

**THE  
PARLIAMENTARY DEBATES  
OFFICIAL REPORT**

**[VOLUME 7]**

**PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE NATIONAL  
ASSEMBLY OF THE THIRD PARLIAMENT OF GUYANA UNDER THE  
CONSTITUTION OF GUYANA**

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**99<sup>th</sup> Sitting**

**2 p.m.**

**Thursday, 9th September, 1976**

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**MEMBERS OF THE NATIONAL ASSEMBLY**

**Speaker**

Cde.Sase Narain, O.R., J.P., Speaker

**Members of the Government – People’s National Congress (50)**

**Prime Minister (1)**

Cde. L.F.S. Burnham, O.E., S.C.,  
Prime Minister

**(Absent – on leave)**

**Deputy Prime Minister (1)**

Cde. P. A. Reid,  
Deputy Prime Minister and Minister of  
National Development

**(Absent – on leave)**

**Senior Ministers (9)**

Cde.H.D. Hoyte, S.C.,  
Minister of Economic Development

\*Cde. H. Green,  
Minister of Co-operatives and  
National Mobilisation

**\*Non-elected Minister**

\*Cde. H.O. Jack, (Absent)  
Minister of Energy and National Resources

\*Cde. F.E. Hope,  
Minister of Finance

\*Cde. S.S. Naraine, A.A.  
Minister of Works and Housing

\*Cde. G.A. King  
Minister of Trade and Consumer Protection

\*Cde. G.B. Kennard, C.C.H.,  
Minister of Agriculture

\*Cde. C.L. Baird,  
Minister of Education and Social Development

\*Cde. F.R. Wills, S.C., (Absent)  
Minister of Foreign Affairs and Justice

**Ministers (5)**

Cde. W.G. Carrington,  
Minister of Labour

Cde. S.M. Field-Ridley,  
Minister of Information and Culture

Cde. B. Ramsaroop,  
Minister of Parliamentary Affairs  
and Leader of the House

\*Cde. O.M.R. Harper, (Absent)  
Minister of Health

\*Cde. C.V. Mingo,  
Minister of Home Affairs

**Ministers of State (9)**

Cde. M. Kasim, A.A.,  
Minister of State for Agriculture

Cde. O. E. Clarke,  
Minister of State – Regional  
(East Berbice/Corentyne)

**\*Non-elected Ministers**

Cde. P. Duncan, J.P.,  
Minister of State – Regional (Rupununi)

Cde. C.A. Nascimento,  
Minister of State,  
Office of the Prime Minister

**(Absent)**

Cde. K.B. Bancroft,  
Minister of State – Regional  
(Mazaruni/Potaro)

Cde. J.P. Chowritmootoo,  
Minister of State – Regional  
(Essequibo Coast/West Demerara)

\*Cde. W. Haynes,  
Minister of State for Consumer Protection

**(Absent)**

\*Cde. A. Salim,  
Minister of State – Regional  
(East Demerara/West Coast Berbice)

\*Cde. F.U.A. Carmichael,  
Minister of State – Regional (North West)

### **Parliamentary Secretaries (6)**

Cde. J. R. Thomas,  
Parliamentary Secretary,  
Ministry of National Development

Cde. M.M. Ackman, C.C.H.,  
Parliamentary Secretary,  
Office of the Prime Minister,  
and Government Chief Whip

Cde E. L. Ambrose,  
Parliamentary Secretary,  
Ministry of Agriculture

Cde. S. Prashad,  
Parliamentary Secretary,  
Ministry of Co-operatives and National Mobilisation

### **\*Non-elected Ministers**

Cde. R.H.O. Corbin,  
Parliamentary Secretary,  
Ministry of Education and Social Development

Cde. M. Corrica,  
Parliamentary Secretary,  
Ministry of Works and Housing

**Other Members (19)**

Cde. L.M. Branco  
Cde. E.M. Bynoe  
Cde. E.H.A. Fowler  
Cde. J. Gill  
Cde. W. Hussain  
Cde. S. Jaiserrisingh  
Cde. K.M.E. Jonas  
Cde. M. Nissar  
Cde. L.E. Ramsahoye  
Cde. J.G. Ramson  
Cde. P.A. Rayman  
Cde. E.M. Stoby, J.P.  
Cde. S.H. Sukhu, M.S., J.P.  
Cde. C. Sukhu, J.P.  
Cde. H.A. Taylor  
Cde. R.C. Van Sluytman  
Cde. L.E. Willems  
Cde. C.E. Wrights. J.P.  
Cde. M. Zaheeruddeen, J.P.

