

# Official Report

*PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015-2018) OF THE ELEVENTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN*

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94<sup>TH</sup> Sitting

Friday, 27<sup>TH</sup> July, 2018

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*Assembly convened at 2.12 p.m.*

*Prayers*

*[Mr. Speaker in the Chair]*

## **ANNOUNCEMENTS BY THE SPEAKER**

### **Leave to Members**

**Mr. Speaker:** Hon. Members, leave from today's Sitting have been granted to the Hon. Mr. Winston Felix and Hon. Members Mr. Joseph Hamilton and Ms. Indranie Chandarpal.

### **Death of Minister Lawrence's mother**

**Mr. Speaker:** It is my sad duty to announce to you that the mother of the Minister of Public Health, Ms. Volda Lawrence, has died. You may want to join with me to express our condolences, on her lost.

## **PRESENTATION OF PAPERS AND REPORTS**

The following Report was laid:

Annual Reports of the Small Business Bureau for the years 2014 to 2016. [*Minister of Business*]

## **INTRODUCTION OF BILLS AND FIRST READING**

The following Bill was introduced and read for the first time:

**TAX (AMENDMENT) BILL 2018 - Bill No. 11/2018**

A BILL intituled:

“AN ACT to amend the Tax Act” [*Minister of Natural Resource*]

**PUBLIC BUSINESS**

**GOVERNMENT BUSINESS**

**BILL – Second Reading**

**ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF  
TERRORISM (AMENDMENT) BILL 2018 – Bill No. 10/2018**

A BILL intituled:

“AN ACT to amend the Anti-Money Laundering and Countering the Financing of  
Terrorism Act.” [*Attorney General and Minister of Legal Affairs*]

**Attorney General and Minister of Legal Affairs [Mr. Williams]:** I rise to move that the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2018 - Bill No. 10/2018, published on 13<sup>th</sup> July, 2018, be now read a second time.

The purpose of this Bill is to amend the Anti-Money Laundering and Countering the Financing of Terrorism (AML/CFT) Act, Chapter 10:11 of the laws of Guyana and related legislation, to strengthen Guyana’s regime for combatting money laundering, terrorist financing and proliferation financing.

Financial crimes have become more prevalent and therefore it is important that the Government continues to strengthen our regulatory framework in line with international standards to combat money laundering and terrorist financing, coupled with proliferation financing. Strengthening our regulatory framework would ensure that the requisite systems and policies are in place to prevent our financial systems from being exploited by launderers and terrorist. All over the world combatting money laundering, terrorist financing and proliferation financing has become a

priority. As we are all aware, these crimes pose a risk to the reliability and stability of our financial institutions and system. Therefore protecting the integrity and stability of our institutions and systems by ensuring that they are not misused by launderers and terrorists must be high on our agenda. For this reason, the Bill before this House is important.

As was succinctly stated by Mr. Min Zhu, Deputy Managing Director of the International Monetary Fund (IMF):

“Money laundering and the financing of terrorism are financial crimes with economic effects. They can threaten the stability of a country's financial sector or its external stability more generally. Effective anti-money laundering and combating the financing of terrorism regimes are essential to protect the integrity of markets and of the global financial framework as they help mitigate the factors that facilitate financial abuse. Action to prevent and combat money laundering and terrorist financing thus responds not only to a moral imperative, but also to an economic need.”

Since this Government took the reins of office, Guyana has made significant strides in ensuring that the AML/CFT Act and other laws are compliant with the Financial Action Task Force's (FATF)'s 40 Recommendations, which are the global standards.

We have since 2015, demonstrated a political will that is needed when combatting money laundering and terrorist financing. To the country's credit, we have passed several amendments which enable us to successfully remedy the strategic AML/CFT deficiencies, highlighted by the Caribbean Financial Action Task Force (CFATF) and FATF. As a result, in 2016, Guyana exited the CFATF's third round of mutual evaluation and FATF's International Co-operation Review Group (ICRG) follow-up process. We are now on the fourth round of mutual evaluation. This means that in 2022 Guyana would not only be evaluated on technical compliance, which is an evaluation of our legal and institutional framework, but now we would have to demonstrate how effective our policies and systems are with respect to mitigating the risk of money laundering and terrorist financing.

According to the FATF, a country's efforts in developing sound laws and regulations and implementing and enforcing them should focus on one goal, and that is, the high-level objective of the effective AML/CFT framework. This high level objective is that –

“Financial systems and the broader economy are protected from the threats of money laundering and the financing of terrorism and proliferation, thereby strengthening financial sector integrity and contributing to safety and security.”

It is if I might now have recourse to the provisions of the Bill. The Bill before this House will do what the other amendments have done, and that is, to strengthen what already exists and provide the foundation for us to demonstrate that our systems and policies are effective. The Bill deals mainly with two important issues, firstly, the establishment of the Anti-Money Laundering and Countering the Financing of Terrorism and Proliferation Financing Co-ordination Committee, herein after called, the Committee. Secondly, the Bill implements a procedure to deal with targeted financial sanctions related to proliferation financing.

I will now look at the committee. In January 2018, Guyana received advice from the CFATF that the AML/CFT Authority was not compliant with recommendation 2 of the FATF’s recommendations.

Recommendation 2 states that countries should designate an authority to have a co-ordination or other mechanism that is responsible for national anti-money laundering and countering the financing of terrorism and proliferation financing policies. The CFATF commented that the authority, as presently constituted, was too narrow in scope and applies solely to the Financial Intelligence Unit (FIU). Additionally, the CFATF advised that the provisions dealing with the authority and its relationship with the FIU do not address the broader requirements that the four criteria set out in recommendation 2 require.

*2.27 p.m.*

These are:

- (i) Countries should have national anti-money laundering and countering combating the financing of terrorism policies which are informed by the risk identified and are regularly reviewed.
- (ii) Countries should designate an authority or have a coordination or other mechanism that is responsible for national AML/CFT policies.

- (iii) Mechanisms should be put in place to enable policymakers, the FIU, law enforcement authorities, supervisors and other relevant competent authorities to cooperate, and where appropriate, coordinate domestically with each other concerning the development and the implementation of the AML/CFT policies and activities.
- (iv) Competent authorities should have similar co-operation and, where appropriate, coordination mechanisms to combat the financing of proliferation and weapons of mass destruction.

We had arrived at this stage because under the last regime the FIU was seen as the AML/CFT regime. In fact, the FIU was merely a component in the national system organised for the regime. We had lots of complaints about the one-man attending CFATF plenaries, CFATF meetings, no representation from central bank, law enforcement agencies, the Guyana Gold Board, Guyana Geology and Mines Commission (GGMC) and the Guyana Revenue Authority (GRA). We were making a mockery of the system and the other 27 members of the CFATF noted the great deficiency in the way we approach the whole system and that is why it was expected that we would suffer the fate of being blacklisted both by FATF and CFATF.

As a result what we have now is actually what the recommendation provides for a national coordination committee. Instead of the FIU alone we now have Special Organised Crime Unit (SOCU), Director of Public Prosecutions (DPP), Attorney General (AG), GRA, GGMC, the Guyana Gold Board and the Chief-Cooperatives and Development Officer (CCDO) and Commissioner. This is a vast improvement in the whole regime in combating anti-money laundering and countering the financing of terrorism and proliferation. The question that arises: Why the last Government had such a system that was in total derogation of the philosophy and practices which underpin this effort to combat worldwide money laundering and terrorism financing? It is clear that the last Government dropped the balls again on this occasion and we have corrected that and that is why we were able to effectively put forward policies and a framework, legal and regulatory, to exit the strictures that we inherited with the CFATF and the FATF.

We are now at a place where we are admired by the world; we are admired by the hemisphere. We have held, in Guyana, CFATF plenaries massive organisation and attendance. We are invited to international conferences to make presentation. Guyana's profile has been lifted considerably by this Government, so much so that the Hon. Attorney General of Guyana, under this Government, has been invited to actually be the Chair of the CFATF organisation. [*Interruption from Members of the Opposition.*] I do not know if I would have your protection, Mr. Speaker. They are going to have problems all afternoon whilst I am on my feet.

Now, Mr. Speaker, if there are 27 members in a community and they are going by rotations and you entered the community in 2015 and you are in two holes that were dug by the last administration and you came out of those holes in 2016. The Trinidadian Attorney General said that it was magic when he was here at the plenary. Therefore no principle of rotation could have been applicable there, because if there are 27 members and I went in 2015 then I would rotate as the twentieth-eight person, 28 years from now.

We do not have these reports anymore. Representatives were going fishing and playing golf when serious business of the combating of terrorism and money laundering was going on. We do not have those reports anymore. Having now implemented the coordinating committee, we have been operationalising this committee for some months now and as a result we have a more holistic view and we have an idea of who are the persons that are involved in activities that are inimical to the interest of this state.

To this end clause 3 of the Bill amends section 7A of the Principal Act by substituting for the current section 7A to satisfy recommendation 2 of the FATF 40 recommendations. The effect of this substitution is the removal of the authority and establishment of the committee. The anomaly that really had to be addressed was that the authority comprised 25 persons over the hapless FIU. I do not know how that came about. I do know how anyone with custody of this regime could actually see the logic in weighing down the sole FIU with a 25-member committee. It provided that the Parliament would appoint 12 members and then the *ex-officio*, including the Commissioner of Police, the GRA and a bloated body. I am not saying that it is bloated as my counterpart opposite me. It was bloated and it was ungainly, so it had to be removed.

The effect of this substitution is the removal of the authority and establishment of the committee. The Committee will comprise the Attorney General and Minister of Legal Affairs, who will be the chairperson, the Director of Public Prosecutions, the Governor of the Bank of Guyana, the Commissioner General of Guyana Revenue Authority, the Director of the FIU, the head of the Special Organised Crime Unit, the General Manager of the Guyana Gold Board, the Commissioner of the Guyana Geology and Mines Commission, the chairperson of the Guyana Securities Council, the chairperson of the Gaming Authority and the Chief Cooperatives and Development Officer who will hopefully be released by the Minister. **[Mr. Dharamlall:**

Who do you have to report, Mr. Williams? It is the President.

Some of the functions of the committee include developing a national anti-money laundering and countering the financing of terrorism and proliferation financial policy framework informed by the risks identified by the National Risk Assessment (NRA) at developing a national action plan which includes recommendations to ensure our effectiveness, co-ordinating Guyana's participation in the international effort against money laundering, terrorist financing and proliferation financing, and undertaking outreach to the public on anti-money laundering and countering the financing of terrorism and proliferation financing issues and disseminating relevant information to the public to bring awareness regarding the pitfalls of money laundering, terrorist financing and proliferation financing and that is why the anti-money laundering team has been moving from region to region to do this kind of sensitisation and that was something that has been introduced since the advent of the APNU/AFC Government into that ministrations of this wonderful country of ours.

To enable the committee to carry out its functions, clause 4 of the Bill makes provision for the funds of the committee.

Clause 5 of the Bill deals with the financial year of the committee.

Clause 6 inserts four new sections 7D, 7E, 7F and 7G into the Act which will deal with the finances of the committee.

I will now deal with how the Bill addresses targeted financial sanctions related to proliferation. Recommendation 7 states that countries should implement targeted financial sanctions to comply with the United Nations Security Council Resolutions (UNSCR) relating to the prevention,

suppression and disruption of proliferation of weapons of mass destruction and its financing. These resolutions, namely UNSCR 1718 and UNSCR 2231, require countries to freeze without delay the funds or other assets of and to ensure that no funds and other assets are made available, directly or indirectly, to or for the benefit of any person or entity designated by, or under the authority of, the United Nations Security Council (UNSC) under Chapter VII of the Charter of the United Nations.

Proliferation financing refers to the act of providing funds or financial services which are used, for the manufacture, acquisition, possession, development, export, trans-shipment, brokering, transport, transfer, stockpiling or use of nuclear chemical or biological weapons and their means of delivery and related materials, in contravention of national laws or, where applicable, international obligations. It facilitates the movement and development of proliferation-sensitive items and, as such, can contribute to global instability and potentially catastrophic loss of life if weapons of mass destruction are developed and deployed.

*2.42 p.m.*

To comply with the recommendation 7, clause 13 of the Bill seeks to amend the Principal Act by inserting after section 68D new sections, namely, 68E, 68F, 68G, 68H and 68I.

These new provisions fulfil the freezing obligations under the UNSCR 1718, the UNSCR 2231 and their successor resolutions.

Section 68E deals with the freezing of funds or other assets of a listed person or entity pursuant to the resolutions. It mainly provides that no person nor entity shall deal with the property of any listed person or entity and establishes the procedure for the DPP to apply to a judge in chamber within five days for a freezing order in respect of the funds or other assets of a listed person or entity and for the judge immediately to grant the freezing order.

Section 68F sets out that freezing actions shall not prevent a person or entity from crediting the frozen account of a listed person or entity with interest or other earnings due on the frozen amount or payments due on the contracts, agreements or obligations that were concluded or arose before the account became a frozen account or where the person or entity received funds transferred through the account.

Section 68G provides the procedure for the listed person or entity to be delisted and for unfreezing of frozen accounts. With respect to delisting, the listed person or entity or the Director of the FIU may submit a delisted request directly to the United Nations Security Council focal point established pursuant to the UNSCR's 1730. When a person has been delisted the Minister of Legal Affairs must inform the person or persons or entities holding funds or other assets of a listed person or entity to recommence dealing with the funds and other assets.

Additionally, this section provides that a person or entity affected by the freezing could apply to the court for a revocation of the order and the court shall revoke the freezing order if satisfied on the evidence that the account or other property of the person or entities interest in it is not owned or held by or on behalf of a terrorist, terrorist organisation as someone involved in proliferation financing. Further, where a person or entity with the same or similar name as a listed person or entity is inadvertently affected by the freezing action, the person or entity may apply for a revocation order to unfreeze the funds or other assets of such persons or entities.

Section 68H provides for a listed person or entity to have access to frozen funds where the Minister of Legal Affairs has determined that it is for the basic expenses, extraordinary expenses or the funds or other assets that are subject to judicial, administrative or arbitral lean or judgement.

Section 68I empowers the Director of the FIU to propose persons or entities to the 1718 Sanctions Committee and the United Nations Security Council for designation and where those persons or entities meet criteria for designation under the respective resolutions.

Apart from the above amendments the Bill makes other important amendments.

Clause 2 clarifies the meaning of "exporter and importer of valuable items" and activities that are listed in the First Schedule as being subject to the Act.

Clause 8 provides that the Director of the FIU shall submit to the Minister of Finance a report concerning the activities of the FIU. This amendment also provides that the Minister of Finance shall cause a copy of the report together with the annual statement of accounts and the Report of the Auditor General to be laid before the National Assembly.

Additionally, clause 10 of the Bill seeks to amend section 18 of the Principal Act by inserting the words “real estate brokers”, “real estate developers” which is very important, “auditors”, “Commissioner of Oaths to Affidavits”, among the list of professionals who are required to report any suspicious business transaction.

Section 18 has also amended by inserting a new subsection, 13(A):

“to clarify the requirements to take appropriate action, as outlined by the Act, with respect to suspicious transactions reports also apply to trust and company service providers when they engage in transaction for or on behalf of a client in relation to specific activities.

Clause 11 of the Bill seeks to amend section 19 of the Principal Act by inserting a new subsection (4) to provide for the further monitoring and compliance of reporting entities by requiring all reporting entities to register with the FIU.

Clause 14 of the Bill provides for amendments to other legislation, namely, the Gold Board Act, the Money Transfer Agencies (Licensing) Act and the Companies Act.

The Gold Board Act is amended by inserting a new section 9A into the Act to provide for fit and proper criteria to determine whether any applicant, together with any partner, shareholder and director, beneficial owner of a significant or controlling interest or office holder of the applicant is fit and proper to possess, sell or export gold. Additionally, the fit and proper criteria shall be utilised for evaluation by a supervisory authority where there is a change of ownership, management or control of the company.

Section 17(2) of the Money Transfer Agencies (Licencing Act) is amended to clearly set out different penalties for a natural person and for a legal person. To this end the penalty for contravening the provisions of this Act, any regulation, notice, guideline or any condition of a licence or certificate of registration with respect to a natural person is \$10 million and one year imprisonment and for a legal person the penalty is \$50 million. This offence is summary.

Further, section 4 (70A) of the Companies Act is amended by inserting a new subsection (1B) which provides that beneficial ownership information and the control of companies, trusts and other legal arrangements shall be kept, updated and maintained in the companies’ register. This

amendment is important as it will ensure that legal persons and legal arrangements are not misused by launderers and terrorists.

In conclusion, as we advance towards to 2022, the year of our impending assessment, this Government recognises that there is much work to be done if Guyana is to demonstrate an effective AML/CFT system. This Bill is one measure that lays the necessary foundation for us to build on, achieving an effective system, demands that the competent authorities in Guyana coordinate and cooperate with each other. The committee that is s established will facilitate such coordination and cooperation.

Further, the committee will provide the necessary oversight, guidance and feedback to ensure that the competent authorities, supervisory bodies and reporting entities are compliant with the Act and are putting policies and systems in place to affectively combat money laundering, terrorists financing and proliferation financing.

The other amendments further fortify our AML/CFT system. We will now have a freezing procedure to deal with the proliferation financing. The FIU is further strengthened to ensure that suspicious transactions reports are filed. Other professionals such as the real estate agents, real estate developers, Commissioner of Oaths to Affidavits and auditors must now file suspicious transactions reports with the FIU. The Guyana Gold Board must now employ fit and proper criteria before approving any licences, which is a very good provision.

Finally, I wish to state that as we continue to formulate policies and develop new ways to strengthen our AML/CFT regime and meet with competent authorities, supervisory bodies and reporting entities through outreaches, our laws would have to be continuously strengthened by filling loopholes and closing the gaps. This is a process that this Government is fully committed to and we will continue to put the necessary policies in place to ensure that, come 2022, Guyana would be able to demonstrate that its AML/CFT system and policies are affective and thus avoid being thrown into that pool that is there waiting for recalcitrant in the fourth round.

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

**Bishop Edghill:** I rise to make my contribution to this debate on Bill No. 10 of 2018 and I wish to be very candid with this House as we enter into this debate.

I would have thought that the very first words that the Attorney General would have said in this debate this afternoon would have been a public apology to the people of Guyana for the suffering that the Government would have put them through as a result of actions taken by it, when in Opposition, when we were trying to get AML/CFT legislation passed.

I would have thought that the Hon. Attorney General would have apologised to the businessmen who have been affected by relationships as a result of the inadequate support for corresponding banking.

I would have thought that you would have apologised to the Guyanese in the diaspora who have to answer 40 questions before they sent a remittance to their families in Guyana and that you would apologise to the ordinary people of Guyana for the difficulties that they experienced because of the grandstanding that it took at a particular time.

I want to refer particularly to January, 2014 to May, 2014. The Hon. Attorney General just told this House that he was not aware of how this 25-man authority came into being. Mr. Speaker, I would like to draw your attention to your Order Paper. On the Order Paper there is a report from a Committee called the Standing Committee on Appointments which was supposed to have established this authority and it is on the Order Paper now for more than one year. It was first published on - let me give you the exact date - 10<sup>th</sup> July, 2017. Today is 27<sup>th</sup> July, 2018. At minimum when we come to this House we must be factual.

*2.57 p.m.*

This authority came as a result of an amendment to the Principal Act, which was Act No.1 of 2015, under the A Party for National Unity and Alliance For Change (APNU/AFC) Administration. It was signed into law on the 10<sup>th</sup> July, 2015, establishing this Authority that the Attorney General just told this nation that he did not know where it came from. Why do we have to sit in this House and endure such things?

