

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

99TH Sitting

Monday, 19th November, 2018

The Assembly convened at 2.03 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENT BY THE SPEAKER

Welcome to Members of Parliament

Mr. Speaker: Hon. Members, I welcome you to this 99th Sitting of the National Assembly. We will be entering, if I may say so, the national phase of our work and I hope that, by working together, we would achieve our objective within the time allotted. I thank you.

PRESENTATION OF PAPERS AND REPORTS

The following Papers and Reports were laid:

- (i) Seventh Annual Report of the Women and Gender Equality Commission for the period 2017-2018.
- (ii) Report of the Auditor General on the Compliance Audit on the Procurement of Textbooks at the Ministry of Education for the year ended 31st December, 2016.

[Speaker of the National Assembly]

Minister of Finance [Mr. Jordan]: If it pleases you, Mr. Speaker, before I get into this, I wish to indicate that the date for the presentation of Budget 2019 is Monday, 26th November, 2018.

- (i) Public Debt Annual Report for the year 2017. [*Minister of Finance*]

May I indicate that this is the third consecutive year of the presentation of this Report, which is not required by any law or regulation.

- (ii) Government Concessional Loan Agreement Number GCL NO. (2018) 26 TOTAL NO. (668) dated October 26, 2018 between the Export-Import Bank of China and the Co-operative Republic of Guyana for an amount of Renminbi Yuan 249,043,600 to finance the Guyana National Broadband Project. [*Minister of Finance*]

QUESTIONS ON NOTICE

For Oral Reply

EXPENDITURE OF \$2.247 BILLION GUYANA DOLLARS (\$10.7 MILLION UNITED STATES DOLLARS) ALLOCATED TO THE AMERINDIAN LAND TITLING PROJECT

Mr. Speaker: Question number three is in the name of the Hon. Member, Ms. Pauline Campbell-Sukhai and it is for the Hon. Vice- President and Minister of Indigenous Peoples' Affairs.

Ms. Campbell-Sukhai: Could the Hon. Vice-President and Minister of Indigenous Peoples' Affairs inform this National Assembly as to how the \$2.247 BGD (\$10.7MUSD) allocated to the Amerindian Land Titling Project under the People Progressive Party Civic (PPP/C) Low Carbon Development Strategy was expended? How much of this was spent on demarcations and how much was spent on employment and administrative costs?

Vice-President and Minister of Indigenous Peoples' Affairs [Mr. Allicock]: I thank the Hon. Member for her question. The answer to question number one is that, from 2014 to September, 2018, US\$2.9 million has been expended on the project. Approximately US\$1.4 million was spent on demarcations. The other amount was spent on the other three outputs - Grievance Redress Mechanism; Information, which is Management and Communication, and the Three-Project Management. The expenditure for contractual services was done also. That is the employment of

staff, including implementing partners and facilities. Cost for all four outputs averaged 32% between 2014 to 2018. There is a detailed report that I am happy to give to this honourable House and that would be the outputs from one to four to the tune of US\$2.9 million.

Mr. Speaker: Ms. Campbell-Sukhai, do you have another question?

Ms Campbell-Sukhai: I do not have another question; I have some follow-up questions. I would use the appendix one table, which was submitted by the Hon. Member, to ask my follow-up questions. First of all, I wish to correct him because I believe he said US\$2.9 million was spent. I am not sure if he meant United States dollars or Guyana dollars.

With respect to the expenditure on titles and issued demarcation, could the Hon. Minister say what number of land titles and demarcations were done with the amount of \$180,969,000?

In addition to that, with respect to access to alternative mechanism for output two, could the Hon. Minister tell us whether that document is available already or whether there more work to be done with respect to developing the alternative mechanism for redress?

With respect to output three, could the Hon. Minister tell us when and how effective is the revised communication strategy? I noticed that he spent quite a sum there; in fact, \$300 million. With respect to project management, I believe here is where the largest amount was spent, and it amounted to \$747 million. Is that related to employment cost? From what I am seeing, of the \$2,900,747,639, \$2,747,639,000 was spent on employment cost, way above the output of one, which is the tangible output in relation to titling.

Mr. Speaker: Hon. Member, it would be of great assistance if you ask a question and let the answer be provided, instead of making conclusions. If you would do that, it would be helpful all round.

Ms. Campbell-Sukhai: I have asked the four questions. I am sorry for the last statement.

Mr. Speaker: Thank you.

Mr. Allicock: Could I ask the Hon. Member to repeat the questions? It is because I am kind of lost. *[Interruption]*

Ms. Campbell-Sukhai: Mr. Speaker, could you please silence the House for me to present my question? Could the Hon. Member tell this House how many land titles and demarcation exercises were done with respect to the use of \$1,557,191,000, as presented in his appendix? That is the first one.

Mr. Allicock: Let me just try to explain the total amount of work so that we could get it in order. Nine demarcations surveys have been listed as having commenced in 2015; those would be at Baramita, Konashen, Rupanau, River View, Taruka, Karisparu, Kato extension, Kariako and Batavia. The first four were completed by February, 2015; the next four were completed by December, 2015 and the last one was completed in January, 2016. Two demarcation surveys were commenced and completed in 2016, namely Tuseneng and Chinowieng. One demarcation survey was completed in 2017, namely Paramakatoi. One demarcation survey was completed in 2018, namely Four Miles. This is a total of 13 demarcations being completed post 2015.

Ms. Campbell-Sukhai: The answer is quite revealing. I would now go to output two on the table. My question was: Is the document which detailed the alternative mechanism for resolution to land titling matters available?

2.18 p.m.

Mr. Allicock: I thank you for the question. This document is a work in progress. It could be made available.

Mr. Speaker: Hon. Member, you have your third question.

Ms. Campbell-Sukhai: Very revealing. With respect to output 3, again, is the communication strategy document available? If so, can the Minister also say at what time the communication strategy was launched and whether it is being used to educate and inform the nation and the stakeholders? Where can we find that document?

Mr. Allicock: I could make that document available for the Hon. Member.

Ms. Campbell-Sukhai: Finally, a question on output 4. Can the Minister tell us whether the \$747,639.42 is related to employment cost with respect to the land tenure project?

Mr. Allicock: Yes Mr. Speaker.

Mr. Speaker: Hon. Vice-President, there is an outstanding question. Ms. Campbell-Sukhai, was the fourth question answered?

Ms. Campbell-Sukhai: Yes Mr. Speaker.

Mr. Speaker: Very good, thank you.

For Written Replies

BENEFICIAL OWNERSHIP OR INTEREST, DIRECT OR INDIRECT, BY MINISTERS IN ANY MINING OR FORESTRY LICENCE

Ms. Teixeira: Could the Hon. Minister inform this National Assembly whether any Minister has any beneficial ownership or interest, direct or indirect, in any mining or forestry licence? And if so, please provide the name of each Minister and the nature of their beneficial ownership or interest, direct or indirect, in these mining and/or forestry licences?

Minister of Natural Resources [Mr. Trotman]:

- (i) The Commissioner of Forest, Guyana Forestry Commission (GFC), informed the Hon. Minister of Natural Resources that it has not issued any forestry licence to any Minister. Additionally, as far as GFC is aware, no Minister has any beneficial ownership or interest, direct or indirect, in any forestry licence.
- (ii) The following information was received from the Guyana Geology and Mines Commission in respect to Beneficial Ownership or Interest, Direct or Indirect, by Ministers in any Mining Licence:

Name	Suction Dredge #	Registration Date	Last Payment	Status
Dawn Hastings — Williams held jointly with Alton Williams	12594	March 2, 2013	2015	No Dredge Licence was issued.
Simona Broomes	1967	January 16, 1996	2017	Transferred to Troy Broomes (Jnr.) and Simona Troyanner Broomes dated

				May 9, 2016
Simona Broomes held jointly with Troy Broomes	Specified Machinery	January 21, 2008	2011	Transferred to Hector Broomes dated March 8, 2011.
Simona Broomes held jointly with Troy Broomes	Specified Machinery	March 9, 2010	2011	No Specified Machinery licence was issued.
Dawn Hastings-Williams	Residential Permission	September 21, 2011	2016	Licence issued in 2015.

Note: Further, the Minister of Natural Resources was advised by both Ministers that they have relinquished all and any interest and control in the said mining ventures.

LICENCES ISSUED BY THE GOLD BOARD FOR THE EXPORT OF GOLD

Mr. Ali: Could the Hon. Minister provide this National Assembly with the number of export licences issued for the export of gold in the last three (3) years? Please provide the names of those so granted and the year when the license(s) was/were issued?

Mr. Trotman: The attached information was provided by the General Manager of the Guyana Gold Board pertaining to the licences issued by the Guyana Gold Board for the export of gold:

LICENCES ISSUED BY THE GUYANA GOLD BOARD – TO POSSESS, SELL & EXPORT GOLD

Dealerships	Year Licence First Issued	Licence Issued 2015 to 2018	Directors of Dealerships	Remarks
Adamantium Metals	2013	2015,2016,2017 & 2018	Mr. Andron Alphonso; Mr. Ronaldo Alphonso	Licence issued in 2013 subsequently renewed for each ensuing year inclusive of 2018.

Ahmad Trading	2015	2015	Jalaludeen Ahmad	This dealership did not apply for renewal of licence
Dinar Trading	2012	2015, 2016, 2017 & 2018	Mr. Mohamed Qualander; Mr. Mohamed Asif Iqbal Hussain	Licence issued in 2012 subsequently renewed for each ensuing year inclusive of 2018.
El Dorado Trading	1999	2015, 2016, 2017 & 2018	Mr. Tamesh Jagmohan	Licence issued in 1999 subsequently renewed for each ensuing year inclusive of 2018, to present
Excel Minerals Inc.	2003	2015, 2016, 2017 & 2018	Mr. Albino Lima Tavares; Mr. Vanderson Alves De Alancar	License issued in 2009, subsequently renewed for each ensuing year inclusive of 2018.
GBTI Property Holdings	2014	2015, 2016, 2017 & 2018	Mr. Robin M.S. Stoby, SC.; Mr. Edward A. Beharry; Mr. Suresh E. Beharry	Licence issued in 2014 subsequently renewed for each ensuing year inclusive of 2018.
Gold Bar Development & Consulting Inc.	2018	2018	Mr. Shawn Hopkinson; Mr. Morris Hopkinson; Mr. Saratu Philips	Licence issued in 2018 - newest dealership
Hope's Trading	2008	2015	Ms. Audrey Hope; Mr. Daniel Hope	Hope Trading was licensed in 2008, however there was no renewal until 2013 when a subsequent application was tendered. The dealership was licensed in 2013 with subsequent renewals to year 2015. Hope's Trading did not utilise the licence therefore it was not renewed in 2016. The company is however reapplying for a gold dealer's licence in 2018 - GGB is currently conducting Enhanced Due Diligence based on application submitted in Aug. 2018.
Mohamed's Enterprise	2006	2015, 2016, 2017 & 2018	Mr. Nazar Mohamed; Mr. Azruddin Intiaz Mohamed	Licence issued in 2006 subsequently renewed for each ensuing year inclusive of 2018.

Osaka Resources Inc.	2009	2015 & 2016	Mr. Henner Schvienbeck Mr. Adewale Luke	Osaka Resources Inc. gold dealership license was not renewed for the year 2017 despite an application was tendered for renewal. The Directors were asked to submit documents to substantiate ... in the business plan and they never did, neither did they pursue the application.
Pure Diamond Inc.	2006	2015,2016,2017 & 2018	Mr. Sergio Sousa Matos	Licence was issued in 2006 subsequently renewed for each ensuing year inclusive of 2018.
SSS Minerals Trading Enterprise Inc.	2016	2016	Mr. Saddini Rasul; Mrs. Zinel Rasul	Licence issued in October 2016, renewed in 2017, however the license was subsequently suspended in April 2017 due to SOCU investigations on the dealership's business activities.

NARRATIVE

Guyana Gold Board (GGB) issues gold dealership licences in accordance with GGB ACT (amendment 2009) Chapter 66:01 section 9. This licence allows the dealership to possess, sell and export gold. Licensed dealers may also be referred to as agents of the GGB. For the years 2015 to 2018 the number of licensed dealers shown above can be summarised as follows:

Year	Number of Licences issued
2015	11
2016	9
2017	8
2018	8

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

Mr. Speaker: Hon. Members, I am informed that the Hon. Prime Minister, the Hon. Vice-President Mr. Khemraj Ramjattan, and the Hon. Member Minister David Patterson would each like to make statements.

Vice-President and Minister of Public Security [Mr. Ramjattan]: I would withdraw that.

Mr. Speaker: Your request.

Mr. Ramjattan: Yes.

Mr. Speaker: Very good.

Mr. Ramjattan: Thank you very much.

REPORT ON THE HEALTH CONDITION OF THE PRESIDENT

First Vice-President and Prime Minister [Mr. Nagamootoo]: Members of the National Assembly, I wish to inform you of the health condition of His Excellency Brigadier (Ret'd) David Arthur Granger, President of the Co-operative Republic of Guyana, who is in the Republic of Cuba. His Excellency the President was diagnosed with suffering from non-Hodgkin lymphoma and has been receiving treatment at the Centro de Investigaciones Médico Quirúrgicas (CIMEQ) in Havana, Cuba. The present doctors have assured his full recovery with treatment under their supervision. The President is expected to return tomorrow to Guyana. His doctors, however, will continue to monitor his condition over a period of time to be determined by his physicians.

In an earlier statement issued in Havana, the President publicly thanked the President of the Republic of Cuba, the Government of Cuba and the medical staff of CIMEQ for the special care and attention which he has received and for the excellent facilities in which he is being accommodated.

On behalf of His Excellency and the Government of Guyana, I express sincere gratitude to all Guyanese for their compassion and to Members of this National Assembly, private sector and other organisations, heads of Caribbean states and other Prime Ministers and Presidents elsewhere in the world who have sent best wishes for the full and complete recovery of our dear President. Our thoughts are with His Excellency and his family in what is a painful and difficult time. [*Applause*]

Mr. Speaker: The next speaker, the Hon. David Patterson.

Minister of Public Infrastructure [Mr. Patterson]: I accede.

Mr. Speaker: I beg your pardon, Hon. Members, I understand Vice-President Greenidge wishes to speak.

GUYANA'S SUBMISSION OF MEMORIAL TO THE INTERNATIONAL COURT OF JUSTICE

Vice-President and Minister of Foreign Affairs [Mr. Greenidge]: Mr. Speaker, Members of the House, as scheduled on November 19, 2018, the Government of the Co-operative Republic of Guyana submitted to the International Court of Justice (ICJ) its memorial on jurisdiction on the case brought against the Bolivarian Republic of Venezuela to confirm in a final and binding judgement, the full legality, the full validity, of the arbitral award that established the international boundary between Guyana and Venezuela more than a century ago. Guyana filed its memorial in accordance with the order of the court, dated 19th June, 2018, that determined it would first resolve the question of the court's jurisdiction in light of the Venezuela's refusal to participate in the proceedings based on its claim that the court lacks jurisdiction.

Guyana prepared this memorial, bearing in mind the court's instruction that it should be informed of all the legal and factual grounds on which the parties rely in the matter of its jurisdiction.

