.

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It is not an Amendment that we would have opposed, we would have suggested certain further Amendments in keeping with what the PNCR had proposed, if they had consulted us, not to leave it at the discretion of the Minister, but I mean, I leave it to your judgment, Sir. But as I said, Sir, in principle, if they are prepared to amend it further I would be amenable to a discussion on it, but I would not be amenable to the Amendment as is, which gives the Minister, at this late stage, without any consultation, all this power.

**The Speaker:** Honorable Members, I hope this little exchange brings to the fore the issue of Amendments, not only the issue of Amendments in these matters where the attention of members needs to be engaged on matters such as this. I trust that in the future Members will observe the Rules and not have us go through this kind of exchange.

Honorable Members, I will put the Amendment first. The Amendment is put ... I now put the Amendment circulated about an hour ago, which adds Section 3 to the Bill. You will have an opportunity to make an Amendment to the Amendment when we go through the Committee stage, Mr. Corbin ...

**Mr. Robert HO Corbin:** Oh, I see, you are just putting it for ...

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**The Speaker:** We will put the Bill first, and then we go into Committee, and put Clause by Clause. So I will put the amended Clause in Committee, so you will have an opportunity to make an Amendment.

One second, I am being advised ... Yes, so we are putting the Amendment now, and we will go into the committee stage. You will have an opportunity there to make an Amendment.

*[Inaudible]*

Well, that I cannot say.

Honorable Members, I propose the question that Clause 3, Section 3 be added to the Bill. Those in favor say *Aye*, those against say *No*. The Ayes have it.

I now propose the question that the Bill as amended be read a second time. Those in favor say *Aye*, those against say *No*. The Ayes have it.

Let the Bill, as amended, be read a second time, please.

**Bill read the Second Time**

**IN COMMITTEE**

**The Speaker:** I propose the question that Clause 1 stands part of the Bill.

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I now put the question that Clause 1 stands part of the Bill.

Those in favor say *Aye*, those against say *No*. The *Ayes* have it.

Clause 1 shall stand part of the Bill.

I propose the question that Clause 2 stands part of the Bill.

I put the question that Clause 2 stands part of the Bill.

Those in favor say *Aye*, those against say *No*. The *Ayes* have it.

I propose the question that the Amendments, Clause 3, stand part of the Bill.

Yes, Mr. Corbin ...

**Mr. Robert HO Corbin:** Mr. Speaker, I wish to again propose, because of the late notice, an Amendment to the Amendment. Because I only got it about an hour ago, I could not write it. I am suggesting that we delete from the second line in the Amendment, after the comma, after the word *at*, right unto the word *for*, in the fourth line, that is, the following word. And it should therefore read, and after the word *organ*, delete the *full stop*, and add the words *shall be held annually until the holding of Local Government Elections*. So the words to be added, should

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be, delete the *full stop* after those inverted commas *shall be held annually until the holding of Local Government Elections*. So the entire Amendment to the Amendment should now read:

*Notwithstanding anything in Section 2, or in any other provisions of this Act, the election of a Mayor, Deputy Mayor, Chairman, or Deputy Chairman of a Local Democratic Organ, shall be held annually until the holding of Local Government Elections.*

This is more in keeping with what the existing Section of the Municipal and District Council Act states actually, that the Mayor and Deputy ... and I do not know if the Members would want to be persuaded, but if they look at Section 28:02, Chapter 28:02, Section 9, I think it is ...

**The Speaker:** Could you read it for the benefit of Members, Mr. Corbin?

**Mr. Robert HO Corbin:** 28:02, I read as it is, so that men will see that I am not ... yes, I got it ... Section ... 28:01, Sir, under the Municipal and District Councils Act, which presently speaks, it speaks, Section 9 of the existing Law ... It says: "*The Mayor and Deputy Mayor shall be elected annually from amongst the persons entitled under Sub-Section 2 to vote at their elections.*" And it goes on to outline those; so it means existing councils were eligible there. And that is the Section I



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have quoted every year, where I said the postponement of the Elections should not have prevented this Section from being made operational in the six towns, but it was used to say this too was suspended. But I am thinking that even if that was so, as interpreted by the legal draftsmen, we are now making Law, therefore, correct it here, and let us say what is there, consistent with that, without any discretion of anybody else: let them have elections every year as was originally intended in the Law.

