

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

95TH Sitting

Monday, 30TH July, 2018

The Assembly convened at 3.19 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Parliamentary Procedure and Practice

Mr. Speaker: Hon. Members, I should offer a regret at our late start. A matter of very major importance claimed my attention just as I was about to appear before you in the Chamber.

One of the universal and best known rules of parliamentary practice, one with which every Member of Parliament (MP) is presumed to be familiar, is that the conduct of the Speaker cannot be criticised, except by way of a substantive motion. I refer to *Erskine May Parliamentary Practice*, 24th Edition, page 61, which reads as follows:

“Reflections upon the character or actions of the Speaker may be punished as breaches of privilege. His action cannot be criticised incidentally in debate or upon any form of proceeding, except a substantive motion. His authority in the Chair is fortified by many special powers which are referred to below. Confidence in the impartiality of the

Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object...”

Hon. Members, I would request you to observe the Standing Order which states that, when the Speaker is addressing the House, there should be no other voice heard at the time.

“Confidence in impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognised.”

The House of Commons Procedure and Practice, the Canadian Practice, 2nd Edition, pages 313 and 314 state:

“Reflections on the character or actions of the Speaker - an allegation of bias, for example - could be taken by the House as breaches of privilege and can be punished accordingly.”

Just before we were to begin this afternoon’s proceedings, my attention was drawn to today’s publication of the *Stabroek News* newspapers, pages 6 and 7, to a letter under the hand of an Hon. Member, Mr. Harry Gill. The letter, on my first reading, appears to make imputations against the Speaker in his office and, insofar as the name of the Speaker is coupled in the letter, against the Speaker in his person.

If the Hon. Member, Mr. Gill, was dissatisfied with the rulings or decisions of the Speaker, he could have taken a course of action provided in the Standing Orders to which all Members in this House have submitted themselves, when they became Members of this House. Instead, he has proceeded on a course of action which is totally impermissible under the Standing Orders. His conduct is an affront to the Office of the Speaker, the person of the Speaker and to the dignity of this House.

This is the second occasion in two years that such a disregard for the rules of this House has been displayed by Hon. Members and it may be that the silence of this House on the previous occasions has emboldened the Hon. Member, Mr. Gill. I thank you.

Request for Leave

Mr. Speaker: Hon. Members, leave from today's sitting has been granted to the Hon. Members, Ms. Pauline Campbell-Sukhai, Ms. Indranie Chandarpal and Mr. Dharamkumar Seeraj. Thank you.

PRESENTATION OF PAPERS AND REPORTS

The following Reports were laid:

1. Annual Report of the Dependants' Pension Fund of the year 2017;
2. Petroleum Expiration and Production Tax Laws Mid-Atlantic Oil and Gas Inc. No. 26/2018. [*Minister of Finance*]

Motion of Privilege

Mr. Speaker: Hon. Prime Minister, do you wish the floor?

First Vice-President and Prime Minister [Mr. Nagamootoo]: If it pleases you, Your Honour, I have listened to the statement that you have made as regards the conduct of a Member of this National Assembly in the name Hon. Harry Gill. In the light of what Your Honour has described as an attack on the Office of the Speaker and of the National Assembly, I would like to say, as Leader of Government's Business in the House, that we do not condone any attack on the holder of a constitutional office. [*Interruption*]

[Mr. Speaker hit the gavel]

The post of the Speaker of the National Assembly is a statutory position and we consider that the attack, not by way of a motion in keeping with the provisions of our Standing Orders, would require appropriate measures to ensure that there should not be not only a continuation and proliferation of such assault on the integrity of our National Assembly, but to ensure that appropriate measures are taken. Other provisions of our Standing Orders, more particularly Standing Order No. 91, where a matter should be referred for the attention it deserves or merits.

I have read the impugned article and, without getting into the merit of it, I would find, as Your Honour has referred to the pages, that an attack by a sitting Member of the National Assembly,

imputing bias and partisanship on the part of the Hon. Speaker of the House, transgresses the normative rules of the House. Ordinary citizens of Guyana would be enraged by a cavalier method of going outside of the National Assembly, sheltering dubiously under the expression, “freedom of expression” to launch, politically I would say, a premeditated attack on the Office of the Speaker.

It is clear to my mind that the reception that I received by making these observations in this honourable House would also speak to the fact that, politically, the alleged offender is being protected. We are all Hon. Members of this House, having been elected by the people of Guyana, to protect the integrity of this House, to protect this important symbol of democracy - the bastion of our democracy. Therefore, Sir, as happened in other jurisdictions, recently, I have read, in Canada, a Report from the Canadian Broadcasting Corporation (CBC) News posted on 24th September, 2014, where Speaker Andrew Scheer was a Member of the National Assembly on the issue of a claim for bias. The Report that was filed by Kady O'Malley stated that, if one publically questioned the impartiality of the Speaker, one could find his or herself on the wrong side of a breach of privilege. The Speaker himself, on that occasion, had made a statement before the House of Commons, citing a procedure and practices... *[Interruption]*

3.34 p.m.

Mr. Speaker: Hon. Members...Please proceed.

Mr. Nagamootoo: He stated that:

“Another of our time-honoured traditions is that of respect for the Office of Speaker.”

[Interruption]

[Mr. Speaker hit the gavel]

Mr. Nagamootoo: The text you will refer to states,

“Reflections on the character or actions of the Speaker...”

Mr. Speaker: Hon. Members, at least courtesy. You may know that word; let us try that. Please proceed.

Mr. Nagamootoo:

“Reflections on the character or actions of the Speaker – an allegation of bias, for example – could be taken by the House as breaches of privilege and punished accordingly.”

The Speaker of the Canadian House referred to unsavoury language or expression. Also, when I saw the letter this morning, I tried to *Google* how other Members of Parliaments would see their Speaker. I looked at the practice in New Zealand and the practice in Australia. In those jurisdictions ...*[Interruption]*

[Mr. Speaker hit the gavel]

Mr. Speaker: Hon. Members, we cannot succeed in what we are to do here this afternoon if what Hon. Members do is continue to shout across at each other. Please proceed.

Mr. Nagamootoo: Like those jurisdictions, they are Commonwealth jurisdictions like Guyana and they protect the integrity of their Speaker. They protect and they repose in the Speaker confidence because the Speaker, as in the case of Guyana, and unlike what had happened in the past where some Speakers who were candidates for parties that had become ruling parties, I know of no allegations of the Speaker of this National Assembly being partisan, or being a leader or an executive of a political party. Therefore, it beholds upon us to protect the impartiality of the Speaker, if we are to defend our parliamentary democracy and protect the same.

In making these observations, Your Honour, on what you have described as a matter of major importance, I would like to invoke Order 91 of our Standing Orders and ask that the matter be referred to the Committee of Privileges and that the inquiry – the matter, as regards an attack on the Speaker’s integrity and imputing bias and partisanship – is sufficient *prima facie* to be sent to the Committee of Privileges for its adjudication. And I so move. *[Applause]*

Question put.

Mr. Speaker: I thank the Prime Minister for his statement. Hon. Member, Ms. Teixeira, are you rising on a Point of Order?

Ms. Teixeira: I am rising to respond to the Prime Minister. He is raising a point of privilege, which is Standing Order 32 and not 91. So, I would like to speak.

Mr. Speaker: I thank you. Will you take your seat, please? The Hon. Prime Minister has read to this House...I beg your pardon, just one moment.

Hon. Members, the Hon. Prime Minister has moved a Motion of Privilege. The Court finds...

Ms. Teixeira: The Court?

Mr. Speaker: Yes. The Speaker finds that the movement – the motion – is properly made and this matter will be sent to the Committee of Privileges for consideration. Hon. Member, Mr. Harry Gill, will answer to the Committee of Privileges for his conduct in this matter. Thank you.

Motion Carried.

Mr. Speaker: Hon. Member Ms. Teixeira, you know that under Standing Order 32 (4) there is no debate. So, would you please resume your seat?

Ms. Teixeira: Mr. Speaker, the Motion of Privilege was not properly put in the first place. We know because we have brought Motions of Privilege. If there is a hurry to bring Mr. Gill, what has happened to the Motion of Privilege to do with Dr. Norton in the House? Where is that?
[Inaudible]... [Interruption]

Mr. Speaker, under the Constitution of Guyana, Article 146, the Freedom of Expression contains outside of this House. No one has shown any disrespect to you, Sir.

Mr. Speaker: Hon. Member, you are Out of Order. Could you resume your seat?

[Interruption]

Hon. Members, the last set of the remarks will be expunged from the record. Those remarks were made without the permission of the Speaker. A Member must at least obtain the authority of the Speaker if he is going to address this House. That rule has not changed and it will not change.

I thank you.

COMMITTEES BUSINESS –

MOTION

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

BE IT RESOLVED:

That the National Assembly adopts the Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services for the period September 10, 2015 to February 16, 2018. [*Mr. John Adams, Chairman of the Parliamentary Sectoral Committee on Social Services.*]

Mr. Adams: Mr. Speaker,

“BE IT RESOLVED:

That the National Assembly adopts the Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services for the period September 10, 2015 to February 16, 2018.”

I thank you.

Mr. Speaker: There are a number of speakers to this motion. The first speaker is the Hon. Vishnu Mahadeo. You have the floor Sir.

Dr. Mahadeo: Thank you, Mr. Speaker. By the way, Mr. Speaker, my name is Vishwa Mahadeo.

Mr. Speaker: Hon. Member, Dr. Mahadeo, I thank you for bringing it to my mind. Please proceed.

Dr. Mahadeo: Mr. Speaker, thanks for giving me the opportunity to speak on this Report – the Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services. It has been a privilege to be a part of this Committee and to work collaboratively with all the Members in the Committee to complete the tasks that we had set ourselves within the timeframe.

Over this period of time, Mr. Adams was the Chairperson from September, 2015 to January, 2017 and Dr. Persaud was the Chairperson from January, 2017 to 16th February, 2018. I would

say that, especially in the latter half from 27th January to 16th February, we did a lot of work and a lot of business. The only task that we had assigned ourselves that we could not have completed and up to now we have not completed was the visit to Region 9. It was due to the weather conditions and the difficulty to travel by road to Region 9. So, the Committee thought it best to postpone that visit until the roads get better and we could visit the areas that we want to visit.