**Members of the Opposition (16)**

**(i) People's Progressive Party (14)**

**Leader of the Opposition (1)**

Cde. C.B. Jagan

**Deputy Speaker (1)**

Cde. Ram Karran

**Other Members (12)**

Cde. J. Jagan

Cde. Reepu Daman Persaud, J.P., Opposition Chief Whip

Cde. C. Collymore

Cde. S.F. Mohamed

Cde. L. Lalbahadur

Cde. B. James

**(Absent)**

Cde. C.C. Belgrave

Cde. R. Ally

Cde. Dalchand, J.P.

**(Absent)**

Cde. Dindayal

Cde. H. Nokta

**(Absent- on leave)**

**(ii) Liberator Party (2)**

Mr. M.F. Singh

**(Absent – on leave)**

Mrs. E. Da Silva

**OFFICERS**

Clerk of the National Assembly - F.A. Narain

Deputy Clerk of the National Assembly – M.B. Henry, AMBIM

9.9.76

National Assembly

2.10 – 2.20 p.m.

2.10 p.m.

## PRAYERS

### ANNOUNCEMENT BY THE SPEAKER

#### Appointment of Opposition Chief Whip

**The Speaker:** Comrades and hon. Members, the Parliament Office has received from the Leader of the Opposition a letter dated 11<sup>th</sup> August, 1976 advising that Cde. Reepu Daman Persaud has been appointed as Opposition Chief Whip with effect from 24<sup>th</sup> May, 1976.

[Applause]

#### Leave to Members

Leave has been granted to the Cde. Prime Minister, Cde. Deputy Prime Minister and Cde. Harripersaud Nokta for today's Sitting.

### PRESENTATION OF PAPERS AND REPORTS

The following Papers were laid:

- (1) Audited Accounts of the Guyana State Corporation for the year ended 31<sup>st</sup> December, 1974. [**The Minister of Parliamentary Affairs and Leader of the House on behalf of the Prime Minister**]
- (2) (1) Credit Agreement between the Government of Guyana and Millibank Technical Services Limited made on 30<sup>th</sup> April, 1976.
  - (ii) Credit Agreement between the Government of Guyana and First Chicago International Banking Corporation made on 24<sup>th</sup> March, 1976.
  - (iii) Statement of Guarantees given by the Minister of Finance under section 3 of the Guarantee of Loans (Public Corporations and Companies) Act, Chapter 77:01 for the quarter ended 30<sup>th</sup> June, 1976.

9.9.76

National Assembly

2.10 – 2.20 p.m.

- (iv) Customs Duties (Amendment) (No. 2) Order 1976 (No. 72) made under section 8 of the Customs Act, Chapter 82:01, on the 18<sup>th</sup> August, 1976 and published in the Gazette on the 28<sup>th</sup> of August, 1976.
- (v) Consumption Tax (Amendment) Order 1976 (No. 73) made under section 4 of the Consumption Tax Act, Chapter 80:02, on the 18<sup>th</sup> of August, 1976, and published in the Gazette on the 28<sup>th</sup> of August, 1976.  
**[The Minister of Finance]**
- (3) Private Letters Boxes (Amendment) Regulations 1976 (No.9), made under section 97 of the post and Telegraph Act, Chapter 47:01, on the 26<sup>th</sup> of July, 1976, and published in the Gazette on the 14<sup>th</sup> August, 1976. **[The Minister of Works and Housing]**
- (4) Annual Report of the Guyana Police Force for the year 1974. **[The Minister of Home Affairs]**

#### INTRODUCTION OF BILLS –FIRST READING

The following Bills were introduced and read the First time:

- (i) Customs (Amendment) (No. 2) Bill 1976 – Bill No. 10/1976.
- (ii) Inter-American Development Bank Bill 1976 – Bill No. 11/1976. **[The Minister of Finance]**
- (iii) Constitution (Amendment) Bill 1976 – Bill No. 12/1976 **[The Minister of Education]**