**The Speaker:** Thank you, Mr. Corbin. Are there any contributions to the proposed Amendment by Mr. Corbin that you are entitled to make? No contributions?

**Mr. Khemraj Ramjattan:** If I may just, Mr. Speaker, on this side here, say that we support that, and it is consistent. The Amendment that is proposed by Mr. Corbin, because it is consistent with the present Act, as far as my understanding of it goes, and it will in every regard, circumscribe the suspicions, or kill the suspicions that I spoke of in my main address, that indeed we do not want what is called Ministerial dictatorship to happen. Those existing councilors in those existing Local Democratic Organs and Municipalities can, as exists now, have the power to elect their Mayor and Deputy Mayor, and it is very consistent with the democracy that we talk about. So I fully support that.

**The Speaker:** Any person else?

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**Mr. Donald Ramotar:** Mr. Speaker, while it deals with the municipal bodies, it would not deal with the NDCs, where you have some other specific problems that probably need a Ministerial intervention. Thank you.

**The Speaker:** Honorable Members, I will not put the Amendment to the Amendment first, the Amendments proposed by Mr. Corbin.

Honorable Members, it is proposed that the following words be taken out of the Section 3. The words are: *The Minister may, on the request of a Local Democratic Organ, or on his instructions, authorize the holding of Elections at any time for ...*

Those in favour of the deletion say *Aye*, and those against say *No*. The proposed Amendment is defeated.

**Mr. Robert HO Corbin:** I would like to propose another Amendment, Sir.

**The Speaker:** Let me deal with the second one first. That is only one.

Honorable Members, the second following Amendment is proposed.

*Amendment:*

The *full stop* at the end of the sentence be deleted and the following words be added,

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*shall be held annually until the holding of  
Local Government Elections.*

Those in favor of the addition of those words, say *Aye*, those against say *No*.

Honorable Member Mr. Rohee, is the Government voting in favour or against this Amendment? Would you please clarify? I will put over the Amendment. Honorable Members, those in favour ... I can call a division if you like, because this is a voice vote, and if I am uncertain as to what the voices say, I can order a division. You prefer that?

Those in favour of the Amendments, say *Aye*, those against say *No*. The Amendment is defeated.

Mr. Corbin ...

**Mr Robert HO Corbin:** Another Amendment, sir. I wish to propose that the words after *democratic organ* on to ...

**The Speaker:** ... where it first appears?

**Mr. Robert HO Corbin:** Yes, where it first appears ... let me put it simpler. The words *or on his instructions* be deleted, so that the Amendment should now read, if one is accepted.

*Notwithstanding anything in Section 2, or any other provisions of this Act, the Minister may, on the request of*

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*a Local Democratic Organ, authorize the holding of an election at any time for the Mayor... elections, et cetera, so it says that only if a body requests it, would the Minister be able to authorize ... not upon his instruction ...*

**The Speaker:** Honorable Members, are there any contributions to Mr. Corbin's proposals?

Well I intend to do so, Honorable Member, I am asking for contributions.

Honorable Members, I will now propose the Amendment that the words, *or on his instructions*, be deleted.

Those in favour say Aye, those against say No. The Amendment is ... Yes, Honorable Member ... Could we have a division, please, Mr. Clerk?

**Division:**

<b>For:</b>	Mr. Fernandes
	Ms. Kissoon
Mr. Franklin	Ms. Wade
Mr. Patterson	Dr. Austin
Mrs. Holder	Ms. Selman
Mr. Ramjattan	Mr. Mervyn Williams

