

Official Report

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2011) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN

155TH Sitting

Friday, 17TH June, 2011

The Assembly convened at 2.55 p.m.

Prayers

[Mr. Speaker in the Chair]

ANNOUNCEMENTS BY THE SPEAKER

Apology

Mr. Speaker: Hon. Members, I apologise for the late start.

Condolence to Minister Carolyn Rodrigues-Birkett on the death of her mother

Mr. Speaker: Hon. Members, I was informed that the mother of the Hon. Member Mrs. Carolyn Rodrigues-Birkett passed away this morning and the funeral arrangements will be announced later. On behalf of Members in the Assembly, and myself, I take this opportunity to extend deepest sympathies to the Hon. Member Mrs. Carolyn Rodrigues-Birkett.

Development of the Parliament of Guyana website

Mr. Speaker: Hon. Members, as you may know, several years ago, our Parliament established a website under the Fiscal and Financial Management Programme (FFMP). Much work was done in studies and establishing the project, but resources ran out, and what, in fact, happened was that the site was established but it has not been managed. There is need for additional technical, financial and human resources. This process is ongoing.

I met a delegation from a group this week who will be examining what we have done. Several have been done. The Organization of American States (OAS), for example, did a study and I hope that this group will present us with a project document for which, sometime in the future, we will be able to get some funding to establish or build our website.

As you know, the idea was to have on the site all Bills, reports and speeches. Well, that was a very massive undertaking, and it is a project which will take several years to accomplish. At least, in the first instance, we hope to have the Bills and Acts after they have been passed by the National Assembly and assented to. That is an ongoing work and, of course, it depends on the resources as they become available. There is a United Nations Development Programme (UNDP) which is now under consideration, and will also bring some further resources to this area of information technology.

Establishment of a Facebook Account

Mr. Speaker: However, I am very pleased to inform you that the Parliament of Guyana has now established a Facebook fan page. Those of you who are internet and Facebook ready, if you go on the internet, punch in the words “Facebook - Parliament of Guyana”, and our Facebook page will appear. This is free of course. We have already put a lot of information on it, and will continue to feed as much information as we can on Facebook. The Members of Parliament do not need that information, but what the Members of Parliament will get would be the responses of the public to what is posted by us.

We would like essentially - it is not my property; I should not really say “we”, but those of us, who thought about the project and who have established it - to see all Members becoming friends of the Parliament of Guyana. And also, to see as many Guyanese as possible, and other people, all over the world, become friends of the Parliament of Guyana and make a contribution to the page. I should inform you that when the idea occurred to us and we began to investigate it transpired that a large number of Parliaments are on Facebook. So, we are not unusual in that regard.

Hon. Members, when we are comfortable on Facebook, as a matter of fact, long before that, we will establish a Twitter account. I do not know how many of you are on Twitter, but many Guyanese are on Twitter. I am on Twitter. I do not post anything, and I only have two followers. I hope that I will start posting as soon as I can and that my following will develop. We will establish a Twitter account for the purpose of giving an up to date account of what is

going on in the National Assembly. Whoever is managing the account and the staff will tweet that at five minutes ago the National Assembly was in session; will tweet, if possible, when we begin debating a Bill or will tweet that the Access of Information Bill has had its first reading, and what happened, and so on. It depends on how much human resources we have to manage the Twitter account, so that the world will be able to know what is happening on a minute by minute blow. In addition, we will be tweeting what is happening at the meetings of Standing Committees, Public Accounts Committee, and so on.

You can only tweet a limited number of words. So you will then get on Facebook the larger amounts of information of what went on in those bodies.

I am not finished.

Establishment of a Blog website

Mr. Speaker: We will also try within the coming weeks to establish a Blog. A Blog is a site where we can give larger bits of information. You can post a greater amount of material on the Blog, and it will give the opportunity to Guyanese to make a comment on anything that is posted - on anything that is connected to the Parliament - and they will not be limited, as on Facebook and Twitter, to a number of words. The Blog can contain larger portions of materials and these services are free. You have to pay something to set up or establish the Blog page, but it is not very expensive. The problem with maintaining these sites, keeping them fully operational and feeding them with the requisite information that we ought is to have a dedicated member of staff to do it. We can manage with what we have to some extent, but to keep it fully operational we will have to get a staff member. Hopefully, at the appropriate time when we put this proposal to the Government we will get some support for this objective. In the meantime, while we are struggling with the website, which requires a greater amount of resources, we can work on these. The resources of which are not so great, but which we can manage, and this will help us along the way.

So I invite Members to please join the site. You will also see my photograph on the site. If that does not turn you off, you will see the Prime Minister and the Leader of Opposition photographs. We have invited them. They have not yet responded. If they do not respond that is okay. But if they do, we will post them. Thank you

Mr. Carberry: Mr. Speaker, could I simply just say quickly that, first of all, of course, I hope the word "Tweet", as used by the English, is well understood. Secondly, I was hoping

that you would have announced that the Parliament would now have an internet broadcast of its activities, so that, in fact, people outside can look on the internet and see, and hear, what it is we are saying, because, really and truly, this is all part of the Information Technology (IT) revolution.