#### PUBLIC BUSINESS

#### MOTIONS

#### CONFIRMATION OF THE CUSTOMS DUTIES (AMENDMENT) (NO. 2)

#### ORDER 1976 (NO.72)

“Be it resolved that this National Assembly in accordance with section 9 of the Customs Act, Chapter 82;01, confirm the Customs Duties (Amendment ) (No.2) Order 1976 (No. 72), which was made on the 18<sup>th</sup> August, 1976, and published in the Gazette on the 28<sup>th</sup> of August, 1976.” **[The Minister of Finance]**

**The Minister of Finance** (Cde. Hope): Cde. Speaker, I beg to move the Motion standing in my name seeking confirmation of the Customs Duties (Amendment) (No. 2) Order 1976. The reason for the Order is very simple. Last year some very extensive amendments were made to the Customs Act removing what was commonly known as the preferential tariff, leaving thus a single tariff. In the course of that very fundamental change covering all items on the Customs Act, certain typographical and other errors were made in the manuscript. These errors have been identified by the Customs authorities and in order to ensure that the administration of the act can proceed without difficulty, we are seeking by this Order to have these simple amendments made to correct those errors which were made during the typing and printing of the Schedule to the Act.

What that explanation, Cde. Speaker, I wish formally to move the Confirmation of Customs Duties (Amendment) Order 1976 (No. 72).

*Question proposed.*

**The Speaker:** Hon. Member Mr. Fielden Singh

**Mr. Singh:** There is just one matter I would like clarification on and that is on page 2, Section (e) of this Order. I do not quite understand what the substitution is here. It states: “By the substitution for the words “(INCLUDING EXPOSURE METERS” appearing in the column headed “Tariff Description” against the Tariff Heading Number 90.25, of the words “(INCLUDING EXPOSURE METERS)”. So you are substituting for “including exposure meters” the same words “including exposure meters”. There seems to be something wrong. There is no need for any substitution if we are substituting the same words, unless there is again an error in this Order here. What is it? I see no difference, apart from the bracket at the end of the phrase.



**Cde. Hope:** In order to confirm with the Brussels nomenclature, the heading under that nomenclature, it is necessary for a bracket to go after the words “meters”. The words are really in parenthesis and that bracket was not really there. That is the purpose of it.

*Question put, and agreed to.*

*Motion carried.*

### **CONFIRMATION OF THE CONSUMPTION TAX**

#### **(AMENDMENT ORDER 1976 (No. 73))**

“Be it resolved that this National Assembly in accordance with section 5 of the Consumption Tax Act, Chapter 80:02, confirm the Consumption Tax (Amendment) Order 1976 (No. 73), which was made on the 18<sup>th</sup> August, 1976, and published in the Gazette on the 28<sup>th</sup> of August, 1976.” [The Minister of Finance].

**Cde. Hope:** Cde. Speaker, in moving the Motion standing in my name seeking confirmation of the Consumption Tax (Amendment) Order 1976, I would wish to explain by first of all referring to changes which were made, I think, in 1974, to the Customs Act and the Consumption Tax Act when the Consumption Tax Schedule was made almost as extensive as the Customs Act arising largely or purely from the fact that with the coming into being of the Common External Tariff Customs Duties in Guyana had to be reduced in line with the Tariff applicable to the whole CARICOM region. What we did in Guyana was to compensate for the substantial loss in revenue implied in that reduction by imposing a consumption tax commensurate. As a consequence of that, we had a Consumption Tax Schedule which was almost as extensive as the Customs Schedule carrying the same kind of description and headings. Subsequent to that change, as I explained a moment ago, we went on the single tariff on the basis of which certain amendments had to be made to the descriptions and groupings of several items. The purpose of this Order is to get the Consumption Tax Schedule described and constructed on the same basis as the Customs Tariff. No changes in taxation, no changes in consumption tax are implied by this Motion.

With that explanation, Cde. Speaker, I would wish formally to move the confirmation of the Consumption Tax (Amendment) Order, 1976.