Guyana's submission, accordingly, sets out how the boundary with Venezuela was established by an arbitral tribunal, constituted pursuant to a treaty concluded by Venezuela and Great Britain in 1897. Venezuela accepted this unanimous award which was rendered by five eminent jurists on 3rd October, 1899, celebrated its outcome, participated in a joint commission to demarcate the boundary on the grounds, and issued on the award strict implementation and insisted on the award's strict implementation. Only decades later did Venezuela, in anticipation of Guyana's independence, ceased recognising the award's validity and binding nature, using the pretext to lay claim to more than two-thirds of Guyana's territory, in fact, some 77%.

To ensure a final resolution to the controversy, through peaceful means, the Government of British Guiana, Venezuela and the United Kingdom concluded the Geneva Agreement on 17th of February, 1966. Article 4 of that treaty authorises the Secretary General of the United Nations to decide

which of the means listed in article 33 of the United Nations Charter, which includes that binding a judgement by the International Court of Justice shall be used to resolve the controversy.

In agreeing to article 4, Venezuela consented to the court's jurisdiction in the event that the United Nations (UN) Secretary General decides that the controversy should be resolved by the court. Efforts for over more than half a century including a four-year mixed commission, 1966 to 1970, a 12-year moratorium, 1970 to 1982, a seven-year process of consultation on a means of settlement, 1983 to 1990, and a 27-year Good Offices Process under the UN Secretary General's authority, 1990 to 2017, all failed to end the controversy. On 30th January, 2018, the United Nations Secretary General, António Guterres, acting under the authority bestowed upon him by the Geneva Agreement, chose a judgement by the court as the means for resolving the controversy with finality.

Guyana commenced proceedings before the court on 29th March, 2018 in accordance with the Secretary General's decision. Guyana's memorial shows there is no foundation to Venezuela's contention, that the means of settlement listed in article 33 of the UN Charter must be selected by the Secretary General successively, such that the means listed ahead of judicial settlements have to be exhausted before recourse to the court can be chosen. Noting in the text of article 4 of the Geneva Agreement, which provides a menu of options, not a predetermined sequence, supports Venezuela's interpretation. Nor is Venezuela correct in arguing that, as it has recently asserted, the controversy must be resolved exclusively by friendly negotiations, a claim that is belied by the expressed terms of the Geneva Agreement and contemporaneous statements by the parties during its negotiation and ratification.

Guyana has no doubt that the court has jurisdiction to resolve the controversy that has plagued these relations with Venezuela and undermined this ability to develop its sovereign territory and natural resources. Guyana expresses its sincere hope that Venezuela will reconsider its refusal to participate in the judicial process that the UN Secretary General has decided will be the means by which the controversy will be resolved.

Guyana's representation before the court is led by its agent, Vice-President and Minister of Foreign Affairs, Carl B. Greenidge, and by its co-agents, Sir Shridath Ramphal and Ambassador Audrey Waddell.

I thank you very much. [*Applause*]

ACCIDENT AT THE CHEDDI JAGAN INTERNATIONAL AIRPORT

Mr. Patterson: I would like to make a brief statement on the landing accident at the Cheddi Jagan International Airport (CJIA) on November 9, 2018.

On November 9, 2018, Fly Jamaica Airways, flight OJ256, departing from the CJIA, Georgetown, to the Toronto Pearson International Airport, was involved in an accident landing at the CJIA. On board were 120 passengers and eight crew members. While an investigation is currently being conducted, I wish to state the following.

As per schedule, flight Jamaica Airways, flight OJ256, scheduled for the Toronto Pearson International Airport, operated by a Boeing 757-200 aircraft with registration N52480 was scheduled to depart at 1.30 a.m. Prior to departure, a problem developed with the forward left passenger door. However, the airline maintenance personnel resolved this problem and the flight eventually departed at ten minutes past two o' clock. At approximately 2.21 a.m., the pilot to flight OJ256 reported a hydraulics issue with the aircraft to the air traffic controller and requested its return to the CJIA. The pilot did not declare an emergency. On this notification, both the aerodrome fire service and the Airport Duty Manager were informed of the flight's return by the Controller and were placed on standby mode.

2.33 p.m.

The officers of the aerodrome fire service went into local standby at twenty-seven minutes past two o' clock with the airport's crash tenders and airport duty officers proceeded to await the aircraft's arrival on the apron at 2.45 a.m.

Based on preliminary reports submitted by the Air Operations Division at the CJIA to the Ministry of Public Infrastructure, I was informed that on landing the aerodrome fire service officers observed the aircraft proceeding west towards runway 24 intersection and on to the north-east extension area. It was reported that during the landing roll at 2.53 a.m. all aircraft landing gears were observed down. Investigations remain ongoing regarding any mechanical issues with the aircraft.

On landing, the aircraft proceeded north-easterly along runway 06. However, the aircraft crossed the runway end and I was further informed that the left main gear hit and destroyed a pair of

portable threshold lamps that were deployed in the area. After crossing the end of the runway, the aircraft proceeded on to the extended portion of the runway. The left main gear overran the eastern edge of the closed runway marking of the extension area and, therefore, came to rest in the unusable end of the runway. Immediately the fire service officers proceeded to the aircraft and commenced evacuation of the passengers while the Air Duty Officer coordinated transportation of the passengers to the departure lounge. The Air Traffic Service activated its emergency procedures, notifying among others the Director General of the Guyana Civil Aviation Authority and the Aircraft Accident Investigator.

The aerodrome was immediately closed upon landing of the aircraft. However, it was opened at 6.10 a.m., on inspection determined safety of continued operations. The police ranks as well as the Guyana Defence Force arrived shortly after the accident and they were on the scene during the preliminary investigations along with the GCAA's team to conduct the aircraft accident investigation. The Guyana Civil Aviation Authority will, therefore, be managing this investigation.

As indicated, 128 persons were on board, in which there were 120 passengers and air crew members. On evacuation of the passengers, a total of ten passengers were taken to the Diamond Hospital with the assistance of the CJIA ambulance and other vehicles, while the others were examined at CJIA.

I wish to reiterate that an independent investigation is currently ongoing in examining the aircraft and operations on the morning of the accident and review of the standard operating Procedures. The Jamaica Civil Aviation Authority as the state of the operator, as Fly Jamaica Airways is registered there, and the National Transportation Safety Board of the United States of America were notified, and an investigative team has been established, including representatives of the GCAA representing the state of occurrence, the United States National Safety Board representing the state of registry and two Boeing Commercial Airline Engineers representing the manufacturers. Additionally, the Canadian Transportation Safety Board and the South American Regional Accident Investigation Mechanism were also subsequently advised and invited to provide technical assistance to the GCAA. At this time the aircraft has been officially handed over to the operator Fly Jamaica Airways for removal but remains under the control of the Accident Investigation Unit of the GCAA.

The Ministry of Public Infrastructure has further requested continued investigation into reports of missing items from passengers' cargo and luggage on board. The Ministry in no way condones the reported action and behaviour of the fire service officers on the morning of this accident. At this time, I wish to take this opportunity to issue an apology on behalf of the Ministry of Public Infrastructure to all passengers for having to endure this experience. Specifically, I wish to offer my deepest condolences to the family of Ms. Kalloo, a passenger on flight OJ265 who unfortunately succumbed last week to injuries sustained during this accident. On this note, I wish to personally assure all passengers that my Ministry remains committed in working along with the authorities of CJIA, GCAA and specifically the airline operators in meeting all required obligations and reviewing all claims and compensation mechanisms to ensure that the welfare of the passengers remain the top priority.

Mr. Speaker, I would also like to take this opportunity, I know it may have slipped you, to just say that today is International Men's Day. I would like to say a Happy International Men's Day to all the great men of Guyana. I know we will not be treated to the usual equal treatment as that of the females. I would still like to wish all of the men a Happy International Men's Day.

I thank you. [*Applause*]

Ms. Teixeira: Following the statement by the Hon. Prime Minister, we would like, on behalf of the parliamentary Opposition, to convey our deepest concerns and best wishes for His Excellency the President Mr. Granger and his fullest recovery in the shortest possible time. We are pleased to learn that the President is recovering and returning to Guyana, his homeland and our homeland, on 20th November and we continue to believe that the President should receive the fullest and best medical treatment available so that he can recover and continue to live a good life.

We would like to convey to the President and his wife and family as well as Members of the A Partnership for National Unity and Alliance For Change (APNU/AFC) and Cabinet Members our best wishes for his speedy recovery.

Thank you. [*Applause*]

INTRODUCTION OF BILLS AND FIRST READING

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

NATURAL RESOURCE FUND BILL 2018 – Bill No. 14/2018

A Bill intituled:

“AN ACT to establish to establish the Natural Resource Fund to manage the natural resource wealth of Guyana for the present and future benefit of the people and for the sustainable development of the country, and for connected matters”. [*Minister of Finance*]

PUBLIC BUSINESS

GOVERNMENT BUSINESS

MOTION

APPROVAL OF THE 2019 CURRENT AND CAPITAL ESTIMATES OF CONSTITUTIONAL AGENCIES

In accordance with Article 222A of the Constitution, the Assembly to resolve itself into Committee of Supply to consider the Estimates of Expenditure of the Constitutional Agencies for the year 2019.

The Speaker to propose that the Estimates of the following Constitutional Agencies form part of the Estimates of the Public Sector for 2019:

- (i) Parliament Office – Current and Capital Estimates totalling \$1,845,416,000 for the period ending 31st December, 2019.
- (ii) Audit Office of Guyana – Current and Capital Estimates totalling \$894,241,000 for the period ending 31st December, 2019.
- (iii) Public and Police Service Commission – Current and Capital Estimates totalling \$155,596,000 for the period ending 31st December, 2019.
- (iv) Teaching Service Commission – Current and Capital Estimates totalling \$113,362,000 for the period ending 31st December, 2019.
- (v) Guyana Elections Commission – Current and Capital Estimates totalling \$6,368,100,000 for the period ending 31st December, 2019.

- (vi) Supreme Court of Judicature – Current and Capital Estimates totalling \$2,801,373,767 for the period ending 31st December, 2019.
- (vii) Chamber of the Director of Public Prosecution – Current and Capital Estimates totalling \$219,824,000 for the period ending 31st December, 2019.
- (viii) Office of the Ombudsman – Current and Capital Estimates totalling \$74,223,000 for the period ending 31st December, 2019.
- (ix) Public Service Appellate Tribunal – Current Estimate totalling \$62,828,000 for the period ending 31st December, 2019.
- (x) Ethnic Relations Commission – Current and Capital Estimates totalling \$278,163,678 for the period ending 31st December, 2019.
- (xi) Judicial Service Commission – Current Estimate totalling \$10,020,000 for the period ending 31st December, 2019.
- (xii) Indigenous People’s Commission – Current and Capital Estimates totalling \$30,743,000 for the period ending 31st December, 2019.
- (xiii) Human Rights Commission – Current and Capital Estimates totalling \$47,378,000 for the period 31st December, 2019.
- (xiv) Rights of the Child Commission – Current Estimate totalling \$47,469,000 for the period ending 31st December, 2019.
- (xv) Women and Gender Equality Commission – Current and Capital Estimates totalling \$45,292,000 for the period ending 31st December, 2019.
- (xvi) Public Procurement Commission – Current and Capital Estimates totalling \$276,775,000 for the period ending 31st December, 2019.

Assembly in Committee of Supply

Mr. Chairman: I wish to report that the Business Sub-Committee of the Committee of Supply met on Wednesday, 31st October, 2018 and recommended the following for consideration of the

2019 Budget proposals of the constitutional agencies and passed a resolution on the matter that the time allotted for the consideration of the budget proposals for the constitutional agencies would be two hours and 40 minutes.

Ms. Teixeira: Mr. Chairman, before the Hon. Minister presents, there was an issue in the Business Sub-Committee and there were attempts on two occasions to meet following an understanding we had on the night of October 31. Unfortunately, that has not been presented here to the House and it should be the efforts of the parliamentary Opposition to abide by the understanding you presented to the House on October 31. What are we dealing with, regarding this issue?

Mr. Chairman: We are dealing with the consideration which took place and the only matter which we have before us is the decision, agreement or understanding, whichever you wish to call it, of the treatment of the constitutional agencies in relation to the meeting on Wednesday, 31st October. The other issues do not form part of what I have just proposed and thereafter the Hon. Member may wish to speak after I have completed this.

Ms. Teixeira: Is the Minister presenting without the Business Sub-Committee's proposal or discussion on this matter?

Mr. Chairman: Hon. Member, there is a Business Sub-Committee proposal which I have read and that is what we will deal with now.

Mr. Jordan: I now move that this Committee doth agreed with the Business Sub-Committee in the said resolution.

Motion proposed.

Ms. Teixeira: On the night of October 31, we had an understanding. The agreement was that you would convene an expanded meeting of Members of Parliament on both sides of the House to discuss the constitutional aspects in relation to the budgets of the constitutional bodies. You did convene a meeting. We went at one o' clock on Thursday but only the parliamentary Opposition was there. We waited, and no one came from the Government. You came at 1.35 p.m. At two o' clock it was supposed to be the meeting of the Business Sub-Committee. No Government Member attended, and you then decided that you would reschedule the meeting for Friday at ten o' clock. On Friday at ten o' clock our Members turned up this time, as before, on time for ten o' clock. No

Government Member attended. There was a quorum. I understand Mr. Greenidge came in and dashed out for some other engagement. I noticed that he had enough time to change from his suit to his yellow and green for the press conference, but, however, the meeting had a quorum. Unfortunately, Mr. Chairman, you did not allow the meeting to take place because of the absence of the Government and, therefore, to come now and take a report which was controversial which led to dispute on the night of 31st October and led to an understanding so that we could try to resolve it.

This is a fundamental issue; this is not a procedural issue. The Constitution of our country guides us on what is critical. Article 222A, paragraph (a) states:

“The expenditure of each of the entities shall be financed as a direct charge on the Consolidated Fund, determined as a lump sum by way of an annual subvention approved by the National Assembly after...

I will emphasise.

“...after a review and approval of the entity’s annual budget as a part of the process of the determination of the national budget;”

Therefore the Constitution makes it clear that these bodies or these budgets of these entities must be subject to the review of this House, not exclusively the Minister’s recommendations of how he wants to cut or support it.

Secondly, we were at that meeting at one o’ clock. The Leader of the Opposition was present, and I want to quote from what he said:

“It is not that we are unmindful of time. However, we are clear about our constitutional responsibilities to examine and scrutinise the budgets. We are insisting to examine the budgets of the constitutional bodies and we have had time to ask the Ministry of Finance for its reasons for reductions or additions to the constitutional bodies.”

We reiterated at that meeting, as legislators, we have a right to examine. This is part of our fiduciary role that is guaranteed and protected in the Constitution. We also want to ensure that we do not

wish to delay the budgets of the constitutional bodies, but we need to uphold the Constitution in the bases and to uphold transparency and accountability.

2.48 p.m.

The fact that in the last budget committee by majority, the Business Sub-Committee reduced what was a resolution of this House in December 2017 at five hours to this debate, the estimates and so on of these budgets, and because of the last Business Sub-Committee prior to 31st October this year, it was cut to two hours and a half. It was cut by half, therefore reducing the time allowed. In fact, in the Business Sub-Committee, it was the Hon. Minister Greenidge who supported that motion.