Over that period of time, we had 14 meetings – four chaired by Mr. Adams and 10 by Dr. Persaud. We visited the New Amsterdam Public Hospital, East Bank Demerara Regional Hospital, Linden Hospital Complex, Georgetown Public Hospital Corporation (GPHC), Suddie Hospital, the National Insurance Scheme (NIS), the Amerindian Hostel, the police station, schools and students' hostel. We made a lot of observations ... [*Interruption*]

[*Mr. Speaker hit the gavel*]

Mr. Speaker: Dr. Mahadeo, please take your seat. Hon. Members, outbursts which are suitable for another place ought not to be visited upon Members in this House. It must be possible for us as adults and responsible Members of this House to conduct ourselves in a better manner.

Please proceed, Dr. Mahadeo.

Dr. Mahadeo: Thank you, Mr. Speaker.

Like I said, we visited a lot places, we observed what was happening and we made recommendations, some of them were discussed in the last sitting of this Parliament. Some of these recommendations are still to be carried out. So, I hope, like I said the last time, we would visit and follow-up to see how far they have gone and what else needs to be done. I am sure my Colleague, MP - well, I know that he agrees with me – in fact, he proposed it first.

We also had presentations. The police came and they had a presentation. The Committee was particularly concerned with alcohol and the sale of alcohol to minors. I must say that the police came and we asked some hard questions – maybe, the other Members on the Committee will talk about them. I must say that I was particularly impressed with the police, especially Senior Superintendent Blanhum, who seemed to have the information that we needed on his fingertips. They were supposed to follow-up with us on some information about what numbers they might have of persons who were prosecuted for selling alcohol to minors. One of the issues in

particular that we raised was an issue of alcohol being sold at *ad hoc* events and at school events, like school sports and so.

3.49 p.m.

We encourage that the law needs to be enforced and persons need to be prosecuted, as the case might be.

This House and the nation know that we have a particular interest in the number of suicide and a seminar on suicide was organised through the Committee. I would like to say thanks to the staff of the Parliament Office that facilitated all of our work. They did an excellent job. They kept reminding us when we did not submit what we were supposed to submit.

The seminar on suicide played an important part. We had a huge meeting in this Chamber. Dr. Adu-Krow and other persons were here from the Pan American Health Organization (PAHO). Presentations and recommendations were made, including the recommendation that suicide needs to be de-criminalised. There are a lot of follow-up that need to be done. For the recommendations that were made, I am sure that we need to bring some of them to the House, maybe for them to go into the law.

In addition to that, we also had a seminar on sexual harassment in the workplace where Dr. Paloma Mohamed did a presentation. I think it was well received also. We had a lot of suggestions and, again, these suggestions need to be carried out.

I would like to say thanks to the staff of the Parliament Office. I would also like to say that, from January last year to this year, we have had monthly meetings, except for those months when the National Assembly was in recess. Thank you to everybody, the staff from the Parliament Office and Hon. Members of the Committee, for what we have achieved.

I hope the roads would improve soon and the visit to Region 9 could be completed. I hope that the Committee continues to function efficiently so that our next report would be just as good.

Thank you, Mr. Speaker.

Mr. Charlie: I rise to join my Colleague on this side of the House in speaking on this Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services. My Colleague has already elaborated on most of what I had to say.

A point to note: I hope that all the recommendations, which the Committee came up with, would be taken on board, especially in relation to the health and education sectors. The Committee had visited the Charity Secondary School, the Amerindian Hostel, where most Amerindian children stay during their schooling in Charity, and the Oscar Joseph District Hospital. There are also Amerindians who live in the riverain area in the Pomeroun area and on the coast. They go to these hospitals to access health services.

In Suddie, there are also Amerindian communities around that catchment, who depend on the Suddie Hospital for medical services.

I hope that the recommendations would improve the system there and that all recommendations would be taken on board for the better implementation of services at these institutions.

With this, I would like to thank all Members of the Committee and the support staff of the Parliament Office for making this Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services a success. Thank you.

Dr. Persaud: The Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services chronicles three years of work done by this Committee. It gave us, the Committee Members, the opportunity to have insight on the spot on the workings of various institutions across the country. I had the privilege of serving as well as Chairing this Committee and I must say thank you to all of the Colleagues who compose this Committee; and a special thank you to the Clerk and staff of the Parliament Office for making the Committee's work much easier than it would be without them. Many thanks to you.

During the period identified, 2015 to 2018, we focused on key areas, including health, education and youth, both on our visits and in meetings held in the Committee. I must say that some things were disappointing and others were heartening. What came out in all of the work that we did was statistics - the need for data collection – and the need for monitoring and evaluation, based on the

Committee's Report. I would like to propose that our Committees' Reports be looked at to see if the Committees are having the necessary impact which they ought to have.

Committees are critical to the workings of the National Assembly. When the Committee meets, at post-visits, post-meetings or post-engagements with various institutions, many recommendations are given. It is imperative that these recommendations be acted on and that follow-up be done. Follow-ups are done to an extent, but not as often as we would want. What is a limitation of our visits and reports is that when we go at a particular time, the reports take a while to get to the House. So, what may have been the positions at that point in time, one year or six months after, we need to know what the situation is then. I think it would be useful to have a comparative analysis of the years of work. We should bring to the House how effective the Committees are and how effective they are to workings of the National Assembly.

In addition to our visits across the country, Regions 6, 2 and 4, we got the opportunity to meet with Dr. Carissa Etienne, who was visiting, and we had a very informative meeting with her. She was able to sit with us and discuss many things of importance to PAHO and the World Health Organization (WHO). She represented those organisations. We were able to give recommendations to several Ministries with regard to the health and well-being of youths. We talked about nutrition and lifestyle, including exercise, and how the youthful population in schools could benefit from those suggestions. I saw that one or two of those were taken on board by the Ministry of Education and I was very heartened to see that. We also need to look at the burden on the healthcare system when preventative medicine is not taken on board, even from a very early age in someone's life.

With regard to alcohol, we looked, in detail, at the void that exists in the current legislation. There are excellent pieces of legislation when it comes to drinking and driving but there are missing gaps when it comes to minors, in terms of the sale of alcohol to young people at *ad hoc* events. We also looked at the sale of alcohol on religious holidays. We would be examining this aspect of the sale of alcohol a bit more in our Committee. Then, we would be in a better position to propose amendments or new legislation to this House, which we hope would be taken on board.

In addition to work done on alcohol, we also looked at a very sensitive subject, that of sexual harassment. In our legislation, there is no real mention of this. There is space for us to come up with legislation that deals with this because people in our country experience sexual harassment very frequently. We would like to see that they have avenues so they could feel better protected, and so that we can see a lessening of this in our work environment, in particular, and also in other environments.

We were also able to present several reports based on our visits. These reports definitely highlighted some areas of concern for us as Committee Members, especially in the areas of health and education. Those reports have been ventilated in the National Assembly and I trust that the recommendations we advanced, from the discussions within the Committee, would be utilised to strengthen and improve those institutions.

Mr. Speaker, therefore, I am very happy to have this Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services here. I would like to, once again, thank everyone who contributed to it so that we could, at the end of our three years, say we have done some work and we are ready to build on more of it.

I thank you, Mr. Speaker.

Mr. Adams: I would like to join the rest of my Colleagues from this Committee in expressing our gratitude to the Clerk of Committees. I trust that we continue to work together, as we seek to make the work easier for the Parliament of Guyana.

Most of the Members touched on everything that was done by this Committee. The Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services is a compilation of the Committee's work over that period.

I must add that it is our intention to continue the work that remains and speak with the Guyana Revenue Authority (GRA) to see what legislation are in place for the sale of alcohol to minors and for us to make recommendations to the National Assembly on the sale of alcohol. We noticed that it is only on Good Friday, in the legislation, that the sale of alcohol is prevented. It is our hope that we could make recommendations to the House for the other religious holidays to have the same benefit.

What is important to note is that, for the seminar on sexual harassment, we targeted the staff of the Parliament Office. It was good to note that none of them complained or mentioned being sexually harassed in the work place. We know that, at the Parliament Office, we are in good hands.

There were some recommendations made to the Ministry of Public Health and the Ministry of Education in regard to the sale of aerated beverages. We trust that something could be done at the Ministry of Education to ensure that the schools' canteens do not sell aerated beverages to minors. It is very important to us in this Committee.

Once again, I would like to thank the Members of this Committee. We pledge that the work we were not able to finish in this Session would continue after the recess. I now present this Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services for passage in the House.

Question put and agreed to.

Motion carried.

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

Mr. Chairman: Hon. Members, it is 4.00 o'clock. I am minded to press on to take advantage of the time, but I would be guided by the Standing Orders. We would adjourn now and return at 5.05 p.m.

Sitting suspended at 4.02 p.m.

Sitting resumed at 5.20 p.m.

Mr. Speaker: Hon. Members, we continue our consideration of matters relating to Committees' Business.

CYLINDER CAPACITY FOR DUTY-FREE CONCESSION TO BE GRANTED TO THE ACCOUNTANT AND ATTORNEY-AT-LAW OF THE FINANCIAL INTELLIGENCE UNIT (FIU)

Mr. Speaker: The Hon. Minister of Social Cohesion with responsibilities for Culture, Youth and Sport and Chairperson of the Committee on Appointments will move the motion.

5.22 p.m.

Minister of Social Cohesion [Dr. Norton]: Mr. Speaker, could I be given five minutes?

Mr. Speaker: Hon. Members, I crave your indulgence for a few minutes, not five minutes, perhaps two minutes, so that the Hon. Member would be able to put himself in order.

Is the Hon. Member ready to proceed?

Dr. Norton: Yes, Mr. Speaker.

Mr. Speaker: Thank you. Please proceed.

Dr. Norton:

“WHEREAS in keeping with the Anti-Money Laundering And Countering the Financing of Terrorism (Amendment Act 2015, Act No. 1 of 2015, which states:

The Principal Act is amended by the substitution for section 9 of the following section as section 6, Subclause 4 (b) -

(3A) The Financial Intelligence Unit shall include-

b) An attorney-at-law and an accountant appointed by the Parliamentary Committee on Appointments from a short list provided, based on applications in response to public advertisement.