*Question proposed.*

**The Speaker:** Cde. Narbada Persaud

**Cde. Narbada Persaud:** Cde. Speaker, in relation to this Order as presented by the Cde. Minister of Finance I wish to say with regard to the reclassification that I think it is a very excellent idea. What has been experienced in the Customs Department, particularly in very

**2.20 p.m.**

recent times, is a lot of wastage of man hours. Goods arriving in this country stay at the bonds sometimes as long as six weeks while documents are prepared and passed at the Customs Department where some of the officers themselves are sometimes not acquainted with these classifications and description of goods on the various groupings. Therefore I would feel that to put them now under this heading would make the job easier, thus allowing a quicker removal of the goods from the bonds and avoiding the shortages we sometimes experience in this country because of the long delays of the goods on the wharf. The consumption tax as the Cde. Minister has remarked, has been raised. In the case of kerosene refrigerators, for example, the tax has been increased from 10 per cent to 40 per cent if they are above 7 cubic feet and from 10 per cent to 20 percent for these below 7 cubic feet. A refrigerator in our country would be considered a necessity particularly in a climate like this and particularly with the weather we are experiencing, where a drought is expected. People who live in country areas who do not have the facility of electricity have to use kerosene refrigerators. One would have expected that there would have been a change from this 40 per cent to a lower percentage for consumption tax. The same thing is applicable on page 5, mosquito coils. Who uses mosquito coils? They are used by poor people in the country who cannot afford to buy mosquito nets: They have to depend on mosquito coils. One would have expected that it would have reverted to the old rate. But what we have noted is an increase from 10 per cent of the consumption tax to 50 per cent of the consumption tax.

The other matter is on page 4, diesel oil. We are in the month that is designated Agriculture month. Diesel oil is something that is used primarily by the farmers in relation to the rice and farming industry. We have seen a change from 10 per cent per 100 gallons to 5 per cent. This is an increase despite the figure is not spelt out. But when we check 100 per cent per 100 gallons for consumption tax and compare it with 5 per cent of what that cost would be, surely there is an increase. It is a bit contradictory to name the month of September Agriculture Month. There is an increase on diesel oil which is used primarily by these farmers.

On the other hand, on page 3, the tax on manufactured tobacco, cigarettes, from \$3.03 per lb. to \$6.23 per lb. is an increase of 100 per cent. While I am fully in agreement with the reclassification to enable the Customs Department to have the goods cleared faster to avoid some of the shortages which occur because of the goods lying at the wharf for long periods. On the other hand, one would have expected consumption tax is hidden taxation which goes heavily on the poor people of this country since it is for all consumer goods in this country. One would have expected socialism would be not only for taking over industry but to create an atmosphere whereby the cost of living is reduced. What we are experiencing this afternoon is an increase in the cost of living since the consumption tax would be increased. I am asking that the Cde. Finance Minister has a second look at this question in order to remove some of the heavy percentages of the consumption tax.

**The Speaker:** Hon. Member Mrs. DaSilva.

**Mrs. DaSilva:** Mr. Speaker, Mr. Persaud spoke about the matter of the long delays of getting goods out of the bonds. I wish to draw the attention of this House (I am sure the hon. Minister must be well aware of it) of the congestion that now exists in the bonds where the articles, the goods imported into Guyana re now coming into the tree main Government-owned bonds. Instead of having them cleared out of the bonds as quickly as possible, the bonds are being used as storage spaces and warehouses and this is stuff coming consigned to the Government.

This causes congestion and stops the warehouse form being cleared and allowing the free flow of goods in and out of Guyana. Could the hon. Minister tell us – I do not think it

**9.9.76**

**National Assembly**

**2.20 – 2.30 p.m.**

necessarily requires a Question or time, - are there any plans for the Government to get additional storage space in order that they can take their good out of the warehouses and relative the congestion there?

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

**2.30 p.m.**

Cde. Hope (replying): Cde. Speaker, I was about to be extremely critical of the comrade, Narbada Persaud on the other side of the House except I was minded to be charitable and to recognise that the comrade has not been in the House for a long time and he may well have missed the facts, facts which, had he been attentive to them, would have avoided him making such a serious error in his attempt to criticize the Order.