We have to be allowed, as legislators, to exercise our reasons and responsibilities as elected by the people to examine the expenditure of the constitutional bodies. Procedures do not trump our Constitution and our Constitution responsibilities. Therefore when the last meeting took place, the Business Sub-Committee's report was circulated. It has never been presented to this House and we are total opposed to it. By resolution, it was five hours and we agreed to that as a compromise.

We cannot be asked, as legislators on this side of the House, to undermine consciously article 222A, paragraph (a), which makes it very clear that the annual subventions must be under review and approval in this House. In other words, the annual budgets of these must be reviewed. What has happened now is that you are giving us ten minutes instead of 20 minutes, and this obscene. The fact is that we came twice to try and find a compromise. That is why we said to you, Sir, in all honesty, that if it cannot be resolved in these opportunities on Thursday, we would have to bring it in the House and debate it, which we are so doing now.

Bishop Edghill: As a Member of the Business Sub-Committee, I rise to lend support to the concerns raised by our Chief Whip and to indicate that there is also a concern, apart from the time allocation, in keeping with the Fiscal Management and Accountability Act (FMAA) of 2015, section 3(b):

“The public officer responsible for managing the affairs of an Agency or such other person designated by the appropriate authority for that purpose, shall submit budget proposals to the Clerk of the National Assembly (copied to the Speaker of the National

Assembly and the Minister of Finance) who shall ensure that those proposals are submitted as presented and in the case of the Audit Office, the budget shall be submitted to Parliament through the Chairperson of the Public Accounts Committee.”

It is our understanding that this document that Members of Parliament were served with represents tables that were submitted by the constitutional agencies and not the document that was submitted by the constitutional agencies. In the Minister’s recommendations, which are circulated, the Minister had an opportunity to read the accompanying notes that the agencies submitted. Members of this National Assembly have not had that opportunity because it was not submitted to this House. The law requires that however the agency submits its budget, that is the way it is to be circulated.

As a Member of this House, we are not in receipt of those proposals as presented to the National Assembly. With that in mind, we have a concern, that apart from the time restriction, that is, the subject of discussion at this particular time, even the information that should be available to Members of the House to scrutinise the budget, which include the notes, the write up, the accompanying explanations and justifications why the agencies requested their sums, are not available to Members of this House and we so request that in keeping with this amendment, that that requirement be fulfilled forthwith.

Thank you very much Sir. [*Applause*]

Mr. Chairman: Hon. Members, in response to the... Mr. Ali, do you wish to say something?

Mr. Ali: Yes Sir. I wish to make a contribution to the ...

Mr. Chairman: A what?

Mr. Ali: I wish to make a contribution to the ongoing issue.

Mr. Chairman: Let me complete this and let me see if you still have an ongoing issue.

In response to the observation made by the Hon. Member Bishop Edghill, what you see on the desk here represented what should be delivered to one Member. My thinking on this is that this is something that Members needed to know about. If Members say that all of us say yes, we want all of it, then all of it should be given to each Member. I am told that it will take some time to

reproduce 66 more copies. I must observe that we will need proceed with the work which we have outlined for today. If Hon. Members insist that the right which they have must be satisfied, then unless Hon. Members have some other suggestion to make... What I am soliciting is suggestions so that we could be assisted with the work, so that we can proceed with the work we have to do.

Ms. Manickchand: Your Honour, the last time we met here, which was over two weeks ago, at 1.30 in the morning, we raised this issue. We had over half an hour discussion going back and forth. You heard from me, you heard from Mr. Nagamootoo, you heard from Mr. Greenidge. It was unresolved. We were very clear that the law, which binds us all in this National Assembly, indeed, which this House passed, was very clear about how it is we must receive this. We went through this and we said to you very clearly, Sir, that the documents that come before us must be the ones that are submitted. The Minister of Finance has no jurisdiction, has no right, has no ability to alter that and present it to us in a document here, or you or the Parliament Office thinks would be more convenient. What the law states is that we must get it as it is submitted. When the Registrar of the Supreme Court brings her submission and gives it to the Clerk and then copies one to the Speaker, then copies one to the Minister of Finance, the Clerk cannot put that in his desk or reduce it into writing for us. He must give it to us as it was submitted. We do not have that. I am very disappointed in hearing Your Honour brings a pile of documents there and says that if you want... We discussed this already. We were very clear that we want it because we are entitled to it, because this House said we must get it, in the laws of that we passed. We are very clear that if we are to represent the people of this country, we have to see the submissions made.

3.03 p.m.

We understand too what our limitations are, regarding what we can recommend and propose, we understand that. Your Honour, on this particular issue, to say today that we did not get around to doing it for two weeks, but that we should get on with the business of the House - this is the business of this House. Us scrutinising those documents in that file is part of the business of the House, and if we do not get that pile of documents, if the Speaker so rules, the Hon. Speaker would be determining what the business of the House should be and that cannot be what is intended in this National Assembly. Sir, that is on the issue of us not complying.

Mr. Speaker: Hon Members, let me interrupt you. I thought that you were rising to propose some way forward. You are telling us what the Speaker understands very clearly, and I believe that everyone else understands, but if you wish to proceed, please go ahead.

Ms. Manickchand: Your Honour, on that particular issue, I did not realise that I was unclear, so let me articulate it better. We propose that we get all of the documents that were submitted to the Clerk of the National Assembly, as for the Fiscal Management and Accountability (Amendment) Act (FMAA) which is before us in this House, before we begin consideration of the estimates which are before us. Sir, if that is still unclear, I would be happy to articulate it again. On the other issue... *[Interruption]*

Mr. Speaker: Hon Members, I would ask you to bear with us in relation to what we are treating. We will have a suspension and I will invite Members of the Business Sub-Committee. Hon. Members are reminded that there should be an extended Membership. I would ask Members to meet with me, immediately, after the suspension to discuss issues that seem to separate us here. We can proceed to Committee Room 2, immediately.

Sitting was suspended at 3.21 p.m.

Sitting resumed at 5.16 p.m.

Mr. Speaker: Hon Members, we will take the suspension at this time to allow us to have one hour refreshing ourselves for the task ahead. I must tell you that I would wish that I could say something different to what I am going to say now, but I hope that it would not impede your digestion. We have been unable to reach an understanding which would enable us to come back to this House and to say we can proceed without difficulty. We will take the suspension now and we are going to resume at 6.20 p.m.

Sitting was suspended at 5. 18 p.m.

Sitting resumed at 6.31 p.m.

Mr. Speaker: Hon. Members, we will now consider the approval of the 2019 Current and Capital Estimates of the constitutional agencies. You would recall that there was a suspension of our work here to facilitate discussions among Members of Parliament (MP), those discussions did not prove

as fruitful as the Speaker would have hoped, and so, we are in a sense, as I observed at the end of that meeting, no further than when we started.

The position, therefore, is that we will continue consideration of the items of the constitutional agencies, without the benefit of an agreement or an understanding on two sides. I did read this, but I am reading it again, since I am commencing. At a given time, I am sure that Hon. Members would want to express views on this.

Hon. Members, I wish to report that the Business Sub-Committee of the Committee of Supply met on Wednesday, 31st October, 2018, and we recommended the following for consideration of the 2019 Budget proposals of the constitutional agencies and passed a resolution on the matter: One - That the time allotted for the consideration of the Budget proposals for the constitutional agencies would be 2 hours and 40 minutes. The Hon. Minister of Finance is to tell me something.

Mr. Jordan: I am sorry Mr. Speaker, I was a bit distracted and disoriented, to be quite honest. “Mr. Speaker, I now move that this Committee that agreed with the Business Sub- Committee in the said resolution...” which is what I had said before.

Mr. Speaker: Hon Member, I thank you for what you have just said.

Motion proposed.

Mr. Speaker: Hon. Members, when this is done, Members do not indicate a desire to speak on this motion, but this is a time when, maybe, Members may feel inclined. If I am mistaken about that, I should proceed without more.

Ms. Teixeira: Sir, I share your disappointment that, at the meeting we held, we were unable to come to any compromise or to any resolution and that, in fact, the *status quo ante* prevails. On this side of the House, we will continue to record our opposition to the Business Sub-Committee’s Report, which the 31st October 2018 Report states that they have cut the time for the discussion from five hours to two hours and 40 minutes. We will oppose that, vehemently; we will not support it.

However, we also want to make clear to this House that, in the meeting, we had an agreement that we would all be receiving electronic copies of the agencies’ budgets. As of a minute ago, we have

received not one of the agencies' electronic copies of their budgets. We had said that it would have been difficult to receive them on our phones, but the Government's side was adamant that we were lucky to have them on your phones and, therefore, the debate would continue. However, we have not received electronic copies of the budgets on our phones, as promised at the meeting.

6.37 p.m.

Secondly, we have not received hard copies either. One Member alone, on this side, Bishop Edghill, has received a copy, which some of us tried to look at, but it is impossible for 32 Members on this side of the House to look at one copy of the agencies' budgets before us.

I want to state that, having gone in good faith to the meetings on 15th November, at 1.00 p.m. and 2.00p.m., gone in good faith to the meeting at 10.00 a.m. on Friday for the Business Sub-Committee and gone in good faith today, during the suspension, to raise our issues, that every time there is an agreement, it falls flat on its face. Even the electronic copies, which was the minimum concession that the Government was making, has also evaporated. We want to record these issues and we continue to be opposed. When we come to the actual items, we will raise our concerns there again, but, in relation to the discussions, the Government will accept no compromise such as postponing the debate on the constitutional bodies for Thursday, so that we would have the time to re-examine the budgets of the agencies.

Secondly, the constitutional issues were not resolved in relation to article 222(A), subclause (a). You yourself, Mr. Speaker, said that these issues would have to be addressed at some time, I assume.

I put on record our total opposition to the Business Sub-Committee Report and our great disappointment at the intransigence of the Government's side at the meeting we held during the break.

Thank you. *[Applause]*

Mr. Speaker: I think there is one point I should let the Hon. Member and the House know that, even as the Member was speaking, soft copies of the documents were being sent. I am informed that it would have taken some time to put together the number of documents required and that was

being done, even during the time of our meeting. That has been completed, and I am informed that they are being sent out even as I speak.

One of the things that we must understand is that, if we are not given some information it may be that it has not reached us as yet. It does not mean that the information is not being sent out. I merely say that so that Members can know that is not the entire story.

I would want to say to the House that there is some disappointment that there has not been a common view on the treatment of certain things or certain issues, concerning the constitutional agencies. I have had the honour and privilege to serve in this capacity for three years running, and I recall that every time the constitutional agencies came up, it was a matter of division, the immovable force with what was the other object. That seems to be the case.

I would hope that tonight is different, but I do not believe it would be different. One issue that I formed the impression on from the very outset was that, indeed, Hon. Members on both sides have said that we are all in agreement that delving into the constitutional agencies line by line, or any attempt at doing that was not something that Hon. Members wished to indulge. I am to tell you that, much to my surprise, I heard something and I put it no higher than that, an expression that seemed to suggest somewhat of a departure or an intention to attempt to depart. From that understanding, I find it difficult to understand, but I am sure that, as time passes I would understand most things.

What I am going to say is that I hold Members bound by that. As Speaker, I cannot allow us to resile from that understanding. It must have been a good reason why I was told that and why I heard Members on both sides saying that. I think some fundamental issues ought not to be the subject of change because other issues, which escape agreement, intervened. I say that just to start it and so that Members will know, and I will ask them at all times, as they have done in the past, to let us try our best to do what we have to do without acrimony and without disrespect for one another.

I thank you.

You have the floor Ms. Manickchand.

Ms. Teixeira: Mr. Speaker, she is ceding the floor to me.

Mr. Speaker: No, she cannot cede the floor. I have to give you the floor. Ms. Manickchand.

Ms. Manickchand: I know Your Honour said that he is advised that it was sent, and it may not have reached. Sir, my understanding, and I am very clear about that and I would challenge anyone to contest or dispute this understanding, was that we would get the soft copies by email. Email is instantaneous – there is no sending and reaching a postman, having to go into a post box, then into a bus and somebody delivers it. It is instantaneous. It is 6.43 p.m. and I am looking at my email and nothing is in my email. I speak on behalf of the 32 Members of the Parliamentary Opposition to say that we have no documents in our email. I have been advised by each of them that nobody has any email in their phones.

Your Honour, what the House is now asking us to do is to proceed to consider matters without documents that would assist us in the consideration of those matters. I raise with you again, Sir, that we did not ask for these documents two hours ago. We asked for these documents at 1.30 a.m. on the morning of the 1st November. The *Hansard* would show that, the recordings of the press people who were here would show that and we still have not received it. Yet, when I say it is being hidden from us, people are taking objection to that term. What else? You have a document that we are asking for and which we have not received. There is no other way we can describe that Sir, but to say that it is being hidden from us.

Your Honour we are now being asked to go ahead with the business of the House without documents that would guide and direct our decisions about the business of the House. We represent the people of Guyana. We do not come here at whim Your Honour. It is because of that we are bound by the laws we pass. I raise with this House the decision of the court with Ms. Esther Perreira in a petition brought by a citizen of this country. What happened regarding that matter Sir was that both parties at the time had gotten together and had agreed that they would need identification (ID) cards – that the citizens of this country would need ID cards to go to an election before they could vote. There was agreement on that and the court stated very clearly that it did not care who you are, whether your name was the People's National Congress (PNC) and People's Progressive Party (PPP) and you have the benefit of the facilitation of the Speaker of the House at the time, you could not come together to break the law. This law states that we must receive these documents as submitted. This is what we must get here today.

Sir, we were being invited to break the law - that was on 1st November. Because we were already here, let us ahead with the business of the House. The Government's side got tired and we adjourned because it was 1.00 a.m. Today, we have come back, two meetings later, where we did not meet to finalise this decision – we came back. At 4.00 p.m. today, we had a meeting where we agreed at least on one issue. The Government agreed that the Opposition was entitled to the documents - it agreed to that, and now at 6.50 p.m., we still cannot get those documents and you are asking us to proceed with the business of the House, although we rely on those documents to proceed with the said business.

I am saying that it is not something that is fair or just to the people of this country, for us to proceed. It will hurt no one for us to come back here on Thursday, having gotten these documents, and to be fully informed before we make decisions on these agencies before us. Even if we were to vote on these agencies here tonight, tomorrow the agencies would not get their money, or they would not get it next week or the following week. It is for 1st January. We voted two weeks ago for sugar workers to get their severance that was owed to them for two years and they still have not gotten it. So, it is going to hurt no one if we were to come back here on Thursday, after we would have gotten the documents. As of this moment we do not have them. *[Interruption]*

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Member, I thank you. If the Hon. Mr. Williams would allow me. I would say that, perhaps, one of the issues here is that all three previous budgets, when the constitutional agencies were being considered, the procedure which was followed was the one that is now being followed also. The problem of course is, as Members have pointed out, that was an attempt to deal with and I should use the term “a problem” which all Members on both sides recognised existed. That attempt now, and which is causing the difficulty, and sometimes whatever can go wrong in an emergency, be sure, it will go wrong. This is because attempts were being made to send all the documents out. The email is rejecting the volume of documents and the documents will have to be broken up into pieces to be sent, so that is the reason there.

Nothing that has been done here is different from what was done in previous years. That is an important point to make. Nothing that has been done here, in the first instance, is different from what was done in previous years. What is being attempted now, at this point, is to, so to speak,

perhaps, it is not the best place to change it in the middle. If you are crossing the stream and midstream you want to turn around, maybe that is what we have tonight.