Mr. Speaker: We are working on that Mr. Carberry. We have not established the Blog as yet. That is in the works.

PRESENTATION OF PAPERS AND REPORTS

Mr. Speaker: Hon. Prime Minister and Minister of Public Works and Communications, or is there somebody on his behalf? Next matter please.

The following Report was laid:

- (1) The Guyana Water Incorporated Annual Report for the year 2009. [*Minister of Housing and Water*]

REPORTS FROM COMMITTEES

The following Reports were laid:

- (1) Amended Minutes of Proceedings of the 23rd Meeting of the Committee of Selection held on Wednesday, 25th May, 2011. [*The Speaker of the National Assembly - Chairman of the Committee of Selection*]
- (2) Report of the Special Select Committee on the Childcare and Development Services Bill 2009 - Bill No. 31/2009. [*Minister of Human Services and Social Security - Chairperson of the Special Select Committee on the Childcare and Development Services Bill 2009*]
- (3) Report of the Special Select Committee on Consumer Affairs Bill 2011 – Bill No. 7/2011. [*Minister of Tourism, Industry and Commerce - Chairman of the Special Select Committee on Consumer Affairs Bill 2011*].

QUESTIONS ON NOTICE

[**Oral Reply**]

PROGRAMME TO ALLEVIATE THE PROBLEM OF INADEQUATE MATHEMATICS AND SCIENCE TEACHERS IN GUYANA

Ms. Ally: I beg to ask the Hon. Minister of Education Question No. 1 on the Order Paper standing in my name:

- (i) Could the Hon. Minister of Education inform this National Assembly what programme his Ministry is engaged in to alleviate the problem of inadequate Mathematics and Science teachers in Guyana?
- (ii) If this programme includes the employment by his Ministry of foreign based teachers, could the Hon. Minister say what conditions, salaries and benefits will these teachers enjoy?

Minister of Education, [Mr. Baksh]: Mr. Speaker, I observed here that there is an asterisk on that question – “Not be proceeded with at this sitting.”

Mr. Speaker: The question was on the Order Paper for an oral answer, sometime ago. The reason why the asterisk is there was because the Hon. Member was not here on one or two previous occasions and it was put down. But the Hon. Member indicated that she would be here and would like to ask the question. It was because of that little confusion, but it was not our fault. It is no one’s fault. If you are not in a position to answer the question now, I will allow it to be answered, either in written form, or later, as the Hon. Member prefers.

Hon. Member, would you have any objections if the question is answered in a written form on the next occasion?

Ms. Ally: I would prefer an oral answer, Sir, but if the Minister cannot, then we will be satisfied with a...

Mr. Speaker: He cannot answer it today. Maybe, if you wish to wait for the next session. He was misled by this slight confusion. On the next occasion he will be able to answer the question...

Ms. Ally: I will not be here on the next session.

Mr. Speaker: ...Would that be okay?

Ms. Ally: Could someone else from this side ask the question because it is anticipated...

Mr. Speaker: Anyone can ask the question on your behalf. I asked, when you were not here, if anyone was in a position to ask the question on your behalf.

Ms. Ally: Well, that will be fine with me because I will not be here for the next session.

Mr. Speaker: You have asked the question already, all we will have is the answer, and any follow up questions any other Member might have.

Ms. Ally: Thank you.

Mr. Speaker: Okay.

STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS

HINTERLAND FLOOD EVENTS AND IMPACTS

Minister of Transport and Hydraulics, [Mr. Benn]: Mr. Speaker and Hon. Members, I want to report to the National Assembly information on the Hinterland flood events, its impacts and the national response over the period May to June 2011.

The persistent presence of a weather system associated with the Intertropical Convergence Zone (ITCZ) over central and southern Guyana, over the period May to June, resulted in high to extreme rainfall levels, resultant soggy conditions and flooding in Regions 6, 8, 9 and 10. In Region 9, particularly, several days of steady rainfall, interspersed with high intensity thunderstorms resulted in high to extreme rainfall amounts. For example, at the Lethem Recording Station, 576.4 millimetres of rainfall were noted versus the 233 millimetres normal.

In this Region also, at Parishara, it was recorded 651.3 millimetres of rain, versus 261.9 millimetres normal. This extraordinary precipitation introduced flash flood and torrential streams on slopes, waterlogged conditions on high level ground, extensive flooding of low level savannah areas and flooding as a result of the delayed arrival of the flood peaks downstream on affected watersheds.

The impacts of the flooding were most severe in Region 9 when the aerial extent and population are considered. Some one thousand eight and sixty-eight persons, comprising five hundred and two households were directly affected by the floods in Region 9, with three hundred and three persons evacuated to shelters and private homes.