AND WHEREAS the Committee had advertised the position of Accountant and subsequently shortlisted ten (10) applicants, but interviewed nine (9), since one (1) applicant withdrew from the position.

AND WHEREAS the Committee also, had advertised for the position of Attorney-at-Law and subsequently shortlisted six (6) applicants, but interviewed five (5), since one (1) applicant withdrew.

AND WHEREAS the Committee on Appointments after deliberation reached a consensus by majority and recommended **Mr. Surendra Lall Boodhoo** and **Mrs. Yonette Romao Scarville**, as suitable persons to be appointed as the **Accountant** and **Attorney-at-Law**, respectively of the Financial Intelligence Unit (FIU) in accordance with the Anti- Money Laundering & Countering the Financing of Terrorism (Amendment) Act 2015, Act No. 1 of 2015.

AND WHEREAS the Committee deliberated at its 30th Meeting held on 28th March, 2018, and agreed to offer **Mr. Surendra Lall Boodhoo** and **Mrs. Yonette Romao Scarville, Accountant and Attorney-at-Law** respectively, duty free concessions for vehicle at 2000- cylinder capacity (c.c), respectively.

BE IT RESOLVED:

That this National Assembly adopts this Motion of the Standing Committee on Appointments to address matters relating to the cylinder capacity for duty-free concession to be granted to the Accountant and Attorney-at-Law of the Financial Intelligence Unit.

BE IT FURTHER RESOLVED:

That this National Assembly signifies to the Clerk of the National Assembly that **Mr. Surendra Lall Boodhoo** and **Mrs. Yonette Romao Scarville** be granted duty free concession in accordance with section 5, of the Anti-Money Laundering and Countering the Financing of Terrorism Act No. 1 of 2015.”

Motion proposed.

Mr. Speaker: I thank the Hon. Member. We have a list of speakers and the Hon. Irfaan Ali is the next speaker.

Mr. Ali: Thank you very much, Mr. Speaker. Whilst the motion, as would have been advanced by the Hon. Minister, sounds simplistic, this is a motion that can have many implications for other Parliamentary Committees, other sectors and players within the Government and the Executive and other bodies that the Committee on Appointments sets up.

To begin with, coming with a motion to address this issue, in my view and the view of us on this side of the House, is not and should not be the approach. If we want to address the issues of benefits for employees of the Financial Intelligence Unit (FIU), it should have been addressed in the law itself. As the Hon. Minister quoted:

“The Financial Intelligence Unit shall include-

- b) An attorney-at-law and an accountant appointed by the Parliamentary Committee on Appointments from a short list provided, based on applications in response to public advertisement.”

It does not go beyond that. The fact is that the Committee on Appointments wants to bring a benefit for two employees within that Unit. To do this, we have to amend the law and make it part of their benefit in the law, which is the first point.

The second point is that I do not think the Committee on Appointments could just delegate this task to the Clerk of the National Assembly. The Minister of Finance and the Commissioner General are the ones recognised in the law to exercise this power and authority. So, it has to be a recommendation to the Minister of Finance who would then put things in train for such a concession to be granted.

I would not want to say that the Committee would have erred, but I think the request is wrongly placed coming through this motion. Let me say, Hon. Minister and Mr. Speaker, we do not have any problem in terms of giving those who serve our county and serve us more benefits. But the fact is that, if we are adjusting, we cannot adjust based on individuals or a Committee; we have to adjust based on principles and position. So, we have to say that we are going to create a new category of posts that will benefit from such concession. For example, there would be other persons appointed by the Committee on Appointments who may now say that they are of the same qualification, functioning in the same capacity or on the same level and should be considered for the granting of duty-free concession.

So, I would want to propose three points to the Hon. Minister.

Firstly, he may want to bring an amendment to the Act to deal with this issue.

Secondly, we could have a holistic position in dealing with all positions in this category, that they are now going to be given equal and same treatment.

Thirdly, we cannot direct the Commissioner-General or the Minister of Finance. We cannot sit here in this House and say to the Clerk that we are directing him to do this. Not only will we be breaching different Acts and laws, but we will be eroding the functions and responsibilities of the Minister of Finance.

So, I wish to put these recommendations to the Hon. Minister. We have enough time to correct our ways and do this the right way.

Thank you very much.

Mr. Anamayah: Firstly, I wish to say that I endorse all that my Hon. Colleague, Mr. Irfaan Ali has said in terms of how this motion is placed and if this was the proper course to have these benefits conferred on the individuals.

The motion itself is a lot of fluff and verbiage, but when you get down to it, the basic intent is to confer benefits for duty-free concessions on two individuals only, an Accountant and Attorney-at-Law in the Financial Intelligence Unit. As my Hon. Friend, Mr. Ali, said, it would raise eyebrows. Why we are doing it for only two individuals? What criteria were used? It seems as if this was just handpicked. We cannot have policy done like this. We cannot have an *ad hoc*, *willy-nilly* operation. Is it simply because there was a meeting and there was an agreement that you offer these concessions? Is this an act of benevolence?

The Hon. Irfaan Ali alluded to it. We cannot ignore the elephant in the room and that is the other statutory agencies or other persons who would be or are employed on the same tier or level. There are other officeholders who are serving our Government and country, for example officeholders at the Guyana Forestry Commission (GFC), Guyana Geology and Mines Commission (GGMC), Guyana Lands and Surveys Commission (GL&SC). Why can all of these officers, who are similarly qualified - some are even more highly qualified – not be treated the same way? It does not seem right, to choose my words very carefully. It seems as though these two individuals are being singled out for benefits when there is a host of others who are working as just as hard and are not going to benefit. Now, a precedent is being set and we have not heard,

from the Minister, the rationale behind it. We have not heard the special need for the specific concession of the 2000 cylinder capacity (cc). *[Interruption]*

[Mr. Speaker hit the gavel]

Thank you for your protection, Mr. Speaker. In this House, we have not heard, from the Hon. Minister, the rationale. We are still in the dark. We do not know how that came about.

As I said, in the public sector, there are guidelines and there is a transparent system as to how one qualifies for such benefits and how the benefits are conferred. Take, for example, by analogy, our hardworking teachers. A head teacher or deputy head teacher is entitled to duty-free concessions but only after being in the system for several years and when they would have been elevated to the position of head or deputy head and they must have three years of service remaining.

So, there are criteria and a policy and it is clear and everyone understands it. It offers some level of protection to the Government because it is giving the benefit and is guaranteed additional service from the recipient. The teachers are serving our children and country well, yet they are limited to 1500 cc. That is their cap. Here, we have a request for the granting of 2000 cc. That, in itself, is another issue. There is a specific type of vehicle, it seems, that this job requires, but, again, there is no explanation as to why.

If we look at the regime for our hardworking Policemen and women in this country, only at the rank of Inspector does one qualify for duty-free concession and then it is only conferred on someone depending on his or her posting. If where one is posted requires a vehicle of a certain kind – one has to do a lot of driving, perhaps, in the posting or, for example, one is a Prosecutor in a particular district and is required to travel a lot – maybe then one would qualify. We understand that rationale.

5.37 p.m.

In the same Police Force, at the level of Assistant Commissioner of Police (ACP), one is automatically qualified, but one would not have reached there unless one had put in one's dues. One would have had to serve a number of years to get to that point and, again, it is only 1500 cc.

The Hon. Minister has some explaining to do to clear up these concerns that we have and to confirm, also, whether both the Accountant and the Attorney-at-Law have taken up their appointments. When last we checked, only one person had taken up the appointment. It, therefore, means that this whole motion is for the benefit of one person only.

With these few observations, this is my contribution to the debate.

Mr. Neendkumar: Mr. Speaker. I rise to speak on this motion, which addresses cylinder capacity for duty-free concession to be granted to the Accountant and the Attorney-at-Law of the Financial Intelligence Unit.

From the outset, let me state that, regarding this matter, I am very concerned from a different aspect, from the perspective that, although there are clear rules stated in the Standing Orders, this honourable House is now reduced to an agency granting duty-free concessions. This in itself can be considered as an abuse of the fact that the Coalition has a majority and it flies in the face of the objectivity required in addressing more pertinent matters affecting this nation. Under no circumstances should the granting and/or non-granting of duty-free concession be a subject matter for this House. This matter should have never been brought to this House in the first place.

As we are here, however, I will highlight some of the undercurrents of the proposed Bill. This motion is asking this House to consider approving duty-free concession on motor vehicles of 2000 cc for use by the Accountant and the Attorney-at-Law attached to the FIU. To this proposal, I ask: why is it that this A Partnership for National Unity/Alliance For Change (APNU/AFC) Coalition Government continues to be partisan by only looking after the interests of some specific people? It would be recalled that, amongst the first thing this Government did after the May, 2015 Elections, was give itself “super fat cat” salaries. Since then, their promises to the public servants and other sections of the workforce have never been realised. Rather, the good life expectations was reduced and limited to sheer crumbs. Their approach targeted young Amerindians of which approximately 2000 were dismissed and placed on the breadline. It is very sad to know that the Hinterland Employment and Youth Service (HEYS) Programme was put on hold deliberately to punish the young Indigenous people.

As this Government keeps telling this nation about the good life, we have witnessed thousands of sugar workers also placed on the breadline.

Then, there were the rice farmers who were promised \$10,000 a bag for paddy which subsequently became a resounding “no”!

The Public Service Register of Travelling Positions is clear regarding the categories by Ministries, Agencies and Departments which should be beneficiaries and the level of benefits which should be accorded. It needs to be explained by the Hon. Minister under which category these two positions would be listed.

Further, we need to know the justification for the recommendation for the Attorney-at-Law and the Accountant to be given duty-free concessions, in the context of their expected functions when compared to other categories of civil service officials, who seem to be more qualified as travelling positions but are not being recommended.

We do not have to venture too far to recognise that Members of the Local Government Commission (LGC) would be required to travel the length and breadth of this country to properly execute their functions. However, they have not been the subject of such necessary considerations. The lopsided approach, therefore, must be looked at.

We need to understand that, by granting these two positions all these concessions, we will be creating a serious precedent in the entire civil service and all the related agencies. There are literally hundreds of similar cases in the Ministries, State Agencies, semi-autonomous bodies, Constitutional Agencies, Regions and Municipalities. We must now agree to give all these persons the same duty-free benefits.