First of all, the Cde. Member of the Opposition is absolutely incorrect when he said or implied that there were in fact increases in the consumption tax as a result of this Order. The comparisons he was making would have been comparisons which would have been valid since in 1974. These are now law. They have been law since two years ago, since 1974. And, as I said when I introduced this Motion, this Motion introduces or implies no increase in the consumption tax.

I also explained that as a result of the introduction of the common external tariff, duties were reduced and there was some compensating increase in the consumption tax. The end result was to leave the tax on these commodities at exactly the same level – there is a cent here and there – and therefore, it would be entirely wrong to look purely at the consumption tax and to say that there was an increase in taxation or on the item because going with that increase in consumption tax, if the Cde. Member of the Opposition could understand, was a corresponding reduction in the customs duty. The end result was, by and large, there were few increases.

So. May I repeat Cde. Speaker, on the question of refrigerators, cigarettes, mosquito coils, these were all consumption taxes that were imposed on the items, some of them due to the common external tariff and others – and I repeat, others – were due to the fact that these things were now being produced locally and therefore we have given – and I am sure this must have

been the case with the refrigerators – free entry for the materials for the manufacture of refrigerators within the country but tried to compensate in terms of revenue by imposing a consumption tax. So therefore, Cde. Speaker, when the Cde. Member becomes more acquainted with the facts of life in these consumption taxes and duties, he would recognise that the consumption taxes cannot be looked at, they cannot be criticised, by themselves. They have to be taken as a whole, with (1), the customs tariff and (2), with the incentives that we give local manufacturers for the production of items domestically. This I am sure was the position with the mosquito coils where we are not imposing any tax on the raw materials used to produce this particular thing and the same thing applies to refrigerators.

And finally, Cde. Speaker, let me correct one error and that is the consumption tax does not apply to all items. There are a number of items which go into consumption which are not the subject of consumption tax. On the contrary, they are the subject of subsidies. And, I refer to things like rice, to things like poultry and a number of others that can be counted. So, this is just to correct the wrong impression which the member sought to give that all items have been subject to consumption tax. On the contrary, I said all items are not and in many cases they are subject to subsidy. I give another example, in the case of electricity consumption, that is also the subject of a subsidy.

With regard to the question raised by the hon. Member Mrs. DaSilva on the question of storage space, all I wish to say is that the Government is at the moment expanding and refurbishing the state warehouse in Kingston which will provide more space and give better opportunity for those goods which have gone for want of entry to be removed from the wharves to be put in a state warehouse. At the moment a number of goods which have gone for want of entry and which would normally be in a state warehouse are still on the wharves. I think when that happens there will be a shift.

*Question put, and agreed to.*

*Motion carried.*

**The Speaker:** Cde. Minister of Parliamentary Affairs

**SUSPENSION OF STANDING ORDER NO. 46**

“Be it resolved that paragraphs (2) and (3) of Standing Order No. 46 be suspended to enable the Assembly to proceed at tis sitting on Friday, 10<sup>th</sup> September, 1976 with the second reading and the remaining stages of the Constitution (Amendment) Bill 1976 (Bill No. 12/1976). [**The Minister of Parliamentary Affairs and Leader of the House**]

**The Minister of Parliamentary Affairs and Leader of the House** (Cde. Ramsaroop); Cde. Speaker, yesterday, the 8<sup>th</sup> September, 1976, I signified, by way of a Notice my intention to move the Motion standing in my name, that paragraphs (2) and (3) of Standing Order No. 46 be suspended to enable the Assembly to proceed at tis sitting on Friday, 10<sup>th</sup> September, 1976, with the Second Reading and the remaining stages of the Constitution (Amendment) Bill 1976.

Cde. Speaker, all members of this House know that Government has given a commitment to this nation, effective from the September school term that commences on Monday, 13<sup>th</sup> September, that education will be free from nursery to University. This policy has since received national acclaim and is a matter beyond controversy and contention. Without doubt, it is one of the most revolutionary measures embarked upon by any Government in the life of this nation in general and in the history of our education system in particular. [**Applause**]

This Motion in my name is eminently necessary to clear the parliamentary decks, as it were, to enable Government to honour its commitment to provide this nation with free education without unholy interference and undue difficulty.