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Mrs. David-Blair	Mr. Parmanand Persaud
Mr. Elliot	Mr. Neendkumar
Mr. Norton	Mr. Nandlall
Mr. Danny	Mr. Lumumba
Ms. Ally	Mr. Khan
Mrs. Lawrence	Mrs. Edwards
Dr. Norton	Mr. DeSantos
Mr. Basil Williams	Mr. Chand
Mrs. Backer	Mr. Atkinson
Mr. Carberry	Mr. Ally
Mrs. Riehl?	Ms. Shadick
Mr. Murray?	Mrs. Chandarpal
Mr. Corbin?	Mr. Nokta
<hr/>	
22	Ms. Teixeira
<hr/>	
<b>Against:</b>	Mr. Ramotar
Mr. Whittaker	Mr. Prashad
Mr. Seeraj	Dr. Ramsaran
Mrs. Sahoye-Shury	Dr. Fox
	Mr. Nadir

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Mr. Benn

Dr. Ramsaammy

Dr. Anthony

Dr. Jeffrey

Mr. Lall

Mr. Baksh

Dr. Westford

Mr. Rohee

Mrs. Rodrigues-Birkett

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**The Speaker:** Honorable Members, the Amendment is defeated. There are 22 Members voting for the Amendment, 29 voting against, one Member declining.

Thank you Honorable Members. I now have to put the Clause, the amended Clause, Clause 3, as it is, as drafted.

I now put the question that Clause 3 stands part of the Bill. Those in favor say *Aye*, those against say *No*.

We will take the division, Mr. Clerk.

**Division:**

***For:***

Mr. Patterson?

Mr. Franklin?

Mrs. Holder?

Mr. Ramjattan?

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Mr. Fernandes?

**Against:**

Ms. Kissoon?

Mr. Whittaker

Ms. Wade?

Mr. Seeraj

Dr. Austin?

Mr. Parmanand Persaud

Ms. Selman?

Mr. Neendkumar

Mr. Mervyn Williams?

Mr. Nandlall

Mrs. David-Blair

Mr. Lumumba

Mr. Elliot?

Mr. Khan

Mr. Danny?

Mrs. Edwards

Ms. Ally?

Mr. Chand

Mrs. Lawrence?

Mr. Atkinson

Dr. Norton?

Mr. Ali

Mr. Basil Williams?

Ms. Shadick

Mrs. Backer?

Mrs. Chandarpal

Mr. Carberry?

Mr. Nokta

Mrs. Riehl?

Ms. Teixeira

Mr. Murray?

Mr. Ramotar

Mr. Corbin?

Mr. Prashad

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Dr. Ramsaran

Dr. Ramsaammy

Dr. Fox

Dr. Jeffrey

Mr. Nadir

Mr. Baksh

Mr. Benn

Mr. Rohee

Dr. Anthony

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Mr. Lall

**Declined:**

Dr. Westford

Mr. DeSantos

Mrs. Rodrigues-Birkett

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**The Speaker:** Honorable Members, the Clause has been approved. 29 Members voted for; 22 voted against; one has declined.

I declare, therefore, that the Clause forms part of the Bill. Let the Assembly resume, please.

**ASSEMBLY RESUMED**

Hon. Minister of Local Government, Mr. Lall ...

**Hon. Kellawan Lall:** Mr. Speaker, I wish to report that the Local Authorities Elections (Amendment) Bill 2008 standing in my name was considered at committee stage, and I now ask that the Bill be passed as amended.



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**The Speaker:** Honorable Members, the question now is that the Bill be read a third time and passed as amended. Those in favor say *Aye*, those against say *No*. The *Ayes* have it. Let the Bill be read a third time.

**Bill read the third time and passed as amended.**

**The Speaker:** Thank you very much.

Honorable Members, we can now proceed with the second reading of the Trade Union (Amendment) Bill 2008, No. 25/2008, published on 18 December 2008.

Hon Minister of Labour ...

Yes, Mr. Corbin ...

**Mr. Robert HO Corbin:** Mr. Speaker, I rise to place on record the opposition party's position on this Bill, No. 25/2008, which was introduced last Monday, 22 December, in the middle of the holiday season. Today, after effectively two days, Sir, in my calculation, Mr. Speaker ...

**Hon Manzoor Nadir:** Point of order, Mr. Speaker. Mr. Speaker ...

**Mr. Robert HO Corbin:** I am standing on a Standing Order, Sir. I think it is explained in Standing Order 54, about *appointment of days for staging of Bill*.