In the deep south communities of Aishalton, Masaetayourau and Gunns Strip prolonged rainfall led to waterlogged farmlands of some two hundred and eighty farmers. Flooding in

the deep south communities allowed for the cutting off of the roads and overland access to these areas.

In the south central district, farms were flooded, of which one hundred and fourteen of them were at Sand Creek. Flooding also affected areas of Baitun, Ruruwau, Marurawau, Shulinab and Potarinau. House collapsed were reported at Kaieteur, and Sawariwau. Again, the road access was compromised by creeks overtopping their banks and flooding the roads.

At the central sub-districts, two hundred and sixty-seven farms were affected, particularly at Hiawa – fifty-eight farms, Parishara – forty-nine farms and Parikaranal – forty farms. The Regional administrative centre, the town of Lethem, was, particularly, badly affected with some fifty-five per cent of its area being flooded, from the Takutu, Mocomoco and Tabatinga Rivers.

Two hundred and ninety-one residents were initially relocated to shelters. Fourteen stores and restaurants were flooded. Residents of Tabatinga and Culvert City were affected, and, in addition, the main roads and bridges to Saint Ignatius and the Takutu port complex were flooded with in excess of 1.5 metres of water.

Operations at the Lethem Power Company were brought to a halt for one day by the flooding of transformers, power cables and generator sets. The Guyana Telephone and Telegraph Company (GT &T), Lethem Exchange, was also flooded and heroic sandbagging, pumping and bailing by employees, regional officials, army personnel and volunteers averted the loss of its services. Two of the three potable water sources run by the Guyana Water Incorporated (GWI) were flooded, as was one of the two gas stations and a hotel. Road access to the Lethem area via the Linden-Lethem road, which had already seen an increase in travel time from twelve to sixteen hours on the advent of the rainy season, was no longer possible, as there were washouts to culverts and three bridges in the Iwokrama forest section of the road. There was flooding at twelve locations on a 3.5 kilometres section, between Annai and Meritzero, and deep flooding of up to 1.8 metres on the approaches for the Pirara Bridge, and the flooding of that bridge itself.

Those losses resulted in three fuel tankers and up to eight cargo trucks being stranded before Pirara, or else foundering at flooded or soft roads sections.

North Rupununi sub-district recorded waterlogged or flooded farms at fourteen villages, inclusive of Fairview – fifty-four farms affected, Ruperti – fifty-seven farms affected, Rewa – forty-five farms affected and Massara and Yakarinta with eighty-nine farms affected.

The south Pakarimas, Region 8, reported thirty-three households and farms were affected, specifically at Karasabai – eighty-six farms affected, Tiger Pond – fifty-two farms affected, Uraiwaparu – fifty-four farms affected and Wokomung – thirty-five farms affected.

In Region 10, the peak of the Essequibo downstream at Rockstone resulted in deep flooding of households and farms in the community. Similar, at Kwakwani, flooding was experienced at the waterfront and at Lamp Island where residents and businesses, again, were affected. On the Corentyne River, a sawmill and a resort were affected by deep transit flooding at Wonotobo. In Region No. 6, on the upper Canje reaches, the flooding of farmlands occurred at Barakara.

Responses to the situation in Region No. 9, as it unfolded, began with the setting up of a multi-stakeholder committee headed by the Regional Chairman, Mr. Clarindo Lucas, with representation from the Regional Executive and its departments. The police, army, business community and volunteer groups were also represented. Critical monitoring and support were provided by Central Government. As the situation worsened, by early June, the Civil Defence Commission was deployed to Region 9 with relief supplies. An Emergency Operations Management Centre was established and an ongoing Cabinet Ministerial presence was in the Region.

At Lethem itself, six relief shelters, with meals supplied, were established at the Arapaima Primary School, the Culvert City Nursery School, the Christian Brethren Church hall, the Lethem Hospital Compound, the nurses' hostel and the Department of Education building. Eight boats with engines were deployed and manned by the Guyana Defence Force and regional staff to move persons over the flooded areas at Lethem and to Saint Ignatius. Generators, motorcycles, all-terrain vehicles, trucks and pick-ups were used to provide light, transportation, water distribution, medical and social relief and assessments. An aircraft, provided by the Guyana Defence Force, brought in critical food and medical relief teams to Lethem, which were redistributed by smaller planes, chartered for the purpose, or on-flight services provided by the remote areas medical assistance services.

Additionally, foodstuff and other supplies were taken overland to Riverview on the Essequibo for onward shuttling to the Rupununi by air and light vehicles. School sessions were halted during the week of 5th June – 11th June in response to transportation and safety issues, though the final phase of the CXC examinations were run without incidence, the students having been ferried by boat to the centres in Lethem.