The Attorney General's vapid presentation requires that he tell this House, somewhere along the line, in his response, why he has taken the positions that he has taken and he has not brought the truth to the people of Guyana. At minimum, we must bring the truth to the people of Guyana.

Let me just indicate that, when I read this Bill, which has now been in our possession just over 12 days or so and I looked at the provisions of this Bill, it became very worrisome. It is because clause 7(A) is being replaced, moving the Authority and making a committee. The Anti-Money Laundering and Countering Financing of Terrorism Authority, which is on our Order Paper and was a process that we would have gone through in the Committee on Appointments, which would have already named the 10 persons to be appointed to that Authority, that has been in this House now for a year. It came as a result of the Government's amendment and all the *ex officio* members that were attached or were made in that amendment.

I recalled that in the Parliamentary Special Select Committee, while we were dealing with our Bill, when we were in Government there were two members of the APNU/AFC, the Hon. Carl Greenidge now Vice-President, and the Hon. Jaipaul Sharma, who brought amendments to put in place this Authority. This was not a suggestion of the People Progressive Party/Civic (PPP/C). I have all of the verbatim records, which I have gone through over the last couple of days. Even the Parliamentary Counsel was subject to verbal beatings because he was having a difficulty in coining language to suit what the Opposition at that time wanted to do in creating this Authority.

Listen to what is worse. The Attorney General just told this House that this Committee which is replacing the Authority is strengthening the Authority. Well I would like to tell the House about the strengthening of the Authority. The Committee shall have the Attorney General as its chairperson - the chairperson is the Attorney General. The Authority would have had a chairperson, which would have been elected from the 10 persons who came through the parliamentary process. The Authority would have also had a number of *ex officio* members based upon organisations and agencies. Notably, they have left out from this new committee, the Commissioner of Police. In this Committee that the Attorney General will chair, the Commissioner of Police has been left out; the Solicitor General has been left out; the Customs Anti-Narcotics Unit (CANU) was left out; the Registrar of the Deeds and Commercial Registry has been left out. We are strengthening this Committee because we are abandoning the Authority, but rather than strengthening, we are leaving out.

This is very interesting in what is happening here. [*Interruption*]

[*Mr. Speaker hit the gavel*]

This Committee, which is to be chaired by the Hon. Attorney General, would give to itself special powers. If you go to section 7B of the Principal Act, which is being amended now and we have a new section 7B:

“The Chairperson of the Committee...”

Who is the Attorney General...

“Shall pay from the funds of the Committee - the salaries and fees or allowances of the staff of the Committee; and any other expenses incurred by the Committee in the performance of its duties.”

So the Attorney General is now becoming the head of a budget agency. He is paying fees to staff - the Attorney General, the chairman of the Committee. I would like the Attorney General in his wrap up to show which Financial Action Task Force (FATF) or Caribbean Financial Action Task Force (CFATF) recommendation this complies with. This allow for political interference. This is what this allows for - political interference. *[Interruption]*

*[Mr. Speaker hit the gavel]*

What is more confusing is that we now have this Committee, which is chaired by the Attorney General, and there is the Director of Public Prosecutions (DPP), the Governor of the Bank of Guyana and the others, he has already named that. This Committee at clause 7E, creates a world of confusion because the Committee now reports to the Minister of Finance. The Attorney General is now subservient to the Minister of Finance. He has to submit his report to the Minister of Finance - *oh* Attorney General. The Minister of Finance will bring the report of the Committee to the Parliament. Wow, congratulations Attorney General, this is very interesting. The question that needs to be answered is who is the Minister in charge? *[Interruption]*

*[Mr. Speaker hit the gavel]*

Is it the Minister of Finance or is it the Attorney General? This Bill takes away from participation, key players, in the fight against organised crime in this country, which includes the Commissioner of Police, the Custom Anti-Narcotics Unit, the designated keeper of the records of the Deeds and the Commercial Registry. They have all been taken away, and the power to chair

this Committee is no longer with civil society, as envisaged by that Government, but it is now with the Attorney General.

When I read this Bill, I asked myself a number of questions. Is this Government confused? I have asked myself that question. Is it the case where they are indecisive and they are not sure? While we have roundabouts, perhaps, they have entered the roundabout, but they have not exited it because they keep going around the roundabout. This is certainly not what was told to this nation in 2014.

As a matter of fact, one Hon. Member of that Committee, who is now also a Vice-President, who during the debates about whether this was compliant with FATF or not, had said that he was not concerned about that, and that all he was concerned with was that we get a Public Procurement Commission (PPC). We had a distinguished gentleman that was flown from his office in Trinidad and Tobago. Mr. Hernandez is his name, who came to Guyana. This very Authority, which has been on the Order Paper and which this Bill is seeking to get rid of before we debate it and pass it into law because this is what this Bill is about today. This Bill is to ensure that the Authority that was supposed to be set up, based upon the Bill that the APNU/AFC has passed - its first Bill when they came into office – that it no longer takes place probably because they do not like the 10 names that came out of the process. I think it is the 10 names that are giving them a difficulty. *[Interruption]*

*[Mr. Speaker hit the gavel]*

Is there a problem Mr. Speaker?

**Mr. Speaker:** Hon. Member, I would suggest that we try to stay on the topic.

**Bishop Edghill:** I am speaking to the Bill Mr. Speaker. I have made a note of it. The Attorney General in his presentation is probably trying to use the FATF and CFATF as an excuse for this amendment by saying that, in January, 2018, they became aware that this Bill was not compliant.

**Mr. Williams:** On a Point of Order, Standing Order 40(a). The Hon. Member is imputing improper motive to the Hon. Attorney General by suggesting that I came into these hollowed walls and spuriously lied on the CFATF that they advised to the contrary, when the same advice of CFATF should be with the Parliament. I ask that he withdraws the remark. *[Interruption]*

*[Mr. Speaker hit the gavel.]*

**Mr. Speaker:** Please have your seat. Hon. Member, you have heard the comment, and if you have not heard the comment, I will ask the Hon. Attorney General to repeat the comment.

**Bishop Edghill:** I heard the comment and I do not believe it is worthy for withdrawing because I would make the point.

**Mr. Speaker:** Hon. Member that is not what you should be telling the Speaker. What you should be telling the Speaker is what you know is correct. Whether or not a matter is worthy for withdrawal, the Speaker determines. I have not asked you to withdraw anything. I simply ask whether you have heard the question.

**Bishop Edghill:** I have heard the comment, Sir.

**Mr. Speaker:** Please take your seat. Hon. Mr. Williams, please repeat the question.

**Mr. Williams:** Sir, the Hon. Member imputed improper motive to the Hon. Attorney General by saying that I misled the honourable House that it was a CFATF's recommendation that the 25-member Authority under the one Financial Intelligence Unit (FIU) was not in keeping with Recommendation Two of the 40 Recommendations of FATF. That is what he has just said and I am asking him to withdraw it.

**Bishop Edghill:** May I proceed, Sir?

**Mr. Speaker:** Hon. Member, Bishop Edghill?

**Bishop Edghill:** Yes, Sir.

**Mr. Speaker:** You have heard what the Attorney General said. Just keep on track with what you are doing. Please proceed.

**Bishop Edghill:** Thank you Sir. I am making this point. This very same Authority came under scrutiny and it was the now Hon. Vice-President, Mr. Carl Greenidge, who said that CFATF and FATF made minimum standards, and that if we were putting in an Authority, which had a model from Barbados and other places, from where they were citing, they cannot stop it. When Mr. Hernandez came here and the question about whether this would make us compliant or not was

raised, the argument was made that Mr. Hernandez did not need to answer that question because we were putting in to strengthen the Bill, and we were satisfying minimum standards. So, they were putting in something that was not required. That is the point that I am making. Now that they have put it in when it is not required, now they are coming back to the House to tell the House that the fact that we have these 20 plus authorities, which you had put in place, we are not compliant because of it. This is what we are talking about.

*3.12 p.m.*

**Bishop Edghill:** Mr. Speaker, in that Committee, a motion was moved which was unheard of. While we were supposed to be dealing with the amendments, which that Bill presented at the time, a motion was moved by the Attorney General, who is sitting there now, for us to amend the Principal Act while we were looking at amendments in a Committee - unheard of. In those amendments that were proposed by the Attorney General, who is sitting there now, was for the seizure of money of a certain amount while moving in a country, as against at a port of exit or entry. Those were the difficulties which held up this country, and we could not get to meet deadlines because of the grandstanding that was taking place. So, for me to sit here this afternoon and hear the AG come with some paper and read like if this is now the newest discovery of decency in the world, that we would like to be compliant, you put Guyana in harm's way by putting this in the law. You put Guyana in harm's way. I will have to say to this Government, stop bamboozling the people of Guyana. We have had enough of it.

I would like to turn your attention to clause 7G of the Bill. This is what it reads:

“(1) The Committee, its assets, property, income and its operations and transactions authorised by this Act, shall be exempt from all taxation including customs duty, consumption tax, capital gains tax, corporation tax, income tax, property tax and purchase tax, and the Committee shall be exempt from payment of any tax or duty whatsoever.”

What is this Committee? Let me remind the people of Guyana of this Committee, which is going to be a tax-free Committee. The AG; the DPP; the Governor of the Bank of Guyana (BOG); the Commissioner-General (CG) of the Guyana Revenue Authority (GRA); the Director of the Financial Intelligence Unit (FIU); the Head of the Special Organised Crime Unit (SOCU); the General Manager (GM) of the Guyana Gold Board (GGB); the Chairperson of the Guyana

Securities Council; Chairperson of the Gaming Authority of Guyana – that is a very special innovation that has recently come in; and the Chief Co-operatives Development Officer (CCDO). That is what this Bill is proposing: “any taxes whatsoever.” So, the AG is paying staff and determining who gets what because he is the Head of the Budget Agency collecting the money and paying, which is normally the duty of a Permanent Secretary (PS) or someone of the sort. It now goes to the Head of the Committee, who is the AG, and now we are hearing about the Committee, its assets, its property and everything else.

I would like to now put to you section 68H. I have walked with the amendments that have been made because there have been three amendments to the Principal Act since this new Administration. In this new clause 68H, where there is forfeiture or seizure of assets, a process where a Judge will be able to grant that order for seizure or forfeiture, listen to what this section is saying.

“The Minister ...”

Who is the AG?            **[Mr. Williams: Which section are you looking at?]**            I am looking at section 68H (2), Sir.

“The Minister upon receipt of the written application referred to in subsection (1) may by written notice grant access to frozen funds or other assets specified in the notice to be used or dealt with in a specified way where it is determined by the Minister-”

Now, in one of the amendments that you have brought in since you were in Government, you dealt with this, now you are adding it. The argument was made then that if the Judge freezes it, how could the Minister determine how you get access to it? Why not let the Judge unfreeze it? This is setting up for political patrimony. So now when we come down to section 68H (2) (b) - first, in section 68H (2) (a), there were certain kinds of expenses such as rent, medical expenses and things of that necessity. But, now in paragraph (b), there is a broad category. Listen to this broad category:

“to be necessary for extraordinary expenses.”

Could the Hon. Attorney General; tell this House and the people of Guyana what are “extraordinary expenses,” outside of medical bills, rent, payment for land - so that while the land

is held up, one could still get money to pay the rates and taxes and all of that. This I would contend should be a decision of the Court and not the Minister of Legal Affairs. This is because nobody should be going to a Minister's office to genuflect and beg for any favours when a Judge in chambers has frozen the money. If it is a legal process, then let the Judge in the chambers determine if the money should go, not a Minister of the Government.

Now we have that the Minister is going to be determining what extraordinary expenses are. This leaves room for a lot of things, and certainly we do not want the *wheeling and dealing*. In the environment where we have had settlements, anything could be settled here now.

When we look at this Bill, we have to put things into perspective. Number one, the APNU, with the assistance of the AFC, made specific amendments to the Principal Act, at a particular time when grandstanding was taking place and this country was put in jeopardy, and we ended up being grey-listed, and some people did say "blacklisted".

Number two - it is the very same structures that they put in place in 2014, which the Committee on Appointments has acted upon the law to create that Authority, this Bill is now seeking to take it away. The question must be asked, why? Why one year after the Committee on Appointments has finished its work, named the 10 people to the Authority, where the motion should have been carried by simple majority in the House, the Authority should have met, elected its chairman and the *ex officio* members, meeting with the Authority to carry out the work of the Authority. One year after, we now get an amendment that takes away the participation of civil society from the Authority. So, all of the argument about Article 13 and the participatory democracy that Guyana needs, and how we should get other stakeholders and civil society groups involved, the persons who had to be consulted had to go through a rigorous exercise to ensure that they were not politically exposed persons (PEPs). They were subjected to their names being sent to the Commissioner of Police to see if there was any known thing about them that would prevent them from being in this Authority. There were hours of deliberation in the Committee on Appointments about these nominees which were made. Then, in the Committee, 10 names come to this Parliament, sat on the Order Paper for one year, and then, within two weeks, there is an Amendment Bill and we are debating it on a Friday – which is an unusual day for a sitting of the National Assembly. There must be some reason why this Bill has to get through, hurriedly, today.

When I was preparing for this Bill, and I requested specific documents and was going through them, a Colleague of mine asked, “Is it worth it, going through all of this research and reading? This is because, whenever all is said and done, they will use their numbers and pass the Bill.” That is not a revelation; we know that to be so. Even though you will use your majority and pass the Bill, the truth must be made known in this House this afternoon. The truth must be made known in this Bill.

I am a little worried. Is it still the practice that when a Minister brings a Bill to this House, the Bill would have been discussed at the Cabinet and the Cabinet would have made its recommendations and its views? I am not holding only the AG accountable for this; I am holding the whole Cabinet accountable. If this Bill had gone to the Cabinet, at least some of the players in the Cabinet should have said, “This is dangerous for Guyana. This would make us look very bad. This will bring shame upon us.” At minimum, they should have been saying that to each other. Or is it a case where the Cabinet members do not talk to one another? Is it the case ...

*[Mr. Speaker hit the gavel.]*

Is there a problem, Mr. Speaker? I heard your gavel? **[Mr. Jagdeo:** He is protecting you from... *[Inaudible]* Oh, he is protecting me? Okay.

Is it the case where the collective voices of the wisdom of those who created this architecture and this structure to ensure the independence of the FIU, to ensure the adequate management and to ensure that money laundering is not covered by politicians and all of the reasons that were advanced then - have all those reasons disappeared? Have all of those reasons disappeared why we came to a place where we wanted noble men and women, upstanding people from civil society who would have come from organisations that could sanction them and so on? What is it that we are having here now?

The lack that exists is what is worrisome. I want to go back to clause 7A of the Amendments. In this Committee, there are specifically designated officers who will sit...

**Mr. Speaker:** Hon. Member, you have three minutes remaining.

**Bishop Edghill:** Thank you very much Sir. There are specific designated officers who will sit under the chairmanship of the AG. Then at paragraph (4), there is a troubling development.

“A member of the Committee may appoint a member of the member’s staff of suitable seniority to act as the member’s alternate and to attend meetings of the Committee on behalf of the member.”

This is very troubling. I would have thought that all of the lectures we would have had about ensuring that we have the right people and satisfying the FATF’s guidelines for politically exposed persons, and to ensure that we stay free from political interference and so on, would have applied. I do not know, maybe I am wrong, that a substantive holder of an office, who would have gotten there through a process and some of these processes require strict scrutiny, could just appoint a senior member of their staff to act on their behalf in a serious Committee like this. It is unheard of. Especially when this Committee has dropped very important office holders like the Commissioner of Police, the Head of the Customs Anti-Narcotic Unit and the Registrar of the Deeds and Commercial Registry.

*3.27 p.m.*

Very important office holders have been denuded and may put in some who are saying “You do not necessarily have to come to the meeting. Just appoint a senior member of your staff to act as an alternate” and we are strengthening the Committee and its structure by removing the Authority and putting in a Committee. I have serious doubts about this.

Since I am out of time, I would like to say Sir that I have very serious concerns about what is taking place in this House this afternoon. The Bill that is before us...

**Mr. Speaker:** Hon. Member, your time is up.

**Bishop Edghill:** Thank you, Sir. *[Applause]*

**Mr. Gill:** Mr. Speaker, when you listen to the presentation made by the Hon. Attorney General, you would believe that he was the anointed one who was brought here to save the nation from money laundering, but I will now refresh his memory on who really *dropped the ball* on this one.

The caption on an article which appeared in *Guyana Chronicle* reads:

“Despite looming risk...: Opposition absent from crucial Anti-Money Laundering Bill meetings.”

In this article, which was published on 23<sup>rd</sup> October, 2013, the then Chairperson of the Special Select Committee and Presidential Advisor, Ms. Gail Teixeira, accused the then APNU Opposition of employing delayed tactics to stay the Bill, she said:

“The Opposition Members, cognisant of the deadlines which have been passed in May and August, 2013, cannot claim to be unaware of the absolute necessity to return this Bill to the House for debate by early November and the consequences to Guyana if this deadline is, again, missed.”

At that meeting the Opposition was a no show, with four Members submitting excuses, while one Member, the Hon. Khemraj Ramjattan, was absent. On 4<sup>th</sup> February, 2014, *Stabroek News* reported that the APNU and AFC Members walked out of a meeting of the Anti-Money Laundering and Countering the Financing of Terrorism Select Committee on the night before. In a dispute over whether the private sector would be an observer at all of its meetings. This prompted the then Minister of Finance, Dr. Ashni Singh, to say that the refusal to allow the Private Sector Commission (PSC) to observe the Committee’s proceedings reflect the fact that they were unwilling to be unmasked and have revealed to the world at large, the blatant delayed tactics they have been attempting in frustrating the work of the Committee. Then, according to *Demerara Waves* two days later, on 6<sup>th</sup> February, 2014, the Private Sector Commission decided to seek a meeting with the APNU to ascertain why the Opposition party no longer wants it to observe sittings at the Parliamentary Select Committee which was set up to examine proposed amendments to the Anti-Money Laundering and Countering the Financing of Terrorism Act. *Demerara Waves* quoted the then PSC Chairman, Mr. Ronald Webster, as saying:

“We want to meet with APNU and talk it through to find out why the change. It is a worry when the goalpost appears to be moving. The PSC finds it inexplicable that APNU would now renege on its undertaking made at a meeting chaired by its leader, Brigadier Retired David Granger and considers this to be a disturbing display of bad faith on the part of the major opposition party.”

I deliberately took you back a few years to remind the nation of the destructive politics that were practiced in this honourable House by the then APNU Opposition, followed by the light weight Alliance For Change. The Hon. Attorney General is misleading this honourable House when he

accused the People's Progressive Party (PPP) Administration of *dropping the ball*. The records would show that it was the APNU in Opposition that maliciously sabotaged this Bill, when it was first introduced by the People's Progressive Party/Civic (PPP/C).

While this Bill is necessary for developing nations such as ours, there are some real concerns that I have with this Bill. Clause 3, section 7 (a), subsection (1), of this Bill establishes a body to be known as the Anti-Money Laundering and Countering the Financing of Terrorism and Proliferation Financing National Coordination Committee. When I look at the composition of its members, and the functions of this Committee, should this not be chaired by someone who is competent in financial matters? Why not the Governor of the Central Bank or even the Hon. Minister of Finance, if a political head is preferred? This section made several references to a competent authority, but guess who makes himself the Head of this Committee - our learned Attorney General. I would wager that the Hon. Member would either have to employ three or four Financial Advisors to guide him, foreigners of course, or risk bringing the entire Committee in disrepute from lack of experience and ability. We have all seen the dismal track record of the Attorney General in matters relating to areas that he is most qualified in and that is legal affairs. Do we seriously want to go down that road with this Bill?