The employment packages for these two positions are more than adequate to guarantee approval within the banking sector for them to obtain loans to purchase vehicles. Why is there special treatment for this category only?

The Department of Public Service’s rules are clear. The Department has a Register of eligible officers. The band or scale levels within the Financial Intelligence Unit (FIU) must be looked at as well as the fact that the body has already been provided with vehicles and other resources for the operation of its staff. The situation, in my view, must be justified, not only against that

backdrop, but also in the context of why more deserving entities are not being considered and recommended.

I remind this honourable House that the People's Progressive Party/Civic (PPP/C) Government had created the conditions for the local automotive dealers to grant concessionary terms, terms which are favourable and allow would-be owners to purchase vehicles over a period of time. The staff under scrutiny, based on their enhanced packages, can easily approach the dealers and purchase their own vehicles.

I was approached by several eminent doctors in our country. They are saying that they understand that the duty-free concessions for doctors would be taken away. What nonsense is this, Mr. Speaker? What is going on in this country? Would only friends, families and Party comrades be getting things?

I want to say that, instead of the Minister bringing this motion, he should have brought a motion empowering the Commissioner-General to do his work and allow Mr. Statia to do his work. The Minister should not have come here and waste the time of this National Assembly because the Government has a one-seat majority.

I am not in favour of this. Thank you.

Bishop Edghill: For the record, I am a Member of the Parliamentary Sectoral Committee on Appointments. I would like to express, from the beginning, that the sixth Clause states:

“AND WHEREAS the Committee on Appointments after deliberation reached a consensus by majority...”

I would like to indicate that I am not aware that “consensus by majority” was reached in the Committee. Maybe, the motion should have said the “majority of Members present proposed...” That is the first thing I would like to identify.

Secondly, last Friday, we dealt, extensively, with the amendment to the anti-money laundering regime. Act No. 1 of 2015, which also created the Anti-Money Laundering Authority and which is still on the Order Paper and have not yet been dealt with, created an environment for the

Committee on Appointments to hire a Director, a Deputy Director, an Accountant and an Attorney-at-Law for the FIU.

Just to remind us, this side of the House did not support two of those appointments and the reasons for the non-support are well stated on the record.

What is very interesting in this motion is that what should have been a simple exchange of correspondence between the FIU, whose subject Minister is the Minister of Finance, and the Commissioner General has now come to this National Assembly as a motion. Am I to wonder whether that exchange of correspondence took place, the Commissioner-General said no, and, as a result, we are here to give Parliamentary approval and “big stick” to order a particular action?

I sat as a Member of the Committee when the Terms of Reference (TOR) and qualification criteria were set for all of these positions. The qualifications for the Attorney-at-Law of the FIU were the same qualifications for a State Counsel at the Attorney General’s Chambers and at the Director of Public Prosecutions (DPP) Chambers. Do State Counsels at the DPP Chambers and at the Attorney General’s Chambers enjoy duty-free vehicles of 2000 cc? The answer is no.

The criteria for the Accountant are the same criteria for an Accountant in any Ministry or Agency. This is not a super person. Does any public servant who has the Association of Chartered Certified Accountants (ACCA) or a Bachelor’s Degree in Accounting enjoy a duty-free concession of 2000 cc? The answer is no.

Let us come down to the brass tacks of this motion. Let me make it very clear. One of the persons in this motion, Mr. Boodhoo...

Mr. Speaker: Hon. Member, I would ask you not to...

Bishop Edghill: Sir, his name is in the motion.

Mr. Speaker: Hon. Member, his name is in the motion. However, whatever you are going to impute to him or suggest about him I will not allow it.

Bishop Edghill: Sir, I am not imputing anything to anyone. I am stating a matter of fact that, as of today, the distinguished gentleman is not employed at the Financial Intelligence Unit.

Mr. Speaker: Thank you.

Bishop Edghill: This motion is really to grant a 2000 cc to the Attorney-at-Law who was always employed at the Financial Intelligence Unit, even before the Committee on Appointments granted her the new status. It was declared in this House that we believe that she should not have been given the job because she is a politically exposed person (PEP).

5.52 p.m.

It is clear that this motion is seeking to do for an individual what the Commissioner General by law and statute is not entitled to do. This motion is asking that we signify to the Clerk of the National Assembly that these persons must get duty-free concession. When this motion is passed by majority this afternoon and we tell the Clerk that, what would the Clerk do? Does the Clerk have any power to grant duty-free concession to anybody? The answer to that is no.

Even if the Clerk writes the Commissioner General and says to the Commissioner General that the National Assembly said that you must give duty-free concession to this individual of up to 2,000cc who is at the Financial Intelligence Unit (FIU), the distinguished Commissioner General, who is on public record saying that he is operating based upon principle, would write and say if you want me to do that amend the law. This is just wasting the time of National Assembly.

This motion is outside of the scope of the Committee that is presenting it. The Committee on Appointments has no jurisdiction or authority, whatsoever, to determine who gets duty-free concession of what capacity. That is already determined based upon policy and days of discretion of when a Minister could determine who gets duty-free concession were long gone. It is still based on regulation and that is controlled by the Commissioner General. That was done under the People's Progressive Party/Civic (PPP/C). The power of a Minister to grant duty-free concession was removed and it was placed in a manner where there is a regime that is controlled by the Commissioner General. This motion is outside of the scope of the National Assembly.

I would also want to make the point that everybody in this National Assembly who holds some position of leadership should know that if fairness is to prevail, principles must be set and then the personalities fit into that principle. If ten people apply for a job and go to an interview and when the package is discussed, some decline and some say thank you, no thank you, because this

is the package, and then somebody takes the package and when that person gets into the seat, that person renegotiates and says, “I would like to have better benefit”, because that person knows that benefit would be granted, it means that the process gives an advantage to somebody above the other applicants. This motion is exposing it and it simply states that our objection at that time is not justified today by the presentation of this motion in this National Assembly. This is what is serious.

Let us make it very clear: This PPP/C Administration was not about taking away benefits from anybody. We were prepared to give benefits to people. If it is a case where we would like to give people higher capacity vehicles, let us do it across the board. Let us create a new category. I am advised that we are now at band 14 in some salary scale as against what was band 13. We could simply put a policy in place and we make the necessary adjustments. I have a difficulty when something is being done to suit an individual as against formulating a policy which would be administered based upon principle. This is the issue that is before us.

Finally, the issue here is the interrupting of parity. This National Assembly would be creating, by this motion, if it is passed by majority, disaffection in a wide cross section of the public service. I do not know if the persons who participated at that Committee, where I was not present, which this motion represents consensus by majority, did not understand what they were actually doing. My colleague, the Hon. Member Adrian Anamayah, highlighted teachers and head teachers, police officers, military officers and senior public servants. Just a simple thing to suit a particular person, we are destroying parity and interrupting a regime of where everybody understood what were the benefits and creating great disaffection. I do not believe that this honourable House should be involved in such an exercise.

I make these comments respectfully and I believe that this motion should be withdrawn and the Committee on Appointments, those who participated, should recognise that this motion has no teeth because even if it is passed by the majority, the Clerk of the National Assembly has no power to grant duty-free concession to anyone.

Thank you very much Mr. Speaker. [*Applause*]

Dr. Norton (replying): This was a motion from the Committee on Appointments and just for the records, I was appointed chairman of that Committee along with my colleagues, the Minister

Ally, Minister Patterson, Minister Hughes and Minister Ferguson. From the People's Progressive Party we had Ms. Teixeira, Bishop Juan Edghill, Mr. Ganga Persaud and Ms. Veersammy. We all made up that Committee. This was the report we presented to the National Assembly. I sincerely take this opportunity to thank the Members for their contributions to this motion and I would now refer the finding of this report to the Minister of Finance for the way forward. Thank you.

Mr. Speaker: Hon. Member Dr. Norton, I wonder whether you would like to make clear to the House what it was you were suggesting.

Mr. Norton: I move that the motion be adopted.

Question put.

Ms. Teixeira: Division.

Mr. Speaker: Hon. Member Mr Ali has risen in the middle of a vote.

Mr. Ali: No. I got up before, Sir.

Mr. Speaker: Well, you have to take your seat.

Mr. Ali: Sir, we are passing something here tonight.

Mr. Speaker: Hon. Member, the Speaker cannot assist in that regard. The House must assist. Has there been a call for division, Hon. Members?

Bishop Edghill: Division.

Assembly divided, Noes 28, Ayes 26, did not vote 3, as follows:

Noes

Mr. Bharrat

Ms. Veerasammy

Mr. Gill

Mr. Anamayah

Mr. Dharamlall

Mr. Charlie

Mr. Damon

Dr. Mahadeo

Mr. Chand

Mr. Neendkumar

Ms. Pearson-Fredericks

Mr. G. Persaud

Mr. Mustapha

Ms. Selman

Dr. Ramsaran

Ms. Burton-Persaud

Mr. Croal

Mr. Hamilton

Dr. Persaud

Bishop Edghill

Mr. Lumumba

Dr. Anthony

Ms. Manickchand

Mr. Nandlall

Mr. Ali

Ms. Teixeira

Mr. Rohee

Dr. Jagdeo

Ayes

Mr. Rutherford

Mr. Rajkumar

Mr. C. Persaud

Mr. Figueira

Mr. Carrington

Mr. Allen

Mr. Adams

Ms. Bancroft

Ms. Patterson

Ms. Henry

Ms. Charles-Broomes

Dr. Cummings

Mr. Sharma

Ms. Garrido-Lowe

Ms. Hastings-Williams

Mr. Holder

Ms. Hughes

Mr. Patterson

Ms. Lawrence

Mr. Trotman

Dr. Norton

Mr. Bulkan

Dr. Roopnaraine

Lt. Col. (Ret'd) Harmon

Ms. Ally

Mr. Nagamootoo

6.07 p.m.

Did not vote

Mr. Gaskin

Mr. Ramjattan

Mr. Greenidge

Motion negatived.