Additional medical supplies were brought into the area by the Ministry of Health. All Government employees along with volunteers from the Lethem Chamber of Commerce and Industry, the security personnel and the Red Cross worked long and extensive hours.

Ministerial visits by Minister Robert Persaud, of the Ministry of Agriculture, and Ms. Pauline Sukhai, Minister of Amerindian Affairs, were accomplished. The Hon. Samuel Hinds, Prime Minister, made a twenty-four hour visit to the Region and was briefed on the situation, and participated in the relief efforts. On June 7th, His Excellence President Bharrat Jagdeo declared the situation in Region 9 as a national emergency and allocated an initial \$50 million towards the relief efforts underway, and to help restore full security to the areas affected.

By Tuesday June 13th, the water had receded off the roadways and the bridges in the Lethem area, though the Pirara section was still difficult to transit. Most of the communities went into a clean-up and recovery phase, with the support of the Government. Engineers and contractors from the Ministry of Public Works and Communications had been deployed to affect repairs to critical road and bridge locations, along with regional personnel, and had been conducting surveys of the highest water levels achieved, in each district, to map the flood extent and to determine future engineering responses.

The rainy season for the Rupununi, Region 9, extends normally to the end of August, while flooding which has been said to have exceeded all previous levels by, for example, in Lethem, 30 centimetres, maybe at best a fifty year event, the year 1976 being the last great regional flooding. The perturbations seemingly created by the issues relating to global warming and climate change may be cited as reasons for the event and, therefore, the possibility of a reoccurrence before the year end would not be ignored.

The flooding event itself was not limited to Guyana, for in neighbouring Brazil the areas west of Rio Negro and Blanco were flooded, resulting in the cutting off of Boa Vista from Manaus and also Boa Vista from Bon Fin.

The Government which has adopted a Low Carbon Development Model, premised on an understanding of global climate change, was alert to the relevant issues and remains vigilant via its line Ministries, the Civil Defence Commission and the Guyana Defence Force, along with the cooperation of business enterprises, associations and volunteer groups, and is ready to provide the required support to the communities affected. A health and infrastructural catastrophe has been averted and largely mitigated thus far.

2.55 p.m.

In closing, I would like to thank President Bharrat Jagdeo and his Cabinet for the quick and relevant government response to this flood event. I would also like to thank the Regional Chairman, Executive Officers and staff of Region 6, 8, 9 and 10 for their interest and engagement on this issue. Appreciation also go out to the Lethem Chambers of Commerce and Industry, Guyana Telephone and Telegraph Company (GT&T), Lethem Power Company, Red Cross, Food for the Poor, Ram Variety Store, Religious Organisations and all the persons in all of the affected regions who volunteered time and effort to bring relief on this flood event. I thank you. [Applause]

Introduction of Bills and first reading

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

1. Access to Information Bill – Bill No. 10/2011

A Bill intituled:

“An Act to provide for setting out a practical regime of right to information for persons to secure access to information under the control of public authorities in order to promote transparency and accountability in the working of the Government and public authorities and for the appointment of the Commissioner of Information.”

[Minister of Home Affairs]

The Bill was referred to a Special Select Committee

PUBLIC BUSINESS

BILLS – SECOND AND THIRD READINGS

CHILDCARE AND DEVELOPMENT SERVICES BILL 2009 – BILL No. 31/2009

A Bill intituled:

“An Act to regulate childcare services and to provide for parameters for the granting of licences for childcare and development services and connected matters.”

[Minister of Human Services and Social Security]

Minister of Human Services and Social Security [Ms. P. Manickchand]: Sir I, too, which to convey deepest condolences to Minister Rodrigues – Birkett on the death of her mother.

Mr. Speaker, while I cannot plead any expertise on the matter of twitting, having never done that before or even face booking or blogging, although I am on Facebook, I am curious about whether the Parliament Office has the resources to respond to or manage the comments that come in. While we do not want to interfere with freedom of speech in any way, we would want to protect the integrity of the House and its Members. That is just a bit of curiosity on my part, Mr. Speaker. I see your honour is very modern, technologically, and I figure that you have worked that out already. It is of serious concern to me because wicked people often use these forums not to do what it is set up to do, but to insult, abuse and bring people and institutions into disrepute and that is something that I am always concerned about.

Having said that, I am very happy that we are here this afternoon to debate the Childcare and Development Services Bill - Bill No. 31 of 2009. This Bill is the final one in a menu of legislation that the Government brought to this National Assembly so that it could protect and look after the interest of children. As the House is going to pass this Bill today, I think that it is necessary that we put into context the provisions of this Bill as it relates to all the other pieces of legislation that we came with.