Clause 4, section 7 (b), subsection 1 (b) is a bit disturbing and needs some clarity. It reads:

“(b) all other moneys and other property which may in any manner become payable to or vested in the Committee in respect of any matter incidental to its functions.”

Am I correct in my interpretation, that funding for this Committee in addition to moneys appropriated by Parliament Office, will come from the seizure of moneys that were laundered and the seizure of people's properties? Am I to understand that this Committee will be operating like a bunch of modern day bounty hunters? Although this clause is somewhat vague, this is certainly what is implied. To get more funding, they would have to seize more bank accounts and properties. If this is so, this Committee would be a breeding ground for corruption and I am very suspicious of this because clause 7 (b) (2) states:

“(2) The Chairperson of the Committee shall pay from the funds of the Committee-

(a) The salaries and fees or allowances of the staff of the Committee; and

(b) any other expenses incurred by the Committee in the performance of its duties”.

Let me put this in perspective so that the nation could understand. Clause 3, section 7(a), subsection (1) of this Bill establishes this Committee, and the Attorney General and Minister of Legal Affairs, makes himself the Chairman of this Committee.

Money is appropriated by Parliament Office for the purpose of the Committee, but the Committee will also be the recipient of grants and donations. In addition, the Committee would have access to moneys and properties that it seizes through money laundering. Then the Attorney General, the Chairman of the Committee, shall pay from the funds of the Committee the salaries, and fees associated and allowances of the staff of the Committee and other expenses. Is this not corruption? Where is the accountability? The Hon. Minister needs to explain this because, while clause 7, section 9 (a) states that:

“All moneys derived from the fulfilment of forfeiture or confiscation orders...shall be paid into the Consolidated Fund.”

The Attorney General, Chairman of the Committee, is given a free hand to spend the resources of the Committee and by the time this Committee is audited, we would have a change of Government and a Commission of Inquiry maybe necessary by then to determine how this money and assets that were seized were spent. If this is not ridiculous enough, according to clause 6, section 7 (g), subsection 1:

“The Committee, its assets, property, income and its operations and transactions authorised by this Act, shall be exempt from all taxation including customs duty, consumption tax, capital gains tax, corporation tax, income tax, property tax...”

The full works. This is absolutely ludicrous. A Government that taxes the downtrodden is very generous when it comes to its own. I would concur with my Colleague, the Hon. Bishop Edghill that this section is truly a recipe for corruption. It has no place in this Bill.

This Bill is intended in part to combat money laundering. While we need the legislation to do so, it is making life very difficult for the ordinary Guyanese who want to open a bank account in any of the regions. As a Justice of the Peace, people come to me every day; some are pensioners who are desirous of adding a daughter or a son to their bank account for security reasons. If

something happens to them they want to ensure that a relative has access to their money for medication or to cover funeral expenses. Some are single mothers who are getting help from relatives overseas and need to open an account for the money to be transferred directly into that account, without having to pay hefty fees sending it through Western Union. We are talking peanuts here like US\$50 or US\$100 per month, yet, they are being scrutinised by the bank as if they are money launderers. Many do not have jobs and are just living off their old age pensions and what little help they get from relatives in the diaspora, yet, they are asked to produce proof of income. I have had cases where some bank employees would advise customers to say that they are market vendors just to help them out. While I do not condone this approach, it illustrates that desperate people will find ways to beat the system and I feel their frustration every day.

There must be a way to impose rigid restrictions to discourage and prevent money laundering without affecting the lives of ordinary Guyanese who just want to have a savings account for a rainy day, to prevent the bandits from taking it away after a break-in.

*3.42 p.m.*

I, therefore, urge the Minister of Finance, the Hon. Winston Jordan, to find a workable solution to this ongoing problem. Ease up the restrictions so as to enable ordinary Guyanese to open bank accounts without the stress and aggravation they feel everyday just waiting for the good life to come.

I thank you, Mr. Speaker.

**Vice-President and Minister of Public Security [Mr. Ramjattan]:** I am being asked to speak the truth. I want to indicate that the breeding ground for corruption was exposed by the forensic audits that were done. We know where the breeding ground was. Please do not direct it over here. You are saying that we are lightweights over here; well, we largely made you deadweight over there. That is why you are there.

Do not come to tell us how we must conduct our business in the Executive branch. It is the people's business but we are the representatives in the Executive branch that must conduct the business of the people. We will come here and we will pass the laws because we have a majority, but we are going to listen to you. You did not want to listen to us and so you prorogued

Parliament. Do you remember that? Do not tell the Members on this side how to write the laws. If you feel that they are unconstitutional, take Mr. Anil Nandlall, Hon. Member, straight to the court and he will then make sure of all of this that you are telling us. You give the impression that we are the breeding ground for corruption. I do not know if that is Parliamentary, but, then, of course, you have been given a lot of liberties.

I would like to be short in this address, because I think the purpose of the Bill and the specific sections we have to ensure are included to give meat to the administrative aspect of the Act were very well dealt with by the Attorney General, of course, and he will deal with some of the rebuttals.

Let me just mention why clause 7 (a), which is being so heavily criticised, is necessary. We, indeed, had certain circumstances that dictated how we determined matters in 2015. Of course, there is change. If we felt that the body or the Committee is going to be too unyielding, too burdensome, too many in numbers - 25 people... **[Bishop Edghill:** Remember, you put

them there.] Yes, fine, and we could change that. Even if we did, are you saying that these 12 persons - the Attorney General, the Director of Public Prosecution (DPP), the Governor of the Bank, *et cetera* - are not notable persons, fit and proper, to be in the Committee? It is important that we learn to appreciate that it is sometimes better to have, in legislation, the office holders. It is because the office holders, by necessity, would be fit and proper persons in relation to matters like these. Rather than having to come to the Committee on Appointments, do a police survey in relation to persons, do credential check and all of that. Who is going to be bothered and bogged down by all of that when one could say the Director of Public Prosecutions would be a Member of that Committee and so on?

You feel that you are going to win the next elections; you are going to have an opportunity to put your name. It is our executive decision-making that has come to the realisation that, indeed...

**[Mr. Nandlall:** *Inaudible*] Well, fine. We felt that, because he is so much involved in investigations, it is not necessary to have him there; it is the same thing with Customs Anti-Narcotics Unit (CANU). **[Mr. Williams:** He was the Attorney-General. How is he asking

that question?] They want to bamboozle the people out there by saying that we should have put in this and we should have put in that. They are the ones who are doing the bamboozling in their scorched-earth policy of criticising every single thing.

It is important that the Members over there understand where the authority resides and who is going to make these bodies, their composition and their administrative arrangements. It will come from the Executive branch. That is the doctrine of separation of powers. We are not violating any constitutional rights of citizens of this country when we make this Bill the way we have done it here with the various amendments. What we have done here is, largely, strengthen that which the Attorney General indicated is the Financial Action Task Force's (FATF) recommendations in regard to the international standards that we are talking about.

What they probably want to do and what my good friend over there, Mr. Nandlall, is conceiving is that they should be issuing us a [*inaudible*]. Is that what you are talking about? The FATF recommendations have indicated, at pages 9 and 11, certain recommendations in relation to what we must be doing. In our interpretation of what we must be doing, we have realised this. If you feel otherwise, it is well fine. We are hearing you. We feel that you feel that it should not be the Attorney General that should do the employment, well fine. You could probably change that later on, if you have the power to do that. If we feel so and we have good arguments as to why it should be... [An. Hon. Member: *Inaudible*] The power must reside with somebody. That is the classic argument I will have. You are in Opposition and you feel that it should be somewhere else. We feel that it should be the Attorney General and you want to create a little divide and rule by saying that in Cabinet we do not know what we are talking about. What is that? And it is from a Bishop; *a man of the cloth*.

This is what they generally do. What we have is the creation of, in their minds, ghosts that they are telling the public will come to haunt them. It is not so.

It is always going to be a very complicated thing when we have to deal with anti-terrorism, anti-money laundering, proliferation of nuclear weaponry and all of that. As we evolve as a country, we know what could happen in future and so we have to start the preparation for preventing those things from happening in this country. When we are trying to set the design or architecture to have it done, yes, we are going to have problems. There are going to be plenty of persons of a certain perspective who might feel that this is contrary to human rights, just like they felt the State Assets Recovery Agency (SARA) Bill was. The problem is that we are going to have challenges in coming to decide, ultimately, what it is that we want. There is absolutely nothing wrong in relation to stating what it is that is so highly improper in this Bill.

It is with that introduction that I want to say that this Bill and every Bill will have their imperfections. They are giving the impression as if the Members over there will always come up with perfect Bills.

So many times the recommendations of FATF, if that is what they want, we are in accordance with that; it is compatible with it. I want to just read what recommendation 2 is stating at page 9:

“Countries should have national AML/CFT polices, informed by the risks identified, which should be regularly reviewed...”

It is not something written in stone.

“...and should designate a authority or have a coordination or other mechanism that is responsible for such policies.

Countries should ensure that policy-makers, the financial intelligence unit (FIU), law enforcement authorities, supervisors and other relevant competent authorities, at the policy-making and operational levels, have effective mechanisms in place which enable them to cooperate, and, where appropriate, coordinate domestically with each other concerning the development and implementation of policies...”

When we do what we did here in relation to these competent authorities, it is very much in accord with what is in the recommendation 2 of the FATF recommendations. It is something exclusively in accord with what we are doing here. But, you are going to have them going around talking about what happened in 2014 as if that is a genuine criticism of this Bill. It is not. We have, also, the recommendation 7 of FATF which states:

“Targeted financial sanctions related to proliferation”

That was a lacuna. We were strong on terrorism and anti-terrorism, strong on anti-money laundering but we did not have the proliferation aspect to it. We have brought that in because, in accordance with recommendation 7, we must target financial sanctions related to proliferation. Number 7 of the FATF recommendations state:

“Countries should implement targeted financial sanctions to comply with United Nations Security Council resolutions relating to the prevention, suppression and disruption of

proliferation of weapons of mass destruction and its financing. These resolutions require countries to freeze without delay the funds or other assets of, and to ensure that no funds and other assets are made available, directly or indirectly, to or for the benefit of, any person or entity designated by, or under the authority of, the United Nations Security Council under Chapter VII of the Charter of the United Nations.”

What we have here in clause 7 (e), (f), (g), (h), *et cetera* is specific domestic legislation that captures that. It fills that lacuna that was present to the extent that, in Guyana, we have a domestic law that could capture proliferation and all the accompanying activities such as financing and so on.

If, in the architecture of it we are coming down to certain specificities, specificities which certain Members here do not like, you do not have any principled argument. It is just your desire to have it in somebody else’s hand as against another person or a certain other competent authority. That should not shake us, at this stage, from proceeding with such a Bill to fill up the lacuna and the loopholes where they are.

3.57 p.m.

The impression was given that because we have now set up this Committee, all the Members of the Committee are going to get a whole lot of duty-free cars, buses and everything and they are not going to pay their taxes and all of that. That was never the intent of that section that deals with the competent authority being free of taxes. It is the Committee, not the Members thereof, and it is largely something that is useful for any committee that is going to do policy-making and get the work right in relation to proliferation, money laundering and anti-terrorism to ensure that the core work is done. If there is need for that piece of legislation that will say that they do not have to pay their taxes, I do not see anything that is unconstitutional or so undesirable about that. It *efficientises* the whole process of that Committee.

This argument that they have come up with, that the thing is not good, that this is what is going to happen and they are all going to be millionaires, is what the Opposition is very good at. They are good at bamboozling. They have come to the conclusion that we are going to become millionaires; the Director of Public Prosecutions (DPP) is going to order five cars, duty-free. It

does not apply to that scenario. That is so ridiculous. I want that to be made clear. But this is how our Opposition operates.

I want to say that it is necessary to have the various other Sections 68E, 68F, 68G, 68H and 68I. In accordance with the same recommendation 7 of Financial Action Task Force (CFATF), section, we have to put it in that way so that we can give our domestic law the specificity and the certainty as to how we are going to get the delisting done, how we are going to freeze the assets of people who want to bring in bombs and or, through Guyanese banks or Guyanese financial institutions, put in money for all manner of wicked things that can make this world not the happy place that it ought to be. That is what we are doing here. These are international best practices.

It is important that we appreciate it. For what it is worth, like every other piece of legislation, which some people could argue that was imperfect or have a problem, this is as good as it can get at this stage. As we go on and as our society evolves, we can come up with better sections and better provisions in accordance with the contingencies at the time as we see clearer and better. That is how laws are made. That is what happened to the Larceny Act of 1917. The United Kingdom (UK) amended it and, today, it has been transformed into the Theft Act. That is how it happens. We had a Juvenile Justice Bill. We saw that the old one did not work and we bought a new one. It is as best as we can at this stage. If you do not like our Attorney General making the administrative arrangement, well so be it.

When you get more popular, you can probably do the necessary changes. On that score, I want it to be understood that, notwithstanding the history and the controversial history, we need a Bill that is going to take care of money launderers, terrorists and people who are going to deal with proliferation. We have to have a Bill. We also have to have a Bill that is going to satisfy those people who, at the international level, are scrutinising us to the extent that we accommodate their recommendations in our domestic law. It is part of the inter-relationship of being a society and a community in the community of nations. We must have that inter-relationship going. To the extent that this Bill does all of that, I urge that this National Assembly supports it.

**Mr. Speaker:** Hon. Members, it is now 4 o'clock. I recommend that we take the suspension and return at 5 o'clock. Before we rise, Members Special Select Committee on the Civil Aviation

Bill, Bill No. 1/2017 are reminded of the Committee's Meeting during the 4 p.m. suspension in Committee Room 1. Thank you.

*Sitting suspended at 4.02 p.m.*

*Sitting resumed at 5.21 p.m.*

**Mr. Speaker:** The next speaker is the Hon. Ms. Gail Teixeira. You have the floor, Ma'am.

**Ms. Teixeira:** Thank you, Mr. Speaker. My mother used to tell me about "*O, what a tangled web we weave when first we practise to deceive*". For those who may not know it, I repeat it: "*O, what a tangled web we weave when first we practise to deceive.*"

This discussion, today, is a classic example of webs being woven to deceive. This Bill before us is a reprehensive piece of legislation. We have heard name dropping, United Nations Development Programme (UNDP), the International Monetary Fund (IMF), World Bank and Financial Action Task Force (FATF) and Caribbean Financial Action Task Force (CFATF) as if these bodies have given their support to this Bill. Nothing of the sort can be found in any documents on the FATF's website, the FIU's website, CFATF's website or any other documents. The justification for coming to this House is that there is some recommendation, too, that says that this thing must be changed.

It is the height of irony that, a year ago today, 27<sup>th</sup> July, 2017, the Committee Report and motion to appoint the AMLCFT Authority was supposed to be put to this House, on the 27<sup>th</sup> July, 2017, of 10 persons, assumedly fit and proper, who went through a process of vetting to ensure that they did not have connections to politically exposed persons (PEPs) and in which the entire Committee unanimously supported these names.

I find it highly ironical and it is certainly not coincidental that, today, a year later, this House is being asked to support a Bill that will excise the Authority and all its aspects completely from the Bill and replace it with a Committee, which will not be in compliance with FATF and CFATF. More injurious is the fact that this Bill will hurt this country once again.

In 2013, we went through an Anti-Money Laundering and Countering the Financing of Terrorism Bill that was defeated in this House. Through the then Speaker, Mr. Trotman, we were

able to get it returned, although it states that no Bill could be brought back in the same session. Because of the national importance, it was brought back. We missed six deadlines of FATF. We were in Committee and we missed them over and over again until we were put before FATF and grey listed.

In the Committee, Mr. Jaipaul Sharma and Mr. Greenidge brought amendments. Mr. Ramjattan said he did not care what the Bill stated - the *Hansard* and the record of the Committee are there – once the Public Procurement Commission (PPC) was appointed, he would support anything. That is the level of irresponsibility of the Hon. Vice President who spoke before me.

However, this Bill, like everything else that this Government is doing, is sending terrible and wrong signals to people who wish to invest in this country and to people who wish to live and stay in this country. What we have before this House is another Bill added to others – the SARA Bill, the Cybercrime Bill, changes to the Bank of Guyana Bill and some of the financial Bills of the previous week. It is putting, more and more, Guyana and everyone under scrutiny, allowing the Executive to have powers to peep into people's personal business, peep into persons' bank accounts, *et cetera*, without going through the Judiciary and without going through the proper legal processes. This Bill will do it once again. That is the intrusive nature of the Executive of this country.

What it is doing is saying to all businessmen in this country and to all people who want to take their money and invest in this country, whether they are living overseas or not, is do not worry to come here. We are going to make life tough for you. We are going to make you go through every single hurdle to get a bank account, to be able to set up business and to get a licence no matter what.

Look at the Guyana Gold Board (GGB) issue and the amendment to the Gold Board legislation. What is behind that? Is that in any FATF requirement? No, it is not. It is not! The Hon. Attorney General, not Vice President, keeps referring to FATF but the FATF Reports that are posted on the websites mention nothing about the Guyana Gold Board. Yet, an amendment comes to this House that states that the Guyana Gold Board has to now review licences.

If people are suspicious of these moves by the Government, there is a reason for it. When a man is unfaithful to his wife one, she will forgive him; if he is unfaithful a second time, she may try

again. When it comes third, fourth and fifth, she begins to think that this man is no good. It is like this Bill. It comes on top of a series of other Bills that have been brought to this National Assembly. There are the financial Bills which are giving certain powers to certain people, including the Minister. Then, you have this Bill on the Guyana Gold Board. If people are suspicious, you cannot blame them.

If you are going to undercut those people that already have licences and you are going to make room for other people... We have just gone through a whole lot of scandals in this place. You all are reaching 56 scandals and procurement issues that are mind-boggling. They are all over the newspapers. Do not blame us on this side. You are doing it, not us. The latest one is the HDML. If you think that is over with, it is not over.

There is the Guyana Gold Board issue. There is the transfer of licencing issue. These are other issues. There were some things that had to be cleaned up, which, in fact, the Minister seems to have forgotten, were cleaned up in the 2016 amendment to the Bill. The original Act had stated that the DPP had seven days to bring forfeiture to the court when it had to be done in five days. This Bill supposedly fixes that, except it was done in the 2016 Bill. It has already been done. You harmonised and synchronised the periods when the DPP has to go to the court and when there is a listing by the UN Security Council.

Further to that, there are some weird things in this Bill. You have a judicial process to grant a court order for forfeiture and then a Minister delists and suddenly decides that forfeiture does not have to be there anymore. What madness is going on in this place? You are now holding FATF as a cloak around you to protect you.

*5.30 p.m.*

We have heard Hon. Speakers talk about the number 2 recommendation.

In all of the reports for Guyana, the number 2 was never a problem. In fact, the issue of the national corporation is recognised in the eleventh format and in the ninth format. In fact, FATF said that we had met all of the recommendations which were required for a national corporation with the National Oversight Committee (NOC) and they noted that the Anti-Money Laundering Authority had been brought into place in 2015. We met those recommendations. So, how is

Attorney-General coming here and saying that we did not meet the recommendation and, therefore, he has to knock out the Authority and bring in a Committee?

My Colleague, Bishop Edghill has spoken eloquently and I am sure that when Mr. Nandlall speaks, he will add to the repertoire. In the Anti-Money Laundering Bill that we brought in 2013 and before Committee, they wanted the President to be expunged. They did not want the President to appoint the FIU head. They did not want the Minister to appoint the FIU head. They wanted the Attorney-General's role in bringing cases to court removed. They said that the FIU would do that, even though FATF had said that it could not be done. In all of the legislation, it is the Attorney-General who has the responsibility to bring the matters to the court and the FIU to investigate. [Mr. Jagdeo: They did not know that we would have gotten this one]

No, they did not. What is so important in this debate today is that the first Bill which this Government brought when it came into office was Act No. 1 of 2015, the amended Anti-Money Laundering and Countering the Financing of Terrorism Bill, as you amended it in 2014 in Committee with your amendments.