Members of the House are aware that Government has never approached the question of the suspension of the rules in this House with levity or nonchalance and only in circumstances of grave urgency and emergency does Government resort to the departure from the rules of this House. Government believes that such circumstances have arisen in view of the imminence of the next school term.

Although it might be submitted that the letter of the relevant Standing Orders is being breached, arguably also, the spirit that informs the rules of this House to afford members the

opportunity to study a measure will have been met as Government intends to conclude this measure introduced today, tomorrow and not today so as to enable members of the Opposition to have, if not adequate some opportunity to study it.

The Cde. Minister of Education and Social Development and other Government speakers will speak at length tomorrow on the implications of this measure to alter the Constitution and to amend the Education Act. Suffice it for me to place on record the compelling reason that make it imperative for Government to proceed with this measure with urgency and expedition.

I now move the Motion standing in my name.

**2.40 p.m.**

*Motion proposed*

**Cde. Ram. Karran** (Deputy Speaker): I am inclined now, as any reasonable persons would be inclined, to congratulate the Government on its consistency, notwithstanding what the hon. Minister for Parliamentary Affairs said about the suspension of the Standing Orders. You will recall, sir, that I record here in the Chamber some time ago that out of thirty-two Sittings this Government has suspended the Standing Orders on twenty-six occasions. I think we are flying true to form today when after only a brief business in this House – we have had two or three Sittings – we are today again suspending the Standing Orders.

Our friend tells us that he gave notice yesterday of the suspension of the Standing Orders. He also told us that the measure which we seek to discuss is of great importance. I am likely to agree with him but he says that even if members do not have the opportunity to study it, at least they have been given some notice, maybe, to look at it. I do not wish to do as my Friend, the Minister of Parliamentary Affairs did, and get involved in the Bill itself. I merely wish to speak on the very controversial question of the suspension of the Standing Orders.

The Standing Orders are being suspended to allow us to debate a Bill. When was the Bill published? It was handed to me at 12:40 today even though the hon. Minister woke me up from my bed two days ago to tell me that this measure is going to be tabled, that he is trying to give

me notice, that the law officers are looking at it, and that I would have the Bill in my possession. **[Interruption]** My friend with the long hair is talking about socialism. Anything passes for socialism these days. However, the day before yesterday –

**The Speaker:** I heard no remark from you. The Minister said because he has hair and you haven't any that is why you are remarking about it.

**Cde. Ram Karran:** I don't know if the hon. Member is the victim I am alluding but I know one with long hair was walking on the road in Robb Street and he was kissed. I have to warn him, it is safer these days to walk without hair. I did receive the Bill yesterday. I had told the hon. Minister that since this was a Bill that had far-reaching effects, since it was an Amendment to the Constitution, then obviously it was necessary for the Opposition and even the Government members, if they do study their work, to get the Bill long tin advance, to study it, to get consultation from knowledgeable people with a view to being able to discuss the Bill intelligently. But what we have here today, and what I protest most strongly, is having this Bill presented to us at 12:40 today for serious discussion tomorrow.

This sort of thing that has been going on in this House, this rubber stamping which the Government expects the Opposition to indulge in, cannot go on all the time, and I wish to advise the Government, if I may, that this sort of thing is not good enough. The hon. Minister, who is dealing with this matter today, the hon. Minister of Parliamentary Affairs, is a lawyer. If they are incompetent, and I think they are, the hon. Minister could have gone over to the Law Office. He has nothing to do. Can one imagine that there is a Minister paid for Parliamentary Affairs and Parliament hardly ever meets, and this Parliament is never going to meet except when the Government has something to ram down our throats and the throats of the Guyanese people? Let them find something objective to do. I do not know if his competence is being challenged but he can go to the Law Officers Office and help him to prepare these Bills so that we can have them in the minimum time of seven days, or even three days, so that we can study the measures to come and discuss them intelligently.