**The Speaker:** You are making a point on the Standing Orders?

**Mr. Robert HO Corbin:** ... as well, Sir, as our position on this Bill. I am making two points.

**The Speaker:** Well, I can allow you a point of order.

**Mr. Robert HO Corbin:** Well, basically what I am saying, Sir, is that we have written the Government, having to avoid me using this Standing Order, I was placing on record that we wrote the Government asking that this Bill be deferred, which has far reaching implications for the labor movement, which is intended to emasculate the TUC; in a situation where they were not consulted as well, to permit consultation as agreed and as pointed out in the President's speech. That request for a delay has been denied, and I am placing that on record. So as far as we are concerned, we are not prepared to participate today in this motion if the Government proceeds with this matter. I believe I have the support of all the Opposition Parties on this question. It is morally reprehensible for the Government to proceed, and that is just on moral grounds alone, for the far-reaching nature of this Bill.

But even if they wanted to proceed, Sir, outside of my carefully worded request to them, I would like to draw attention to Standing Order 54, which states, I believe that it is in violation of Standing Order 54 to proceed with this

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Bill today, after effectively only having two days; because it states very clearly:

*After a Bill has been introduced and read for the first time, the Member in charge I may either name a day for the next stage of the Bill, provided an interval of not less than seven days,*

Mind you, Sir, that has now been changed to six, , and that is the significance, sir, it has been changed to six, *must elapse between the first and second reading of the Bill,* and I think the rest is clear.

But if one looks at the Interpretation and General Clauses Act, and I attract your attention to Section 40 (d)(1), Sir, of the Interpretation and General Clauses Act, Chapter 2:01 which carefully states, that where, and it is a matter for your interpretation here, sir, ‘where the day or last day on which an Act or Proceeding is directed or allowed to be done or taken, is a public holiday, the Act or Proceeding shall be considered as done or taken in due time as if it were done or taken the next day following, not being a public holiday. But it goes on, to speak of: *‘when an Act or a Proceeding is directed or allowed to be done or taken within any time not exceeding six days, public holidays shall not be reckoned in the computation of time.’*

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It is my humble submission, Sir, that they are in fact, having reduced the time span to six days, they are in effect bringing this Bill under this particular Section. And in effect, if you disqualify the holidays, we have only had really two days. But I leave it for you to submit this matter, Sir. I had hoped to avoid dealing with it in this way.

**Mr. Khemraj Ramjattan:** Sir, I too would like to indicate my concurrence with that submission. But the other submission I wish to make in the name of Teemal and. Attorney General, is the government still going to proceed, knowing that there is non-consultation with the GTUC on this matter, go ahead with this debate? Are you going to say *Yes* or *No*? Oh, my goodness!

**The Speaker:** Any Member of the Government side would like to respond?

**Hon. Bibi Shadick:** Mr. Speaker, I just want to find out. We have just debated a Bill, the Local Government Elections (Amendment) Bill that was read for the first time on the 22 December, and we debated that, without anybody pointing out that we had breached standing order. Why does this Bill now breach Standing Orders?

**The Speaker:** Honorable Member, a point has been taken in relation to this Bill, and I am inviting any response to the point just made ... I am inviting comments by Mr.

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Corbin in relation to the Interpretation and General Clauses Act, Section 40.

**Dr. Leslie S Ramsammy:** Mr. Speaker, I think Mr. Corbin did refer to the Standing Order which was amended to six days. Now, it is six days this House made the Amendment to the Standing Orders. This Bill was introduced in the National Assembly on the 18 December.