**THE NINTH REPORT OF THE COMMITTEE ON APPOINTMENTS IN RELATION
TO THE APPOINTMENT OF MEMBERS OF THE RIGHTS OF THE CHILD
COMMISSION**

WHEREAS Article 212 U of the Constitution has established a Rights of the Child Commission;

AND WHEREAS in accordance with Article 212 U(2)(a) of the Constitution, the Rights of the Child Commission shall consist of -

- (a) *Not less than five nor more than fifteen members, with expertise in issues affecting children, nominated by entities, by a consensual mechanism determined by the National Assembly, after the entities which shall include the Ministry with responsibility for Children’s affairs, the Ministry of Education, and organizations representing the interest of youth, are determined by the votes not less than two-thirds of all elected members of the National Assembly; and*
- (b) *A member who shall be a nominee, without the right to vote, chosen by and from each of the following commissions: the Human Rights Commission, Ethnic Relations Commission, and Women and Gender Equality Commission and Indigenous People’s Commission:*
- (c) AND WHEREAS the Parliamentary Standing Committee on Appointments (COA) examined the list of entities to nominate members to the Rights of the Child Commission in accordance with article 212 U (1)(a) of the Constitution; with regard to the number of members on the said Commission;

AND WHEREAS the Committee having deliberated on the identification of the entities for nomination to the Rights of the Child Commission unanimously agrees and proposes that the Commission be comprised of nominations from the list of entities in the First Schedule in the following categories:

Service	- 2
Religion	- 3
Youth	- 2
Women	- 2
Statutory Bodies	- 2
Professional Bodies	- 1
Other	- 1
Ministry of Education	- 1

AND WHEREAS the Committee also unanimously agreed on the consensual mechanism to guide the process for consultation and nomination of Members to the said Rights Commission herein at the Second Schedule:

“BE IT RESOLVED:

That this National Assembly approves the proposed representation of the above-mentioned categories from the list of entities;

BE IT FURTHER RESOLVED:

That this National Assembly adopts the Ninth Report of the Committee on Appointments in relation to the appointment of Members of the Rights of the Child Commission, which recommends the list of entities proposed in the forth “And Whereas” clause, to be consulted to nominate members of the Rights of the Child Commission” in keeping with article 212 U (1) (a) of the Constitution;

BE IT FURTHER RESOLVED:

That this National Assembly approves the consensual mechanism, outlined in the Second Schedule attached.”

FIRST SCHEDULE

Proposed entities to be consulted for the Nomination of Members of the Rights of the Child Commission

SERVICE- 2

Child Link

Community Based Rehabilitation Programme

Friends of the Needy

Generation Next

Guyana Legal Aid Clinic Inc.

Guyana Relief Council

Help and Shelter

Kids First Fund

Radio Needy Children's Fund

The Guyana Red Cross Society

Young Women's Christian Association of Guyana (YWCA)

RELIGION-3

Central Islamic Organisation of Guyana -1

Guyana Hindu Dharmic Sabha -1

YOUTH - 2

Youth For Change - (AFC) Youth Arm

Dharmic Naujawan (Dharmic Youth)

Guyana Congregational Young People's Union

Guyana Girl Guides Association

Guyana Junior Chamber (Jaycees)

Guyana Youth and Student Movement (GYSM)

Muslim Youth League

Diocese of Georgetown

Youth Challenge Guyana

Assembly of God Youth Ministries

Guyana Conference of Seventh-day- Adventists Church Youth Ministries

WOMEN – 2

Women's For Change - AFC

Mothers' Union Diocese of Guyana

AME Zion Church Women

Guyana Association of Women's Lawyers

Guyana Hindu Dharmic Sabha Mahalia Mandale

Guyana Women's Miners Association

Guyanese Women in Development (GUYWID)

National Congress of Women

National Committee of Sisters Affairs (NACOSA) (CIOG Women's Arm)

TUC Women's Advisory Council

Women Across Differences

Women's Progressive Organisation

STATUTORY BODIES – 2

National Commission on Disabilities – 1

National Commission on the Family - 1

PROFESSIONAL BODIES -1

Guyana Association of Professional Social Workers (GAPSW)

Guyana Nurses Association (GNA)

OTHER -1

African Cultural Development Association (ACDA)

Amerindian People's Association

Guyanese Organisation of Indigenous Peoples

Indian Action Committee (IAC)

Ministry of Health

National Tashaos Council

Pan African Movement

Guyana Rastafarian Council

Ministry of Education – 1

Ministry of Labour, Human Services and Social Security - 1

SECOND SCHEDULE

Consensual Mechanism for the Nomination by Entities of Members of the Rights of the Child Commission

All the Entities in each Group, immediately on the passage of this motion, shall be written to by the Clerk of the National Assembly inviting them to meet as a group, to select their nominees and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to Appoint Members of the Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Rights of the Child Commission.

A deadline shall be set by the Clerk of the National Assembly on advice by the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity. The Nominee/s chosen to represent the Group must be person/s who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges

all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity nominating them as well as the Entities within the Group.

Where there is a recognised “*umbrella organization*” in the list of entities for that Group, the Clerk shall write to that organisation and copy his letter to each of the “*constituent entities*” within the Group. [*Minister of Social Cohesion with responsibilities for Culture, Youth and Sport - Chairperson of the Committee on Appointments*]

Dr. Norton: In deciding on the way forward for the Rights of the Child Commission, the Committee agreed to accept the list of entities approved by the National Assembly during the Tenth Parliament to consult with. It decided that we will find out whether they were functioning or not and we made every effort to communicate with them, but the responses received from the entities consulted were very limited. Although follow-ups were made *via* telephone calls, a significant number of responses were still outstanding. We decided that an advertisement would be placed in the print media to target the non-responsive entities. The dates of publications were the 4th, 7th and 11th of February, 2018, giving a deadline to 13th February, 2018.

Further, it was decided that if an entity did not respond to the advertisement, it would be considered a disclaimer to the nomination process. It was also agreed that an updated list of entities, to be consulted, to submit nominees to be appointed to the Rights of the Child Commission which should be prepared to reflect any of the agencies that were functioning. We decided to not consider some entities that were seeking to be included and we also corrected some of the names that some of the entities were referred to.

At the 30th Meeting that the Committee held on Wednesday, 28th March, 2018, the Committee on Appointments examined and unanimously adopted its Ninth Report and the motion, together with the First and Second Schedules on the identification of the entities to the Rights of the Child Commission. The Committee further agreed that the Ninth Report, the motion with the First and Second Schedules should be presented to the Clerk of the National Assembly for transmission to the National Assembly.

The report and motion are accordingly submitted for approval.

Bishop Edghill: I think that it would save this Assembly much useful time, maybe, if the mover of this motion may want to consider withdrawing it at this stage before we have a serious development here this afternoon. It is for the simple reason that this motion requires a two-thirds majority. For a motion of this nature to come to the House without consensus is to create a difficulty. I think that it is almost a deficiency where leadership is concerned. To bring this motion to the House without having developed the assurance that it enjoys the support of the entire House is to almost create a crisis, an unnecessary crisis, as my friend, the former Minister of Finance, used to say “a manufactured controversy”. This is a manufactured controversy and it represents a thinking that we are losing it into saying that the majority of one will rule at all times. I think we are losing it.

May I remind the House that one of the reasons why we enshrined in the Constitution the need for a two-thirds majority? It is because we believe that these Rights Commissions are of such importance that they must serve all of our people beyond politics. We must be able to develop consensus. When I look at this motion, and to see the glaring omissions of what were agreed on, as of 2014, and the changes that were made to this document that is coming to the House in 2018, it means that there is either some baiting, somebody wants some manufactured controversy or somebody is testing the will of the Opposition.

I am strongly suggesting, very early, that this motion be withdrawn. I would like to present to you the following reasons:

The Constitution explains to us how the Rights Commissions should be constituted, not less than 5 and not more than 15. Article 212U(2)(a) of the Constitution outlines that.

Tonight, we are not determining the names of the persons who will sit as commissioners on this Rights of the Child Commission. We are mainly determining the entities to be consulted with. If we just cannot agree on the organisations that we should consult with, who will meet away from the National Assembly to determine who will be their nominee to the Rights of the Child Commission, it is creating controversy in the country unnecessary. It is unnecessary controversy.

Let me give an example. In the schedule that accompanies this motion, there are a number of organisations that we have to consult with. If we compare this to what was the agreed position as of 2014, and even if the Hon. Minister believes that it is because somebody did not respond to an advertisement in the newspaper that organisation should be left out, I want to point to him how important stakeholders have been left out from this motion.

Let us go to the service bodies in the schedules. Very important stakeholders have been left out. As of 2014, the service sector had to put up two commissioners. We were consulting with the Adventist Development Relief Agency (ADRA), Canadian Coalition for the Rights of Children, Community Based Rehabilitation Programme, Friends of the Needy, Guyana Legal Aid Clinic Inc., Guyana Relief Council, Guyana Responsible Parenthood Association (GRPA), Help and Shelter, Kids First Fund, Lions Clubs International – District 60 A, Radio Needy Children’s Fund, Rotary International - District 7830, the Salvation Army, the Guyana Red Cross Society, Young Men’s Christian Association (YMCA) of Guyana, Young Women’s Christian Association (YWCA) of Guyana. It was a long extensive list of people who will meet and will name their two representatives.

Hear which organisations this motion is representing now, in 2018: Child Link, Community Based Rehabilitation Programme, Friends of the Needy, Generation Next, Guyana Legal Aid Clinic Inc., Guyana Relief Council, Help and Shelter, Kids First Fund, Radio Needy Children’s Fund, the Guyana Red Cross Society, Young Women’s Christian Association (YWCA) of Guyana. You could see how many entities have been left out.

Let us go to religion. It means that the Government has really missed Madam Teixeira and the rest of us in the Committee on Appointments. The religious organisations had to put three nominees. Listen to what this motion is suggesting. It is two organisations to be consulted with, Central Islamic Organisation of Guyana - 1 and Guyana Hindu Dharmic Sabha - 1. The Christian community is left out. This A Partnership for National Unity/Alliance For Change (APNU/AFC) pro-Christian Government has left out from it motion, the Christian community. You want us to go ahead tonight.