It is no use sitting down and telling us Parliament is going to meet today. Why? Did they not know that school was going to open on the first or second week in September? The hon. Minister of Education, whom we will hear tomorrow, no we are going to hear her a little later today in the First Reading, first chirping, did not know to talk to all these people who have school buildings, who are not co-operating? They know that the P.P.P. is not opposed to the abolition of dual control. In fact, they are the ones who were saying, “Man can change he mind”. That is what the hon. Prime Minister said. We are not changing our minds, Cde. Speaker. We are consistent. **[Interruption]**

My friend tells me that coming events cast their shadows. All we are saying is that they know this; they knew the recalcitrance of their former allies. They used to march with them in

**2.50 p.m.**

the streets. **[Interruption]** You want me to show you. My friend’s memory is short. **[Interruption]** I am referring to their former allies. They opposed the abolition of dual control.

One thing I want to say. We have free medical services. Akmal I think he died in an accident at Versailles. His family was told at the hospital that he had to go and buy plasma before he died. He didn’t get to buy it. I hope that the free education that we are going to get – and I am not talking about the Bill – isn’t going to be “free”.

I wish to take my seat and to urge upon you, Your Honour, and upon hon. Members, particularly Ministers, not to use this House as a rubber stamp, not to suspend the standing orders willy-nilly notwithstanding the high-flown words that flowed from the lips of my friend, the Minister of Parliamentary Affairs. We are opposed to the suspension of the Standing Orders because we feel that the Government had every opportunity to bring this Bill in time so that there would be no suspension of Standing Orders. Such suspension in the future is going to meet with the strongest opposition from this side of the House.

Mr. Singh: Mr. Speaker shortly after I entered Parliament after the 1973 Elections I said these words: “I would like to appeal to the Government to desist from the habit of seeking

suspension of the Standing Orders without very, very good reasons.” I went on to say that the last Parliament was characterized by the frequency with which the Government sought suspension of the Standing Orders without assigning very good reasons therefor. I am quoting myself and I would like to repeat that appeal which I have made on so very many occasions in this honourable House for the Government to desist from this practice of bringing, particularly, important constitutional amendments to this House and moving the suspension of the Standing Orders. Indeed, when I was consulting my Standing Orders, I saw a Notice Paper inside it which was headed “Third Parliament of Guyana – First Session – 1973, NO. 2. The following Notice has been received: By the Minister of Parliamentary Affairs and Leader of the House. Be it resolved that paragraph (3) of the Standing Orders NO. 46 be suspended to enable the Assembly to proceed, at its Sitting on the 30<sup>th</sup> of July, 1973, with the second reading and the remaining stages of the Constitution (Amendment) Bill 1973.” I remember vividly that subsequently we have had Constitutional Amendments passed in this House with the same request, and passed by the Government, by virtue of its majority, after the suspension of the Standing Orders.

These Standing Orders are a set of rules to be ordinarily observed *an moreso* in relation to such all-important matters as those which amend the Constitution, which is regarded as the foremost document in the land. Fair enough, there is provision to amend it but one would expect that when amending the constitution, the highest, the most important document in the land, one would at least observe the Standing Orders.

The question I want to ask is, why is the Government making it the rule rather than the exception in respect of the Standing Orders? When it wants to amend the Constitution, one would expect that it would observe the Standing Orders. The Government is making suspensions of the Standing Orders the rule whereas it should, in fact, be the exception. What do the rules provide, these rules that we are seeking amendment of? And, further, why do they provide for these things? We all sat here. I sat on the Committee which re-drafted and revised these Standing Orders. It was a Committee, at that time, made up of members of the United Force and the People’s National Congress. Section 46 (2) reads thus:

“An interval of not less than three clear days must elapse between the first and second reading of a Bill, unless the Assembly on motion made and question put, agree to proceed with the Bill at an earlier date, or forthwith.”

Why is that so? Obviously, because the intention was and is to allow both Parliamentarians and the general public to be acquainted with the Bill and to have an opportunity to make representations in respect of the Bill. What does 46 (3) state? It reads thus:

“ No Bill shall be read a second time before the expiration of seven clear days from the date of its publication in the Gazette and until it has been printed and circulated to Members.”