Guyana’s children enjoy a special place on the agenda of the People’s Progressive Party/Civic (PPP/C) government and this is why so much effort has been made over the years to establish and create an environment where our children can flourish and be all that they can be. We pay particular attention to orphans and vulnerable children because we know that given the opportunity, these children can be just as valuable. They can reach the same heights that children who are not orphaned or vulnerable in that way, can. That is why in our considerations and deliberations about what would be necessary, we came up with a menu of measures including legislation that must be taken if all of Guyana’s children are to flourish. We outlined for the people of Guyana what that menu is in the Manifesto of the PPP/C. In the 2006 Manifesto, one of the things that we said that we would do is to pass the Children’s

Bills. This would include the Protection of Children, Adoption of Children, Status of Children, Custody, Contact, Guardianship and Maintenance of Children and the Childcare and Development Services Bills. We promised that, but we have also gone on to pass, through Minister Rohee, the Juvenile Offenders (Amendment) Act which allows for children who are in conflict with the law to be held separately from adults. Minister of Health, Dr. Leslie Ramsammy, has piloted for the government a Disabled Peoples Bill – A Bill dealing with disabled peoples. We had many other pieces of legislation. Minister of Finance, Dr. Ashni Singh, came with a Fiscal (Amendment) Act that allows for single parents to access finance which means that their children would do better.

There has been a plethora of things done outside of what we promised. I was outlining things that we promised and that was the five pieces of legislation dealing with children. We promised to establish a Childcare and Protection Agency; we promised to publish minimum standards and regulations for children's home in Guyana; we promised to establish a foster care programme; we promised to expand our children's' homes; we promised to pass a Sexual Offences Act and we promised to establish a Family Court. We have done all of the things that we said we would do to improve the lives of children except one, which is in the process of being done. That is the bringing into being of the Family Court. In or around January 2009, we brought to this National Assembly the Childcare and Protection Agency Bill. We passed that into law when the President assented to that Bill on 7th April, 2009. On 29th July, 2009 we officially opened the Childcare and Protection Agency. The Childcare and Protection Agency Bill would be one that would lay the ground work for all the other legislation that came to this National Assembly for them to be passed and implemented.

Following that piece of law, we then came to the National Assembly with the Status of Children Bill, the Adoption of Children Bill, the Protection of Children Bill, the Custody, Contact, Guardianship and Maintenance of Children Bill and the Childcare and Development Services Bill, all of which were sent to Special Select Committees and considered by all the political parties in this house, that is, all of the political parties that found it necessary to be present at those Committees.

On the 12th November, 2009, The Protection of Children Bill became law. On the 18th September 2009, the Status of Children Bill became law. On the 26th October, 2009 the Adoption of Children's Bill became law and on the 25th May, 2011 the Custody, Contact, Guardianship and Maintenance Bill was assented to by His Excellency, Dr. Bharrat Jagdeo,

and that became law as well. We will pass this final piece this afternoon and this, too, will shortly join the other laws of our country that seek to protect and care for Guyana's children.

On the 18th June, 2008, the Ministry of Human Services and Social Security published minimum operational standards and regulations for children's homes in Guyana - as we had promised. These are stated standards and regulations that homes and orphanages are expected to comply with so that an environment could be created in those homes where children can flourish and be the best that they can be.

In 2008, we started a pilot foster care programme where we fostered in excess of 80 children. This is where we placed children with strangers or distant relatives because we know the best place for them is in a familiar environment and not in an orphanage or institution.

Additionally, we have expanded legal aid services in 2008 and in 2009 and now there is legal aid in 6 of the 10 Regions in Guyana. For the first time ever, we have a children's legal aid programme which offers free legal aid services to children who find themselves in conflict with the law.

A new headquarters for the Childcare and Protection Agency was opened on the 6th May, 2011.

Of course, you know that the Sexual Offences Act which, specifically, caters for child victims and complainants by providing a host of practical and modern provisions, was assented to by the His Excellency at a historic public ceremony on the 24th April, 2010.

This piece of legislation - the Childcare and Development Services Bill - comes into this National Assembly just a few short weeks before the government actually bring regulations under the Acts that the House has passed. Within the next two Sittings, with your leave your Honour, I will be laying in this National Assembly, in whatever is the appropriate procedure, regulations we would have gazetted under the Status of Children Act, the Adoption of Children Act and the Custody, Contact, Guardianship and Maintenance of Children Act.

We have also drafted the Adoption of Children Rules but the Rules Committee is the body that makes rules of the High Court and we are going to be forwarding, within the next few days, those Rules to the Rules Committee for its consideration with a view to having it adopt those rules into law. That is still to come to the National Assembly.

This Bill that we have before us provides for the regulation of childcare services and also for parameters for granting of licenses for the childcare and development services and connecting matters. It complements, beautifully, the minimum standards that I spoke of earlier that we published in 2008. This law will provide for and address a number of important matters and issues, including mandatory registration of caregivers and sponsors and requirements for training of caregivers. It allows for unsuitable individuals not to be employed in facilities looking after children and it details what makes an individual unsuitable. For example, the Agency could disqualify a person as a caregiver if that person is or has been convicted of an offence which, in the opinion of the Agency, involves moral turpitude. Additionally, this law provides for a caretaker not to be allowed to subject a child to corporal punishment and provides penalties for employing a disqualified person and for not complying with requirements under a licence.