For the youth bodies, it gets worse when we go to those. This is the Rights of the Child Commission. Previously, in 2014, these are who we consulted with Youth For Change, (AFC)

youth arm, Central Baptist Youth Fellowship, Church of Christ Youth Group, Dharmic Naujawan (Dharmic Youth), Full Gospel Fellowship, Generation Next, Guyana Congregational Young People's Union, Guyana Girl Guides Association, Guyana Junior Chamber (Jaycees), Guyana Network of Schools' Health Clubs, Guyana Youth and Student Movement (GYSM), Guyana Youth Development Association (GUYDA), Methodist Youth Club, Moravian Youth Club, Muslim Youth League, National Youth Commission, the President Youth Choice Award, the Progressive Youth Organisation, the Roman Catholic Youth Office, the Scouts Association of Guyana, the University of Guyana Student Society, the Voluntary Youth, the Volunteerism Support Platform, the Youth Challenge Guyana, the National Youth Ministries Department (Assemblies of God in Guyana) and the Youth Ministries Department of the Guyana Conference of Seven Day Adventist.

6.22 p.m.

Here is the list now of who they are consulting with in 2018 for youths: The Youth For Change, the Dharmic Naujawaan, the Guyana Congregational Union, the Guyana Girl Guides Association, Guyana Junior Chamber (Jaycees), the Guyana Youth and Student Movement, the Muslim Youth League, the Diocese of Georgetown, Youth Challenge Guyana, the Assemblies of God Youth and the Guyana Conference of Seven Day Adventist. Would you believe that they have left out the Progressive Youth Organisation of Guyana (PYO) which is one of the oldest youth organisations in this country? That is why I am saying that it is to withdraw it now because you know you are creating a controversy without any remedy. I remind the Government that if this motion fails tonight, it cannot come back until the Twelfth Parliament. If it does not get two-thirds, it cannot come back until the Twelfth Parliament. I do not know if we are creating a manufactured situation here and creating some confusion to go and tell people that the People's Progressive Party shut down the Rights of the Child Commission. You are creating a problem by this motion. It is improper.

When we go to women, the same thing occurs, but what is worse, the Constitution states that the Ministry which is responsible for children's rights automatically earns a place on this Rights of Child Commission. There is no Ministry of Labour, Human Services and Social Security that is gazetted in this APNU/AFC Government and still on the motion, the Ministry of Labour, Human Services and Social Security is in one place. Where is that Ministry? That is why I am saying,

withdraw it now, get it fixed and then bring it back. Maybe somebody can rise now and say withdraw it is because this is what is creating real problems.

I could continue along this line, but the motion of itself is so deficient. It shows that it was not properly thought out. It shows how narrow we have become in our thinking. Rather than giving flesh to article 13 of our Constitution which allows for participatory democracy, we are locking people out, including important key stakeholders. You expect that the PPP, the parliamentary Opposition, will agree to something such as that and then you bring it to us and say let us get two-thirds majority. It is really telling the people you do not want it because you are killing it even before you bring it. It is stillborn. I think this is a good time to say the reason why we are having this is because there is a real crisis for real mature, political dialogue in our country. If we have mature, political dialogue in this country we would not be here tonight dealing with a motion that is so deficient.

I served in the Tenth Parliament Sir, on the Committee on Appointments as well and when we had difficult things to do we knew that Madam Gail Teixeira and Madam Anna Ally would have retired, they would have consulted, they would have checked with their principals, we would have got an agreement and then we would have come back. Are you trying to tell me that you have become so accustomed with the vote of one that you forgot the real need for mature, political dialogue and you would bring something such as this to the National Assembly and expect it to be passed? I am begging of us: Let us do better than this.

This nation needs to see this Parliament is working for its benefit. It is to rob this country of an important constitutional body such as the Rights of the Child Commission - I need to say this - whose term of office has expired moons ago because they were all sworn in for three years since 2010, or somewhere there about. This commission has long expired. We, in the PPP/C, did not take the position that was taken by the People's National Congress (PNC), APNU when they were in Opposition to go to the courts and get an injunction to stop the functioning of a commission. We let it go on, even in the Committee. We took a responsible position of keeping the Rights of the Child Committee functioning until we could get agreement to get this thing going and now we are going to come to this point and present a motion such as this. Trust needs to be built, Sir, and we need to get that done. We need to see better quality outcomes. This is not what the Guyanese people want.

I stand here with a clear conscience to say that, as a National Assembly, we can do better. If we get to what we know to do, and that is political dialogue. We can do better. The people of Guyana are demanding upon us to do better and this is a reflection of that lacking that is taking place in the country.

When there is consensus, it allows for all to support what is taking place. I want to say to you, Sir, and to this National Assembly and to the nation, all of the Rights Commissions are enshrined in the Constitution, including the Public Procurement Commission, which is outside of the ambit of the Rights Commission, we supported and we would like to see all of them functioning in a manner that serves our people best.

You would recall, Mr. Speaker, we could not get the Public Procurement Commission going. Why? When we were in Government, we said that we should have three while the Opposition should have two. The Opposition said no that it needs three and we must take two.

[**Mr. Ramjattan:** That is not true.] Yes. That was it. When we came into office, we agreed that the Government should take three votes and we would take two, and we have a Public Procurement Commission, hence to the support of the People's Progressive Party/Civic. We showed our maturity; we showed how magnanimous we are; we showed how willing we were prepared to negotiate.

We have a situation here where I do not think we should really put this nation through pain, where we should not send any negative signals to our children and our young people, that they are not being taken care of. Mr. Speaker, I would like to remind you...[*Interruption*]

Mr. Speaker: Hon. Members, a Member is on the floor. We ought to let that Member be heard and where Members have different views that they wish to express, it is possible to do it outside of the chamber. It does not have to be done in the chamber to prevent other Members from being heard. Please proceed.

Bishop Edghill: When I look at the terms of reference based upon the Constitution 212V and from the other organisations we would have left out, such as the Guyana Bar Association which is to help in advancing rights and protecting rights and the Medical Council of Guyana, standing here to make more arguments would just be pontificating and wasting time.

I have consulted with the Leader of the Opposition and he has agreed that he is prepared to accommodate the Government withdrawing this motion and we get it properly developed based upon consensus so that it would not die here, but instead, it would return to the floor where we can be able to give support and service to the people of Guyana what they deserve. He has indicated that he has made that offer as well to the Chief Whip of the Government's side.

Thank you very much, Sir. [*Applause*]

Mr. G. Persaud: I think the position of this side of the House is very clear and I just wish to reiterate a few points.

One, these Rights Commissions, the intention or rationale behind each of them is to ensure that we in this Parliament benefit from maximum participation of the wider society out there, from the technical persons, the persons with the necessary expertise and the skill set necessary to inform adequate, proper and some decision making.

It is so unfortunate that we are having here with us, today, a list that is of extreme deficiency. It is a list that seems to have one objective and that is to work against the very spirit of our Constitution, to maximise political control, rather than societal control over the Rights of the Child Commission.

I know in this House that there are all Hon. Members here who understand the two implications of this report not getting the approval of this House. I join with the Hon. Member, Bishop Juan Edghill, in asking the Government's side to consider seriously the proposal from this side of the House, and that proposal is to take this motion back to the Committee where informed and collaborative discourse can continue, so that we can bring to this House a Bill that has the blessings of all of us which would allow that two-thirds majority passage. To do otherwise, it would be really putting our nation through unnecessary troubles, through unnecessary turmoil, and to be of disservice to all the children of this beautiful land that is called Guyana.

I urge that good sense prevail and let us show that we can lead and lead well in the interest of this nation's children.

I thank you Sir. [*Applause*]

Ms. Teixeira: I would not be long, except to say that I am supporting my colleagues on this side of the House. I am very happy that an overture has been made by the Leader of the House and the Chief Whip on the other side to do what is right and to withdraw this motion to allow for further discussion and possibly a consensus.

I just want to remind the House of a couple of things, and that is when the Committee on Appointments started in this Parliament, we, on this side of the House, said that since 2014 we had agreed not only on the list but on the motion, according to the Constitution, and in fact it had been tabled in the House before the end of 2014. We suggested that since that had our unanimous support and most of the Members in the Committee on Appointments this time around were almost the same people, that why not let us use that and proceed and get this to the House quickly. Unfortunately, the chief Members on the other side felt this had to be considered, reconsidered and considered again several times. Then suddenly there was this rush in March to bring this motion and report here.

I heard on the other side the heckling to do with us not attending the Committee meetings. I want to say, number one, that the Members on the Government's side have a majority on this Committee and, number two, most of the Members on the other side have been in this Committee for quite a long time, chief of whom are the Chief Whip and Dr. Norton himself.

6.37 p.m.

They are well aware that the Rights Commission required a two-thirds majority and they are also well aware, as both have been on the Committee from 2003, that it took between 2003 and 2009 for us, who were in the Government and I was the Chairperson at the time, to get the Opposition to agree to the nomination and the list of entities requiring two-thirds for the Women and Gender Equality Commission, the Rights of the Child Commission and the Indigenous Peoples' Commission. This was when in many cases the other side boycotted meetings. Yet, we refused and knew that we could not come to the House because the two-third would not be attainable. I just want to make that point very clear that these Rights Commissions all require two-thirds. In particular, the Government side is fully aware that it requires this. To bring it to the House is to be brazen, reckless and probably trying to prove a point which no one could quite understand.

The other issue is that you have the contrast. On the appointment on the Judicial Service Commission, which is a critical service commission, the Committee on Appointments seems to have been very lenient in allowing for the delays with the nominations coming to this House from the different bodies dealing with the legal profession. Whilst there is a rush for the Police Service Commission, as we saw the other week, and the Public Service Commission, we seem to have a delay with the Judicial Service Commission. I again support, I will not go into other details of the motion, but it was rushed and clearly the Members were unable to grasp that by just shoving this on the table without proper consultation. Therefore, were unable to get two-thirds.

The disservices that this motion brings, which my Colleague, Bishop Edghill has spoken very clearly on - how we could come to the House on a country that is multi-religious and leaves out one large religious community, at any attempt to have any religious representation of that group? There are many other organisations that are reputable organisations that are on the list of 2014, which have been left out. I would not repeat what my Colleague said, except I just want to appeal to the other side and to repeat what my Colleague said. The majority on the Government side could very well have made it very clear, park it and you come to the other issues or you initiate discussions as used to be held in the past. If you are not going to do that, then the only option you have today is to withdraw the motion and come back at a later time with consensus and that is two-thirds, so that you could win two-thirds majority.