So, what we are doing now is much the same. Let us see and I will hope that, very soon, if some of you Hon. Members have not yet gotten any information on your screen, that very soon some will begin read because I am informed that they are being sent.

Ms. Teixeira: The fundamental issue has to do with what started in 2015 after the amendment to the Fiscal Management and Accountability Act, where we did not have any procedures of how to deal with the constitutional bodies. Attempts were made to do it in 2016 and 2017, that we are searching for it. In the 2017 Report, which was adopted by this House with discussion and controversy, had to do with the five hours on the constitutional bodies and the examination of the Minister's recommendations, *et cetera*.

The Resolution on the floor for this year, 2018, just talks about the time allocation now being two hours and forty minutes.

6.52 p.m.

There is no reference to the Minister's recommendations, there is no reference to restricting your questions to only the Minister's recommendations, *et cetera*. It is one line, Sir.

Going back to the past is of no use in this meeting because what we have done is, in this Business Sub-Committee Report, which we are being asked to support, there is one sentence. All the other areas where there were attempts to try to reach some agreement over the years, has evaporated. All you have is one sentence here which states that now it is two hours and forty minutes, from what were different recommendations here. Somewhere, the Business Sub-Committee decided to slash all those things you thought you understood.

The issue is that we have raised in this House and in the various meetings with you, on Thursday, Friday and today, that the Constitution is the supreme body; it is the supreme organ of this country and that makes it very clear that the annual budgets of these bodies must be under review by the Parliament; they will be approved by the Parliament; there will be a lump sum by the Parliament. This issue has not been adhered to in this House.

My position on what we said is that, whether it was an oversight or a mistake, we need to correct it. We are in breach of the Constitution, we are in breach of the FMA Act, which states that the budgets must be presented as is - as the agencies present them, they must be given to the House. What we have is a compendium, prepared by whom, we do not know and which we are not sure of. What we ask is to be in compliance with the law, the FMA Act states that the documents, as presented to the Clerk, are made available to the House.

We reached an agreement this afternoon that yes, we will get those. I understand the length of time and all those things, Sir. In the light of the enormity of the task, and my Colleague is absolutely correct, this issue was hotly debated between 12.00 a.m. and 1.30 on the morning of 1st November, 18 days ago. This matter could have been dealt with and the Members of this House could have gotten copies of the submissions in compliance with the law.

If you are going to bring back things from the other report which are not in this report, I will have to raise them because they are not the report. If you are going to ramrod, not you, but if the House is going to ramrod this down to two hours and forty minutes, then that is all it is. Therefore, we will ask on line items and we will ask on everything else because that is not what the report has in it, the recommendations.

It is unfortunate that, despite all these efforts, and I really thought in the meeting that you were coming around to understand the abnormality and what we are dealing with and the effort that is required to deal with this issue of the Constitutional law. Unfortunately, in your presentation here, Sir, I am forced to come to a different conclusion. Thank you.

Mr. Speaker: I thank the Hon. Member. I would only say that I am surprised that we are... Prime Minister if you would allow me. I am certainly surprised to hear that Members do not feel themselves bound by what is a core consideration of constitutional agencies. However, that is what I want to say now.

Prime Minister you have the floor.

Mr. Nagamootoo: Mr. Speaker, these to-and-fro allegations that are being made here, at face value, appear to be an indictment of the Government. The Government has nothing to do with the

distribution and circulation of these estimates of the constitutional agencies. These agencies' system... *[Interruption]*

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Members, we will have to allow every Member an opportunity to speak on this matter. We must do that.

Mr. Nagamootoo: I am very grateful for the boisterous response to even my attempt to explain to this National Assembly what is behind this commotion. We sat here very silently not because we did not have a defence, but the Guyanese people would in fact be the judge and they would get at the motive for what is taking place. The filibustering, the waste of time, the sabotage of the work of the National Assembly, the bad behaviour, all of that the Guyanese people will see.

Allegations are being made that Government has violated the law and that Government has violated the Constitution. I could deal with this, Sir; I could deal with that. *[Interruption]*

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Members? Hon. Prime Minister, we must...

Mr. Nagamootoo: I could deal with that Sir, anytime, anywhere, any day. Do not think we do not have answers for your hooliganism here. *[Interruption]*

Mr. Speaker: Hon. Members, I will not attempt to speak above your voices. You will have to stop your speaking so that I can speak. Hon. Prime Minister, I think some unfortunate words are not appropriate for the discourse in the House. It maybe that the Prime Minister might wish not to use those words again. Please proceed.

Mr. Nagamootoo: I bow to your ruling, but you must also know that I have a right as an elected Member of this House to speak. No one heckles the other side when they are repetitious, and they come one after the other, engaging us in the same old story. Accusing first the Government for creating this problem.

These constitutional agencies have been submitted under the hand of the Clerk of the National Assembly. The law provides for some functions to be carried out by the Clerk of the National

Assembly. We, on this side of the House, are the ones who amend the law – the Fiscal Management and Accountability Act, to allow for the submissions by constitutional agencies to be presented to the House. We were the ones who have been the defenders of the constitutional agencies because we wanted to protect the independence of the constitutional agencies. They did not want constitutional agencies in the first place.

Today we have the same old allegations from those who did not want the constitutional agencies, did not want to respect their independence. That we are sabotaging, or that we were doing irregular things that will hurt the constitutional agencies or we are subverting the law.

Secondly Your Honour, we perceive in all this an attack of the integrity of the Speaker, even if your Honour does not want to say so. The imputation, the innuendo, that comes from the other side cannot escape the conclusion that these were all intended to attack the independence of this National Assembly. If the Speaker comes to the House and says that an undertaking has been made for the electronic copies to be made and that the electronic copies had been sent in bulk, but that they could not have gone over, either because of the size of the document and a technological and technical problem - not the fault of the Speaker. They are now asking me to stop talk because they do not want to hear the truth.

This is technology. If you have phones that are not working problem and lack proper connectivity, you cannot blame the Speaker, Parliament or blame the Government of that. They had to dissect and send the document in parts, I was informed while I am sitting right here. Still, they have decided, the Hon, Members on the other side. I still say they are Honourable. They are capable of being honourable and I would like them to be honourable.

Mr. Speaker: Hon. Member, the language is running on the edge. As Prime Minister you...

Mr. Nagamootoo: They are honourable. One Member, we were told, has the hard copy. If it is that much of concern...

Mr. Speaker: Hon. Prime Minister, if I may interrupt. I have been told that the copies have all been sent to Hon. Members. Please proceed Prime Minister.

Mr. Nagamootoo: Now we have received from the Hon. Speaker, the incontrovertible announcement that these scripts have been sent and now we have validation that they have been received. That should have brought the matter to an end.

We have before us and I want to say this also in all good faith, that, we need to continue the discussion on how to treat constitutional agencies. The former Attorney General does not like anyone to stand... What do you have against persons who could stand? [*Interruption*]

[*Mr. Speaker hit the gavel.*]

Mr. Speaker: Hon. Members, the Prime Minister is on the floor. The Hon. Member will restrain himself.

Mr. Nagamootoo: Now we have the validation that they have received the document, but that should not be the end of it. I believe that because treatment of the constitutional agencies by this National Assembly, particularly the estimates, it is something that is relatively new. We have been discussing this when the supplementary came and we continue to discuss it. This is a place for debate, this is a place for discussion, it is not a place for a battle and what I see sometimes that passes off for debate.

I want to say that we should continue the discussion to work out the *modus* by which we should discuss constitutional agencies, by which they could be circulated in time, so that Members could have access to review before the support. I know that the Hon. Members on the other side will have no problem supporting the constitutional agencies. I am sure that they are allowed to access the resources to allow them to work and to preserve their independence.

Saying these, Sir, I second the motion before the House and asked that the vote be put.

Mr. Speaker: I thank the, Hon. Member. Hon. Members I will now put the motion.

Question put and agreed to.

Motion carried.

Mr. Speaker: I should remind Members that copies of the Sub-Committee Minutes, resolution and schedule, have been circulated to Members. Hon. Members, in accordance with article 222(A)

of the Constitution, the Assembly will now resolve itself into Committee of Supply to consider the Estimates and Expenditure of the Constitutional Agencies for the year 2019.

Assembly resolved itself into Committee of Supply.

7.07 p.m.

Mr. Chairman: I propose that the estimates of the following constitutional agencies form part of the estimates for the Public Sector for 2019.

Parliament Office - \$1,845,416,000

Mr. Jordan: Mr. Chairman, for Parliament Office, I recommend a lump sum of \$1,700,271,000, which represents 92% of the requested amount, but 13% above the allocation in 2017. I give as my reason that the recommended amount takes account of our economic outlook for 2019, in terms of revenue, expenditure, growth in the economy, analysis of salaries and overall national development priorities.

Ms. Teixeira: Hon. Member, I hope that your answer given will not be the same for every heading. It is regrettable if it is because I am sure that is what you are going to do.

However, Sir and Mr. Chairman, the issue, as you would recall from earlier discussions during the suspension, is that the Parliament is the supreme law-making body of our country. You cut the 2018 budget by \$200 million and, in 2019, you are cutting it by \$145 million. Sir, could you say what were the reasons which made you cut the budget of the highest law-making body of this land by \$145 million? If it is the economic outlook, is it because the economic outlook is so bad you have to reduce your budget? Is it an admission on your part that the economy is doing worse than it did last year?

Mr. Jordan: As stated, the answer to the Hon. Member's question is stated in the Ministry of Finance's comments column. The lump sum amount stated for Parliament Office takes account of the economic outlook for 2019 for revenues, expenditure, growth in the economy as well as the analysis of the salaries that would be paid in 2018.

Ms. Teixeira: Mr Chairman, I remember that you, Minister Felix and Mr. Rohee went to Ottawa and British Columbia, at the invitation of the Canadians, to look at the security arrangements in

Parliament. Out of that, I understand that the Parliament Office's budget proposed the creation of a Parliamentary Police Unit. Could the Hon. Minister say whether this was any consideration in his cut and would this no longer obtain as a result of the reduction in the Parliament Office's budget?

Mr. Jordan: As indicated, a lump sum of \$1,700,271,000 is provided for Parliament Office to do as it sees fit.

Ms. Teixeira: The Hon. Minister of Public Health reported, on 31st October, 2018, that deductions are made, by the Parliament Office, from Ministers salaries for the Assuria Health Insurance for Ministers and their families. Was this money taken into consideration when the Minister cut \$145 million from the Parliament Office's budget?

Mr. Jordan: I, one again, reiterate that a lump sum of \$1,700,271,000, an increase of 13% over 2017, is being recommended for Parliament Office. *[Laughter]*

Ms. Teixeira: It is unfortunate that the other side of the House finds it so hilarious. In 2017, when they came here to discuss the 2018 budget on the constitutional bodies...the finance circular, Mr. Minister of Finance, normally guides the agencies on the percentage increase or allocations. Could you say if the Finance Secretary (FS) issued a circular guiding the constitutional bodies, including the Parliament Office? Furthermore, did it still refer, as it did in 2018, that the guidance of the agencies would come from the A Partnership for National Unity/Alliance For Change (APNU/AFC) Coalition Manifesto?

Mr. Jordan: Mr. Chairman, I am not sure how long this pantomime would continue, but, perhaps, they have whole night. I am maintaining that, in accordance with the law, I have recommended a lump sum of \$1,700,271,000 for the Parliament Office and for the reasons specified in the Ministry of Finance's comments column.

Ms. Teixeira: The Minister can call this a pantomime, but this is the House of Guyana. This is the House of the elected representatives who are answerable to the people of this country. And, despite the Minister having been giving the authority to make recommendations for the cuts, it does not mean that the Minister should be so callous with that power and feel that he is unaccountable to answer to the House as to why he has cut the budget of the highest supreme law-making body of

this county by \$145 million. He cannot be that cavalier and capricious in this House with the people's rights. The Minister may find this a pantomime, but this is not a pantomime. This is an important issue. The Minister can come next year and decide that the Parliament Office should not get \$1.8 billion, but it should get half of a million dollars. The capriciousness cannot be accepted in this House. The Minister of Finance has to answer in House: what were the factors considered and what was the framework that he was looking at that made him cut \$145 million out of the Parliament Office's budget. Unquestionably on this side, we are supporting, wholeheartedly, the total budget of \$1.8 billion which was requested by the Parliament Office of this country.

Bishop Edghill: Sir, the Fiscal Management and Accountably (Amendment) Act 2015, Section 3 (4) indicates that:

“The format of the annual budget of the Constitutional Agencies shall be as determined by the Head of each Agency in consultation with the Minister of Finance.”

The question to the Minister of Finance is: did he ask that specific forms be filled out by the budget agency and did those forms submitted aid him in arriving at the figure of \$1,700,271,000?

Mr. Jordan: In arriving at the recommended lump sum for the Parliament Office, my Ministry took into account the economic outlook for 2019 for revenue, expenditure, growth in economy and analysis of salaries.

Bishop Edghill: Could I ask the Hon. Minister if he is in receipt of a document, signed by Your Honour, dated 2nd August, that was transmitted to his office by the Clerk, with a number of forms that were filled with specific numbers? Was this document considered by the Ministry of Finance when he arrived at the sum proposed?

Mr. Jordan: I took into consideration the entire amount asked for by the constitutional agencies, the entire amount asked for by the executive agencies and the entire amount asked for by the subvention agencies. I looked at the economic outlook for growth, revenues and I determined what is our borrowing and then I made my consideration for the lump sum. The lump sum is offered for Parliament Office or for any other constitutional agency to rearrange and use as they see fit. I am not responsible for the priorities of the constitutional agencies.

Ms. Teixeira: Could the Hon. Minister advise us on what is the projected economic outlook for 2019, as he is referring to that *ad nauseam*? Therefore, he must have an idea of what the projected outcome is. Maybe, the Minister could enlighten us, so we would have greater understanding of what his projections are of the economic outlook for 2019, which has guided him in cutting the budgets of agencies.

Mr. Jordan: The outlook for 2019 is for continuation of the trend of positive of economic growth. The outlook for revenue is for a slight increase over 2018, but there are substantially more requests than I can garner revenues. So, the lump sum is provided for Parliament Office, bearing in mind that it is 92% of the requested amount, but 13% above the allocation for 2017.

7.22 p.m.

Bishop Edghill: Could the Hon. Minister indicate to this House if, according to Section 8 of the Fiscal Management and Accountability (Amendment) Act 2015, the entire lump sum, which was approved by this House, was given to the agency at the end of the following month when the appropriation was approved? And could he give this House the assurance that one month after this lump sum is approved, it will be appropriated and transferred to the constitutional agency, in compliance with the law?

Mr. Jordan: I really do not know why I have to do that. The law requires that, and we follow the law strictly. Thank you.

Bishop Edghill: May I enquire of the Hon. Minister if the staff of the Parliament Office had a continual engagement with the Ministry of Finance during the fiscal year 2018 as it relates to the lump sum that was approved by this House?

Mr. Chairman: Hon. Member, I am somewhat reluctant to have you engage the staff of Parliament Office in your questions. It may be that the objective which you seek could be attained otherwise. But I do not believe that the staff of the Parliament Office should be engaged in this exchange, or any exchange for that matter, that takes place in Parliament. So, please.