Now, you are coming, three years later, to say that you do not want the Authority. They did not want the President's hand, the Minister of Finance's hand, the Attorney-General's hand. They changed all of the words. Now, today, we have a Bill before and not only have they brought back the Attorney-General, but they have brought back the Attorney-General to head a Committee that is going to be coordinating all of the agencies, including the FIU, too look for money laundering, terrorist financing and the proliferation business. It is very clear that this is not in compliance with FATF. The Attorney-General, when he was on the other side, was part of getting rid of the Minister and the President; now he is superimposing himself back into the scheme as the person in control. He did not worry to bring back the President or the Minister of Finance. He had brought back himself. He has superimposed himself, as the Attorney-General, in a coordinating role, when, in fact, as the Attorney-General, his business should be dealing with what Attorneys-General do, that is see if there are cases to take to court and whether he could win them. It is not *kanta* story on misconduct or people not making a clerk register you are taking to court.

To go back the Parliamentary Select Committee, it was a very fateful weekend when we met. It was 9<sup>th</sup> February, 2014, when we had already missed four deadlines. We were coming up to a deadline at the end of February, 2014. Mr. Jaipaul Sharma and Mr. Greenidge brought

amendments. Mr. Dhurjon was instructed to hurry up and get it into draft. We argued that the Authority, by having ten people from Parliament, was being nominated by PEPs. All of us in this Parliament are politically exposed, including you, Mr. Speaker, unfortunately, but we all are. All of our families, our children, our wives and spouses are PEPs.

The NOC oversaw the legislation and did things to set up SOCU, to set up memoranda of understanding between the Guyana Police Force (GPF) and the Special Organised Crime Unit (SOCU) and between the Guyana Revenue Authority (GRA) and SOCU on how they would work together and the protocols involved.

The NOC had no role to play in overseeing the Financial Intelligence Unit (FIU). The FIU was part of the whole process but it was independent completely from the NOC.

When this Authority was drafted, we sent it to CFATF, as Mr. Greenidge and Mr. Jaipaul Sharma drafted it. CFATF pointed out that we had the authority to create authorities of our own. However, there were some primary issues. The FIU must be insulated from political interference and that the Authority's role in terms of how they dismissed the Director and Deputy Director and what terms of reference it would have. We went back in the Committee - and the Minutes show how many times that they did not come, *et cetera*; it is a horrible history - and we eventually got a draft done, which Mr. Nandlall, as the then Attorney General brought to the Committee. Therefore, some of the kinks and concerns that the CFATF had, we were able to address, one of which was that the Authority would only deal in a general nature with the FIU, but could not get involved with operational issues at all with the FIU or any issues on these matters.

The FIU had to have autonomy with its budget, staffing, *et cetera*. They had included that the Director and Deputy Director should be appointed by the Parliamentary Committee on Appointments, which they were. Last year, we appointed the Deputy and Director of the FIU. What came next was the Authority and all of a sudden we could not understand why from July, 2017... We kept asking what is happening to the issue on the Authority? Where is it going? We were never reaching and it was never being dealt with. Then, all of a sudden, in February this year, we saw letters and the minutes of the Committee on Appointments stating that they wanted to change the Authority and they were waiting for the Attorney General to bring the amendment.

This new body that the Hon. Attorney General has brought is a mischief; it is undermining the FATF recommendations and principles that the FIU must be insulated from political interference. It is putting a Minister in charge of operational and coordinating issues, which the same Minister has to go into Court and deal with, which is a conflict of interest.

In the language of the Bill, FIU keeps being included as an afterthought and not as a stand-alone. Worst yet, they have removed the section to do with the FIU and the role of the FIU and has only put in that the moneys will be coming through the Consolidated Fund and how they will go to the Minister of Finance with their Budget. So, all the other areas of the FIU that stated how they are going to hire staff have gone from the Bill. So, FIU, in fact, is now a creature of the Committee that the Attorney General will now head. This cannot pass muster with CFATF and FATF. No matter what the Attorney General tells this House and this country, it cannot and it will not. Once again, the Government is refusing to listen to advice, as it did while in the Opposition, when it refused to listen to advice that were given by the then Government, by FATF, by the Assessor, Mr. Hernandez and by the actual draftsman of Guyana.

With this Bill, like others, what signals are we sending out in this country? For us locally, it is making life more and more insecure and more and more where the Government is being intrusive and, in fact, violating what we had to fight so hard to try and make in 2014.

They put us through missing all those deadlines in 2013, 2014, 2015 and only in 2016 we were taken off the list. I remember, in May, 2014, we had concluded the amendments with Mr. Nandlall, Mr. Greenidge and others that it could have held water. We could have unanimously supported it. We were going to come to the House to get it unanimously dealt with and then Mr. Ramjattan threw the *spanner in the works* that he did not care what was in the Bill. He had to have the PPC established or no support. So, we missed the May deadline. It was in June, 2014 that we were grey listed. I know because I went to Paris; I know what was said.

This country suffered as a result of this. We have not recovered as yet, as a country, from what happened. Now the Government comes with “egg on their face” but they pretend that there is no “egg on their face”. They believe that they can fool the people and tell us that this Bill is what FATF really wants, having said, in 2014, this is what had to be or there was nothing going to the National Assembly.

I remember running back and forth many times to suspend this House to try to get the same Bill that they passed in 2015, after they got into Government. Even though we had problems with sections, we wanted to get a Bill in so that we would not have been blacklisted. They allowed this country to go on the grey list. It was the most anti-nationalistic and anti-patriotic move that we have seen in this country. Yet, they have come back now to pretend that FATF is now telling them, three years later, that this Authority is not right. I have the letters, minutes and the letters from FATF and everything else because we were in Government and we got all of that.

By the way, the last FIU annual report that was public was in 2014. Why does the FIU have no public document? We passed the Bill in 2015 that states the FIU will give a report to the Minister and the Minister will bring the FIU report to this House. That was 2015, 2016, 2017, 2018 and no report to the FIU and they are telling us about transparency and things that we did.

Going back over the minutes have been rather painful. **[Mr. Ramjattan: If you had setup a Public Procurement Commission, you would have gotten everything.]** Thank you for reminding me of that; I will come to that. Thank you, Mr. Ramjattan.

The Minutes of 19<sup>th</sup> May, 2014, Paragraph 6.1.1:

“Mr. Ramjattan noted that the setting up of the Public Procurement Commission should be the starting point for the passage of the AML/CFT.”

This is May, 2014 - weeks and days away from us being blacklisted in Paris.

“Ms. Teixeira noted that there may be sloth at the PAC with the setting up of the PPC and provided details to the Member as to how the PAC and the subcommittee of the PAC was addressing the issue. She noted that unanimity was needed in the PAC or two-thirds of the majority in the House”.

You had the two thirds - but with the PPP - being in the Opposition you had withheld your support in the PAC.

This Bill is going to put us in trouble, once again, with FATF and CFATF. I know the Hon. Attorney General is now the Chairman of CFATF. It comes by a rotation and I congratulate him.

Unfortunately, he does not seem to comprehend what are the FATF recommendations and what is sacrosanct with the FATF recommendations, one must be the installation of the FIU.

*5.45 p.m.*

The primacy of the FIU, whether we like it or not, or, whether we like who heads it or not, it must obey the law. This super-imposition of a committee that goes way beyond what are the requirements under FATF but also where the agency... This committee would have its own budget. There is nothing now to say what the budget of the FIU is. I could only assume that the FIU budget now is subsumed under the committee. If I am correct in deducing that, the only reason that I could deduct that is because you have removed all the sections that deal with FIU's budgetary and financial arrangements. It does not exist. How does the FIU get money to pay its staff? It has to come through your committee. The worst violation in this Bill is that you have superimposed a body that will now control the FIU.

A lot of talk about money laundering, and so on, but the FIU deals with suspicious transactions. These suspicious transactions have to relate to the investigations by the FIU. This was one of the key things in the Bills that we were working on to make sure that we complied with all of that – beneficial ownership and how people got bank accounts. The measures were hard to deal with. What the Government has done is that it has brought a Bill, in terms of the Companies Act, the Transfer (Licensing) Act, and in terms of the Gold Board Act, it will put a dent on a number of people who want to have investments here.

As I said, if you are attempting to make this coordinating committee the same as your oversight committee, it is not. It is clear from what you have written. It is coordinating between all the law enforcement officers. That was never it. The law enforcement officers would coordinate amongst each other with protocols and memoranda of understanding (MoU). They are already there. In fact, if you read the FATF reports of the FIU up to the latest one that was posted, which is November, 2016, Guyana is again on national cooperation, “recommendations fully met.” This has to do with the authority and the national oversight committee. It is at number 31 on the list of recommendations yet the Minister is coming here and is talking about number 2. I do not know which number 2 he is talking about. Number 2 was not a problem since 2010, by the way.

There are other aspects in this Bill that are inexplicable, in terms of how the Minister... The areas, for example, that seem to be misplaced in the drafting and there are other things that need to be looked at, in terms of the drafting issues.

What is clear is the Government... I hope, Mr. Granger, President, is observing this. Here Minister is now taking charge of the FIU and all anti-money laundering, countering financing and proliferation issues when it used to be under the President himself. I hope that Mr. Granger is interested in this new development. I hope that the Minister has briefed the President properly.

There are a number of measures in the Bill that, in fact, have been dealt with in earlier Bills between 2015 and 2017. Some of them appeared to have been repetitions. The interesting thing about delisting, as I said, on the United Nations Security Council, the Director of the FIU can send anybody to the United Nations Security Council to be added to the list. He could also advise that the person's assets be forfeited. He could also advise that he is delisting. The person who actually does the delisting as with the earlier cases is the Minister who has the authority to do that. In the case, which Minister? Is it the Minister of Finance or the Attorney General? One is not sure.

Without going further, because there are other details of the Bill, let me just conclude, that this House has heard information that is not accurate. That this House is the highest law-making body of this country and the least that could be done is... If the Government wishes to make an amendment, instead of coming here with high-handed voices that say we are the executive and that we could run and who are you to tell us what to say, this arrogance, the Government should come and say really why it wants this committee. There is no good reason for this committee. The authority, at least in law, as defined, would allow the FIU to function and the authority to function. Now to say that it is 25 persons and that that is too much, that is what you proposed. That is what you wanted.

We have been subjected to a web of deception and misinformation, in terms of this Bill and its rationale.

I may, in concluding, say, that is my personal view, which may not be shared by everybody, that this Bill has come about after July, 2017, after it was in this House for a long time and merely the intention of it was to remove persons who were listed to be on the Authority who the

Government felt were not fit and proper. We know how this term “fit and proper” is knocked around, just as the Guyana Gold Board and everybody else - “fit and proper”. There is no definition of the term “fit and proper”, but it seems to be one of those phrases that the Government is using to bandy around when it wants to get rid of people that it does not want. For the term “fit and proper”, this is not a fit and proper Bill. It should not have been brought to this House. It should be defeated in this House. The least the Government could do is to withdraw it and end this charade that we are here for.

May I have the ‘last lick’? The ‘last lick’ is this: May I predict, like we did in 2014, that some of these amendments that you have here which are not FATF recommendations, these will not have the FATF and the CFATF support.

Thank you very much. [*Applause*]

**Mr. Nandlall:** We on this side have made it very clear, through the Opposition Leader at the beginning of our stint in this House as an opposition party, that we will support every policy, every Bill and every initiate that will benefit our country. That is our unequivocal position.

The other side, when they were in Opposition, has a track record of playing politics and holding this National Assembly to ransom on a number of important issues, including hijacking the AML/CFT Bills and keeping them kidnapped in Special Select Committees for months, while they asked for the Public Procurement Commission (PPC) to be established, and asked for all sorts of things which have nothing to do with AML/CFT. They have placed us in tremendous problems which they cannot up to now extricate us from.

That is why the Attorney General had us going through a cyclical exercise. That is what we are doing here. In 2015, we put all these amendments into the Bill and in 2018 we are now repealing them – cyclical exercise. He comes here with a straight face and asks how they reached there. I have never seen anything like this. I do not understand. We live in a very small country, a very small population and I think with bright people. They live in this country and they know the history and they know these facts. They know who caused us to be put on grey list and black list. Every time they go to the banks and they have to reach additional requirements, every time they go to Western Union and they have to meet additional requirements, they know who caused that.

Yet the Hon. Attorney General comes here and watches up in the sky and asks, “Who did this?” This person is of a special pedigree.

My honourable colleagues on this side have alluded to it, but still I hear utterances from that side which seems to still question where this thing came from. I have here in my hand Act No. 1 of 2015, the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Act 2015,

“I assent.

Brigadier David A. Granger, M.S.S.,

President.

July 10, 2015.”

Section 4 of the Act states:

“The Principal Act is amended by the insertion immediately before section 8 of the following as section 7A –

7A. (1) The National Assembly shall –

- (a) by simple majority; and
- (b) on the recommendation of the Parliamentary Committee on Appointments ...

appoint a body comprising of 10 members to be known as the Anti-Money Laundering and Countering the Financing of Terrorism Authority ...”

It lists all of the members who are to comprise this authority. This was done in this House. We did not even take up our seats here as Opposition and the Attorney General asked, “How did this happen”? He piloted this Bill. It is if they do not care about their creditability anymore. I do not understand. We were not even in the House. I just wanted to put the record straight on that issue.

We explained, over and over again, when they were proposing these amendments by using their authority in the Special Select Committee, that they will run afoul of all the guidelines. We

brought the gentleman, who Bishop Edghill spoke about, Mr. Hernandez, who said to them that they will run afoul; that they cannot have this Committee appointed by the National Assembly; that it comprises politically exposed persons (PEPs). You are contaminating the process. You are putting as part of the AML/CFT architecture... You are giving the person who they have to investigate, the powers to appoint them. How could that be right? On the very basic principles of bias and conflict of interest, it disqualifies itself. On common sense we did not have to go to CFATF for that. Our arguments fell on deaf ears.

We also said to them that if you put this top-heavy body over the FIU, then you are undermining the autonomy and independence of that unit that is so central to its very core functions. That would also cause it problems at the level of international requirements. Our arguments fell on deaf ears. They put it and two and half to three years later they are here to remove it.

The Attorney General told us that we are making tremendous progress, that we are lauded by the world. For what? It is by putting a wrong amendment and then come three years after and take it out.

Honestly, I do not think that they read this Bill. I do not think they read it. Their predecessors have passed all of these since 2015. Many of the provisions that are in this Bill today are in the other Bills. They have not read it. I am convinced. I cannot assume that they do not read and understand. I am assuming that they have not read it at all, because some of the things that are here would not have been here. It is as simple as that. We have passed it already. We passed it in 2016 two times. We are putting it here again. Obviously, there was a mistake made in the amendment. I do not know if it was the Chief Parliamentary Counsel, so I would not blame him. I would blame the Attorney General. He holds responsibility for the Bills in his name.

*6.00 p.m.*

I want to think that it by inadvertence that they have cut out all the financial provisions for the FIU. That cannot be their intention. At least there are in the Government, we have to credit them with understanding these things. The FIU does not have any financial structure. They have cut it out. I believe they have done so by oversight. Attorney General, please look back at it and try to fill the void, because you could come back again, we would not hold you responsible, and ask for it.

We are scrapping one national committee, the Anti- Money Laundering Countering the Financing of the Terrorism Authority and we are creating instead another committee. We are changing the name that was called AML/CFT Authority. This one is called the Anti-Money Laundering Countering the Financing of the Terrorism and Proliferation Financing National Co-ordination Committee - a lot of big words. We had this same thing. This is a requirement and it used to be called the National Task Force. It used to be run out of Dr. Luncheon's office, because it is not a formal part of the AML/CFT structure. It was not intended to be in the legislation. It is an advisory body on national policy that brings together the relevant players - somebody read it out in the book - so that they could coordinate and cooperate, so that you do not have the conflicts which we now have between the FIU and SOCU, between SOCU and GRA and between SOCU and the commercial banks and the State Assets Recovery Agency (SARA).

That is what that national coordinating committee was supposed to do: Bring the actors in a policy setting, not law, to work out the modalities of competing interests that would arise of the possibility of the encroachment of functional responsibilities. It is because there is SOCU or the FIU being empowered under one set of legislation to require confidential information from taxpayers and there is the GRA Act prohibiting the Commissioner-General from disclosing such information. It is that national policy level with the high involvement of the executive - that is why it used to be housed at the Office of the President - to bring these bodies together and to oversight the infrastructure. It was not intended to be intrinsic, but extrinsic, the AML/CFT structure, so it is wrongly placed here again. The learned Attorney General obviously misunderstood what was told to him. **[Mr. Williams: That is why you went into the hole.]** He is talking about going into holes. That is the level of debate we have. You have gone into a hole. I am trying to help in the national Parliament of this country and the distinguished Hon. Member is saying that I have gone into a hole again.

We all know why we had problems because you used a one-seat majority and blocked the legislation. They have passed all the legislation and we have not seen any discernible improvement in our financial systems. Do you know why? It is because the sanctions are still in place, because we have been unable to deliver on statistics and that is why the Hon. Minister of Finance, the other day, was told by the World Bank that he had to get 11 convictions or 11 charges within certain months by next year. It is because the AML/CFT structure is not

producing the results. Why? SOCU would charge 19 from *Pardoville* next week. It had nothing to do with the AML/CFT and that is what SOCU was supposed to be doing. The agencies are being directed along political courses, rather than to do the job that they were established to do under international prescriptions and that is why we would continue to have problems.

Now we have this body created which is essentially, as the recommendations states, supposed to be an *ad hoc* body. There is now a big agency been established with the Attorney General being empowered to pay salaries and wages. To whom are you paying salaries? Is the Attorney General paying himself again? They are all persons whom salaries will be paid to - the DPP, the Governor of the central bank, the Commissioner-General of the Guyana Revenue Authority. Are they going to rent another building and open a big secretariat? It is intended for them to meet at a central point because they are all official office holders already, occupying important agencies of the state. It was never intended to create another monstrosity of democracy to waste taxpayer's money. We all used to meet in the Office of the President. We met there for two or three years, utilising the same staff, the same expenditure. It was only one meeting. It is one meeting every two months or one meeting per month, if you want meet regularly.

Now, we are going to find another building in Charlestown, another \$12 million it might cause the state to rent another building and we have whole host of things here. Financial report has to be submitted to Parliament. What is this? This is an *ad hoc* advisory body. This thing is completely misplaced in this legislation.

There are another few aspects of the Bill that I want to deal with and it has to do with things that my learned colleagues Madam Gail Teixeira spoke about, the intrusive nature of the laws that we are passing. We are doing it with seamless ease and in what appears to be a totally innocuous manner. Look at clause 12. I will read clause 12. Clause 12 states that "Section 68A of the Principal Act is amended by deleting subsection (9)." Now, one who is reading this would not even understand what it states.

When you go to section 68A and you realise what they are deleting, it is deleting a section that defines a police officer and a custom officer. In the original Act, because of the magnitude of powers that are been given to custom officers and police officers under this scheme of legislation, out of an abundance of caution, we decided in the original legislation, in the Principal

Act, to only ascribe those powers to officer holding a certain rank in the police force. It was because we felt if you give that kind of draconian power to Constable or to an inexperienced officer, it is liable to be abused. That was the mischief, so we confined that power to a custom officer not below the rank of supervisor, and police officer not below the rank of Superintendent of Police. Today, this section deletes that definition. When it deletes that definition, what that means is that any police officer and any custom officer is empowered to discharge these draconian powers that could not have been a CFATF requirement.