Thank you. [*Applause*]

Minister of Public Telecommunications [Ms. Hughes]: Mr. Speaker, this is a difficult situation that we find ourselves in. As a Member of the Committee on Appointments, there is some very important information that I felt this honourable House needed to be aware of.

The first point is that for over a year, the Committee on Appointments has been very actively involved, including with the support staff from Parliament Office, trying to reach the organisations listed that are required to submit the representatives. We have gone through a very detailed process. Of course, the Minutes of this meeting would support the fact and will outline clearly the attempts we have gone to reach the entities that need to be represented. Here I am talking about writing to the organisations and phones calls. On one occasion, we even put an advertisement in the newspaper asking for them to come forward. It has been extremely

challenging. I am hoping that, from this intervention, we could use this voice within this honourable House to encourage these entities, some of which have been listed and named by the Opposition Members as not being consulted, but, that in fact is an unfair statement and we all know this because many of them who were reached out to, chose not to respond. That is the challenge that this Committee has faced.

Most importantly, it is very sad that a Commission that is as important as this has not had the support of the Opposition in the Committee. We started off working together in the interest of this country so that our children could get the adequate representation. For whatever reason, the Opposition decided that it was not going to participate. I think it is really unfortunate that they now come at this stage and do not mention the challenges that they themselves were involved in. We sat as one united Committee six months ago, trying to work out how we could ensure the adequate representation that both the Government and the Opposition want in this entity. There is no underhand approach; there is no attempt to choose certain fractions, individuals or organisations. That was not what this was about.

Given these circumstances, I personally would want to recommend that we withdraw the motion.
[Applause]

Dr. Norton (replying): For the record, I just want to say that, when we have tried everything to get to the different entities, we in the Committee decided as a last resort that we would go to the newspapers. Not once - we were there on the 4th, 7th and the 11th way down in February with a cut-off point. That did not help us. We were still coming up short. We had to make a decision. We eventually did.

I take this opportunity and I am requesting that we withdraw the adoption of this motion this evening so that we could make a final opportunity to have the Opposition attend the meeting of the Committee on Appointments so that we could arrive at a consensus.

Mr. Speaker: I thank the, Hon. Member. The mover of the motion, the Hon. George Norton, has withdrawn the motion. I thank you.

Motion withdrawn.

ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE ON THE ANIMAL WELFARE BILL 2016 – BILL NO. 21 OF 2016

BE IT RESOLVED:

That the Report of the Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21 of 2016 be adopted. [*Minister of Social Cohesion, with Responsibilities of Culture Youth and Sport, Chairperson of the Special Select Committee on the Animal Welfare Bill 2016.*]

Mr. Speaker: Hon. Members, we now turn to the adoption of the Report of the Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21/2016. Hon. Minister of Social Cohesion, with Responsibilities of Culture Youth and Sport, Chairperson of the Special Select Committee on the Animal Welfare Bill 2016 will move the following motion.

Dr. Norton: Thank you very much, Mr. Speaker. Mr. Speaker, this Committee at its 3rd Meeting, held on the 20th July, 2017, agreed that it would examine the Bill clause by clause. The Committee also agreed that the technical officers from the Ministry of Agriculture would address the submissions made by Members of the public and provide any clarification Members might have in relation to various clauses of the Bill. The Committee then commenced consideration of the Bill.

During the consideration of the Bill, the Members of the Opposition expressed concerns with regard to various clauses of the Bill and its implementation after it would have been enacted. The Members were of the view that many of these concerns should be addressed before the passage of the Bill and its enactment. Some of the concerns raised by the Members of the Opposition were as follows: regulations which dealt with issues such as animal handlers, trainers and the transport of animals should be available before the passage of the Bill; the Bill refers to facilities which had not yet been built - these facilities should be constructed before the implementation of the Act; persons should not be made to incur additional costs as a result of the new legislation; the Bill was premature according to them and could lead to subjectivity, since there might be instances where citizens could be targeted by persons whom might have been identified to perform specific duties; the fifth concern was about those persons who currently operate certain animal facilities, as soon as the Act is assented to, could be penalised for noncompliance; the sixth concern was that there should be a systematic education campaign with the farmers who the

legislation would affect, since persons would be ignorant of the law, thus, committing the offence; lastly, members of the public should also be educated on various clauses of the Bill and their implementation after it became law.

At the meeting held on 14th June, 2018, the Special Select Committee on the Animal Welfare Bill 2016 Bill No. 21/2016 agreed that this Report, on its consideration of the Bill, should be presented to the National Assembly. The Report is accordingly hereby submitted. [*Applause*]

Question put.

Mr. Mustapha: I rise to make some very brief comments on the Bill. The Chairman of the Special Select Committee did mention our concerns and we have expressed those concerns with other concerns. This is because, when we raised those concerns, as usual the Government with its full majority never listens to wise proposals, and so these proposals went through. But, I want to say, from our point of view, that we raised the concern that this Bill will be burdensome and will bring additional suffering to the poor farmers. For example, all those measures that are in this Bill, the farmers will have to get additional funds to implement these things. For example, people coming from Berbice will now have to have special vehicles to transport their animals to Georgetown. The price for beef and other meats will go up. For example, in a few weeks' time, our Muslim brothers and sisters will be marking the holy festival of Eid-al-Adha. When this Bill is enacted, instead of sacrificing these animals in their normal places, they will have to now go to these specific places. These are additional problems they will bring on the religious community. It is not slaughter, it is a tradition. We are not putting more suffering on the people financially, but now we are imposing on their religious beliefs. That is the problem.

We raised all those concerns in the Special Select Committee and that is why, at the last meeting, the final meeting before this report was tabled or we agreed to table this report in the National Assembly, all of us from the Opposition side, said that we wanted our concern to be known and listed in this report so that the Opposition will not be part and parcel with the Government to bring additional suffering on the Guyanese people. That is the issue.

Although we are not against animal welfare, we need to do a systematic education amongst the farmers - amongst the livestock farmers - so that they could buy into the Bill. At the first meeting of the Special Select Committee, I made a recommendation that we should have oral submissions

from these farmers; we should visit locations in different parts of the country, but, they said no, they want submissions coming from these organisations only. These are the things that, when we go the Special Select Committees, we are going there just for formality sake. We are not going to there to make changes on these things, but, they are going for formality sake and coming back here and say that the Bill went to a Special Select Committee.

6.52 p.m.

We raised all of our concerns; we raise all the issues. All of those problems and all of those points that were raised in the debate by all of the Members from the Opposition side, none of those points were changed in this Bill - all remain. Those amendments that were done and made in this Bill are very minimal. That will not affect anything, but the suffering of the farmers will continue with this Bill.

With those, Mr. Speaker, I want to say that with this Bill, we need to go back and go to the farmers, educate them properly, have proper consultation before this Bill could come here, and be adopted into the laws of this country.

Thank you very much. *[Applause]*

Mr. Charlie: Like my fellow Colleague MP, Zulfikar Mustapha, it was very pellucid from the Opposition perspective. Indeed, we had raised our concerns as Opposition Members on the Committee and, with the one-seat majority of the Government on the Committee, our recommended suggestions were automatically defeated.

This Bill, with its 40 clauses, will definitely bring additional burdens to the people of Guyana, particularly farmers and more so, the Amerindian farmers. We all know the hardship that our Amerindian farmers are facing at this moment with regards to the deplorable state of the hinterland roads. How can they transport their animals at this time? They too, like other Guyanese on the coast need to be educated on this. I stand here this evening with a passion for my people, to represent my people because, too many times, we as citizens feel that Georgetown is Guyana. I made special efforts to be here from the bottom of the map, to be in this Committee so that my voice could be heard and represent my people.

Education is the only way out for everything and I strongly believe that this Bill should go back to be broadly consulted, especially with the Amerindian farmers. It seems as though this Bill here, the 40 clauses, would only be applicable to the urban farmers. What happen to the rural farmers? *Sufferation* everywhere and, us sitting on that side of the House in the Committee, we feel for the farmers because we also live among the farmers. We are the farmers and we feel for them.

This is our concern. In order to avoid the *sufferation* of our farmers, I would like this Bill to be broadly consulted and then come back to this House.

Thank you. *[Applause]*

Minister of Agriculture [Mr. Holder]: I was rather surprised with the approach that Hon. Members of the Opposition have been taking on this Bill. Frankly speaking, I consider this Select Committee as a rather pleasant experience. There was no antagonism at all on either side. As a matter of fact, I think that we worked very well.

Indeed, and in fact, out of 40 clauses, initially 21 clauses were amended. Many of those amendments were precipitated by Members of the Opposition. Apart from that, three new clauses were installed because of considerations raised by Members of the Opposition. I think that it was an extremely healthy experience that I had. I gained a lot of respect for the Members of the Opposition during our discourses.

This Bill was brought to the House last year in February. Perhaps, Members might have clearly forgotten some of the intent of the Bill. Perhaps, if I can get a minute or two to update Members on what it is all about.

Our perception of the importance of Animal Welfare, to our own wellbeing, dictates our actions toward animals in general. The role that Animal Welfare in food safety and by extension its importance to trade in animals and animals fodder, imposes upon us the need to change the way we treat animals under our care, to reduce the impact on our own well-being, as we interact with animals and consume their meat.

The humane treatment of animals is established in international standards and codes. Moreover, our potential trading partners require that we institute these standards so that we could comply

with their own legislation. This is particularly true for the European Union (EU) and the United States (US). The rest of the world is also coming on board as we recognise the importance of Animal Welfare to animal health and the incidents and spread of diseases. Zoonoses such as Tuberculosis and Brucellosis are gaining more attention and we see increases in the occurrence of pathogens such as, listeria, campylobacter and E. coli, which threaten to undermine our food safety efforts. Plus the strengthening of the rules and codes of practices and the implementation of stringent standards are required. Guyana is not immune to such outbreaks, and as we develop, we will see the importance of adopting and complying with international rules.

The increased movement of personnel in and out of our country, as the Petroleum and Mining Industries gain momentum, will resuscitate that we improve the way we deal with our animals and the way that we treat food. Improving on our farming systems and the reduction in the use of antibiotics will surely see benefits, not only to our consumers, but also to our farmers. As we see reduced expenses and subsequently increased profits.