**Mr. Winston S Murray:** Mr. Speaker, may I borrow that, Sir? I would like to make a point with your permission. Mr. Speaker, I would like to refer to Section 40 of the Interpretation and General Clauses Act, which in the margin speaks about Computation of Time. And it says that the following provisions shall apply, and I want to read (A):

*In the law prescribing a period of days within which an Act is to be, or may be done, a period of days from the commencement of an event shall be reckoned exclusively of the day on which the event occurs.*

So the day when it was published, which is the 22 December, that is to be excluded, not published, put in the National Assembly, laid in the National Assembly, the first reading occurred on the 22 December. That is to be excluded, sir! So we begin to count from the 23. And today is also to be excluded, as it is the day on which the event occurs, the debate is going to occur. So we exclude

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22 and we exclude 29. So we are left with the 23, 24, we have to exclude the 25, which is a holiday, 26, which is a holiday, Saturday, is to be counted, and Sunday, which is a holiday. So it is three days, Sir. And as Mr. Corbin said, '*when an Act is directed or allowed to be done within any time not exceeding six days,*' which is what our Standing Order says, six days. You have to exclude from those six days, because they have applied on a *de facto* basis, the six-day rule. You have to exclude from those six days the holidays, Sir, including Sunday, Christmas Day and Boxing Day, and then we are down to three, and that, sir, will be in violation of the Standing Order. And therefore the matter should not be proceeded with today. That is our respectful submission to you, Sir, for you to rule on.

**Mr. Mohabir A Nandlall:** May it please your Honor, Sir ... Sir, I just wish to invite your Honor to consider, that Section 40 of the Interpretation and General Clauses Act that is being relied upon speaks to, and if I may read it, Sir:

*... in computing time for the purpose of any written Law.*

We are dealing here with the Standing Order, and I ask your honour to take into account, or to have regard, as to whether the Standing Order can be classified as a written Law, as is contemplated by Chapter 2:01, Sir?

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My view, Sir, respectfully, if I may share it, is a written Law is one that is assented ... passed through the Parliament, and assented by His Excellency the President; then it becomes a written Law. The standing order has never gone through that process, Sir, and I humbly submit that it cannot be classified as a written Law. Thank you very much, Sir.

**The Speaker:** Could you ... Honorable Member your analysis was a bit brief. Written Law, as defined by the Definition Section here, says:

*Written Law means the Constitutional Instruments, Acts of Parliament, Subsidiary Legislation, and Applied Laws.*

Could you tell me if the Standing Orders do not fall into the category of Applied Laws?

**Mr. Mohabir A Nandlall:** I am humbly submitting, Sir, that the Standing Orders falls into none of those categories, Sir. None of those categorizations, Sir, apply to the Standing Orders.

**The Speaker:** Any other Member wishes to say something?

**Mrs. Gail Teixeria:** Mr. Speaker, I am not a lawyer, but I just want to ask you that we look at 54(2), for the Stages of a Bill, which says that:

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*No Bill shall be read a second time before the expiration of six days from the date of its publication in the Gazette and until it has been printed and circulated to members.*

It was gazetted on 18 December, and put on the Order Paper on 22 December for the first reading. Therefore, Mr. Speaker, in my submission, I believe that this Bill is in order before this House. Thank you.

**Mr. Mohabir J Nandlall:** Sir, if I may, I am looking at Section 5 of 2:01, to clarify the question which Your Honor asked me. Applied Law is defined there. Applied Law has a specific definition. Section 5 (1) means:

*... an applied Act and any legislative instrument other than constitutional instruments, made thereunder, otherwise that by an authority in Guyana, having effect as part of the Law of Guyana.*

And I am saying, Sir, that the Standing Order cannot be categorized as an Applied Act, to answer the question which your honour posed to me earlier. Thank you.

**Mr. Khemraj Ramjattan:** Could I just indicate that the entire purpose of giving six days for the debate to be had after the expiration of its first reading was for purposes of consultation to be had. Consultation with the stakeholders, and also for the purposes of research into the argumentation as to whether we support it or not be



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made. Six days, is generally six days. We had what is called in Law *non-days* by virtue of Boxing Day and Christmas Day. And so the entire purpose behind the six-day arrangement, and if we are to take a purposive approach towards this, what we call the Golden Rule of Interpretation, which ought to apply in these Chambers just like a Court of Law.

And for that reason, we are only having four days, or three days, when the minimum ought to be six. And so in that context then, with that background as to the purpose for six days, it is entirely in consonance with what the Legislature has in relation to Applied Laws, and the constitution that we have, that indeed it applied analogously to our Standing Orders and Rules here. What is applicable for the High Court and the courts of the land is also applicable for this court, which is also a court of this land, and we should take our interpretations analogously so that we can give meaning and purposive meaning to that which we are confronted with here.