We have collectively put these safety mechanisms in place for the protection of our people, our society. None of you could guarantee the performance of every policeman out there or every custom officer. We know that there is misbehaviour in those agencies on certain occasions and amount certain class of officers. In recognition of that we took it and kept it to officers of certain level. Now, by what rationality are you moving that protective mechanism and allow this power now to exercise by any police officer or any custom officer? The Attorney General cannot give any sensible justification for that. I do not understand why. That could not have been a CFATF requirement. The point I am making is that these Bills are littered with instance of a removal of protection that is in the laws, a removal of due process. I am coming to that shortly. That is one.

Two, let us deal with clause 13(6). Now, clause 13 deals with if you are listed on the United Nations Security Council listings and you own properties, or you are connected to somebody on that list, your properties are liable to be subject to certain actions outlined in the Act. That is all right. When we are internalising international requirements, we have a duty to ensure that they comply with our constitutional prescriptions; that they could adapt to our society and that they do not conflict with other municipal laws of this land. It is good, so that we do not accept wholesale that which is given to us on a platter, and that is the duty of every Minister. Whenever international recommendations are promulgated, they must go through filtering process to make them adaptable to Guyana. I understand. I have been there. I had to sit down with these recommendations for long hours and to chisel them and to carve them and to fashion them in such a way as to make them compliant and make them acceptable to us, but at the same time ensuring that we comply with the international requirements. It is a balancing delicate exercise.

Look what is happening here. When a person, the director, and the director here is the Director of the FIU, gets information about someone in Guyana having assets and that person is listed on the United Nations Security Council listing, that person, the director, shall:

“(b) notify the Director of Public Prosecutions and provide all information received from the person or entity of the number of persons, contracts or accounts involved and the total value of the funds or other assets as well as a clear description of the funds or other assets.”

The director has to notify the DPP and now I come to the important part:

“(6) The Director of Public Prosecutions shall immediately on notification by the Director but not later than five days after notice, apply *ex parte* to a Judge in Chambers for a freezing order in respect of the funds or assets of the listed person or entity mentioned in subsection (5).”

It relates to those funds.

“The DPP shall immediately on notification”, Sir, we have a problem here. The DPP is an independent constitutional office holder. The DPP in the discharge of her functional responsibility is not subject to the direction of the any other authorial point; you cannot make the DPP a robot of the Director of FIU. The Constitution is very clear and this is the supreme law of this land, article 187. That is why I am saying that care has to be taken when you are doing these things. Article 187 (4) in the Constitution states this:

“In the exercise of the powers conferred upon him or her by this article the Director shall not be subject to the direction or control of any other person or authority.”

Here it is that the Constitution as we know is the supreme law and any law that is inconsistent with this Constitution would be unconstitutional to the extent of that inconsistency. In as so far as this Bill seeks to direct and mandate to the DPP, it is unconstitutional. It has to be refashioned in such a way that the DPP retains a discretion.

6.15 p.m.

Then the other provision is even worse. It states this:

“(6) The Director of Public Prosecutions shall immediately on notification by the Director but not later than five days after notice, apply *ex parte* to a Judge in Chambers for a freezing order in respect of the funds or assets of the listed person or entity mentioned in subsection (5).”

This is the hurtful part, or the worst part.

“(7) The Court shall immediately, pursuant to the application of the Director of Public Prosecution under subsection (6), grant the freezing order...”

The court shall grant. The discretion is removed from the judiciary. The judiciary now becomes a tool of the DPP. What kind of law are we passing? We are lawyers, so we must know that this is wrong. How can you go to a judge for an application and tell the judge that he or she must grant it? It cannot be. The judge has an inherent power. The judge may grant, but you have to make out a case for the judge to grant. You can never tell a judiciary that it must grant. In the legislature, we are falling into error by taking away from the judiciary, judicial power. The judiciary cannot tell us that we must pass a law, so why are we telling the judiciary that it must make an order? That is the comity that is required for the separation of powers to work.

What are we doing? This thing has to be refashioned. **[Mr. Williams: You see that.]** What do you want me to see if it is there? I would have hoped that you, as the Attorney General, would have seen the same thing. Unfortunately, you are not seeing. It is hard to see for you.

There are a number of these types of breaches, these types of questionable provisions, that are in the Bill. We have to find a way of dealing with them. As this thing was drafted, you know what I think, I think they took the recommendations wholesale and just incorporated them into the Bill. When one looks at clause with section 68 of the Principal Act, later down in the Bill, the judiciary is given powers to make the same kind of freezing orders, but the word “may” is used instead of the word “shall”. If you look at in the clause with section of 68H (4) of the Principal Act, you will see that there is a discretion. The point that I am making is that these things have to be corrected. They have to be corrected or else we will continue to not meet the requirements.

We are introducing concepts in our law and we are not defining them. It is a very fundamental rule of legislation. I am sure that the Chief Parliamentary Counsel is aware of it. We are

introducing, for example, concept “real-estate brokers”. Who is a real estate broker in Guyana, for the purpose of this law? It states “real estate agent”. Well, in my layman I think I understand what “real estate agent” means. We have no statute in Guyana dealing with real estate brokers, but this Act speaks to real estate brokers. Who is a “real estate broker”, for the purpose of this law? What you do is that you do not accept the recommendations senselessly. That is the point that I am making. The recommendations told you to expand the category of persons and they gave you a list. If the term “real estate broker” does not exist in your law and you now want to include it, define it in the section. That is all I am asking. Who is a real estate broker in Guyana? Is Mr. Tony Reid, the late, a real estate broker? I just called a name of a popular real estate person. It is because there is a real estate agent and we are speaking about a real estate broker.

We made reference to notaries, but there is a Public Notaries Act, so we know who is a notary. We made reference to Commissioner of Oaths to Affidavits and we have an Act that explains that. We are now speaking about a new category of persons. There is no definition of it in Guyana’s law and you are using it here. I do not understand why they are repulsive and allergic to advice. **[Hon. Member (Government):** You are too critical.] I am not being critical, Sir. I am giving you advice with the best of intentions. I can take the horse to the well, but I cannot force it to drink the water.

Sir, I have done my national duty to the people of this country.

Thank you very much. *[Applause]*

**Mr. Williams (replying):** I would like to thank the Hon. Members of this House for their contributions to the debate on this Bill, especially, the Hon. Vice-President, Mr. Khemraj Ramjattan, and also the Members who presented on the other side of the House.

This is a very important piece of legislation because the regime is an ultra-important one for countries such as Guyana. When we were first introduced to this regime of anti-money laundering and countering the financing of terrorism, I am sure that my colleagues would recall that we had no idea of what it was. We were on the height of a budget debate and it had then sprung on us that there was supposed to be some high-level team of the CFATF coming to visit Guyana. We at the same time discovered that the last Government was told that it should bring the Opposition, in Guyana at the time, into the loop and inform them as to the state of play, in

Guyana, with respect to anti-money laundering and countering the financing of terrorism. We will all recall that politicians must have long memories.

We had no idea of how the regime was being conducted under the stewardship of the last Government. That is when the team came in. They met us in one room and then they went to the other room and met the Governmental team then, and then we had a crash course in trying to come to grips. I think, as a result, a Special Select Committee was formed to deal with the draft Bill. In the interim, we suffered a fate that was unprecedented for us in Guyana. We were suddenly visited ..., and it impacted especially the senior people in this country, a lot of whom received remittances from abroad. When they had to open a bank account because of this requirement for customer due diligence, they spent hours in the bank signing papers just to put in a \$10,000 or a \$20,000. Our people were punished. Our businessmen were short-changed. We lost corresponding banking. The last Government brought us to our knees. In my recollection, Sir, you could see it.

The Hon. Member Bishop Edghill got up and regaled this honourable House that we were in this Committee – they were the Government at the time – and we took advantage of them in this Committee and we were the ones responsible of this incongruous authority with 25 members over a single FIU. Bearing in mind that we are now learning about this whole regime of AML/CFT.

There was the Hon. Member Mr. Harry Gill who then got up and contradicted him. Mr. Gill told this honourable House, “No, do not worry, Hon. Member Bishop Edghill. They never used to come to the Committee. They boycotted the committee. They stayed away.” Who are we to believe? Are we to believe the Hon. Member Mr. Gill, who said “we never went to the committee and did any work” or the Hon. Bishop Edghill who said “we were the masterminds of this authority”? As it is known, as King Solomon said, when the wrong mother was saying that it was her baby, “let me part it in half and share it,” and the real mother turned up and said, “No”. That is exactly what is happening here. Who is lamenting the demise of this Authority - Mr. Gill or the Hon. Member Bishop Edghill? Who is crying for the disappearance of the Commissioner of Police on this new committee? Who is crying for other disappearances from this committee? Who is so in love with these actors? It had to be somebody who created them and put them in this incongruous manner, overbearing manner. **[Bishop Edghill: Is that what you are**

calling Mr. Carl Greenidge, incongruous?] the Hon. Attorney General.

It is now Mr. Carl Greenidge. I thought it was

The fact of the matter is that the Government had the right control. There were demands and counter demands. The Government, having being in the saddle of Government, ought to have made the right decisions because it knew that a lot was at stake for the country. In the interim, they were visited with many follow-up reports, yet they had to do follow-up report every six months. With every report, the deficiency was being magnified instead of being reduced. We were in the follow-up and then we were in the icy arch. In both areas, who was representing Guyana? It was a lone ranger - a lone ranger who had the proclivity for fishing and golfing. We were obviously short-changed. There was no representation of the Guyanese people. Thankfully, a new era was ushered in when APNU/AFC took the realm of office in this country. It pains me that every time we have a discussion people believe that we forget the real issues affecting us.

Tonight again, there is the Hon. Member Ms. Teixeira and the Hon. Member Mr. Nandlall who are making these statements that we cut off all of the provisions of the FIU - "They have cut off all the structures of the FIU."

*6.30 p.m.*

Then Mr. Nandlall came and he said that we had shut it down and that it must have been an oversight. What is the true situation with the FIU? We stripped them of moneys; no provision for funds. The truth of the matter is nothing is wrong with the FIU. There is even a provision for the FIU to make reports to the Minister of Finance. That is where the money is. If time was taken to read the legislation and to create what is helpful to the legislation, then the obvious mistakes would not have been made and such broad latitude taken.

The provisions dealing with the FIU are still here at section 9 of Chapter 10:11 of the Principal Act. Funds and finances of the FIU are spoken to in section 9 of Chapter 10:11, in subsections 6, 7 and 8. But this is unpardonable. All it required was a little time. How are you representing the people of this country? You just take this thing as a song and a dance. You come in here and you make these statements, you did no homework, and then you purporting into lecture us. We were always prepared; we would burn the light at nights; we would get up once we knew we were coming to represent the people - we are prepared. [*Interruption*]

*[Mr. Speaker hit the gavel]*

There is that old adage, *if you fail to prepare, you are preparing to fail*. So you have failed on this point that we have abandoned the FIU, we have edited them out and that we have taken away its money and structures. Thank goodness for the APNU/AFC Government.

They went on again about how we superimposed this National Coordinating Committee in the FIU. Well, it is a *tale of two cities*. The Authority was above the FIU and then there is the National Coordinating Committee which is on the same level seated around the table. Which one is the superimposition and which one is the required structure that falls within the provisions of Recommendation Two of FATF's 40 Recommendations? Sir, it could only be the National Coordinating Committee. Why do we have all these high ranking functionaries? That is why you have to have cooperation and coordination. If you knew the principles, you would not come to this honourable House and lament that the DPP is a constitutional body and independent. It is because a mature society recognises that we are combating the scourge of money laundering; we are combating the scourge of terrorist financing. People are being blow up in their countries and terrorism stalks the land.

Money laundering undercuts the economies of many countries and despoils the international economy. So it is a war and that is why the erstwhile strictures have to be relaxed and adapted to ensure that we properly win this battle. And what happens? If you make a request to another country, for example, for extradition and you go to the required official, the chances are that the request could take years to be expedited. Even in Guyana, there are the proceedings in the Magistrates' Court and if a person is dissatisfied they could appeal that. They could go by *habeas corpus* on appeal and then if the High Court displeases that person, they could go to the Court of Appeal and now there is the Caribbean Court of Justice (CCJ).

The international community has recognised that we have to get around those strictures. Even the Implementing Agency for Crime and Security (IMPACS) in this region, we have had to formulate the Caribbean Community (CARICOM) Arrest Warrant Treaty to obviate the need to go in a formal request structure. When you have roles for different functionaries in Government, there is no intention to derogate from their functions and structure. The DPP plays a pivotal role in the fight against money laundering and terrorist financing. If you get a notification from the

United Nations Security Council (UNSC) and you discover a name and you have assets holding for, you are required...Let me say this, we had to put the seven days first. We were stretched out at a meeting with the Americas Regional Review Group (ARRG) and they reduced it to five days. The ARRG could tell you, at the FATF level, they are now moving to say “immediately”.

We spent almost three days out of five days in Busan at a FATF Conference with Canada. The question being asked was, “What was the reasonable time which they had in their legislation to move to freeze assets, after receiving information about terrorist?” This is serious business. We raised those objections that it conflicted with our Constitution and the like, but it is a question of whether you want it to come out of the black listing or whether you want to raise these arguments and you could continue to be a country that counter measures have been ordered against and all those strictures. Then there is the added enhanced due diligence. You have to find out who is the beneficial owner. If you are dealing with a foreign company, you have to do enhanced due diligence on that company and that is costly too. You have to find out who is the person that actually owns the business. That is why you are complaining about fit and proper criteria. How could we do that?

The other day a reject from another country came here and got employment. Suddenly, I do not know. Are we a garbage dump or something? If it were not for the fit and proper criteria, under the Anti- Money Laundering and Countering the Financing of Terrorism (AML/CFT) regime, that person would have still been in Guyana. It was because of the National Coordinating Committee, one of our Members could have been activated to purge that situation. I do not know how we are having these complaints. You do nothing; you fear nothing. Out of all of these supervisory entities and reporting entities, *et cetera* in this country, one was dealt with by the last Government and that was the FIU. Do you know what that did? It shut out law enforcement – SOCU. Do you know why the Commissioner of Police is not in the National Coordinating Committee, it is because SOCU is the... It was you who established SOCU, not me. SOCU is the supervisory entity under the AML/CFT that has the remit for law enforcement and not the Commissioner of Police. Therefore, these objections, I do not want to say at most are whimsical or capricious or frivolous, but I would wish to say that they are uninformed. If a little more time was spent in reading the legislation, which I think is another problem we have. We have to read when we are coming to present in this honourable House. *[Interruption]*

*[Mr. Speaker hit the gavel.]*

The other contentions which were made, of course it was clear that we could not have been responsible for the grey listing or blacklisting of Guyana. That was solely within the province of the last Government. This Government took up its responsibility and ensured that we remedied the situation. There was a lot of contention about the Minister being the paymaster under this Bill and responsible for funds, *et cetera*. I think there were some overreaching talks about corruption. When I hear those terms, you are just getting me worked up. I really am not going to get worked up tonight. I would say this. I practiced for in excess of 30 years as a Lawyer in this country and there has never ever been any complaint that I tampered with a witness or that I tampered with the jury or that I tampered with anything. *[Interruption]*

*[Mr. Speaker hit the gavel.]*

I am proud of that record and I would not entertain any filching of my good name. If we are talking about corruption, we took over from a Government that led a country that was the second most corrupt Government in the hemisphere. Under that last Government, all kinds of things happened to Guyana. *[Interruption]*

*[Mr. Speaker hit the gavel]*

We became a failed State.

**Mr. Speaker:** Hon. Attorney General.

**Mr. Williams:** Yes, please.

**Mr. Speaker:** Hon. Members, we will not conduct ourselves as if you are on the ball field. We will have respect for the office we hold here. Please proceed, Attorney General.

**Mr. Williams:** Yes, please.

6.45 p.m.

**Ms. Teixeira:** Mr. Speaker, *[Inaudible]* can the Hon. Member advised where the source of his allegation is? That Guyana, forget Government, Guyana was the second most corrupt country in the hemisphere. Could he quote where that source is?

**Mr. Speaker:** I thank the, Hon. Member. That is not a Point of Order. Please continue Attorney General. Hon. Member, Ms. Teixeira are you challenging the Ruling of the Speaker?

**Ms. Teixeira:** This is our country, Sir and we are surprised the *New York Times* talks about us the way it did, seriously.

**Mr. Speaker:** I thank the, Hon. Member. Hon. Attorney General, please continue.

*[Interruption by Members of the Opposition]*

**Mr. Williams:** Yes please, Sir. You cannot take your own medicine. I know that you do not want to hear more. Transparency International, I am going to come to the \$400 million now. We are going to deal with the \$400 million that Mr. Ali... *[Interruption]*

*[Mr. Speaker hit the gavel.]*

**Mr. Speaker:** Hon. Attorney General, please proceed.

**Mr. Williams:** Thank you, Mr. Speaker. Mr. Speaker, it is trite knowledge that Transparency International has repeatedly, for decades, a decade or more...

**Mr. Speaker:** The Hon. Member Ms. Teixeira is on her feet, would you...

**Ms. Teixeira:** *[Inaudible]*... of the House.

**Mr. Speaker:** Hon. Ms. Teixeira, do you wish to have the floor?

**Ms. Teixeira:** Yes Sir. Under Standing Order 41 (4), there has been an offensive and insulting statement or language about Members of the Assembly. He spoke about the former Government, we on this side, many of us, were Members of that Government. We ask that the Member withdraws his comment. *[Interruption]*

*[Mr. Speaker hit the gavel.]*

**Mr. Speaker:** I thank the Hon. Member for her observation. Hon. Attorney General, you will resume your seat.

**Mr. Williams:** Yes, Sir.

**Mr. Speaker:** Hon. Member Attorney General, please continue.

**Mr. Williams:** Thank you, Mr. Speaker. As I was saying, Transparency International also rated Guyana as the country with the second highest unemployment rate in this hemisphere, again. That was the nature of the state of affairs which we inherited. In latter time or in a short space of time, we have substantially reduced our rating on Transparency International in relation to the Corruption Index and also in relation to the rate of unemployment in Guyana. [*Interruption*]

[*Mr. Speaker hit the gavel.*]

If I could address the presentation of the Hon. Member, Bishop Edghill, I wish to say that we reject the misrepresentations, distortions and insinuations. I could have gotten up and said that this allusion to corruption, *et cetera*, was imputing even motive to us and to the Attorney General. I did not do it because I know that, when I have to speak last, I will have an opportunity to deal with these issues. I know that they would not be cool and calm over there, but that they would do what they are doing now. Let them start again. The exercise will begin again.

The Hon. Member, Bishop Edghill, said that the Attorney General and other Members will benefit from tax exemptions in this National Coordinating Committee. What is the truth? If one were to read section 7 (g) 1, one would see that it is the Committee, not individuals, as was contended erroneously by the Hon. Member, Bishop Edghill. Further, the Hon. Member says that the Attorney General could now grant access to frozen assets. If one were to read section 68 (a) and (b), what does it state? That is the problem I have. I have to come here and I have to give lessons here all the time - all of the time I have to be teaching and there is ingratitude. It states clearly that the Attorney General has to notify the United Nations Security Council Sanctions Committee. [Ms. Teixeira: It is the Minister not the Attorney General.] It is the Attorney General who has to say if he is going to give any money on humanitarian grounds, if he has to give any extraordinary money in case there is man who is sick he has to get some medical procedure. This is a simple thing. If you do some reading, all will be revealed to you. There is nothing mystical about it. It is clearly an erroneous contention and one could easily say it was delivered with the intention to malign.