The provisions of the Animal Welfare Bill (AWB), together with the forthcoming 12 regulations, will lay out the rules under which our animals will be cared for, so as to reduce stress and eventually reduce the presentation of diseases.

In summary, the AWB will deal specifically with the welfare of all animals and provide for their protection, life, health and other similar matters. The Bill pays particular attention to the welfare of animals at times of slaughter, during transportation, production and it also looks at companion animals. It will address modern issues relating to the well-being of animals, enable Guyana to trade internationally, enhance the animal health situation, increase production and establish a standardised manner to treat animals, while under modern production systems. It is in that context that we bring this Bill to this House.

The concerns of the Opposition are well taken, but we cannot sort of institute standards that do not exist. The Bill comes first. The implementation could be postponed after the other things that the Opposition mentioned have been put in place, such as education and things of that nature.

In conclusion, I would like to thank, also, the assistance gained and the guidance from the staff of the National Assembly. I would like to thank the presence of the Chief Parliamentary Counsel

(CPC), who gave us advice and, also, particularly our resource person Dr. Mark Pierre, who was extremely useful in guiding us through all the technical parameters of this Bill.

Mr. Speaker, I commend this Bill for approval by this honourable House.

Mr. Speaker: The next Speaker is the Hon. Neendkumar, but before you do so, Hon. Member, Members I must draw your attention to the fact that it is somewhat after 7 o'clock and, perhaps, we can continue for another half an hour or so. I thank you.

Mr. Neendkumar: Mr. Speaker, I would like to say that I appreciated very much working in the Committee, but from the onset I would like to say that we made it quite clear that this Bill was firstly considered by the People's Progressive Party/Civic, when we were in Government and we discussed and found the difficulties in bringing this Bill to the Parliament. It is because we found that it was premature then and we are saying that this Bill is premature now. It is premature in the sense that we discussed, thoroughly, about it. We said that the regulations which dealt with the issues such as animal handlers, trainers and the transport of animals should be available before the passage of this Bill. We made that clear and even after the Committee met. I would like to read a short letter from the *Stabroek News* of 23rd July, 2018 by Syeada Manbodh:

“Dear Editor,

Once again, I am bringing to the attention of Government authorities the unforgiveable abuse to Guyana's wildlife; as related to me by a Facebook friend. This friend was riding in a car with his uncle, returning to Georgetown from Soesdyke. Upon reaching Land of Canaan, they saw 2 cars (one white, one red), parked at the side of the road with their trunks open.

My friend (a devoted animal lover) saw animals in a cage and decided to stop. They passed the two cars and pulled over in front of the second car. My friend got out with his cellphone camera on video. He sensed something was wrong when the men appeared very nervous. He videoed the scene and has pictures showing 3 men and one child. One trunk had several small cages with frightened capuchin & squirrel monkeys. Laying on the ground alongside the road, was a flour bag with dead monkeys. One of the men is a known wildlife trader who traps/buys birds, parrots and monkeys for profit.

Were these men guilty of committing a crime in Guyana? Maybe not, if they had the required licences and were receiving/delivering to a legal wildlife dealer.

Were these men guilty of committing a moral crime against Guyana's wildlife? Most definitely! They were transporting these animals inhumanely in cramped space without water and it appears that several monkeys died in transport.

At the minimum, perhaps a review of our wildlife laws for handling and transporting wildlife in Guyana is in order!"

Mr. Speaker, this was after the Committee. When we look at the many issues, when cows are impounded at the station, there is no facility. We see the big strong cows going there and dwindling and turning thin. Sometimes they die in the station.

All we are saying is that we see people bringing animals. Now, one of the requirements for us to have is that we must have abattoirs, but we do not have them, we do not have. My Comrade, Mr. Mustapha, is right, we are going to bring more pressure on our farmers. There will be more problems for them because this Bill refers to facilities which have not yet been built. Those facilities should be constructed before the implementation of the Act. We must have the facilities.

Persons should not be made to incur additional costs as a result of new legislation. It would be more cost because of this legislation. The Bill was premature and could lead to subjectivity since there might be instances where citizens could be targeted by persons who might have been identified to perform specific duties.

This means that we will have a situation whereby, from the time this Bill is enacted, certain people who are anti-Government, who are PPP and who are AFC), also, will be prosecuted by this Government. This is because we have no confidence. There is no trust in this Government of how it operates. As such, we are saying, in the interest of the people of this country, this Bill is premature.

Those persons who currently operate certain annual facilities, as soon as this Bill is assented to, they could be penalised for non-compliance. They could be penalised. We raised these issues

with Minister Holder and Minister Norton and they agreed with it. You could have seen that even Dr. Pierre - the technical person - accepted that these are serious concerns.

7.07 p.m.

But, do you know what this Government wants to do? All that this Government wants is to use its one-seat majority and pass. It wants to railroad it. So, if you want to railroad it, good riddance; have fun. But I am telling you that this will bring more pressure to the people because the implementation of this is impossible. And as such, we are going to get serious problems with it.

I cannot support this Bill at this time, it is premature. Anything progressive and anything good, we on this side will support. At this time, we are saying, like it was, it is a premature Bill and this will bring hardship on our farmers and our people and it will lead to further discrimination of farmers and other people in this country.

Thank you. [*Applause*]

Dr. Norton: As was said by my Colleagues, we did involve the technical officers from the Ministry of Agriculture and even the Legal Officer was there in the discussions. We did listen to what the Members of the Opposition had to say. It was pointed out that situations existed where certain constructions had to be done, but there were no guidelines. For instance, in the case of our national zoo, where there were no guidelines of how certain shelters should be constructed, they went ahead and constructed some only to find out that, after they were finished, that they were wrongly done. It was pointed out in this legislation that there would be guidelines in order that persons who need to do the different infrastructure would use them, so that they would not have to go breaking down only to build back in a specific way. We did take things into consideration, the advices or the opinions that were used and as a result, we came up with this Report. I move that this Report be accepted with the amendments made.

Question put, and agreed to.

Motion carried.

BILL – Third Reading

ANIMAL WELFARE BILL 2016 – Bill No. 21/2016

A BILL intituled:

“AN ACT to deal with the welfare of animals; to provide for their protection and health; and connected matters.” [*Minister of Social Cohesion, with Responsibilities of Culture Youth and Sport, Chairperson of the Special Select Committee on the Animal Welfare Bill 2016*]

Question put and carried.

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

Mr. Speaker: Hon. Members, this concludes the work which we have set ourselves for today. I thank you for allowing us the extra time to go beyond 7.00 p.m. I would invite the Hon. Prime Minister to move the adjournment.

Emancipation Day Greetings

Mr. Nagamootoo: Mr. Speaker, before I move the adjournment, I crave your indulgence on a matter that I was approached on, but will ask the Hon. Member Joseph Harmon to make a statement.

Minister of State [Lt. Col. (Ret'd) Harmon]: It is my distinct pleasure and privilege to offer Emancipation Day greetings to the nation of Guyana on the 180th Anniversary.

The freedoms which we enjoy in this country today, the freedom which we enjoy as a House – as a National Assembly – was a freedom which was fought for by our African ancestors. It is well documented about the atrocities that occurred during the middle passage and those which occurred as a result of the slave trade. But, I would wish to suggest that slavery was not abolished simply because the colonial masters had become so concerned about the inhuman conditions under which the slaves existed. More importantly, because of a consistent period of resistance, which actually started in Africa and all the way through the middle passage and here to Guyana, the 1763 and 1823 rebellions were actually precursors to the granting of emancipation to our fore parents.

Today, as we enjoy these freedoms, we have to look back upon the sufferings which our fore parents endured. We have to recognise that, as a people, the suffering which they endured was for the benefit of us all.

So, today, as I offer greetings on Emancipation Day, on behalf of the Government, I urge that we as a country continue to work together and recognise that social cohesion is an important element in the way in which our country will develop. I urge all Guyanese to recognise, enjoy and celebrate emancipation as it is not just emancipation from mental slavery, it is also emancipation from the economic conditions under which we live. And so, I wish all Guyana, on behalf of the Government, Happy Emancipation Day. [*Applause*]

Bishop Edghill: I rise on behalf of the Parliamentary Opposition to extend sincere Emancipation Day greetings to our brothers and sisters of African descent here in Guyana. We value their contributions; we salute the fact that the struggle has been long; we recognise the challenges that they have faced and we continue to face. We express our continued solidarity and support, in first of all embracing, understanding and holding hands to walk together to ensure the full liberation of our people.

It is our desire as we celebrate Emancipation Day 2018, that we will see greater empowerment for our brothers and sisters. It was Nelson Mandela who reminded us that the fastest way towards the liberation of a people is through education. We want to call upon all of our people that we pay attention to family - it is very important, and that we continue to coach our young boys and guide our young girls, helping them to embrace principles that will see them achieving in the immediate medium and long term.

We would like to assure our brothers and sisters of African descent that we in People's Progressive Party/Civic will support initiatives for their enhancement economically, culturally, spiritually and morally because, when our people are doing better, the entire country will do better. We applaud the achievements of those who would have distinguished themselves in the various fields, whether it is in politics, academia, journalism, sports, the arts, and we have a number of our Afro-brothers and sisters excelling even in the area of business, and as entrepreneurs. We recognise that there is great need to continue to lend support to nurture and to develop self-confidence that we would be able to see a progressive movement.

We believe that all of our people – every race – should be given equal opportunity and equal access. So, while we give greetings and congratulations and recognise the contributions of our Afro-brothers and sisters, we call upon all Guyanese to hold hands together, to let us work together and let us move this country forward with the prospects of great prosperity and let us work for the betterment of all of our children that are coming behind us. Happy Emancipation Day and thank you very much. [*Applause*]

ADJOURNMENT

Mr. Nagamootoo: Indeed Sir, *a luta continua*. I will now have pleasure in moving the adjournment of this National Assembly until Wednesday, 8th August, 2018, at 2.00 p.m.

Mr. Speaker: The House stands adjourned until Wednesday, 8th August, 2018, at 2.00 p.m.

Thank you.

Adjourned accordingly at 7.22 p.m.