Bishop Edghill: I will rephrase, Sir.

Could the Hon. Minister indicate to this House if the Office of the Clerk of the National Assembly or the Parliament of Guyana was required, during the fiscal year 2018, to submit documents as it relate to the reprogramming and reallocation of funds into specific forms, which the Ministry of Finance requested them to submit?

Mr. Chairman: It is on the edge, but Minister?

Mr. Jordan: Mr. Chairman, you will appreciate that I am in charge of policy and not the *nitty-gritty* of what goes on in my office. So, I think it is the wrong person the Hon. Member is asking. But, essentially, I cannot answer that. What I do know is whatever was budgeted for the constitutional agency, and the head of the budget agency can attest, they have gotten what was budgeted.

Mr. Chairman: I thank the Hon. Minister for his statement. I will allow two other questions before I put the question.

Ms. Teixeira: Mr. Chairman, I wish to move a motion to move the Parliament Office's budget of \$1,845,416,000.

Bishop Edghill: I second that proposal.

Mr. Chairman: Hon. Members, I crave your indulgence while I treat with the amendments to the amendments to the amendments.

Hon. Members, I thank you for your indulgence. I hope that, during the course of this evening, circumstances would not conspire too often to keep me away from you while I delve into printed material but let us see.

Ms. Manickchand: At least you have it, Sir. We do not have it.

Mr. Chairman: The printed material, for the House's information, is the Standing Orders, which I know every Member is familiar with.

Hon. Members, what we have had is a sum requested and a sum recommended. And what we have had is a motion from Hon. Ms. Teixeira, seconded by Hon. Bishop Juan Edghill, for...is it a

restoration? We were trying to see whether it is a restoration or [*inaudible*] because, of course, Members cannot by themselves do that.

Ms. Teixeira: It was not a restoration. Mr. Chairman, when you opened the item, you laid before the House the figure of \$1,845,416,000 and then you went to the Minister for him to make his recommendation. So, my motion is not to change the Minister's recommendation. My motion is to support the proposal you put on the floor, at the very beginning, which is the budget of the constitutional agency. I am not making an amendment. I am actually supporting the proposal that you read to the House.

Mr. Chairman: Are you supporting it by motion?

Ms. Teixeira: Yes. It is because it is not a restoration; there has been no vote to cut. So, it cannot be a restoration. What is on the floor right now is a proposal and the Minister's recommendation.

Mr. Chairman: And your motion is to support the proposal.

Ms. Teixeira: So, what you have put to the House is the proposal.

Mr. Chairman: Yes. I thank you.

Ms. Teixeira: I have put a motion in support of that proposal.

Mr. Chairman: And that motion in support of the proposal is supported by Hon. Bishop Edghill.

Ms. Teixeira: Yes.

Mr. Greenidge: My understanding of Standing Order 76(2), to which the Hon. Member made reference, is that it needs to be read in its entirety. As I read it, it has several conditions.

7.37 p.m.

Any amendment to any head to increase... [Ms. Teixeira: It cannot be the head. Do you remember?]
It is a head. [*Interruption*]

[*Mr. Chairman hit the gavel.*]

Mr. Chairman: Hon. Members, let us hear the Hon. Member. That is what we must do with everyone.

Mr. Greenidge: You could take the semantics only so far. A head contains an item, either as a lump sum or in several categories. [Ms. Teixeira: ...sub-heads or line items.] Well, even within the sub-head. The point I want to make here is that it states that an amendment may only be moved by a Minister who shall signify to the Committee the recommendation or the consent of the Cabinet to the increase. You cannot make a proposal from the floor for a budget item. It requires a Minister. The Minister has to indicate that the item is approved by the Cabinet.

Ms. Teixeira: The point that the Hon. Minister Greenidge is making does not apply here. As we said in the very beginning when we appealed to the Government's side, the procedures for the constitutional agencies have not been provided for in the Standing Orders. Therefore, we are in new territory. However, let me finish what I am going to say. What we have before us on the floor are a proposal and a recommendation. There is no restoration because the matter has not been voted on as yet.

The second issue is that the Government has said, very clearly, that there would be no discussions of headings, sub-headings and line items, *et cetera*. What we have before us is a lump sum and that is what we are looking at.

The third issue is in relation to Justice Chang's ruling on the Ethnic and Relations Commission (ERC) when the budget was cut. This was done by the then Opposition, which is now on the Government side of the House, the A Partnership for National Unity/Alliance For Change (APNU/AFC). Justice Chang ruled that it was unlawful – that they could not cut the budget of the Ethnic Relations Commission as it was a constitutional body, independent of the Government, and not subject to those reductions and cuts. Therefore, until he is proven wrong somewhere else, we are dealing with what the High Court ruled. [Hon. Member: The Court of Appeal *[inaudible]* Where did you find that? That is not so. There is a ruling of the High Court on this matter. We are, therefore, putting, in all honesty, a constitutional body's request for money. The Minister has been asked to justify his recommendations and persuade us on the Opposition that he is right. He has made no such attempt.

Secondly, under constitutional issues, these bodies should not be subject to the capriciousness of the any Government or any Minister without cause. Therefore, we feel that the budget of the Parliament Office is justifiable and reasonable and should be supported by this House, Sir.

Mr. Chairman: Hon. Members, what we have is a request by a constitutional agency, which is the procedure that is set out. We then have a recommendation by the Minister of Finance. What the Hon. Ms. Teixeira attempted to do.... I want to be correct. Was it to move a motion in support?

Ms. Teixeira: Yes.

Mr. Chairman: It was a motion in support of the sum requested. The Hon. Bishop Edghill supported that motion in support. To all intents and purposes, what we have before us is the sum requested and the Minister's recommendation. We are, therefore, going to have to resolve this by voting.

We will put, first of all, the request by the constitutional agency, which is consonant with the support given to it by Ms. Teixeira and Hon. Bishop Edghill. That is the first issue that we would put to the House – that is, that the sum requested be put to the House.

The Prime Minister rose.

Hon. Prime Minister, you have the floor. Hon. Members, until the vote is called by the Speaker, it is quite in order for questions to be asked and/or for Hon. Members to rise and make a comment. Please proceed, Prime Minister.

Mr. Nagamootoo: I firmly believe that a ruling must be made on the admissibility of this motion. This motion is clearly inadmissible. It is an invitation to lawlessness and unconstitutionality. Only the Cabinet can authorise sums of money to be voted on in the National Assembly to be accessed from the Consolidated Fund.

I see there is another speaker on the Opposition...Whenever I get up here to speak, I hope I will be adequately protected. Whenever someone speaks on this Government's side, it seems as if there is a liberty on the other side to shut them up. It is as if they have a monopoly on wisdom and intelligence and they could articulate on any subject.

This is a serious matter. There is a request that is before this House from a constitutional agency. The Fiscal Management and Accountability (Amendment) Act 2015 - Act No.4 of 2015, Section 80 (b) (2) states...

Mr. Chairman: An Hon. Member is interrupting the process. I ought not to hear that Member, as I am doing. Prime Minister, apologies to you.

Mr. Nagamootoo:

“The Minister of Finance shall submit to the National Assembly the Minister’s comments on the annual budget of a Constitutional Agency...”

This is clear. The Minister has so submitted his comments, including recommendations, in sufficient time to enable consideration by the National Assembly. Those recommendation should be limited to the overall request, rather than line items. The Minister, having made his recommendation, the issue is putting the question on the basis of the recommendation. To go back on the sum that has been opposed, in a sense, by the Minister, who has given an extensive repeated explanation as to the rationale for the recommendation...It then should not be an issue that this House entertains a motion, which, of course, is in all circumstances, as I have said before, is a dilatory motion. It cannot be accepted. It is only done based on filibustering and wasting precious parliamentary time that they have introduced a motion to restore a sum on which the Minister had commented and made a recommendation with the support of the Cabinet of Guyana.

Only the Cabinet of Guyana could make a proposal to the National Assembly on a matter of expenditure of sums from the Consolidated Fund. It cannot be the *fiat* of the Opposition to ‘run’ the Government from the Opposition benches, which is what this motion is trying to do. It cannot be an admissible motion that would suggest a sum of money and that is going to come to the floor of the National Assembly.

All financial matters must emanate from the Government and an amendment, by way of increasing a sum, must come, firstly, by way of a motion that is tabled one day before the estimate is considered. This is found in Standing Order 76. Secondly, it must emanate from a Minister. In this case, it must be the competent Minister, who is the Minister of Finance. Or else, we would have in this country anarchy if the Opposition can access funds from the Consolidated Fund to be spent

at the whims and fancies of the Opposition, particularly the issue of budgetary allocations. It cannot supersede the recommendation of the Minister. I ask that the recommendation of the Minister be put to this National Assembly for a vote and the motion be ruled as inadmissible.

Mr. Chairman: I thank the Hon. Prime Minister for his statement. There are a number of issues which arise, and which exist in the treatment of this matter. The recommendation made by the Minister is a recommendation which must receive the approval of this House. Until that time, it is a recommendation. The proposal of the sum requested is a similar matter in the same vein. That is, it is the sum which the particular agency is requesting. This House has to approve it. In a sense, I am not sure we are answering all the issues when we treat them as if they are *fait accompli*. In one instance, the request, so to speak, is something with life before this House votes on it and that the recommendation of the Minister is *fait accompli* before the House votes on it.

7.52 p.m.

When we join the other issues about the inability of anyone other than a Minister to interfere or intervene in matters which involve entry into finances where the Consolidated Fund is engaged it is further complicated. I think the easiest approach, and the one that I am going to take, is to invite the House to vote on this because in any event the House would have had to vote on it. **[An**

Hon. Member: Exactly.] I thank the Hon. Member is clearly with me on this matter, if not he would not have voice it so loudly. What I propose is that the House indicates...

Let me say one other thing the request made by the constitutional agencies is not affected in greater, lesser or any degree by the motion to support it. It remains as it was when it was first presented, and it remains that way even now after all we have talked and discussed and so we will put it to the vote.

The sum requested by the constitutional agency is \$1,845,416,000 while the recommendation made by the Minister is \$1,700,271,000. I put to you first...

Mr. Nagamootoo: Sir, before you put the motion, I humbly crave your indulgence. If this motion is put on the sum requested, it would be in violation of the precedent of this House. I would refer to the *Hansard* of Friday, 17th of November, 2017 when the same issues were canvassed in this House and... *[Interruption]*

Mr. Chairman: Hon. Member, my integrity is never engaged. Please.

Mr. Nagamootoo: ...on that occasion...[*Interruption*]

Mr. Chairman: Let us remember that we are not going to descend into revelry here. If Hon. Members are too loud and they continue to disrupt the proceedings, you would engage the attention of the Speaker. Let us try to remember that.

Mr. Nagamootoo: Sir, just to recap what I had said, and it on page 39 of those records. I refer to “Standing Order 76 states that if you were to move an amendment when a matter is before the Committee of Supply, it needs a notice to be given of the motion of amendment.

“We have heard from the noisy Opposition’s side, that being vociferous and destabilising, they could move a motion to say that the submission by the constitutional agencies shall be put to a vote. What is the practice here?”

I am quoting from the *Hansard*.

“Your Honour, after listening to the debate on this matter, I say this today that this National Assembly should move on the recommendations made by the Minister of Finance and that the question be put because you cannot interrogate the constitutional agencies.”

Then after the discussion the motion was put. I believe that we would have put the question after your comment. Those were your words, Ms. Teixeira.

reading?]

[**Mr. G. Persaud:** What are you

I am reading from the Hansard.

In regard to the Office of the Auditor General, the Chairman said:

“I would remind Members that they are not to impute improper motives to Hon. Members.”

And of course, he said:

“Office of the Auditor General – \$844,422,000, as amended to \$783,876,000, agreed to and ordered to stand part of the Estimates.”

The recommendation was put, not the request and that was the precedent in this House. As I understand the doctrine of *stare decisis*, it would require that we follow the precedent. I argue this

very strongly that we should not allow ourselves to be veered off from a practice that has now become, as I would say, a convention of this House as to how to treat the constitutional agencies to invite a motion of the type that has been moved to invoke a number that is higher than the recommendation, it would be to have the Opposition dictating sums to be allocated. It is an improper question to be put to this National Assembly. It is improper; it is unconstitutional and it is wrong and should be ruled as inadmissible. The recommendation of the Hon. Minister of Finance, which is the recommendation of Cabinet, which is the recommendation of the elected Government of Guyana, is the recommendation that should be put to the vote at this time.

Mr. Chairman: I thank the Hon. Prime Minister for his observation. Clearly, the Speaker, who dealt with this matter in 2017 was clearly either more aware than the present Speaker or less aware than the present Speaker. The fact of the matter is that this Speaker feels himself bound to observe the procedure which he followed in 2017. Under the circumstances, I shall put to the vote the recommendation made by the Minister of Finance. Clearly if that recommendation fails the other one stands.

Parliament Office – \$1,845,416,000, as amended to \$1,700,271,000, agreed to and ordered to stand part of the Estimates.

Audit Office of Guyana - \$894,241,000

Mr. Chairman: The sum recommended by the Minister of Finance is \$872,009,000.

Mr. Ali: Would the Hon. Minister agree with me that the sum recommended would be inadequate taking into consideration the emerging oil and gas sector and the role the Auditor General would have to play in ensuring that he has the right staff, the staff has the training and the capacity is built to conduct audits in this sector, especially in this budding stage? Would the Hon. Minister agree with me that cutting Auditor General's budget or reducing his proposal would adversely affect the Audit Office's ability to build capacity in this new sector?

Mr. Jordan: The lump sum of \$872, 009,000 to the Office of the Auditor General represents 98% of the requested sum and 16% above the 2017 allocation, and it takes into account our economic outlook, revenues, expenditure growth in the economy and annualisation of salaries. I have to disagree with my honourable friend.

Mr. Ali: The Hon. Minister of Finance would agree with me that we have a growing capital budget and with new projects coming on stream, including the new bypass road and other projects announced by the Government, the work of the Auditor General would no doubt increase by more than 16%. Would the Hon. Minister agree with me or would the Hon. Minister say whether the growing capital budget and these additional projects were taken into consideration when he reduced the Auditor General's budget?

Mr. Jordan: I do not believe I heard a question. I heard a comment.

Mr. Chairman: Hon. Member, could you rephrase the question to assist the Minister?

Mr. Ali: Would the Hon. Minister agreed with me that there is a growing capital budget and new capital projects coming on stream? With these new projects and a growing capital budget, would he agree with me that the resources that the Auditor General would have requested would have helped him meet the expenditure required to audit these projects and the reduction in the proposal by the Auditor General would adversely affect his ability to audit these projects and the growing capital budget?

Mr. Jordan: If my honourable friend look under the Audit Office of Guyana, the growing capital expenditure recommended and the growing capital expenditure requested are one in the same numbers.

Mr. Ali: Just for clarity, I am speaking about the growing capital expenditure of the country because the Audit Office of Guyana work expands as the capital budget expands. I am speaking in context with the growing capital budget of the country.

Bishop Edghill: The Audit Office of Guyana plays a very critical role in ensuring transparency and accountability and fulfilling the ideals of good governance.

8.07 p.m.