What is the position here? The position is that, in fact, I received this Bill even after the hon. Member Mr. Ram Karran. I received it at my home at 1.03 p.m. this afternoon. Fair enough, I did receive it before coming to this House. We will be debating this Bill tomorrow. Has this Bill been published as yet? I doubt whether this Bill has, in fact, been published in the *Official Gazette* and if it has been published in the *Official Gazette* and if it have been published in the *Official Gazette*, then I say this without any fear of contradiction, that it has not reached the hands of ‘John Public’. It has not, in fact appeared in the national newspapers, and the *Gazette* would not have found itself in the hands of the people who ordinarily subscribe to the *Official Gazette*. What, therefore, is the position? The public are not in a position to study the Bill, the implications of the Bill, to make representations, to make recommendations, even to study what is involved fundamentally. What we are doing from my casual glance at the Bill, is amending the fundamental provisions of the existing Constitution, provisions which require a two-thirds majority. In fact, a two-thirds majority is merely the proviso. Under the Constitution, an amendment of fundamental rights requires that the country goes to a referendum. Providing – and there is a proviso – that in the case where the Government has a two-thirds majority, then it can be done by that two-thirds majority. But the ordinary rule is that to change the fundamental right position, you must go to the people on a referendum. What are we doing here? Obviously, the underlining principle, the basic thinking of the people who made the Standing Orders and the

Constitution is that the people should be involved, is that the people should know what are the thing which are sought to be amended in the Constitution. Are they having an opportunity on this occasion to know that? No. they are not. We are debating this tomorrow, less than twenty-four hours from now. Will the public have a chance to study, in detail, this Bill before us?

It deals not only with amendments which require a referendum if the Government does not have a two-thirds majority. It also deals with amendments to other bits and pieces of legislation, principally to the Education Act. It is a fundamental measure, it is a measure that has attracted controversy in the past, it is a measure in respect of which I respectfully submit, people who would have wanted to make representations to the Government on. Not so long ago the members of the Government spoke of consultative democracy. They may have consultation. But in respect of this document before us, where is the consultative democracy?

I am sure those members of the Government who are lawyers, will agree with me when I say that lawyers when dealing with important agreements, important complicated documents, normally have a first, second, third and sometimes, fourth, fifth and sixth look at them before finalizing them. I say that it is wrong, for the legal draftsmen to have been called upon to produce a document such as this, amending the foremost document in the land, at such short notice. And it is even more wrong for the Government to ask us as Parliamentarians and themselves as Government members, to finalise that document within the very short and limited time available. We are debating it tomorrow. How many members on the other side have really had an opportunity to look at it? I am not sure that very many members on the opposite side, apart from the front benchers, ever look at legislation before the House. Invariably they are required to vote with the Government. There is no compulsion, indeed there is no encouragement in respect of their having to look minutely and in detail at the proposed legislation before the House. It may be that they do not care; they prefer to rely on their front benchers. But we are all here in this Parliament as representatives of the people. We are all here drawing a salary from Parliament to discharge an obligation, an obligation to act as representatives of the people, to examine minutely and to give our considered thought to anything that comes before the House.

**9.9.76**

**National Assembly**

**2.50 – 3 p.m.**

I certainly cannot say that I am being given enough time to consider this document. Under the Standing Orders I would normally have seven clear days from publication of the Bill. The Bill may be published today; I would normally have seven clear days within which to receive representation from people in general about the provisions of the Bill. I shall no longer have that. I myself would normally have three clear days between the First and Second reading to give the Bill my detailed consideration. I shall no longer have that if we deal the Bill tomorrow.

It is true that the Government could have proceeded to deal with the Bill through all its stages today. That is legally possible. I submit that in respect of a constitutional amendment that is so far-reaching as to require a referendum or a two-thirds majority, it is wrong for this honourable House to proceed as it has been proceeding before with such haste and with the suspension of the Standing Orders. It is my fervent appeal to the Government that we will see today the last of any such requests to come to this House for suspension of the Standing Orders

**3 – 3.05 p.m.**

particularly in respect of such important matters as amendments to the Constitution of Guyana.

*Question put, and agreed to.*

*Motion carried.*

**The Speaker:** Cde. Leader of the House

## **ADJOURNMENT**

**Resolved**, “That this Assembly do adjourn to Friday, 10<sup>th</sup> September at 2 p.m. (**Cde. Ramsaroop**)

**Adjourned accordingly at 3.05 p.m.**

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