[*Mr. Speaker hit the gavel.*]

**Mr. Speaker:** Hon. Member, I do not believe that you should make use of terms which impute improper motives to those opposite you.

**Mr. Williams:** I am saying that it would impute improper motive to me.

**Mr. Speaker:** Hon. Attorney General?

**Mr. Williams:** Yes, Sir.

**Mr. Speaker:** You will withdraw that reference and proceed.

**Mr. Williams:** As it pleases you, Mr. Speaker. Any reference to the word maligned, which was not intended to say that I was maligning the Members on the other side, any reference is withdrawn.

I am also further contending that the Hon. Member, who is a former Member and Junior Minister of Finance, again, is apparently lamenting that the Minister is going to be in control or deploying funds. As a former Minister of Finance, this could not be something strange to the Hon. Member. The Hon. Member ought to know that this is not some isolated happy stance. That is the problem that I have, I am not getting paid for these night classes, but I will honour your request, Hon. Member, to tell you.

If there is recourse to the Guyana Geology and Mines Commission (GGMC) Act, Chapter 66:02, section 5 – the *proviso*, the Minister must give approval for the payment of salaries. What is the difference? This Bill contemplates that the Minister will have a secretariat, or a financial unit or section. The Minister could not be bothered with dealing with the finances. The Bill does not have to spell that out. As a former Junior Minister of Finance you ought to know that. People would be employed, who have the skill to deal with accounting and must be accountable and transparent, they will deal with that. I will be dealing with matters of policy, Hon. Member.

**Ms. Teixeira:** On a Point of Order, under Standing Order 40 (a), the section that the Hon. Member is referring to states that “the chairperson of the Committee shall pay from the funds of the Committee the salaries, fees and allowances of the staff and all other expenses incurred by the Committee in performance of its duties”. Therefore, the Minister is stating here that he will

approve. It states the chairperson, which the Attorney General will be, shall pay. Could he withdraw?

**Mr. Speaker:** Hon. Member, Ms. Teixeira, what is the Point of Order?

**Ms. Teixeira:** Sir, that is the Point of Order, he is misinforming the House.

**Mr. Speaker:** I thank the Hon. Member. Attorney General, please proceed.

**Mr. Williams:** Thank you, Mr. Speaker. Another illustration is under the Revenue Authority Act, Chapter 79:04. The Minister pays an enumeration and allowances. That is what it states. Even with the Deeds and Commercial Registry Authority, the Attorney General is the Minister responsible and he has to get permission for any expenditure. [Mr. G. Persaud: That is different.] What is different about it? The point is a *non-sequitur* and I will not address it any further.

Even if I was not the chairperson, I will still have to be consulted. Why? Let me clarify this because you are saying that I have appointed myself. One of the first acts, when we took Government, was that of the President of the Co-operative Republic of Guyana, who gave a high level commitment to FATF and CFAT to deal with AML/CFT deficiencies and to honour the FATF recommendations. Secondly, he appointed me, the Attorney General, as the prime contact for the AML/CFT regime in Guyana. If I am the prime contact and you have a National Coordinating Committee that is responsible for policy, why are you surprised that I chair it? Are you surprised that I chair CFAT?

**Mr. Speaker:** Hon. Attorney General, you should direct your remarks to the Chair.

**Mr. Williams:** Sir I would be pleased to do so.

What we are trying to say is that, the contentions made are not properly foundation. I believe that no attempt has really been made by the Hon. Members on the other side to update their knowledge on a regime that keeps changing constantly. Could you imagine the Hon. Member, Ms. Teixeira, is saying how this provision for financial sanctions with the five days for the DPP, how does it apply now. It is clear that the Hon. Member does not appreciate.

7.00 p.m.

We have a whole regime dealing with United Nations Security Council resolution (UNSCR) in relation to terrorism financing. If the United Nations publishes your name on its website, a lot of steps have to be taken to reduce the examination to see whether we have that terrorist listed in the bank or in whatever business one may have.

What we are dealing with now in this Bill is adding to AML CFT - proliferation financing. That is the financing of weapons of mass destruction. You might say to yourself that this is remote for Guyana, *et cetera*. But, if we come up for assessment as other countries have, and there is no provision to deal with proliferation financing, we will be thrown into the pool.

Mr. Speaker, I wish to say that this Government will continue to secure and protect our financial economy and our people from the incursions of money launders, financiers of terrorism and proliferation. We will continue to work to restore some semblance of normalcy in relation to correspondent banking in Guyana and restore the respect of the international Community for our country and its economy.

We have to continue working to ensure that we pass the 'test of *affectiveness*', and that 'test of *affectiveness*' requires us to show suspicious transactions, reports being converted into investigations, prosecutions and convictions, if we are to satisfy the 'test of *affectiveness*'. We have a far way to go. Our Companies Registry has to be made perfect because it has to give beneficial ownership. We would have to come back because we will have to do these things to put the regulatory framework in place. We will probably have to introduce a sanction for companies that fail to make their reports to their Companies' Registrar. It is because the entire thing is for persons to say now that we have the Companies Registry, which the Minister of Business and I are dealing with at the Commercial Registry. People should be able to stay from where they are in CARICOM and access our Companies Registry and do their due diligence in relation to any company that they are doing business with in Guyana. Equally, we should be able to do the same thing with any company in any part of this region too.

A lot is happening and I urge the Hon. Members on the other side to work with us and to join with us, the Government, since we have custody of this, and let us insulate Guyana from the scourge of money laundering, terrorist financing and proliferation finance. With that, I urge that this Bill may secure its passage through this honourable House.

Thank you very much.

**Mr. Speaker:** Hon. Members, it is now somewhat after 7 o'clock. I believe that if we persevere, by 7.30 p.m., we can complete consideration of this. With your support I can proceed accordingly. Thank you.

*Question put and carried.*

*Bill read a second time.*

*Assembly in Committee*

**Mr. Chairman:** Hon. Members, each of us would have a copy of the Bill. Will it be safe to say that all members have copies of the Bill? Then we would proceed.

Hon. Members, we have 14 clauses and I should take them en blocs. There is one amendment that I should draw to your attention. There is also an amendment to clause 2 (b). We will begin.

**Ms. Teixeira:** Mr. Chairman, we have not seen the amendments.

**Mr. Chairman:** It states that this amendment was received on 26<sup>th</sup> July at 5 p.m. and circulated on 27<sup>th</sup> July. It is a single sheet. I do not know whether it could be caught in papers that you might have received, but I am assured that it has been circulated.

Hon. Members, those of us who might not have copies of the single provision. Arrangements are being made for all persons, who may not have had copies, to be served with copies. I crave your indulgence for this to take place.

Hon. Members, while we await the presentation of the amendments, if you agree, we can leave clauses 1 and 2 and, with your agreement, continue with the other clauses and then return to clauses 1 and 2, when we receive the amendment. Thank you. We may proceed in that way.

*Clauses 3-14, as printed, agreed to and ordered to stand part of the Bill.*

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

**Mr. Chairman:** Can we now return to clauses 1 and 2 if everyone has been served with a copy of the amendment?

*Clause 1, as printed, agreed to and ordered to stand part of the Bill.*

**Clause 2**

**Mr. Chairman:** Hon. Members, at clause 2, there is an amendment. The amendment, if everyone is in the possession of a copy of the amendment, is in relation to clause 2(b). May I invite the Attorney General to propose the amendment?

**Mr. Williams:** If it pleases you Mr. Speaker. I move that the words “Identification record,” be substituted for the word, “document,” in clause 2 (b).

*7.15 p.m.*

**Mr. Chairman:** Is it that way or the other, Hon. Attorney General?

**Mr. Williams:** I move that clause 2 (b) be amended as follows:

“By substituting for the words ‘Identification record’ for the word ‘document’”

*Amendment put and agreed to.*

*Clause 2, as amended, agreed to and ordered to stand part of the Bill.*

*Assembly resumed.*

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

**Mr. Speaker:** Hon. Members, that concludes our consideration of the second and third reading of the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill 2018 - Bill No.10/2018. I thank you very much for your assistance. We could now take the suspension and return at 10 minutes to eight o’clock.

*Sitting suspended at 7.19 p.m.*

*Sitting resumed at 8.16 p.m.*

**COMMITTEES BUSINESS**

**MOTION**

## **ADOPTION OF THE 6<sup>TH</sup> AND 7<sup>TH</sup> SPECIAL REPORTS OF THE PARLIAMENTARY SECTORAL COMMITTEE ON SOCIAL SERVICES**

BE IT RESOLVED:

That the National Assembly adopts the 6th and 7th Special Reports of the Parliamentary Sectoral Committee on Social Services visits to the Linden Hospital Complex, Region No. 10, on April 11, 2017 and Region No. 2, Pomeroun-Supenaam from May 17 – 19, 2017. [*Mr. Adams*]

**Mr. Adams:** The Sixth and Seventh Special Reports of the Parliamentary Sectoral Committee on Social Services' visits to the Linden Hospital Complex (LHC), Region 10 on the 11<sup>th</sup> April, 2017 and Region 2, Pomeroun/Supenaam from 17<sup>th</sup> - 19<sup>th</sup> May, 2017.

I wish to speak, firstly, on the Committee's visit to the Linden Hospital Complex. At the time of the Committee's visit to the Linden Hospital Complex, it was, and still is, adequately staffed. There was a concern about the number of patients being transferred to the Georgetown Public Hospital Corporation (GPHC) for Orthopaedics Traumas, Internal Medicine, Obstetrics and Paediatrics. This has always been the case, for the more complicated cases were sent to the GPHC because it is our only referral hospital.

I am pleased to inform this honourable House, though, that the number of patients being transferred to the GPHC has decreased significantly. The Linden Hospital Complex, at the time of the visit, boasted about the institution having no infant mortality death in the last six years. The Linden Hospital Complex has the following departments functioning: Obstetrics/Gynaecology (OB/GYN), Paediatrics, Internal Medicine, General Surgery, Ophthalmology, Accident and Emergency (A&E), Neonatal Intensive Care Unit (NICU) and X-ray.

The Wismar and Kwakwani Hospitals were performing well at the time of our visit. The Committee had few recommendations for the Linden Hospital Complex. These recommendations were taken into consideration and the necessary steps are being taken for the implementation of them.

Shortage of Medications: Before I elaborate on this sore issue, I wish to draw the House's attention to the *Kaieteur News*, dated Wednesday 4<sup>th</sup> July, 2018. The Pharmacy Director, Ministry of Public Health, stated the following:

“Let's establish from the onset that there is no country that can achieve 100 per cent supply of medicines at any given time.

Atkins was at the time addressing what he described as 'media sensationalism' which, he said, is undermining trust and progress in the health care sector.”

It must be noted that, in most cases, a particular medication may be out of stock and there is, in most cases, a substitute that could be used. But instead of this, patients are given prescriptions to purchase. This pattern is being replicated throughout the country. This is a known fact and was confirmed by the Pharmacy Director of the Ministry of Public Health. It may be a deliberate act on the part of our caregivers to cause an alarm in the health sector. It must be noted that whenever there is a shortage at the Linden Hospital Complex, the Regional Administration has the mechanism in place to purchase the medications. As we speak, the LHC is in stock of 90% of its medication and medical supplies.

I wish to turn my attention, briefly, to the revisit to Region 2. If you noticed, most of the Committee's business focused around the health sector. It seemed as though Region 2 was operating in a Tenth Century mode and the Charity Hospital had nothing. There were several recommendations made on that visit. As we speak, I wish to inform this House that the following is currently being done at Suddie Hospital: the drug level is at 80 % and all health centres are in receipt of their medical supplies. This is based on the report that was given to us by the Regional Health Officer (RHO).

On the visit to Region 2, it was said to the Committee that some of the machines were down and that reports were made to the relevant authorities to have them fixed. It still appears in the Report. Before time, this Committee, under the Chairmanship of Ms. Indranie Chandarpal, visited, made recommendations, went on a second visit, and then the Reports were done. This time it was different. The air conditioning (AC) unit in the pharmacy is in working condition. The Haematology and Biochemistry machines are working. The Laboratory is in receipt of two additional staff members. **[Mr. Jordan: And they are working.]** They are

working. There are microscopes at the Suddie Hospital in working condition. The medications for chronic diseases are not short. The Hospital has placed the procurement of cardiac monitors in its 2019 budget. There are two portable electrocardiogram (ECG) machines and they are in working condition at the Suddie Hospital.

These are the recommendations that are in this Report. I am speaking to the recommendations. The theatre is functioning and a tender has been awarded for the construction of a new theatre at the Suddie Hospital. The portable x-ray machine is in working condition. A dental chair was purchased for the Suddie Hospital and the one at Anna Regina is to be installed shortly. There is a Blood Bank. The Report states that there should be a refrigerator at the Blood Bank. There is a Blood Bank. The Report 'spoke' about having specialist and consultants at the Suddie Hospital. As we speak, there are following specialists and consultants at the Suddie Hospital: Surgeons, Internal Medicine Specialists, Orthopaedics, Neonatologist, Ophthalmologists, Geriatricians, Intensivist, Sonographers and Paediatricians, among others.

A brand new generator was installed at the Suddie Hospital. Among the three primary health facilities to be upgraded, Suddie is listed to get a new hospital.

The Report also made recommendations for the Amerindian Hostel. The Regional Executive Officer (REO) has committed to doing some remedial works at the Amerindian Hostel.

The National Insurance Scheme (NIS) Office at Anna Regina: There were a few recommendations. The NIS is supposed to come before the Committee and we are going to put those recommendations to them shortly.

The Charity Hospital has a new emergency room; ECG machines would be procured in the 2019 budget.

The Maternity Ward at the Suddie Hospital is not yet completed. I am certain that, when it is completed, there would be AC units. I would not want to delay this House any further since it is Friday night. I thank you.

**Dr. Ramsaran:** First of all, let me congratulate the Chairperson and team who visited these institutions. The Chairperson, at that time, was Dr. Vindhya Persaud. I would like to congratulate them for a thorough job done and giving us, on both sides of the aisle, food for thought. Health

and disease know no political divide Let me, first of all, give a notice to Mr. Adams and ask him if he would like to rethink his position on the haematology machine because, at the time of this Report, it had been indicated that the haematology machine had not been working since 2015 and that is on page four of the Seventh Report.

8.27 p.m.

So, you probably need to check that little detail. The haematology machine was specially installed there when we expanded the hospital a few years ago, especially with the infusion of the Cuban specialists and in anticipation of the expected surge in Guyanese trained in Cuba coming out of the enhanced programme for training Guyanese doctors. So, he might want to look at that. It states, on page four of the Sixth Special Report, that:

“Laboratory, Paragraph 11,

Ms. Spencer, Medical Technologist, informed the delegation that there is one micro medical technologist and eight medical laboratory technicians at the facility. She noted that the laboratory was not performing at its optimum primarily because of the shortages of staff as well as equipment. She further stated that since June 2015, the haematology machine was inoperative and therefore manual testing is presently done.”

I think you need to look at that because there might be some error in your information. But, *taking it from the horse's mouth*, that very important machine, which does a lot of good work, had to be replaced by manual testing, which is very tedious and time consuming. These Reports, both the Sixth and Seventh, made two things jump out at us, one negative and the other positive in a global sense.

Firstly, very negative is the repeated reference to shortages. Shortages, when we look through the Reports and the different department visited by this team, indicate that it is not only medicines but also medical supplies. And that is what is sometimes a bit confounding for us. The layman, when he thinks about “shortages”, may think about tablets, lotions, medicines and even injections. But we, as specialists, think of x-ray equipment, film, sutures and this Report is replete with that present day situation.

I would like to caution, too, that we must recognise that these reports are somewhat dated and we must try to keep current with the information. Shortages! Shortages! Shortages! I have made a list of the pages on which shortages were mentioned but I would not bore or burden you with going through them page by page. But Members themselves could check it and you will see that practically all important items are in short supply. In some cases, the remedy and the financing of that remedy need to be looked at. We are told that the shortages are reported to the authorities in the region and then the region goes about looking for money. I would like us to revisit this method of solving the problem. I would like to say that we should think again of the central purchase of medicines and medical supplies and, at the same time, re-invoke our approach to the “National Treatment Guidelines” which was a big job done under my Ministry in which medicines most likely needed for the pattern of diseases were identified. This is not pandering to any political divide but this is a good system of how to treat specific diseases. Otherwise, every doctor is going to want the newest drug that comes out and then you would find that, after a few months, that drug is not the best. I would advise the ex-Chairperson and the current Chairman to probably acquaint themselves with that document. It is called “The National Treatment Guidelines’. So, certain things are standardised. If any doctor wants additional, he/she would have to justify why that item should be added to the list of pharmacy items.

Especially since we have a lot of salespersons pitching new drugs for companies and so on. We should stick to generics. So, that is the point I would like to note - the all-pervasive feel of “shortages”. Sometimes, since they are documented in the report only as a one liner, we might miss them. The smallest hole can sink the greatest hull, especially if there are several holes in many places. When they are brought together, they make a big gap. Again, I would like us to go back and look at the shortages and how we can remedy them.

I do not like the suggestion that I recently saw in one of the Reports that the moneys being given to the region were insufficient. I would like the Chairperson or the group that visited to think of how they came to the conclusion that these moneys were not enough and then how much would be needed. The only way it could be done is by going back to historical patterns. Then, you do not approach the regional level only for the moneys, but you ask this question: why did the central bond send short medication? And then try to solve the problem there. Why? It is because buying in large quantities would give you a price advantage and, at the same time, it cuts out

having to account for small bits of moneys at the regional level. I think, in this instance, \$8 or \$10 million dollars were allocated to that region - I think the reference here is to Region 2 - and the Committee, especially the Chairperson, was recommending more money. On what basis was it being done? What is the limit that you put? I am suggesting, especially to the current Chairman, that you look at a different approach that in an advanced manner you would be able to calculate what drugs would be used for a particular disease or a period of time and then one would know how much is in the local stock room and do some ordering. For example, the Combined Issued and Received Vouchers (CRIVS), the document that would have to be set up to get a particular medication, has to be done in a more timely manner and sent to what was referred to the drug bond, in the past years, and what is now referred to as the Material Management Unit (MMU). So that they could buy in bulk and dispatch on time.

It is all a matter of being on top of the job and shying away from wanting to give more moneys to the region. Where would the region buy them from? Are they being bought from somebody who specialises in medication? Are they stored properly? Are they falsified? If one has been reading the international news recently, falsifying medication and falsely labelling medicines is a big multi-billion dollar industry. I notice one of the Members of the Government benches shaking her head in agreement. Pan American Health Organization (PAHO)/World Health Organisation (WHO) is fighting the scourge of falsified and poorly-stored drugs. So, that is another reason as to why we should try to recentralise the ordering and storage of drugs at the MMU and dispatching in a timely fashion.

I know that sometimes having vehicles in working order to get it done could be a challenge, but that is something that the Administration needs to address. I would like to reemphasise that there is still the impression that there are too many “shortages”.

A next issue is the downtime of equipment, which seems to be an annoyance to the staff at these facilities. We need to address that. Incidentally, we found that we did not have a group of Biomedical Engineers and I think we still have that problem. We need to work on that.

A few years back, we had started training Biomedical Technicians. There is no use having equipment and then having to wait until somebody flies in from Trinidad or Venezuela to repair it. That programme had been started with seven Guyanese being fully trained by three Cuban

fully trained, fully qualified and fully experienced Bio Technical Engineers. They were supposed to start creating the basis for a nucleus of Guyanese who could do the repairs. We need to look at that. Why I mentioned this is to advise the future Chairpersons of this Committee that these are the things they need to enquire into. Do not only list the problems and give recommendations but look at some of the things that once existed. Do they still exist? I would like to ask that question. Do we still have that programme where Cubans were training Guyanese to become Biomedical Technicians until we could have done a little bit better?