Could the Hon. Minister indicate what was the consideration that was taken into account when the reduction of the Audit Office of Guyana proposal was made, especially when we as a country desire to ensure that we have greater levels of accountability and transparency and the critical role that the Audit Office of Guyana is required to play?

Mr. Jordan: The considerations taken into consideration are the economic outlook for 2019 for revenue and expenditure, growth in the economy and the annualisation of the salaries. The lump sum is \$872,009,000, as it states it is a lump sum, is to be reordered or prioritised as the Audit Office of Guyana sees fit.

Bishop Edghill: Would the Hon. Minister of Finance be able to justify the criticisms of the Guyanese...?

Mr. Chairman: Hon. Member, I do not want to interrupt. I will ask all Hon. Members to do their best to follow what I am going to ask you to do now. Let us be short on the preamble and deal with the question direction. There have been so many preambles before a question is asked, that sometimes the person to answer the question loses the trend of the question. Indeed, once or twice the questioner has lost the trend of the question. I will not wish to interrupt Hon. Members in their questions, but I must request them to ask the question and save the preambles. Please proceed.

Bishop Edghill: Could the Hon. Minister indicate if he agrees that inadequacy of funding of the Audit Office of Guyana restricts that office from carrying out its constitutional functions?

Mr. Jordan: I do not know about relevance. I have been asked under the Fiscal Management and Accountability Act to recommend a lump sum and put the reasons for. I have done that. I have recommended a lump sum of \$872,009,000 and the reasons are specified in the Ministry of Finance's comments column.

Bishop Edghill: The Audit Office of Guyana in its submission requested a specific sum in keeping with what it envisages would be its work programme. If it is not allocated what is requested, would the Minister agree that there would be unable to do all that it envisages that it would be doing in the year 2019?

Mr. Jordan: No Mr. Chairman.

Mr. Ali: From time to time, the Auditor General would have complained about the inadequacy of staff to complete audits on time and to complete the number of audits that he is required to do. Would the Hon. Minister agree with me that the inadequacy of funds or the reduction in funds from what is proposed by the Auditor General would further affect the work of the Auditor General, in relation to staffing?

Mr. Jordan: No Mr. Chairman.

Bishop Edghill: Is the Minister of Finance aware that unlike the other constitutional agencies the Audit Office of Guyana is required to present its budget to the Public Accounts Committee of Guyana which scrutinises that budget. Based upon that scrutiny a recommendation was made. The Public Accounts Committee is a bipartisan Committee of this House. Is the Minister of Finance, in his recommendations, differing from the unanimous view of the Public Accounts Committee to support the Auditor General's proposal?

Mr. Jordan: The Minister of Finance is advised under the law to provide a lump sum and the reasons for that lump sum. This is before the House, \$872,009,000. The reasons for this are provided in the Ministry of Finance's comments column.

Audit Office of Guyana - \$894,241,000, as amended to \$872,009,000, agreed to and ordered to stand part of the Estimates.

Public and Police Service Commission - \$155,596,000

Mr. Rohee: It appears as though there is a cut of approximately \$9.1 million in the recommendation proposed by the Minister of Finance for the two constitutional bodies, the Public Service Commission and the Police Service Commission. The first question that I would like to ask, in respect to this amount, is - the Public Service Commission and the Police Service Commission are two separate and distinct constitutional bodies - why is it there a single lump sum for two separate and distinct constitutional bodies which have to execute separate and distinct responsibilities as vested in them by the Constitution?

Mr. Jordan: I think that Mr. Rohee is asking the wrong person the question. The Public and Police Service Commission is the name of the constitutional agency under the list of constitutional agencies in the Constitution. I cannot answer that. The sum of \$146,317,000, which is recommended by the Minister of Finance, is 94% of the requested amount, but 62% above the 2017 allocation.

Mr. Rohee: I heard the comparative analysis of the Minister which is appreciated. We are dealing precisely with 2019. The question that I would like to enquire of is whether the economic outlook that has influenced this budget cut by the Minister takes into account the fact, according to the

Government, that it will have additional revenues from the production of oil. Therefore the cut in the money is inconsistent with what the Government has declared publicly in respect of revenues that are likely to flow, giving impetus to the economic outlook.

Mr. Jordan: I am unaware that the oil moneys would flow in 2019. The answer to the Hon. Member's question is no.

Public and Police Service Commission - \$155,596,000, as amended to \$146,317,000, agreed to and ordered to stand part of the Estimates.

Teaching Service Commission - \$113,362,000

Teaching Service Commission - \$113,362,000, as amended to \$109,095,000, agreed to and ordered to stand part of the Estimates.

Guyana Elections Commission - \$6,368,100,000

Mr. G. Persaud: Volume I, 2019-2022, Guyana Elections Commission submission reflected significant increases over the year 2018, and that is, according to the document, the intention is to have house to house registration in 2019 between the period May and October, 2019. What I am seeing here, from the request that the agency made on the current side, there is a \$500 million reduction in the Minister's proposal which is 9.3% and on the capital side there is a 50.9% reduction from the agency's request to what the Minister proposed. My question therefore to the Hon. Minister...

Mr. Chairman: Hon. Member, I interrupt you just to say that the Minister recommends and not proposes.

Mr. G. Persaud: Sorry, he recommends. Thank you very much Mr. Chairman.

Mr. Chairman: Please proceed.

Mr. G. Persaud: My question therefore to the Hon. Minister is whether this reduction will see an incomplete national house to house registration process. House to house registration is a costly process. I am wondering whether the Hon. Minister would tell me about the economic outlook and revenue. Let me leave that for the...

8.22 p.m.

Mr. Jordan: First, I would like to congratulate the Guyana Elections Commission (GECOM) on its successful execution of the local government elections on the budget that was given to them in 2018. I read somewhere where the Chief Elections Officer was indicating that he did not use up all of his budget. The lump sum for 2019 is \$5,371,061,000, roughly 84% of the requested amount, but 207% over 2017 and is nearly double what it was given in 2018 at the budget time. For the reason stated in the Ministry of Finance comments, it takes account of our revenue expenditure growth, annualisation of salaries and indeed the fact that it has to do certain activities in relation to national elections in 2020.

Mr. G. Persaud: Let me thank the Hon. Minister for his response. We cannot compare 2018 with 2019. The activities proposed for 2019 is a national house to house registration and whatever is the percentage or the figures the Hon. Minister is sharing with us, it still asks the question, would that 16% reduction from what was requested and now recommended by the Hon. Minister interfere with the smooth conduct of the Guyana Elections Commission's work with regard to house to house registration in 2019?

Mr. Jordan: I do not think it would interfere.

Mr. Mustapha: I just have a follow-up question to my colleague question. My colleague mentioned one aspect of the work that GECOM would be conducting in 2019. There are a number of other activities that GECOM is planning also to conduct in 2019. For example, I knew, it was published in press, that GECOM would be building some new buildings across the country for the house to house registration. GECOM would have to get equipment to do electronic biometric. Would this sum that the Hon. Minister is proposing be adequate enough for those activities to take place?

Mr. Jordan: The sum of \$5,371,061,000 is given as lump sum to GECOM to use as it sees fit and as it prioritises.

Guyana Elections Commission - \$6,368,100,000, as amended to \$5,371,061,000, agreed to and ordered to stand part of the Estimates.

Supreme Court of Judicature - \$2,801,373,767

Mr. Nandlall: I observed that in 2017 the Hon. Minister had to come back to the House for \$30 million, supplementary provision for the judiciary and then in 2018, he returned again, this time for \$165.6 million and for 2019, he is reducing the judiciary's budget by over \$500 million. Mr. Minister, could you explain to us, having regard to the two immediate previous past years that you had to come back to the House and ask our approval of huge sums of money, what factors did you take into account in reducing the budget this time by over \$500 million?

Mr. Jordan: I would take that Hon. Member Anil Nandlall would appreciate that since he is in this House, the reasons why we came back in 2016 and 2017 to the House, it had to do with the judiciary employing magistrates, I think on one hand, and then I think judges of the Court of Appeal and some other judicial officers, on the other, for which neither we nor the Supreme Court has any control and so when it requested we duly acquiesce and brought it to the House.

The sum recommended here of \$2,308,882,000 is recommended as the lump sum for the reason stated in the column of the Ministry of Finance comments, which it takes into account the economic outlook for revenues expenditure, growth in the economy and annualisation of salaries.

Mr. Nandlall: For the purpose of the record, the complement of judges in the Court of Appeal and in the High Court are fixed by law, so there cannot be additional complement of judges. Also the same position obtains for the magistrates, so the Hon. Minister is not totally correct when he told us that the reason for the increase was due to some increase in the complement of judges and magistrates. My question was not answered. Did the Hon. Minister of Finance hold any consultations with the judiciary before offering to us or proposing or recommending to this House a reduction and on what basis did he arrive at that particular sum of over \$500 million?

Mr. Jordan: As Hon. Members are aware, I am only required to receive a copy of what is submitted to the House and I then make my recommendations of a lump sum to the House and give the reasons. I believe I have done so in the lump sum and the Supreme Court could use that lump sum as it sees fit in terms of its priorities.

Mr. Nandlall: Having regard to the fact that we are recognising the financial autonomy of these agencies, as we have articulately and emphatically expressed over and over in this House, is guaranteed by article 222A Constitution, is the Hon. Minister unilaterally reduction of the judiciary

not a violation of letter and spirit of that autonomy which is guaranteed by article 222A of the Constitution?

Mr. Jordan: In all my years all I did was economics and finance. I have no legal training, so I could not answer it.

Mr. Nandlall: The Hon. Attorney General and the Hon. Minister of Public Security were recently in the precincts of the judiciary as part of a process to declare opened an additional court.

Mr. Speaker: Hon. Member, please ...

Mr. Nandlall: Yes Sir, that is the preamble.

Mr. Speaker: I have been very lenient with your preambles. Let us try to get to the questions quickly please.

Mr. Nandlall: I am very grateful for the wide and embracing indulgence that you are extending to me.

The judiciary has just established a new court, this is an addition to a new court established only a year ago, the Sexual Offence Court. Now we have a court to deal with young offenders. Those would have been new elements and new factors, taken into account by the judiciary in the compilation of its budget. Did the Hon. Minister, taken into account that the judiciary would be embarking on a new sphere of judicial activities and hence the need for an increase in their budgetary allocations - here we have the Hon. Minister reducing it - take that additional and new sphere of activities in which the judiciary would be engaged, in the form of a brand new court attached to our judicial system for the first time in our history?

Mr. Jordan: Contrary to my learned friend statement, the Supreme Court's lump sum recommendation represent an increase of 29% over the 2017 allocation.

Mr. Nandlall: I rise again, and perhaps, I am now imposing on our indulgence, but in 2017 or 2018, we did not have this new court. We got the new court this year, and it begun to function about a month ago and it will hopefully continue to function until the end of 2019 at a minimum. I am sure that those who crafted the judiciary's budget made additions to it in order to facilitate

the functioning of this new court. I am asking the Hon. Minister specifically if he took that into account in proposing a reduction of the Supreme Court's budget.

Mr. Jordan: The lump sum it recommended does not present a decline, it presents an increase on the allocation in 2017 and the allocation in 2018 of 29% and 13% respectively.

Mr. Nandlall: Another new innovation, which has been embarked upon by the judiciary, is the employment and the holder of a Bachelor of Laws (LLB) degree as a Research Assistant for every judge in the Supreme Court. That obviously attracts, again, a new additional budgetary burden on the judiciary.

8.37 p.m.

That new addition, which is welcomed both by the profession and by the public because it will expedite the speed at which judges deliver decisions, a bugbear of our judicial system. Did the Hon. Minister take that into account in reducing the judiciary's budget by \$500 million?

Mr. Jordan: The lump sum they recommended, which does not represent a reduction on the years 2017 and 2018, has been given for the reasons provided under the Ministry of Finance's comments column.

Mr. Chairman: Hon. Members, there are two other questions. Ms. Teixeira, you have one.

Mr. Teixeira: I am trying to comprehend the rationale of the Minister, in terms of deciding \$500 million from the Supreme Court, \$145 million from the Parliament Office, X million from another place. Sometimes I think the Minister is playing ... what do you call it, that game that they play? The one where you move things around on the board - 'chick-chick board'. Is it 'chick-chick board' that the Minister is playing on the constitutional bodies?

[Mr. Chairman hit the gavel.]

Ms. Teixeira: There is nothing wrong with the term 'chick-chick board'.

Mr. Chairman: I am familiar with the term, but, surely, we would not introduce gambling into the House, would we?

Ms. Teixeira: That is what I am asking the Minister, is he gambling. I am asking the Minister what the rationale is behind cutting the Supreme Court of Guyana's budget by half-a-billion, and the Guyana Elections Commission's (GECOM's) budget by X, and another by X. Is he playing like the 'chick-chick' man on the counter and is just pulling out things capriciously? I believe that the Minister has reasons, the Minister is not giving those reasons and is repeating *ad nauseam* to us, what is in the *Legend*. That is becoming a joke. Mr. Chairman, he must have a framework.

Mr. Chairman: Hon. Ms. Teixeira, are you going to ask a question? We are talking about cuts, and it sounds like some kind of violence being... [*Inaudible*].

Ms. Teixeira: What is the framework that you, as the Minister of Finance, are using to determine? You must have some formula: mathematic, financial, economic or arithmetic. There must be some formula that you are using, when reducing the agencies by these figures. You cannot tell us that you are taking a lump sum and you are cutting it. It cannot be capricious and arbitrary like that. I would not believe a Minister of Finance of this country would do that.

[*Mr. Chairman hit the gavel.*]

Ms. Teixeira: I am asking you what the formula is: What is the formula that you are using?

Mr. Chairman: Ms. Teixeira, there is one other question. Hon. Minister, would you answer this question, please?

Mr. Jordan: Mr. Chairman, I think that I adequately answered this head. I do not believe that I have much more to add, Sir.

Mr. Chairman: This is the last question. Hon. Member, Mr. Nandlall, do you wish to ask a question?

Mr. Nandlall: Yes, Sir.

Mr. Chairman: Then the preamble. Please proceed.

Mr. Nandlall: Minister, for the purpose of explaining to the public, I need a sensible explanation as to what are the criteria you used in arriving at the decision that you will reduce the judiciary budget by half-a-billion dollars, whatever it is. I refuse to accept that you, Hon. Minister, would

sit in your office and capriciously, whimsically and arbitrarily reduce. So, I attribute to you, a reasoned approach, some methodology that you would have utilised to arrive at a sum. This is because you have not held consultations with the judiciary, and as my colleague pointed out ...

Mr. Chairman: Hon. Member, Mr. Nandlall, have you asked the question already?

Mr. Nandlall: No, Sir. I am breaking it down because I am not getting the answer.

Mr. Chairman: Then I will have to ask you to take your seat if you detain us much longer.

Mr. Nandlall: Sir, I will ask you for an extension of time.

Mr. Chairman: You will not have it. You will ask the question now, please.

Mr. Nandlall: Minister, could you tell us what the methodology is that you used in computing the figure that you are using to reduce these constitutional, independent agencies, whose financial autonomy and independence are guaranteed by the Constitution of the Co-operative Republic of Guyana?

Mr. Jordan: The lump sum of the Supreme Court and all other constitutional agencies had been arrived at, taking into consideration the economic outlook for 2019, as it relates to our revenue, expenditure, the growth in the economy, analysis of the salaries and our ability to borrow. That is what it is.