This is an extremely useful piece of law if we are to ensure that all of Guyana's children are taken care of in environments that allow for them to reach their potential and be the best that they can be. Passing and implementing these laws are the duty of the State and we have and are fulfilling these duties as can be seen, tangibly, from the various things that we do including the passage of legislation and the establishment and creation of institutions.

However, governments alone and this Government alone cannot protect Guyana's children. Child protection is everybody's business and we encourage every citizen to be and to become a child protector. This piece of legislation, like I said, would bring to total seven of pieces of legislation that was passed, specifically, by this one Ministry in the State. However, I just mentioned how many other pieces of legislation, while they may not have the words child or children in the title, deal with the bettering of the lives of the children of Guyana.

We are very pleased this afternoon to bring this to the National Assembly. The Report is before the house. The amendments to the Bill were made by the members of the Committee and I commend this Bill for passage into law. Thank you. [Applause]

Ms. Sampson: Mr. Speaker, the Childcare and Development Services Bill 2009 - Bill No. 31 of 2009 was read for the first time in the National Assembly on 9th July, 2009 and then committed to Special Select Committee. The Explanatory Memorandum notes:

“This Bill seeks to provide regulating childcare services in the country and for granting licenses for childcare and development services”.

Today's Bill is part of a package of legislations that have been crafted, amended and passed in this National Assembly to provide a better way of life for Guyana's children. The People's National Congress Reform 1Guyana (PNCR-1G), therefore, welcomes this piece of legislation, especially, since we are aware that obtaining affordable, quality childcare, especially, for children under five years is a major concern for many parents. Particularly, in recent years, with the rise of families of two or more working parents as well as the increase of single parent families, particularly, the female-headed household. As the need for child day care has increased, the child day care services industry has begun to feel the need for none relative childcare. Night care facilities should also be considered, especially, since there are many single women finding employment as security guards, thus causing them to be away from their children, sometimes in the nights. With this, comes the need to regularise and standardise the services provided. With municipal day care centres, privately owned ones, as well as those run by churches and other organisations providing this much needed facility, there is the need to formulate legislations to cover these operations. We, of the PNCR-1G, call on those who will be integrally involved in providing childcare services to any child and to be very careful in adhering to the regulations. We ask them to remember that any slips, mistakes or shortcuts can cause harm to those children.

Even as we support the passage of this legislation, we hope that the officers of the Childcare and Protection Agency, who are being vested with the powers to make all these Bills relating to children's issues operational, will be properly trained so that they will acquire the necessary skills to provide the required services. We hope that they will ensure that there will be affordable, accessible high quality child care for all young children and their families.

We hope that there will be enough qualified personnel with the relevant competent skills and resources to supervise and monitor these operations. We hope that the regular visits will be made to the caregivers or sponsors in order to make certain that they confirm to the regulations specified, and the nation's children will not be put at risk.

The Bill outlines, among other things, the various steps to be taken to register and license the caregiver or sponsor. When this Bill becomes the Act, let us call for correct implementation of same so that those who wish to provide childcare and development services, would adhere to them or so endure the penalty which will be meted out to them as defaulters. Let us follow the outlined procedures and all will benefit bearing in mind that in providing child care and development services, the welfare of the child is of paramount importance.

We of the PNCR-1G extends our gratitude to the staff of the Attorney General's Chambers and the representatives of the Guyana Association of Women Lawyers (GAWL) for the work and research, along with the experts from overseas so that this very progressive piece of legislation could be enacted. We also thank the Clerk of the Committee and the Deputy Parliamentary Council for making certain that the approved amendments were properly documented.

Before I conclude, I must mention a few things. In preparing for this afternoon's debate, I tried to do some research. This Report which has been signed by the Hon. Chairperson of the Committee indicates:

“...that the verbatim records of the proceedings of the Committee were available at the Parliament Office”

These were not available but I must commend the staff for their efforts in trying to get same for me. I ask that the staff of the Parliament Office be provided with all the required resources so that they can produce their reports in a timely manner. This was not the fault of the competent officers of the Committees Division but the late submission of those persons who were contracted to provide such service.