Then the Georgetown Public Hospital Corporation (GPHC) was actually contracted to lend those services to go out to repair these equipment. Since a piece of equipment was down since 2015, I would suspect that either we do not have the skills in the country or that mechanism has not kicked in. Mr. Khan was very efficient in doing that and sending off, on a routine basis, to the regions the team of fully qualified Biomedical Technicians. One may want to wonder what the impact is. The impact is that if you do not have that mobile team, well-trained, then you would always have this humbug of expensive equipment being parked in a corner and not being utilised. I would like the Chairman of the Committee to remember the example that I am giving. The haematology machine is down for some time now and he needs to look and see how he can get that fixed. It could be done by training our own local nationals with the skills to repair.

Another point that I would like to note is with regard to the Linden Hospital Complex. The Linden Hospital Complex, as I said when I sat on the Government benches, is special. Linden is the gateway to great things to come in Guyana... the opening up of the hinterland. That is why, when in Government, the PPP/C had put a lot of emphasis on Linden to such an extent that maternal mortality has been addressed.

The facts are there and the Chairman just referred to them. There has been no death or infant mortality in the maternal section for six years and both sides of the House should congratulate themselves. We should give praise to the good leadership of that institution. I still say it sometimes, and those who do not like my pronouncements might be irked by it, but the Linden Hospital Complex is probably one of the best-managed hospitals in the country. I have said that repeatedly from that side of the aisle and probably we need to learn from some of the things currently being done there.

The fact that they have three different sources of employment for nurses is an inheritance from the time when the Hospital was run by the bauxite industry. This should not be a big humbug. I see that there was some emphasis or hullabaloo being made that it could cause disciplinary problems. I do not think so. Under my watch, that was not so and I think the nurses are quite cooperative. The mere fact that we are having these indicators, no baby or maternal death, is something that we should congratulate, even the previous regime because we put that in place. There had been no deaths for six years; not two or three years, but six years. With what I am seeing and the report I saw, I think this will continue long into the future. Let us congratulate Linden for that and let us congratulate the Chairman of that visiting team for bringing this out.

The next point that I noted is that the Linden Hospital Complex does not only include the Kwakwani Hospital, but it also have a very good nursing school attached to it. I would have liked a little bit more thoroughness from the visit and it would have addressed some of the questions that the Committee raised in the report. There is a nursing school there and, probably in the future, the Committee needs to do a little bit more intelligence before departing Georgetown to find out where it should be visiting. It is practically in the same compound and that is another good addition that happened within the last few years of the PPP/C regime. The school always existed but it was upgraded and expanded and that is important because you have to get the correctly trained health personnel at the nursing level, and not only at the medical or doctor level. And the Linden Hospital Complex is a good example of how that is working.

Linden refers patients to the Georgetown Hospital. Here is another issue that could have been teased out or explored. Is it because the Linden Hospital is very efficient and refers patients in a timely manner, so that they could get the highest care at the Georgetown Public Hospital Corporation where, for years to come, we will have the best specialists? Is that the reason why they are doing so well in their figures? No maternal deaths and child mortality. These are things that we need to look at and probably address the referral system when we go to other hospitals.

If persons are referred to the specialists in Georgetown, obviously the referring hospital's death rate would be lower. That is not to say that it is not a good thing. It is a good thing because the hospital has identified, at the right moment, when it cannot intervene with a particular patient and it moves that person on. That is something that we should note. Again, it is a small line in the report and the importance of it might be missed by the lay person.

So, these are some of the issues that jumped out at me. The first point was the “shortages”. The second point was how many good things the PPP left in place and those things must be built upon. As a politician, one must expect me to blow the trumpet of the party in office at that time. But these are facts and what you are seeing now is the solidness of what we did then. The number of doctors was referred to. That was specifically done. A large cadre of doctors was trained specifically for such conditions - Linden, Bartica, Suddie - are places where young people who are now in the beginning of their career are challenged to go. The Linden Hospital Complex has its fair share of those doctors and they are doing well.

Additionally, we tried to - and I think it was fleetingly mentioned in the report - add new specialities like the eye care services in Linden.

Another issue that we need to look at, and there was a slight mention of it, is what to do with the older building. It is an asset that needs to be fully exploited. It was only mentioned in passing. I think we need to look at that. How do we utilise that? I noticed that there are some plans for it and I would definitely support that fully. We, on this side of the House, would definitely be looking at any budget coming to make good use of that facility or that excess space of the old hospital.

*8.42 p.m.*

I am happy that the visiting team from the Parliament Office put it back on the front burner.

There is a lot more that we could say. The second point that I made was the number of good things that were left there. I would like to point, again, to the Nursing training. Nursing training is something big in Linden. They are proud when they say they have a Linden nursing school. Practically all of the Nurses providing services in Linden are Linden-grown and Linden-trained. We need to nurture that.

A few years ago, nursing training came under severe criticism and we weathered those storms. The goodness that was left by the PPP/C is exemplified by that school, which could provide Nurses for other areas outside of Linden and Region 10. Those are things that we would like to see noted in the Report

I would like to thank the Chairperson for presenting a well-done Report and, at the same time, it is for us to collectively, across the aisle, look at those areas and recommendations and probably start working on them early. I heard some persons grumble from across the aisle. But health could have great projection for us economically, especially when we identify such sites as Linden, which is at a certain juncture in the geography of Guyana. It would have a multiplier effect if we invest properly and manage investment by frequent visits of a team like this.

I would like to endorse the Reports, by and large, save and except for those observations that I have made and I congratulate the team that went and I encourage them to go more frequently and follow-up on those things that they have said, for example, if what they said in one Report was it addressed in the next visit. I think that continuity is important.

Mr. Speaker, I would like to thank you for this opportunity to speak on these Reports. I would like to give my tacit approval with the reservations that I have mentioned. Thank you.

**Dr. Mahadeo:** As a Member of this Committee, we visited several places under the Chairmanship of the Hon. Member, Dr. Persaud. I want to agree with my Colleague, Dr. Ramsaran, that the Linden Hospital Complex stands out head and shoulder above the rest.

Some things needed to be pointed out, which my Colleague pointed out. What is the difference, for example, among the Linden Hospital Complex and the other hospitals that we visited, namely, the New Amsterdam Hospital, the Diamond Diagnostic Centre and the Georgetown Public Hospital Corporation? They were proud to say that the management team, Dr. Mohamed Riyasat, Chief Executive Officer (CEO), who was there for over 6 years and the Medical Superintendent, who was there in that position for 16 years, have a hands-on approach to matters. They mentioned the continuity and knowing things. The staff also talked about it. Even in the recommendations it was mentioned that they had plans and that they are developing from year to year, starting 10 to 15 years back.

The things that stood out at the Linden Hospital Complex, and my Colleague MP started with there, are that the management staff knew what was happening. They had a plan in place. However, they complained bitterly of shortages of drugs and medical supplies.

I am glad to hear that that they have 90% of stock at this time. I am hoping that this is verifiable and not just that we are listening from a distance to what somebody told us. Very often, as an experienced manager, I know if you do not go on the grounds the staff tend to tell you what they think you want to hear. Ninety per cent is extremely good. However, when we visited there, they had shortages of serious injectable, things like Anti-D (antibody against D antigen) which is necessary for pregnant mothers with a particular blood (rhesus negative factor) and which could actually lead to death in follow-up pregnancies of the mother and death of the baby. Those are the serious shortages of the drugs that they had.

Staff of the Intensive Care Unit (ICU) vented their concerns of the lack of monitors, defibrillators and ventilators in the department. Drip stands in the theatre were rusty. Anybody who works in a theatre would know that if there is rust, you would have infections. They go hand in hand. All of these were pointed out.

What also stood out was the enthusiasm of the staff. At the beginning, they were scared but they asked questions. At the beginning, they were concerned. They wanted to know if they would get into trouble if they said certain things. They were advised that was not the case. So, they became very forthright. In fact, the list of drug shortages numbered in the 60's % or 80's % or something like that. Eighty-nine drugs were short when we visited. I am very glad to hear that 90% of stocks are available. Like I said, I hope it is verifiable. The people in Linden, I am sure, are listening to us as we speak.

The other thing that I want to say is that the managers of the system complained that they had, for example, an Echocardiogram (ECG) machine, but the doctors who were trained to use that piece of equipment were transferred; so, the equipment was there but nobody there to use it. That piece of equipment was standing there. I hope that Mr. Adams could address that when he replies. Maybe, they have persons there. They had staff who knew how to use defibrillators but they had no defibrillators, a piece of equipment that is very important in the case of emergencies when somebody's heart stops beating or when the heart is beating very fast and it needs to be stabilised it. That piece of equipment is absolutely necessary. They had staff that could have used it but there was no equipment, on one hand; on the other hand, they have the equipment, but the staff who were trained had been transferred and there was nobody to use it.

The pieces of equipment that were down, my Colleague, Dr. Ramsaran spoke about that before. My experience in the health system is that there are shortages of Biomedical Engineers. I said this in two of my Budget presentations. We contracted Biomedical Engineers. The contract was such that you call them and they come. It is a yearly contract. They come and they do the repairs every month. They come even if there is nothing to do. They come and they check. They do preventative maintenance and so the equipment lasts a longer time and there is less down time. If a piece of equipment is down, you call them and the contract states that, within 24 hours, they have to be there. I think that we need to go back to that because equipment would go down for many reasons, including power fluctuations and stuff like that.

One of the proposed recommendations is that the Linden Hospital Complex should budget for a (CT Scan) Computerised Tomography machine, with urgency.

I think we have a CT Scan machine lying in a bond for more than a year now. If we cannot get the building where it is supposed to go fixed, let us send it to the Linden Hospital Complex. I asked them and they said yes that they have fixed space and the facility for it. We could buy another one to send to the other place.

I turn my attention to Region 2. I had the honour and the privilege of working in Region 2 for nearly 10 years. When I went to Region 2 in 1994, the Suddie Hospital was rundown. The then Minister of Health, Ms. Teixeira, had put in a lot of money, I think that it was nearly \$90 million, and the building was rehabilitated. We offered a lot more services. Although we did not have the staff complement that they have now, I was shocked to hear that in a year, when we visited there, the Suddie Hospital, with a large number of doctors and even specialists that they had, were transferring about 10 to 12 patients per week to the Georgetown Public Hospital Corporation.

When I was there, we transferred a maximum of 60 to 65 patients per year. The theatres are not functioning, the equipment are not functioning and, for the safety of the patients, they transfer them. When I left the Suddie Hospital it was at a certain stage. Subsequently, upgrading was done during 2009 to 2011. What I saw at the Suddie Hospital, the state was far worse than what I left in 2003. After that, they had upgrades.

The other thing I would point out is when we went to the Linden Hospital Complex, the Medical Superintendent and the CEO were there to receive us. They took us around. You observed that these people are hands-on. They knew what was happening.

When we visited the Suddie Hospital, the Regional Health Officer (RHO), I think, was on leave and the Medical Superintendent was nowhere around. There was someone who was acting as the Medical Superintendent who could not have answered most of our questions.

I think that speaks volume in itself. The REO was there and, in explaining, he said that he had a meeting with his staff. The REO said that he did not know about those things; that they were not brought to his attention and that they should have been brought to his attention. We asked the REO if he had a Committee that looks at health or if he has a Deputy Regional Executive Officer (DREO) that deals with those issues. It is poor management. There seems to be disconnect between the health system, the REO and the regional administration. That cannot happen. It will interfere with the delivery of health care to the people of Region 2. I will read:

“Mr. Hopkinson, the REO indicated that the issues raised were never brought to his attention. He stated that he would look into the matter and have them resolved. He further noted while the Committee raised the issue of moneys being allocated to purchase drugs and medical supplies, it was the Ministry that did most of the purchasing since the Region only had \$2 million to use as emergency fund.”

The reason this Committee proposed, unanimously, that the amount of moneys to purchase emergency supplies be increased is because of the chronic shortages of drugs that we have in the country that are not being supplied centrally.

Everybody would agree that we have difficulties there. If we do not admit that there is a problem, then there is nothing to fix. We have difficulties. Let us fix it, centrally, and then the \$2 million would be more than adequate to purchase emergency drugs in the region. I agree with my Colleague, Mr. Adams, that we could never have a 100% supplies because, from time to time, you would have an outbreak of diarrhoea, you would have an outbreak of some skin condition, outbreak of fever or whatever so you would need to shift it around in the country. This is why we need a central supply system and we need it to be managed centrally.

Again, at the Suddie Hospital, most of the equipment, at that time when we visited, were not working. They were down. Mr. Adams said that the RHO reported. I would want to caution and advise. I agree with him that we need to visit and know what is happening on the grounds. I am sure that the Ministry of Public Health and the Hon. Minister are well-intentioned and wants health to work, but it is not working. We need to know why. The reports that are coming up, I do not believe are the correct reports because we were hearing one set of things before we visited the Suddie Hospital. When we visited, this is what we found.

I keep referring to the fact that we need to verify whether the reports that we are getting are true. On 26<sup>th</sup> July, 2018 in the *Guyana Chronicle* newspapers, it states:

“Doctor calls for help at the Baramita.

No drugs and equipment are down”

I hope that they did not fix Suddie Hospital, if it is fixed, and the Linden Hospital Complex, if it is fixed, just because we were visiting. Then, we need to visit Baramita Health Outpost too.

Hospitals should implement protocols for disaster management. People need protocols and guidelines. These are simple things. The Ministry of Public Health has the protocols and it has the manuals. If they do not have it, then other hospitals have it. It could be used. It could be tailored to suit the particular region.

8.57 p.m.

I heard that we are building brand new hospital in Suddie. I hope that the site that was chosen is not one that would become a sea defence, sooner or later. I also heard Hon. Member Mr. Adams first said that we are building new theatre in the Suddie Hospital and then we are building a brand new hospital, so I would like him to clarify. If we are building a new hospital, then why we are building a new theatre in the old hospital. Maybe it is a difference in time, so we are building the theatre now. There are a lot of other things I could talk about the hospital, but I am sure my colleagues would follow up.

Last thing I would talk about the hospital, and that is, that although the Regional Executive Officer (REO) promised that within two weeks - I asked him for time frame - he would have had

the air conditioners (ACs) to be installed in the doctor's room, six months after when I found out from the doctors at the Suddie Hospital, they still were not installed. There are one room for males and females, who are on call, no ACs, even fans they did not have. I think we need to follow up and do hope that that could happen quickly. We do need a follow-up visit and now Hon. Member Mr. Adams, as the head of the Committee, I am sure that we could set it up and I sure he would be interested as I am to do a follow-up visit.

We also visited the police station. The officers there, they were very welcoming and they explained what they were doing. They were involved in a lot of other community projects such as dealing with suicide, river accidents, sexual offences, domestic violence and were trying in their own way to do things. I was the only one who went up to visit the barracks along with some Members of the parliamentary committee. I was the only Member of Parliament. I would like to ask the Hon. Minister that he needs to visit because when I went up there the building is right next to the ocean, there are no windows at all and it is opened. The beds are there, some beds are without mattress, so there are frames there. The kitchen had nothing inside and that was supposed to be where they cook and they eat. It was atrocious. I was not a place that I would put my worst enemy to live in, so I hope that has been corrected. I hope that it has been dealt with, because with our policemen, we expect them to serve, and if we expect them to serve, they much have minimum amount of comfort. When they leave their homes, they leave other regions to go and serve in another region, they must be treated as human being.

In the recommendations the police officers should make request for new furniture, including chairs and desks for the enquiry's area. The barrack quarters should be refurbished to cater for modern living conditions.

Then we visited the National Insurance Scheme (NIS) compound. I must say that the staff at the NIS there, under the leadership of Ms. Roxanne Hart, the Office Manager, were very accommodating and they explained their work what they were doing and how they try to facilitate the people in the region. Some of the complaints we received there, however, I would like to read: "Ms. Hart informed the delegation that a shed was budgeted for in 2015 - 2016, but not approved." This shed was being budgeted for the pensioners, so when they come, as it is, they have to wait in the sun and if it is raining, they had to wait in the rain, so they had asked for it to be approved. I am asking that we include it in the budget, so that the people could have a

shed where they could sit. She said that the pensioners would have arrived early on the day of the payment of the pension and the officer even tried to even provide some tea, but resources at the office are limited.

The staff there also complained that the compound floors whenever it rains and so we recommend that they have proper drainage.

They also complained that they do not have any vehicle to carry out their duties and those staff, the inspectors and the managers, who have to go out and visit and they use their own vehicle. Some of the areas, for those who are familiar with Region 2, the roads are very bad and some places are non-existing. They asking for - I would come to the recommendation later on - a vehicle and for it to happen right away.

The delegation was also informed that the branch was robbed previously and they are asking for cashier cage to be secured with steel grills.

The Committee thought that the staff was compassionate towards the public. The building and the compound was well kept. However, we thought on the whole, the NIS, *per se*, needs to be revamped. The claims form need to have space for diagnosis and confidentiality should be promoted at the NIS. We also recommended that there need to be suggestion boxes in all the NIS officers because there was no suggestion box and a suggestion box would also guarantee a person's confidentiality.

The Committee's recommendations that all NIS branches should place suggestion boxes in a convenient location within the facility for the public to access; the branch should acquire a vehicle to assist in the workload; field officers, inspectors and managers should be given duty-free concessions due to their job descriptions; a shed should be built to accommodate pensioners; all NIS branches should be supplied with tea supplies for pensioners during the week of the payment of pension; the branch should write to the relevant authorities, that is, the REO and hospitals, to have the Government Medical Officers go at a specific time to provide the life certificates pensioners; the shortage of staff that they complained about should be addressed and grills should be installed for security.

The staff also complained that the computers that they have were outdated which were giving them a lot of problems, very slow, so we recommended that they be given five new modern computers and they should have proper drainage.

The NIS drug list should be revised to include more medication.

Compensation should be given to additional categories of employees of NIS for duty-free vehicles and vehicles should be provided for duties and the NIS law should be amended to better reflect outlined communities because the law does not take into account communities such as Moruka and Orealla.

I think that all of our recommendations could be done and could be done speedily. We are moving forward in time, so we should also move forward as nation and we should ensure that we could work together to resolve these issues. I would recommended strongly that we visit again to see how many of recommendations have been fulfilled, so we could have a better understanding of what is happening.

Thank you Mr. Speaker

**Dr. Persaud:** As was clearly pointed out by all of the Hon. Members of the Committee, the visits were useful. The visits were necessary and as I was chairing at the time we made all of these visits, I would like to express my thanks to all the Hon. Members of the Committee who made these visits, to these critical areas of health, education and other services that are accessed by the public. The Parliamentary Sectoral Committee on Social Services is an important one because not only does it offer oversight and scrutiny of many of the crucial services across the country, but, as a Committee, we offer recommendations. It our hope and our intention that these recommendations are acted on and that wherever there are shortfalls, there are inadequacies and there are deficiencies, these could be addressed, so that the system that we looked at would be improved, benefiting the people who access these systems.

It is also important for me to point out that these reports were languishing on the Order Paper for some time, seeing that the visits occurred in 2017. At the point in time that we visited the institutions, the Linden Hospital Complex and several in Region 2, we were able to identify positive and negatives inadequacies, shortcomings and also some strength.