Supreme Court of Judicature – \$2,801,373,767,000, as amended to \$2,308,882,000, agreed to and ordered to stand part of the Estimates.

Chamber of the Director of Public Prosecution - \$219,824,000

Mr. Nandlall: I will ask the Hon. Minister to explain to us ... I am still trying to grapple with the methodology. There is no cut here, nor is there any reduction. On what basis is he not reducing this one, when he has reduced all those hitherto?

Mr. Chairman: Mr. Nandlall, you have asked the question. Thank you.

Mr. Nandlall: Sir, I am trying to understand the methodology.

Mr. Jordan: The sum of \$219,824,000, which represents 100% of the requested amount and which is also 40% above 2017, takes into account the economic outlook for 2019 for revenue, expenditure growth in the economy, the analysis of salaries and our ability to borrow.

Mr. Nandlall: I conceded that he has granted the sum requested. I am simply asking on what basis was this one granted, while he refused to grant the other requests that came from the other agencies. What yard stick is he using? What form of discrimination is he employing?

Mr. Chairman: Mr. Nandlall, you have asked the question.

Mr. Jordan: Mr. Chairman, since the question is the same question as the previous, and which I had answered, my answer remains the same.

Chamber of the Director of Public Prosecutions - \$219,824,000 agreed to and ordered to stand part of the Estimates.

Office of the Ombudsman - \$74,223,000

Office of the Ombudsman - \$74,223,000 agreed to and ordered to stand part of the Estimates.

Public Service Appellate Tribunal - \$62,828,000

Public Service Appellate Tribunal - \$62,828,000 agreed to and ordered to stand part of the Estimates.

Ethnic Relations Commission - \$278,163,678,000

Bishop Edghill: There was a reduction of about \$84 million from this proposal of the constitutional body. Could the Minister of Finance indicate to this House how he envisages this commission, which just recently benefitted from a supplementary of \$29 million plus, would be able to function in 2019 with such an acute cut?

Mr. Jordan: The sum of \$194,808,000 to the Ethnic Relations Commission, represents an increase of 275% on 2017 and 68% on the Budget 2018, including the supplementary provision that was given to this agency. So, this lump sum, which takes into account the economic outlook, the revenue, the expenditure, the growth and the analysis of salaries, is given to the Ethnic Relations Commission to do as it see fit in terms of its priorities.

8.52 p.m.

Bishop Edghill: Is the Minister aware that the full complement of Commissioners for the Ethnic Relations Commission was only put in place sometime early this year. So, a comparison of 2017 and 2018 could nowhere be considered adequate, when there was no functioning Commission and there are now 10 Commissioners with a full work programme. Could the Hon. Minister indicate how he anticipates this Commission to function with such an acute cut?

Mr. Jordan: Mr. Chairman, as indicated, this amount does not represent a cut. It represents a 68% increase in the budgeted amount for 2018, plus the supplementary provision. The lump sum is adequate in consideration of the reasons given under the Ministry of Finance's comments column. Thank you, Sir.

Bishop Edghill: Is the Minister of Finance aware that there is correspondence to you Sir, copied to him, where the Commission has...

Mr. Chairman: To...Please proceed. Go ahead.

Bishop Edghill: Is the Minister of Finance aware that there is correspondence from the 10 Commissioners which came to you Sir and was copied to him, which expresses concern about this cut since this document of the Minister's proposal has become public? How does he plan to address it?

Mr. Chairman: Before I ask the Minister to respond, I am a little uneasy that correspondence addressed to the Speaker, a Member of the House is privy to it. I do not ask how or why, but that the Member feels himself free to mention it here is to me somewhat disconcerting. Whatever a Member acquires by way of accident, otherwise than directly from the Speaker, I do not believe it should be the subject of comments here. It cannot be because the question arises about how a Member, to whom a particular correspondence is not addressed, and I know that I did not give it, could address the Speaker and say to the Speaker "I got a letter that you got".

All I am saying is that it was improper, and I hope that this is not going to be a method by which Members couch their statements in the House. If I tell you that I am uneasy by it, I tell you truth. That is all I will say. Hon. Member, I do not ask an explanation and I do not wish one. You have asked a question, then await the answer from the Hon. Minister.

Mr. Jordan: I am aware about it because the letter was actually copied to me, so that is the reason why I am aware. Having examined the letter and the allocation, we believe that the allocation, consistent with the reasons we have given, is adequate as a lump sum.

Bishop Edghill: For the purpose of the record, a constitutional body that comprises of representatives of various constituencies address their concerns with constituencies. This is because every Commissioner that is on the Ethnic Relations Commission came from a constituency and had to be nominated by members of that constituency to which they report. So, when 10 members of a Commission agree on a matter and write, it is not a private matter. They are representatives from constituencies. I am just making that clear, Sir.

Mr. Chairman: Hon. Member, Mr. Edghill, please take your seat. The only cause for regret in all of this is that something as indefensible as that could be a basis for defence - nothing more. A question has been asked, let the Minister answer it. I do not think this is something for us to dilate on here. I hold the responsibilities of the Speaker extremely high, maybe mistakenly so, I do not know. But, what I will say is correspondence between the Speaker and any Member in this House is between the Speaker and that Member. There have been, over my period here, times when I have received letters from Members of the House, and if anyone else knows about it, it is because that other Member would have made it public. I do not expect the Speaker at any other time to be the subject of comment from the floor about correspondence he has received from any Member. If I am making much of it, is because there is much of it and it is not acceptable. So, we do not defend what is at best... I will not use the word, but we do not defend those things by any means. We run from them. I hope Members will feel that they should do that too.

Hon. Minister, you have a question, do you have an answer? If there is question you wish Bishop Edghill, please address the question.

Bishop Edghill: I have a question, Sir. The Commissioners who represent 10 categories or groups of people in Guyana, have indicated that the budgetary allocations proposed by the Minister of Finance would only be adequate for the payment of salaries and utilities. The question is, with such an acute cut, how can the Commission perform its functions in adequately servicing the nation and in responding to the complaints which they would have to investigate?

Mr. Jordan: The question asked is the same question asked, previously, for which I had provided an answer. The answer remains the same.

Bishop Edghill: My final question. Would the Minister agree with me that a Commission that has been reduced by \$84 million, and which is only able to pay staff and utilities would be a sitting duck for an entire year because of being inadequately financed?

Mr. Chairman: Is that a question? Hon. Member are you through with the question?

Bishop Edghill: Yes, I am finished.

Mr. Jordan: No, Mr. Chairman.

Ethnic Relations Commission - \$278,163,678, as amended to \$194,808,000, agreed to and ordered to stand part of the Estimates.

Judicial Service Commission - \$10,020,000

Judicial Service Commission - \$10,020,000 agreed to and ordered to stand part of the Estimates.

Indigenous Peoples' Commission - \$30,743,000

Ms. Campbell-Sukhai: Mr. Chairman, I have noticed that the Hon. Minister has upheld the sum requested by the Indigenous Peoples' Commission (IPC). Could the Hon. Minister then share with this House whether this increase will cost additional empowerment sessions to be held and whether this increase will provide sessions for righting the wrongs against 1,972 Amerindian youths, with respect to the loss of opportunities since June, 2015?

Mr. Jordan: With no disrespect to the Hon. Member, I think that the question is irrelevant to what we have before us today.

Indigenous Peoples' Commission - \$30,743,000, agreed to and ordered to stand part of the Estimates.

9.07 p.m.

Human Rights Commission - \$47,378,000

Ms. Teixeira: Hon. Minister, I have noticed increases in 2017 and 2018, the request by the agency in 2019, and your reduction of the request. However, this is a body that does not exist. Therefore, I note the increases. Although there has been your reduction, there is still an increase. When will the Commission be established in accordance with the Constitution in Article 212(N)? You have the Chairpersons of the Rights Commissions, but it is expected that the President writes the Leader of the Opposition. I have raised this every year now. In 2016, 2017, and in 2018, I have raise this, and I am raising it here that we have still not received a request from His Excellency the President to the Leader of the Opposition to name six names in accordance with the formula in 212(N), subclause (3), which is a similar formula as the one used for the Guyana Elections Commission. I am concerned that the budget is increasing, but there is no commission in place. Why is the budget increasing? You have, this time, exercised less stringency as you have with other agencies?

Again, your formula mystifies me Minister. Therefore, more and more, I am in belief that my theory of 'chick-chick board' is absolutely right in relation to you.

Mr. Jordan: Mr. Chairman, I am not sure on the aspect that the Hon. Member is asking. I could only defer to the Hon. Leader of the House here on our side, because I am not the Minister with the constitutional remit. I believe that remit is with the Prime Minister. On that question, I will defer to the Prime Minister to answer.

Ms. Teixeira: Will I be allowed to ask the Prime Minister as the Hon. Minister is deferring the question to him? That has to do with a commission that is not functioning, but is having a budget. My question is that...

Mr. Chairman: Hon. Member, Ms. Teixeira, you asked a question and the answer is no. I think we will confine the questions to the Minister of Finance.

Ms. Teixeira: The Minister is graciously offering to the Prime Minister, who is responsible for the constitutional agencies, Sir.

Mr. Chairman: I have a feeling that what I said before is what should stand. What the Minister is saying is that some other instrumentality than himself is probably the appropriate person to be asked the question. But, then you should not, in the first instance, address a question to a Minister if that Minister is not the authority on it.

Ms. Teixeira: That is my dilemma, Sir, because the Minister comes here with the budgets of these agencies. He is in fact not responsible for any of these agencies; as the Minister of Finance he is not responsible for any of them. They are all independent. However, the Minister referred the issue of the appointment of the Human Rights Commission to the Hon. Prime Minister. Therefore, we are being asked to provide money for an agency that does not exist and, again, an issue of accountability is being sacrificed. The Minister here is not responsible for any of these constitutional bodies.

Mr. Chairman: Hon. Member, you have asked a question and you have gotten an answer albeit unsatisfactorily, but that is the answer you have.

Ms. Teixeira: It is going on the record that we are giving \$34 million, an increase on last year, for an agency that is non-existent. I wonder when will accountability come.

Human Rights Commission – \$47,378,000 as amended to \$34,388,000, agreed to and ordered to stand part of the Estimates.

Rights of the Child Commission - \$47,469,000

Rights of the Child Commission - \$47,469,000 agreed to and ordered to stand part of the Estimates.

Women and Gender Equality Commission - \$45,292,000

Women and Gender Equality Commission - \$45,292,000, agreed to and ordered to stand part of the Estimates.

Public Procurement Commission - \$276,775,000

Public Procurement Commission - \$276,775,000 as amended to \$218,933,000, agreed to and ordered to stand part of the Estimates.

Mr. Chairman: Hon. Members, that concludes our consideration of the estimates. We have dealt with all agencies. I would again propose that the sums voted for the constitutional agencies...

[Mr. Chairman hit the gavel.]

Hon. Members I am sure that the Chairman will lose this battle if Hon. Members, not only in the second row, but elsewhere, continue to speak when the Chairman is trying to do what he must do in this House.

I would again propose that the sums voted for the constitutional agencies form part of the Estimates of Revenue and Expenditure of the Public Sector for 2019. I thank you.

Assembly Resumed

COMMITTEES BUSINESS

MOTIONS

ADOPTION OF THE SIXTH REPORT OF THE STANDING COMMITTEE ON APPOINTMENTS TO ADDRESS MATTERS RELATING TO THE APPOINTMENT OF MEMBERS TO THE ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM AUTHORITY

Mr. Speaker: The Hon. Minister of Social Cohesion, Chairperson of the Committee on Appointments will move the following motion. You have the floor, Hon. Minister.

[Mr. Speaker in aside with the Clerk.]

Mr. Speaker: Hon. Members, I understand that this matter will not be taken at this sitting. I beg your pardon.

9.22 p.m.

ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE ON THE CIVIL AVIATION BILL 2017 – NO. 1 OF 2017

BE IT RESOLVED:

That the Report of the Special Select Committee on the Civil Aviation Bill 2017- No. 1 of 2017 be adopted. *[Chairperson, Minister of Public Infrastructure]*

Motion proposed.

Mr. Speaker: Hon. Members, you would recall that this Bill was sent to the Special Select Committee after the second reading. The Bill was discussed here and then sent to the Special Select Committee. I presume it was ‘worked’ over there and that Report has now come to us.

Ms. Teixeira rose.

Mr. Speaker: Ms. Teixeira rose and I...

Ms. Teixeira: Mr. Speaker, we were told that the matter would be deferred. However, the Minister is proceeding, and we understand why. There is a big conference coming up here on 22nd November, 2018 on civil aviation. I am sure that he wants to have the pleasure of announcing that the Bill has been passed. However, he is well aware that this Bill has a number of problems and he has been written to by several bodies, including civil aviation agencies and organisations that are dealing with civil aviation. Because we were told that it would be deferred, we did not walk with all of the documents. So, I am just talking off the top of my head and I know that the other side will make comments on that. **[An. Hon. Member: You are stalling.]** I am not stalling, I can speak on civil aviation at any time. I can assure you of that. *[Interruption]*

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Member, Ms. Teixeira, I just want to say to Hon. Members that when we have these asides, however rich they are, they play havoc with the notetaking.

Ms. Teixeira: Why are you looking at me? He is the one who heckled me.

Mr. Speaker: It applies to every Member. You provide the opportunity and I would speak to all Members.

Ms. Teixeira: We did not attend the Committee meetings, as we had done for number of other Bills, after October, 2017 because of the appointment of the Chairman of Guyana Elections Commission (GECOM) matter.

However, we were not unaware of the issues regarding the Bill. The Bill has some serious problems. Firstly, in terms of compliance with International Civil Aviation Organization (ICAO), it has some major issues and it is not in compliance with ICAO, even though it states it is. We have been doing our research and a number of ICAO requirements are not fulfilled in the Bill.

The second issue is that organisations were consulted. We were at a number of those consultations where bodies came forward. A number of them asked to have follow-up meetings with the Committee, which was denied. Up to the last meeting of the Committee, prior to July, 2018, one of the organisations wrote asking particularly about an issue that concerned it. It had to do with a jurisdictional issue. The Committee had its last meeting here during the break of the House in July and rushed ahead to bring this. The day of July 30th there was a Sitting and the Committee rushed through. That organisation had written to the Committee asking for clarification on a number of issues it had raised since a year before when it had come before the Committee. The Committee has completely ignored the issue that was raised by the aviation body.

There are other aspects of the Bill that give the Minister certain powers that are not appreciated, nor should it be, in terms of private property and the allocation of private property for use or to prevent the use of private property in relation to civil aviation.

The issue, too, is that there are other aspects of the Bill to do with penalties for offences, which are draconian, like in the other Bills on cybercrime and anti-terrorism. For example, a passenger who is inebriated or 'tipsy' going on an aeroplane. He may be fully inebriated or 'tipsy', but we have had that experience in the House and so we kind of know the difference between the two. That passenger can be fined \$1 million dollars or more. He can have a very heavy fine and also imprisonment. The Bill makes very draconian penalties for offences that are regular passenger problems right through to terrorists and stuff like that.

In addition to that, there are major issues in the Bill to do with the way in which licences and registration are done as well as accident and investigation.