**The Speaker:** Yes, Honorable Member ...

**Mr. Everall N Franklin:** Yes, Mr. Speaker, just a quick submission here. Even if all the technicalities were fulfilled in terms of time, the real objection here is the lack of consultation with the stakeholders that this particular Bill affects, and in terms of our Constitution that decides that we should consult, that to me is even more fundamental than the amount of days that are ...

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**The Speaker:** Honorable Member Mr Nandlall, I am not selecting you out because you have spoken. Mr. Corbin made the point; Mr. Ramjattan made the point about Teemal. I do not think most Members of the House would fully appreciate the circumstances, but for those Members the question is that Teemal Case by our Court of Appeal said that *the consultation provisions in the Constitution are justiciable in certain circumstances*. In the Teemal case, I think that one of those persons who is not a member of the profession who would know this is, Mr. Nadir. The Teemal case, said in a piece of legislation that affected the Trades Union Congress, the legislation was overruled as being unconstitutional, because the TUC was not consulted.

Now, I presume you have studied this legislation. You have any response to that?

**Mr. Mohabir A Nandlall:** The question is posed to me, Sir?

**The Speaker:** You or any other Member of the Government side.

**Mr. Mohabir A Nandlall:** Speaking for myself, Sir, I am not aware of the antecedent which preceded this Bill, so I am in no position to assist Your Honour with an explanation. Thank you very much, Sir.

**The Speaker:** Honorable Members, we will suspend for ten minutes so that I can consider the position.

**19:10 H – SUSPENSION OF ASSEMBLY**

**19:46 H – RESUMPTION OF ASSEMBLY**

**The Speaker:** Honorable Members, simple as it may seem these two issues raised by the Leader of the Opposition are matters which are of some complexity. What is the written Law? I think, Mr. Nandalall may have ... It is also not clearly and definitively defined in Section 5 of the Interpretation of General Clauses Act. Section 40(1) (a) and (b) of the Act are also matters of some complexity; it talks about six days, less than six days, more than six days, and so on. I have some preliminary views on the matter, but I would like the opportunity to have some more consultation on it, before I make a pronouncement. I would like to thank Mr. Corbin, Mr. Nandalall, and other Members who assisted me in the interpretation, but regrettably, I am not in a position to make a pronouncement today. I will therefore invite the Government to move that the Bill be deferred to a later date.

Honorable Member, Mr. Rohee ... Sorry, Mr. Nadir ...

**Hon. Manzoor Nadir:** Thank you, Mr. Speaker. Mr. Speaker, I therefore would like to ask that the Bill be deferred until the next Sitting of the National Assembly

**The Speaker:** And when would that be?

**Hon. Clement J Rohee:** Mr. Speaker, I wish to move that the House be adjourned until 8 January 2009.

**The Speaker:** Honorable Members, the House will stand adjourned until that date. May I take this opportunity to wish members and their families a very prosperous New Year, and for some of us, for the one or two, not many, the one or two, who are close, but not at my age, good health is very important, and good health ... Thank you very much

**Mr. Robert HO Corbin:** May I, Mr. Speaker, at the same time, on behalf of this side of the House, extend to you and your family, again to the Staff of Parliament and their families, Members of the media, Members of the Government, sincere wishes for a very productive and consultative 2009. The New Year will bring you new life, new vision, and new hope for this nation, and that we will together confront the problems of this country, in a really consultative manner and with the genuine interest of all the people of Guyana at heart. Thank you very much. *[Applause]*

**Hon Clement J Rohee:** Mr. Speaker, on behalf of the Government and all Members on this side of the House, I would like to extend Best Wishes to all Members of Parliament for the New Year. 2008 has not been an unproductive year for the National Assembly, and I am

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optimistic that the year ahead of us, that that year will be characterized by inclusivity and transparency and all the other hallmarks that have exemplified the Government over the past year in Parliament. Thank you very much.

**The Speaker:** Thank you, Honorable Member.

*Adjourned Accordingly At 19:50H*