The Linden Hospital Complex, as was elucidated by my colleagues, definitely stood out for us as one of the better hospitals in the country that we visited and we were able to compare because we were visiting similar departments in other hospitals. The Linden Hospital Complex had good management, great team work and enthusiastic staff. The complement of staff was also adequate for what was needed at the Linden Hospital Complex. It was able to have good service delivery, but that was hampered, and hampered mainly because of shortage of drugs and equipment. Also equipment were not working, so the facilities were not there for the doctors to adequately, efficiently and effectively deliver health care to its optimum. The deficiencies were in several areas that are very critical to health care, the Intensive Care Unit (ICU), the emergency room and the operating theatre. These are areas that people need to access, sometimes, in a short time and they need to have results from whatever intervention is made on urgent basis. When we were visiting there, what stood out for us were the deficiencies, especially in equipment, monitors which is necessary to evaluate a patient's status quo. Those were in real shortage at the Linden Hospital Complex as well as the defibrillators. My colleague Dr. Mahadeo explained the need for the defibrillators. If your heart stops you would hope that there is a defibrillator to *shock you back*, as we like to say in parlance. Even though there was training and there were doctors, they could not do the things that they needed to because these equipment were in short supply.

It is true, and I do not think when we listen to the reports and we listen to what comes out of a visit, we should try to cover them up or say that this is not happening. The better way to do it is to look at where these shortcomings lie and try to fix it or try to remedy it. I was happy to hear the Hon. Member John Adams saying that some of these things has been addressed, which mean that our visits were necessary and coming out of these visits those things were dealt with. Meaning, too, and I am only assuming, and I think correctly, if we did not visit, these things would not have been addressed in a timely manner or address at all because many of the deficiencies and many of inadequacies were there for as long as six months to a year, which means the hospital was short-changed for this time.

If we look at the operating theatre, things that we need commonly as doctors, such as sutures, needles, those were in short supply. When we want to perform surgery, some surgeries are not allowed to move on because those are necessary things. What also stood out for us at the Linden Hospital Complex, in particular, was the shortage of crucial medications and injectables, in

particular injectables that you need for emergency situations. Patients who suffer from *myasthenia gravis* did not have medication for more than a year because that was not in supply at the Linden Hospital Complex. In addition to that, there was a shortage of insulin which is a mainstay for diabetics. Whether it is in Linden or across the country, insulin is necessary. I am hoping that the 90% that exists there and if it is verified, includes insulin, because that is the mainstay of treatment in diabetes.

The Cardiac Unit, again, which is an important in any hospital, lacks an electrocardiograph (ECG) machine and that is a basis piece of equipment that is required in any cardiac unit. Also when someone goes in with chest pain, we would like to have a test done, that is, the cardiac enzymes, to see whether or not that person is having a heart attack. That was not done at the Linden Hospital also, which leads me to believe, when people go there with chest pain, they would like the basics of an ECG, cardiac enzymes done, but it is not there, not because the doctors do not want to treat or offer the best care, they have to send those patients... if they cannot afford it, well, you and I would only be left to assume the worse could happen.

In addition to that, a laboratory centre at the Linden Hospital Complex had a Coulter machine that was not working for two years. There was decrease and deficiency in reagents for many of the laboratory equipment, so I do hope also that those things would be rectified.

Region 2, I think left many of us in the Committee very depressed because looking at the health care system, the education system and conditions under which young people had to stay, those were all deplorable and depressing to view.

*9.12 p.m.*

In fact, in Region 2, we were not only able to visit the hospital and visit the department, we were able to look at the bond and we were able to look at the medication supply. The paucity of medication at Region 2 did not only affect the hospital in Suddie, but also affected the other outlying hospitals because the supply at Suddie was also to be disbursed to Charity and the health centres. That is what we were told when we visited, and as such, when we got to those hospitals, they too had short supply. At the Oscar Joseph Hospital, Charity, which we also visited, people from the hinterland access that hospital. When they come from all of these outlying areas and go to that hospital and cannot get their lab work being done or cannot get

medication, then think of the difficulties they experience getting to that hospital and not being able to access health care. I think that is a travesty, also.

At the Suddie Hospital, as the Linden Complex Hospital, there was a serious shortage of medication, again mainstay treatment, things like metformin, used in diabetes, nifedipine and glyceryl trinitrate tablets (GTN). If you have a chest pain you would want that tablet to put under your tongue to relieve pain and angina. There was not any of that there. They also lacked injectables and antibiotics and many other types of medication. There was also a shortage in the laboratory when it came to reagents and many of the machines were down.

One of the recommendations that we made was that there should not only be training of people there to deal with the equipment that were malfunctioning or had problems, but every hospital across the country should have an in-house technician to deal with repairs and maintenance. Those things should happen routinely because it would decrease the downtime of the machinery. I hope that this recommendation will be taken on board and that the hospitals will not have machines ... for some hospitals, maybe it was a bulb that was missing or a minor thing that was missing. Those things could be dealt with quickly, so I hope that is taken on board.

Also, and this came from the staff, because of the shortage of staff, especially in the laboratories, those who were there felt very pressured and overwhelmed because sometimes there was one person doing all of the labs for the entire region, and that person worked above and beyond. They did not always have payment for their overtime hours as well.

Likewise, in Region 2, there was a deficiency of cardiac monitors. The operating theatre in the Suddie Hospital was not functioning for one year. There was a shortage of many pieces of equipment. In the Neonatal Unit (NNU), there were no ventilators, incubators and no central oxygen. In the operating theatre, there was a severe shortage of staff and basic things that were not present, such as syringes, gloves, drainage bags, those things that were needed. The anaesthetic machine also had a problem so surgeries were not occurring as much as they were needed to be.

If we looked at the dental department there were problems. If there was not a shortage of staff, there was the shortage of a simple thing such as a dental chair, so there was the lining-up of a lot of patients.

The point I am trying to make is that a lot of these things are very simple things that can be dealt with and there should be prioritisation of what you deal with. Look at how many patients can benefit from a simple intervention. Again, I hope these will be taken on board.

At the Oscar Joseph Hospital, Charity, there was some renovation that was being done, but I would like to suggest that when any new hospital is being designed and built, there must be input from those who have experience in that and also the people who will use these kinds of departments. That is important because the flow from one department to another is crucial, for example, ICU close to the theatre, emergency room, relative to those. When we looked at the flow in that newly built place, I do not think that those things were really taken into consideration. I would like to propose that - and the Committee also discussed this - that those who are in emergency medicine at the Georgetown Public Hospital Corporation maybe it would be wise to have their input and other experts on board, so that when the departments or the annex to the hospital or the facilities are opened, at least, the Government will be looking for long-term use and effective impact down the road. You will have value for dollar while moving down the road on that.

In terms of the surgery teams, there is only one theatre team for the entire region. This means that their referral and transferral rates will also be very high, because one team can only do so many surgeries.

I am very happy to hear that the generator at the Suddie Hospital has been bought. When I listened to what was happening, my first question was, “Did anyone die on the operating theatre operating table”? When the power went off, there had to be someone coming from somewhere to switch the generator on. I think that the doctors, who were on that team, were all appalled. Mercifully, no one perished, and I am very happy about that. Now that there is a new generator there, at least patients’ lives will be well taken care of.

Digressing a bit from the hospitals and the health sector, there are the schools. When we went to the schools in Charity and the dormitory, my thought was that we would have been visiting a forgotten land, a forgotten school and a forgotten dormitory. It was because the conditions at the school were deplorable. From the moment that we entered the compound, everywhere was overgrown. The place needed a good cleaning and painting. There was poor drainage. When we

went into the school itself, the children looked so bright and happy and were so warm and welcoming, but the conditions under which they had to learn were nothing short of atrocious. The blackboards were in a pitiful state, the staff was complaining of cramped classes because the capacity of the school was so much and the number of children in the school exceeded that capacity by over 150.

While I am happy that children are in school, which is a good thing, and while I am happy that maybe if they did not have access to schools, they are having it, let us work a little harder to make their conditions better, to make the environment more enabling of learning, and let us see if we can expand it so that more children can access education. It is because a lot of the children came from the riverine areas, from the outlying areas and they obviously had a lot of effort put in to make sure that they were going to school. They all said, though, that when they came from far they were hungry and the President's breakfast initiative never got to them. I would like to think that the President's breakfast initiative gets to children all across the country, because there is a need, and not only for selected schools.

In addition, I hope they are listening. Even if they are not awake, something filters in. At least the people out there are listening and they would like to feel that their concerns are being addressed, because what is in these reports not only came from the Committee, it came from the people who worked in all of these places. It is the peoples' voices that we are reflecting in these reports.

For one year there were no provision of school supplies, so teachers had to put their hands in their pockets, take out from their meagre salaries and provide school supplies. It was simple things such as chalk and essential things that they needed to dispense and deliver education. For examination papers there was a challenge as the school has no photocopier. To get the exam papers for children was a difficulty. The teachers also complained that they got no uniform allowances for one year. It was not only the students who were affected, but the students also felt the brunt of it. They said to us, "We hope that when you come here and you listen to us and you take it back, we will see different things happening." I am hoping that one year after that visit, somebody will listen and something will happen for those people at that school - one year later. I am pretty sure that no one visited that school. If our Parliamentary Sectoral Committee on Social Services did not visit, then it would still be the forgotten school.

They also complained about a severe shortage of teachers. If there is going to be an increase in the number of children, then there should also be a ratio of teachers in tandem with the number of children who are going to be in the school. The REO, who was at the meeting, was totally at sea and did not know that anything was happening until these things, which were clearly evident to us, from the moment we walked into the compound, existed. Hopefully something will change there as well.

When I thought the school was bad, we got to the dormitory, wow. Most of the 102 students, who stayed in the dormitory, came from the Pomeroun. My goodness. To look at the way that they had to stay was pitiable, from the rooms that they had to stay in to the condition of the lockers to the condition of the entire place. The kitchen was fly infested. The facilities were battered. Most of the things were not working. The staff felt overwhelmed and they were trying to churn out breakfast, lunch and dinner to cater for the needs of the children. I think that we can do better for the children who access that dormitory. We can do better; we must do better, and they must not be forgotten. It is not because they are all the way there, no one should visit and see what is happening. It does not require rocket science. It does not require anything more than walking in there and seeing that something is not right, that the conditions are not bad, but they are terrible. In fact, there was very little furniture that were not broken. There were too many things wrong with the kitchen for me to elaborate on it. The plumbing had problems; the drainage had problems; the electrical work had problems; the laundry room had problems. There are a lot of problems, pretty much.

I hope tonight that the list of problems, which is by no means exhaustive, and those things that I brought here to you, the things that all the Members of the Committee shared with you, will make the Minister of Education visit, so that the school and the dormitory will not be forgotten. Maybe the Minister of Social Protection can go also. The Minister of Public Health needs to visit the hospitals. Things must not be looked at as if you are seeing them for the first time and that they are only seen because a Parliamentary Sectoral Committee decided to visit. These things should be known about and should be dealt with. I want to reiterate that health and education should not have politics in them. They are too important and they affect the lives of every Guyanese. Education is something that is of great benefit to our children. It gives them a future.

Once again, I would like to thank the Members of the Committee. I would like to say that I hope this will not just be us talking and no one is listening, or worse, us talking and nothing is being done. I hope that action, urgent action, be taken to remedy all of these issues.

I thank you. [*Applause*]

**Mr. Charlie:** As my colleagues, I want to thank the Members of the Committee and the support staff of the Parliament Office for an excellent report.

My colleagues on this side of the House spoke on health, a visit to the NIS office, the police station and the schools. Mr. Speaker, permit me to turn my attention to the visit to the Amerindian Hostel in Suddie. In this report, the visit to Region 2, Pomeroun-Supenaam, the only Member for the Government side Member present was the Hon. Member Valeria Garrido-Lowe. I am thankful for that Member's presence to have a first-hand look at the state of the Amerindian Hostel in Suddie.

Ms. Katijha Pathon, an Indigenous woman, had informed the delegation that she was the only staff employed at the hostel as caretaker for the past five years. She stated that during her tenure no one from the Regional Democratic Council (RDC) had visited, neither from the Government.

*9.27 p.m.*

The Committee had noted that the facility was equipped with ten rooms and 14 beds and approximately 12 to 14 persons would occupy the rooms on a weekly basis. The Committee further noted that there were instances where approximately 50 persons would have occupied the facility, most of whom were pregnant Indigenous women.

A Hon. Member on the Committee enquired about the supply of food at the hostel. The caretaker told the Committee that the Ministry of Public Health would provide meals for maternity patients, while other patients provided for themselves.

The Committee advised the following measures be addressed because this is what we had found during our visit to the hostel: access to portable water, landfill and drainage, washroom facilities, plumbing and electrical works and the purchase of utensils, cooking stove and refrigerator. The Committee had also observed that the building was not properly maintained; inferior

construction work was done on the washroom facilities; there were evidence of water leakage in the caretaker's apartment; the mattresses were not suitable for use; there were no light bulbs or lighting in the upper flat of the building; the yard and its environs were poorly maintained and there was a bathroom made of zinc in the yard and the electric fans were not working in the hostel.

The relevant authorities and I would like to single out the Minister of Communities and the Minister of Indigenous Peoples' Affairs to visit this hostel and see what our people, particularly the Indigenous people, have to suffer and endure.

The Committee recommended that the hostel should have a budget to maintain the facility. There should be a management committee to manage the facility. *[Interruption]*

**Mr. Speaker:** Hon. Members, I hear the speaker, the Hon. Alister Charlie, but it seems as if he was speaking with two voices. I do not know, because I am sure I was hearing a second voice. Please proceed Hon. Member.

**Mr. Charlie:** Thank you very much. I am single, Mr. Speaker, in this House. It seems other Members on the opposite side of the House have my attention.

The hostel should hire an additional caretaker and they should be all trained; the hostel should procure light bulbs, mattresses and a washing machine, a washing sink, a stove, a refrigerator and cooking utensils.

There should be regular meetings between the REO and all RDC programme heads, employed so issues could be raised and dealt with urgently. With this recommendation, I hope this would be taken on board to enhance the living standard of that Amerindian hostel which has seemingly been neglected since this Government took office.

I call again on the relevant authorities to visit Region 2 and take a walk down the lane to the Amerindian hostel and they are going to see for themselves. I was totally disappointed when the Chairman of the Committee, the Hon. Member John Adams, told this House that, the REO related it, repairs would be undertaken to the hostel. I was anticipating that the Chairman would have reported to this House that repairs were already being undertaken and visits were already made by the respective authorities.

With this, I take my seat and reiterate that the relevant authorities visit this institution.

Thank you. [*Applause*]

**Mr. Adams (replying):** I would like to thank the other Members of the Committee for their contributions. I would like to especially thank the Hon. Member Bheri Ramsaran for some of the advices he gave us and that we will certainly see how best we can have them implemented.

I would want to touch on the transfer of patients from Suddie Hospital to the GPHC because we were told that it was doing five patients per week. When a team from the Ministry of Public Health visited it was reported by the Medical Superintendent that the Cuban specialist was refusing to treat some of the persons. I would like to give you the Regional Health Officer (RHO)'s report for the article that was in the newspapers, yesterday. It is from Dr. Mc Watt, the Regional Health Officer of Region 1 in response to Dr. Torres, in response to the article in the Thursday, *Guyana Chronicle* newspaper dated 26/07/ 2018, "Doctor calls for help at Baramita". Someone made mention of Baramita in the report. It was not a heckling, but I want to say that the RHO for that region had written to the Director of Regional Health Services and he made special mention to the doctor's report in the *Guyana Chronicle* newspapers. I will just like to read that for us.

"Dr. Narash Torres, GMO, attached to the Baramita Health Post has always seemed promising, hence I do believe he should be given the necessary opportunity to explain his actions for going to the Press. Notwithstanding the many breach in protocols, to start with, I was indirectly notified of this issue yesterday after receiving a message from Dr. Torres, via the health admin. Dr. Torres on returning to Baramita in 10 to 15 minutes in the presence of Dr. Horace Cox and Dr. Chase..."

[**Ms. Campbell-Sukhai:** Same story.]

This is the RHO who was writing Ms. Campbell-Sukhai. You do not want to hear the truth, Ms. Campbell-Sukhai.

"...with some resistance presented himself, hence the doctor was asked to await the conclusion of his meeting for a separate meeting. After which the meeting was conducted and 30 minutes were allotted to Dr. Torres to conduct personal business prior to him departing to Baramita.

On route to Baramita, the vehicle in which transported us stopped at the driver's home briefly after which the doctor emerged with a bottle of Corona, to add to his already alcoholic noticeable smell, note the time as 14.15 hours. Through the Whatsapp group I was notified that he was proceeding on emergency no pay leave. At that time I sensed that there was a problem, so I reached out to the goodly doctor via the chat congratulating him on successful medical evacuation, thus, reminding him of the necessary steps one needs to follow when seeking vacation and further advised him to contact me as soon as possible (ASAP). Approximately 15 minutes after he did respond thus, I gently advised him on the way forward. Perhaps at that time I figured something was wrong. I once again reached out to Dr. Torres nonetheless his response was, 'I wish not to discuss anything'.

Baramita Health Care delivery network had made tremendous improvement within the past three years and perhaps the system prior to 2015 can be referred to as the dark era.

Therefore permit me to give clarity to some of the comments made by Dr. Torres.”

[**An Hon. Member (Opposition):** Who writes that?]                      Mc Watt.                      [**Mr. Damon:** Mc Watt, you sure is Mc Watt ...]                      You cannot write yours at all.

**Mr. Speaker:** Hon. Members, the Hon. Member who is addressing the House should remember he should address his remarks to the Speaker. Other conversation can take place after we rise, but let us do it this way. Please proceed.

**Mr. Adams:** Thank you Mr. Speaker.

“Firstly the officer in charge of the facility needs to take ownership of the facility and collaborate with the village council to have running water, cleaning of the facility are simple low hanging fruits that can be addressed at the facility or village level.

Secondly, two all-terrain vehicles (ATVs) were delivered just about two years ago thanks to the Pan-American Health Organization (PAHO) and the World Health Organization (WHO) and the Ministry of Public Health, but I regret to declare that owing to the misuse by various officers, two bikes were reduced to one which is operational.

Drugs and medical supplies are always a challenge but with the constant collaboration with the Materials Management Unit (MMU) and the RDC supplies were procured and this process is ongoing.

The self-proclaimed medevac doctor just started on the road to achieving a successful career and other have worked in the same areas and still continue to do so amongst various constraints with the hinterland regions. Moreover, there was never a medical evacuation done because of the lack of medical supplies rather than lack of expertise and or the following established protocols. I will, therefore, urge us all to get involved and support the growing network. Let us work together to build a resilient health care network, one that is acceptable, affordable and most of all consumer-friendly.”

I wish to also inform the House that on 24<sup>th</sup> July, a shipment of medication was received by that region and to date Dr. Torres has not sent one Combined Requisition and Issue Voucher (CRIV) for his medication.

I wish to once again thank my colleagues for their contributions and would like to present this report for adoption in the House. [*Applause*]

*Question put, and carried.*

*Report adopted.*

**Mr. Speaker:** Hon. Members, I am advised that this concludes our work for today. I shall invite the Prime Minister to move the adjournment.

## **ADJOURNMENT**

**First Vice-President and Prime Minister [Mr. Nagamootoo]:** With pleasure, Sir. I would like to move that this House be adjourned until Monday, 30<sup>th</sup> July, at 2.00 p.m.

**Mr. Speaker:** Thank you. The House stands adjourned. Hon. Members, I think it would be courteous if the Speaker speaks to a sitting House and then when the Speaker rises, others can rise.

*9.42 p.m.*

Hon. Members, the House stands adjourned until Monday 8<sup>th</sup> August, 2018 at 2 p.m.

*Sitting adjourned accordingly at 9.43 p.m.*