The other aspect of the Bill has to do with policy, which is a very critical issue, and that came out in the debate in the second reading in the House. It is in relation to the issue of the economic regulations. This is the first time that the Guyana Civil Aviation Authority (GCAA) would be given the authority to get involved with economic regulation, rather than what it has historically been involved with, which is the safety and technical regulation of the aviation industry. The inclusion of economic regulations of the industry creates a situation where Government, no matter which Government, will not have a say or will not have a critical role to play in the issues of investments, economic issues and competition within the aviation industry. It is left to the Guyana

Civil Aviation Authority. The fact that the agency has little competence to do with this is a matter of concern.

The other issue, too, is that there are concerns about the Minister's role in relation to the agencies and to the aviation industry. The fact that the Minister nor the Committee has been available to meet with the aviation industry and the actors in civil aviation is not a good thing. The fact is that the Committee 'dashed' on 30th July, 2018 to rush through because they were trying to get this in, I assume, before the recess. The recess, having started on 18th October, 2018, there was time to still rectify the Bill, but the *hardearness* is...With this view of being righteous and right and everyone else being wrong, you are going to embarrass Guyana. When you go to your civil aviation conference, you are going to embarrass Guyana because the Bill is defective. You are saying that you are dropping names. I know the Minister and the Report. We dropped names about the conventions that was supposed to be funny, but I wonder how many Members of the Committee and how many Members of this House have read the so-called conventions that we are supposed to be trying to implement in this Bill. The Chicago Convention. How many Members of this House have honestly read it and understood that the Bill is not compliant in a number of areas.

There is great fear. The aviation industry in this county is not a sector exclusive to infrastructure. Aviation has to do with the economy, transportation, telecommunications, security and environment. It is not a silo-industry. What happens in the aviation industry as an impact on the entire economy, including security? There are issues in the Bill which talk about the Guyana Defence Force (GDF) and the military, and even in the Committee, when we were discussing it, the military was not quite clear about what was being asked of them in the Bill.

This rush tonight, Comrades, I understand. You all postponed the sitting on Friday. You have to get it through because Wednesday is the big opening ceremony and so you want to have all of the fanfare and everything else, but you are going to embarrass our country. You were told before, during the second reading, that there were problems with this Bill. You were told by Non-Governmental Organisations (NGOs), which came before the Committee a year ago, that there were problems. You were asked to check these issues; you did not. Still, at the last minute, one of the organisations wrote, in June or July, 2018, asking for a meeting to clarify. You dashed through on 30th July, 2018. The amendment which they were seeking was a very important amendment. You have not done anything with it. You have retained the particular paragraph, *et cetera*.

The support of the Report of this Bill...The Report has been frugal, extraordinarily frugal, with the information and the richness about the aviation industry. This Bill and the issues before it is being treated as though you are just going through it robotically. The aviation industry has an extraordinary role to play in this country.

In fact, Sir, the Ogle Airport, which was renamed by the President, “Eugene F. Correia International Airport”, is not even listed in the Bill as one of the airports of Guyana. It is not listed as one of the international airports of Guyana. It is not listed at all. You listed the Cheddi Jagan International Airport, but, also in that Bill, you changed the name of Cheddi Jagan. You made a name change for the airport without telling the public. In the Bill, there is a name change for the Cheddi Jagan International Airport. You also included some of the interior airports, but you excluded one of the key hubs, other than Cheddi Jagan International Airport, for Guyana in terms of international and domestic hub of aviation. You have omitted it from the Bill. So, the concern of those operators and aviators at Ogle International Airport is: what status do they have? Is it recognised as an international airport? Why is it omitted from the Report that came before this House?

Speaking off the cuff - I wish I had walked with the slew of my documents and my speech, which was prepared since July- that is what I can recall at this point. I call on the House to defer this matter. I think the matter needs to be referred back to the Committee so that we can come out with a Bill that is ICAO compliant. It is not compliant and, therefore, we believe that the rush will embarrass us in the country. I am asking the Government, on the side of caution, to not proceed with this. Let us go back to Committee or at least meet with the organisation that asked to meet with you and resolve the issues, Comrade.

Mr. Patterson: I brought the Bill up because I thought that it was non-contentious. Sir, this Bill has been in the Special Select Committee for over a year and a half. This is since May, 2017. This Bill has been exhaustively debated. As the Report would show, there were 18 meetings and, of the 18 Meetings, the speaker that just spoke may have attended four and had an option for over a period of a year and a half. I cannot see why they are asking for us to further defer this Bill after a year and a half and attending just four of the 18 meetings.

She raised some points which I would like to address. One was that the Bill is not ICAO compliant. If the Member had attended the meetings of the Special Select Committee, she would have learnt and agreed with us that the Bill is ICAO compliant. We had the help of technical staff from Guyana Civil Aviation Authority.

9.37 p.m.

We had the help of the Parliamentary Counsel and the Parliamentary Consultant. Our meetings were half-day long. We met in the morning at 10.00 a.m. and adjourned at 2.00 p.m. at every single meeting. I want to say that we had the benefit of a Member of the Opposition. He was here when the Hon. Member was speaking, but maybe he has left. I would like to thank him. The Hon. Member, Joseph Hamilton, attended half of the meetings, even after the Opposition, in October, 2017, decided not to come back.

Regarding the very first point that the Hon. Member made about the issue of the fines, the increase in fines came from the two most unlikely persons in the Committee. You would know that the Hon. Member, Michael Carrington, is a champion of the poor and a champion for persons on the streets. Hon. Member Michael Carrington with support from by Hon. Member, Joseph Hamilton, were the Members who, even to my dismay as the Chairman, proposed and insisted that the fines be increased because they deemed the fines in the original proposal as miniscule. The Gentlemen thought that the fines needed to be increased so the severity of the issues could be conveyed.

Regarding the question of the licencing and regulations, it is the standard all through. I want to say this: the Committee benefitted from oral presentations from the GCAA, Eugene F. Correira International Airport (Ogle Airport), Cheddi Jagan International Airport (CJIA), Aircraft Owners' Association of Guyana (AOAG), the Guyana Airline Pilots Association, National Air Transportation Association, and Trans Guyana Airways. Written presentations were given by the Guyana Police Force (GPF), Guyana Defence Force, the Hydromet Department and the Civil Defence Commission (CDC). It is very instructive that, of all the persons that came before us, one single entity raised the concerns that Mdm. Teixeira spoke about. It was one out of 10 entities that came here. **[Ms. Teixeira: That one entity represents 10.]** No. That is not quite true.

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Members, let us give the Minister an opportunity. We will all learn from what we hear.

Mr. Patterson: Thank you, Sir.

There are 10 registered aircraft operators in the country and nine of them are represented by National Air Transportation Association (NATA). One – I do not want to go down the line of calling names – declined to join the Aircraft Owners’ Association of Guyana; that one is the only organisation that raised all of the objections that the Hon. Member has mentioned.

What is even worse is that the Hon. Member, even though she did not attend any of the meetings, raised with me, personally, that this organisation would like an opportunity to come back to us. We wrote the head of the organisation, as is contained in the Report, stating where we were and the positions of the Committee, and asked if they had anything to add or any other concerns and they wrote back and said no. I raised it and I even informed the Hon. Member that, despite what she had said, they wrote back and said no. It is in the Report. I, myself, met with the organisation.

Economic regulation is a standard part of the industry. The regulations are only draft regulations and they cannot come into force until wide consultation with the industry. There is only one privately-operated airstrip in the country. There is a concern in the industry that economic regulations would adversely affect the business of that privately-operated airstrip. I have personally assured them that the economic regulations will not adversely affect anyone. However, I do think that the Hon. Member, probably, could have spent a bit more time with them to undertake that.

The issue of airport listings. That is a strange one. The listings that you see in the Schedules are for the LLZ. As you know, in 2015, through the budget, we had put in place an automatic dependent surveillance—broadcast (ADS-B) system which will allow you to track aeroplanes in our airspace, as long as they have the locators on. The listing in the Schedule is where we have the equipment. We have it at the Cheddi Jagan International Airport and at Port Kaituma; it triangulates. If that instrument is not at an airport, then it is not listed in the Schedule. Mdm. Teixeira, if you had attended any of the meetings, you would have participated in this.

It is all in the Report and I can refer the Hon. Member to it. It is here in the Second Schedule – Protected Installations – that is the heading of the Second Schedule – LLZ – and then it lists the localiser antenna array installations.

[Mr. Speaker hit the gavel.]

Mr. Speaker: Hon. Members, we should not proceed in this way. One Member spoke and gave the House the benefit of that Hon. Member's views on this Bill. The Minister, under whose remit this falls, is also speaking to the House, to tell the House what happened in the Special Select Committee and all other issues surrounding it. I think we should hear it. We are not hearing it because there are side issues being talked about. If those issues relate to the Civil Aviation Bill, then Hon. Members will have the opportunity, later on, to speak on it. If it does not relate to that then it ought not to be the subject of disturbance here.

Hon. Minister, please proceed.

Mr. Patterson: Thank you very much, Mr. Speaker.

On page 216 of the Report it states: Protected Installations. Obviously, these are the installations to do with our air navigation system. At Cheddi Jagan International Airport, there are several equipment like the glide pass installation and the automated weather observing system installation. What the Hon. Member was referring to on page 217, we included... because when the old Bill was prepared – the Second Schedule – there was only installation at one place, which was the Timehri International Airport, now called the Cheddi Jagan International Airport. But we have improved and increased our monitoring surveillance system. We have added in Port Kaituma, Kamarang, Kaieteur and Annai. There is where we have installed the remote monitoring systems. Therefore, obviously, that is why the airport that the Hon. Member mentioned is not included. It has nothing to do with a list of international airports. This would have been known... and it is known to Hon. Member, Joseph Hamilton who participated.

Regarding the ministerial role, I, as Chairman, made it my particular duty to ensure that wherever the Minister's name appears in the Bill, it is only there purely for necessity and could not be avoided. It is because I, like the Hon. Member, do think that the Minister is just a facilitator. But there are certain things that the Minister is required to do and that is why his name has to be there.

He has to put some orders in place and gazette a few things. So, that, obviously, is why the Minister's name appears there. There is a board and the new Bill puts in place an Authority. Under the Authority is the Director General and an entire organisational structure that works there.

We went through this Bill exhaustively. One particular agency of the 12 objected. We asked and when we went through the Bill, we went through the Bill clause by clause – 148 clauses – and every objection by that agency or any other agency, and it was exhaustively looked at. Members sat there and debated on the merit. We asked the Parliamentary Counsel to give us the legality of it. There were matters which were raised by the Hon. Member. There was a question on the tax status of the authority. We wrote the Minister of Finance and he advised us, and that clause was deleted. The one agency that objected, insisted, and we agreed, that there must be a clearer defined right of appeal and we wrote the entire section on the rights of appeal based on the objection of that one agency. We sent it to their aviation professionals stating that it was the rewritten rights of appeal section and asked if they had any comments. They did have comments and we incorporated their comments wholesale. They were worried that if there was a decision, there was no right to appeal it. So, we rewrote the entire section – I cannot recall what the section is, but I think it is section 73 – to accommodate them. We rewrote the section on membership. As you know, there has always been an issue when we ask members for any tribunal and the Minister appointing him. We rewrote the entire criteria, based on the submission from that one agency.

So, in no way do I think that this Bill is defective and in no way do I think that we have not listened to anyone. When I met with the persons who were objecting, they misunderstood, and I think that maybe they were misled by the Hon. Member Teixeira because they felt that the economic regulations, which was the one thing that they were concerned about, were in this Bill. And we said to them that it has nothing to do with the economic regulations and they would have a chance to sit and interrogate that.

With those few words, I commend this Report to the House.

Thank you.

Question put, and agreed to.

Motion carried.

BILL – Third Reading

CIVIL AVIATION BILL 2017 – Bill No. 1/2017

A BILL intituled:

AN ACT to establish the Guyana Civil Aviation Authority, to make provisions to enable effect to be given to the Chicago Convention and the Agreement establishing the Caribbean Aviation Safety and Security Oversight System, to provide for offences relating to the safety and security of passengers, aircraft and airports, for the regulation, control and orderly development of civil aviation in Guyana and for related matters. [*Minister of Public Infrastructure*]

Mr. Patterson: I rise to report that the Civil Aviation Bill 2017 – Bill No. 1/2017 was considered in the Special Select Committee clause by clause and was passed with amendments and I move that the Bill now be read the third time and passed as amended in Committee.

9.52 p.m.

Question put and carried.

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

Mr. Speaker: Thank you. Hon. Members, this concludes our.... It is not true that the Speaker is oversensitive and thinks that he is saying something not worth listening to, but he thought that he would pause so that Members would know if they are leaving, they must leave unobtrusively or they should wait until the Speaker is through before leaving. This concludes our business for today. Hon. Vice-President and Prime Minister.

Mr. Nagamootoo: Mr. Speaker, with your leave, I would like to move the adjournment of this House. Before I do so, I would like to take the opportunity, tomorrow being Youman Nabi, a public holiday, to extend greetings and best wishes to all our brothers and sisters of the Muslim community. We hope that the significance of the day, the birth of the Prophet Muhammad, on whom be peace, would not be lost on us, but that we can all work towards a more peaceful world with comradeship and compassion and that we can all observe tomorrow in a way that befits the dignity of the occasion.

I do not know if any Member of the Opposition would take the opportunity before I move the adjournment. I could move the adjournment after any felicitations have been offered.

Ms. Teixeira: Mr. Speaker, we would like to also extend greetings to the Muslim community which is celebrating Youman Nabi tomorrow. We would wish that the celebration of the birth of the Prophet would enhance the way in which our country is run and the way our people live together as one. Therefore, we hope that on this celebration tomorrow, we would be able to see a different disposition in our country.

However, on a different issue, we want to raise with you that 26th November is Private Members' Business. We noticed that the Order Paper has gone out with the reading of the Estimates of Revenues and Expenditures of Guyana for the financial year 2019. However, on the schedule prepared by the Clerk of the National Assembly, 26th November is Private Members' Business. There has been no consultation with us by the Government Chief Whip or anybody else. Are we assuming, therefore, that our day has been whisked away? We could have, if we were consulted, had some discussion about having our day prior to 26th November, 2016. We would not want to interfere with the Government's budgetary plan. However, our Private Members' Business is important and we have not had one since July this year. We send greetings but the level of hope in our country is not very high. I must say that.

Mr. Speaker: I thank the Hon. Member, Ms. Teixeira. It strikes me...I wonder whether the question about the next Sitting of the National Assembly needed to be coupled with this wish of greetings and peace. I am sure it is not beyond the ability of the two Whips to have done something different from what the circumstances seemed to have impelled Ms. Teixeira to do.

We wish our Muslim brothers Youman Nabi. We celebrate with them. I am tempted to remember something about the fault that lies not in our stars, but in ourselves. I remember that, and I say it now. To our Muslim brothers, thank you. I hope that you will allow us to also learn from whatever practice you will demonstrate in following the teachings of Muhammad. Hon. Prime Minister, would you move the adjournment?

ADJOURNMENT

Mr. Nagamootoo: Thank you, Your Honour, for adding grace to my concession to have someone else to speak, rather than moving the motion as I should have done. There is hope and so Monday 26th November at 2.00 p.m., is the Budget Day. I move, Sir, for the adjournment to take place until that day of hope, Monday, 26th November, 2018 at 2.00 p.m.

Adjourned accordingly at 9.59 p.m.