My next comment is that the report of the Special Select Committee on the Childcare and Development Services has come to this august body after a lag of more than two years and after its first reading in July 2009. During 2009 there were four meetings. Then there was a huge gap of more than a year - from November, 2009 to March, 2011 and a final meeting in June, 2011. If the welfare of our children is so important, why was this Bill allowed to sit in the Committee for so long with the Committee only meeting six times? Our children are the most valuable assets of our country and for the Committee's Chairperson, after one year of no meetings, to suddenly wake up from her sleep like Rip Van Winkle, in this election year, to realise that this work must be completed is testimony to the level of priority assigned to this matter. I hope that the rush to complete the work of this Committee has not overlooked any critical areas. The PNCR-1G supports Bill No. 31 of 2009. I thank you. [Applause]

Rev. Dr. Gilbert: Mr. Speaker we were reminded, by both the Hon. Minister and the Hon. Ms. Sampson, of the fact that this particular Bill that we are considering today was first introduced to this National Assembly on the 9th July 2009 - almost two years ago - and ever since it has been in the Special Select Committee. We were told, or rather it was suggested,

that the reason for this delay is an indication of a disinterest by those of us who were given the responsibility for the consideration of this Bill. I think the attendance record, which is a part of the report, would be indicative of the commitment demonstrated by the individuals who made the time to attend these meetings. I want to also say that the length of time that this Bill remained in the Special Select Committee is not indicative of sloth in the activity or the modus operandi of the Committee. It was:

1. That we found that the initial Bill had a number of incoherencies that required careful, deliberate and systematic consideration and I believe that the time that was dedicated to the examination of this Bill, the process that was undertaken that allowed us to re-examine and discuss some of these things that were observed. We are all aware that these Bills are prepared by individuals and the individuals, regardless of their profession, are also affected by issues of human error.
2. Secondly, I want to say that while this process was lengthy, we the committee were resolute in our commitment to ensuring that the eventual outcome of our deliberations produced a piece of Legislation that gives recognition to the paramountcy of childcare and developmental issues in Guyana.

The Bill,

“Intituled an Act to regulate childcare services and to provide for the parameters for the granting of licences for childcare and developmental services and connected matters,”

represents, I believe, the basic *raison d'etre* for this Bill - the purpose for its existence and its passage through this Assembly.

The need for proper regulatory and institutional framework to govern the activities and the environment in which our children are cared for outside of the home cannot be overstated and I believe that this was mentioned by the previous speaker. Such a critical and sensitive service upon which many families, particularly those with the demands of work and other essential parental responsibilities do depend, cannot be left up to self appointed caregivers and day care owners for example. Anyone is free to open their home, bottom house or whatever facility they have for the purpose of a daycare or for child care services. However, the implications of such unregulated arrangements have very serious implications for our children and nation at large. Hence this legislation which we now consider will ensure that

certain minimum standards are met before parents enter into any kind of arrangements with respect to where and with whom they leave their children for care and for development.

This legislation does provide for penalties and sanctions to be brought to bear on defaulting caregivers and sponsors who are in contravention of any requirement under this Bill. In fact, where it appears to the Agency that a licensed caregiver or sponsor has given has contravened and requirement under this Bill or that circumstances exist which render it necessary for the agency to take immediate action in the best interest of the child or in the public's interest, it may be necessary or required to take immediate action to suspend a license for a specified period or cancel altogether the license, providing that the caregiver is afforded an opportunity of being heard before such cancellation comes into effect. The public can be assured that sufficient time maybe given for commencement and for compliance, in essence, giving everyone a fair change of putting their house in order and that delinquency and carelessness will not be tolerated with regards to the environment in which our children are cared for.

Secondly, the agency itself has been entrusted through this legislation, with some specific regulatory functions which are all in the best interest of the child and the childcare and development needs in our country. The agency is to ensure that the organisations, particularly those that are listed in subsection 1, paragraph B, provide accommodation that is satisfactorily safeguarding and promoting the welfare of the child. They are to make timely intervention in cases where actions, or the conduct of a person, where that person has authority, care or custody, have resulted in or likely to give rise to any harm or injury to the child. My hope, I would suppose it is our hope and confidence is that the agency will, indeed, put this legislation to work and ensure that action is taken when critical action needs to be taken.

3.25 p.m.

The agency, being the primary executing agency, has a critical role to play in the enforcement of this legislation, but, as the Minister pointed out a few minutes go, it is an unfair expectation for anyone or the Government and even the agency that has this task, and those who have legislative responsibility for the wellbeing of our children to ensure that it is done. It requires a collective effort by all of us to ensure that environments in which our children are raised are safe and establishes their needs as priority above profit.

In conclusion, Government's continued commitment to the care, development and general wellbeing of our nation's children is manifested time and time again in the consistent and relentless drive of the Hon. Minister, Priya Manickchand in seeing the passage of this child welfare legislations through this Assembly. Our nation's children are our most valuable resource and our Government is committed to the care, protection and development of our nation's children. Hence, Sir, I unreservedly recommend this Bill to this Assembly for its passage. [Applause]

Mrs. Punalall: Mr. Speaker, the Child Care and Developmental Services Bill 2009 is in this House for adoption and passage after it went for consideration to the Special Select Committee. This Bill helps to clarify as to the person regarded as a care giver. It provides for registration as caregiver or a sponsor. It also stipulates that a care giver or sponsor has a duty to protect children and ensure they are not subjected to any form of abuse.

Prior to this Bill, voluntary organisations were not required to register before offering their services. With the passing of this Bill, the agency will have the right to see that organisations commences in an organised manner and maintain their required standards which are necessary. This will be in the best interest of the child.

In the Special Select Committee, the Members did a lot of work. We were also privileged to receive technical support from Mr. Scott Doucet, a consultant from Canada; a legal expert, Mr. K. R. SanjiKumar; Guyana Association of Women Lawyers (GAWL) representative, Mrs. Gen Sanfort-Johnson and Ms. Sandra Kertzion with the help of Mr. Paul Fung-A-Fatt, Deputy Chief Parliamentary Council, and the Parliamentary staff. The amendments recommended by the Committee and by Mr. Scott Doucet were considered and adopted into the report.

The Alliance For Change (AFC) supports the report of the Special Select Committee on Child Care and Developmental Services Bill 2009 and request that it be adopted into the Bill. This Bill is about child care and developmental services, and the almighty God expects us to provide care and protection, and encourage development for our children. It is written in the Holy Bible, in **Micah 6:8**

"He has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?"

I pray that those who are assigned with the task of child care, protection and development of our children in our beloved country Guyana, will ensure that it is executed in an efficient manner.

Mr. Speaker, I would like to extend condolences to the Hon. Minister of Foreign Affairs, Ms. Carolyn Rodrigues-Birkett and her relatives and friends on the passing of her beloved mother. I pray that God will strengthen her at time of grief. Thank You. [Applause]

Attorney General and Minister of Legal Affairs [Mr. Ramson]: If I may, Cde. Speaker, in the interest of clarity, there is no Paul Fung-A-Fat who could have, under the aegis of the Office of the Attorney General, gone to the Special Select Committee, the man's name is John Fung-A-Fatt he is our Deputy Chief Parliamentary Council. There is a wide difference between the two persons. I would like that to be placed on record.

Ms. Manickchand (replying): I have heard the comments of all of my colleagues, including the Hon. Attorney General and Minister of Legal Affairs. I understand, although I have not seen it, that the report has Paul Fung-A-Fatt. If that is so then we apologise. Except the Clerk could say to us that, that is his right name but I hear the Hon. Attorney General... The person we are speaking of, we refer to him, including Mrs. Punalall, as Johnny; she probably just quoted the name from the Report.

I thank the Hon. Members for commending this Bill to be passed, although, as usual, the PNCR-1G seems unable to help themselves.

This Bill was laid in the National Assembly in 2009. There are two things that bother me. Firstly, the Hon. Member said that I woke up like *Rip Van Winkle*, two years later, and came to pass it in a rush for elections. Sir, I do not think anyone reasonable in this country, Guyana, would take that statement as reality. This Ministry, under my watch, has passed seven pieces of legislation, and we have out of those legislations created a host of agencies. That is just another-we are not allowed to use certain words-but a misrepresentation and untruth by the Hon. Member.

The other thing that bothers me a little bit which has been showing up not only in this National Assembly but generally- it is always coming from this particular PNC, and then PNCR-1G - Dr. Roger Luncheon called it duplicitous behaviour... We laid, in the National Assembly, five Bills relating to children. The Committee was made up of the same persons,

since I chaired all five Committees and we have successfully brought to this National Assembly all five of those Bills.

Mr. Speaker in 2009, when this Bill that we consider here today was sent to the special select Committee, another piece of legislation was sent to the very Select Committee-this is on the record- that is the Custody Contact, Guardianship and Maintenance Bill. These same Members of this Committee, and this Committee included the PNCR-1G, agreed to consider these Bills one at a time so that they would not have to come everyday. I was prepared - and the verbatim records would show - we would come and sit everyday and deal with them, one today and another tomorrow, one today and another tomorrow-. They said... **[Mrs. Backer: People are working.]** ... they could not do it because they are working, as Mrs. Backer is bellowing now. We agreed at the level of the Committee to deal with each Bill in turn and every Member could... - well they would not agree because we have seen that they do not come here and be truthful. The verbatim records would show that. What the Committee said is that we would deal with the Custody Bill first because we thought it was more important to address that, in terms of priority and brought it to this National Assembly.

The records would also reflect that the GAWL who drafted this Bill indicated to us that this Bill gave them, in common parlance, hell. It was a very complicated piece of work and they made a lot of mistakes; the Committee took a long time cleaning it up. When we were ready, two years ago, to come to this National Assembly with a Report we hired a consultant, Scott Doucet, who Mr. Punalall kindly mentioned, to draft regulations which I will bring in about one or two weeks time or whenever we sit next. In drafting those regulations, he found some further deficiencies in this Bill. We placed them on the table; the Committee considered them and we sent them back to the Attorney General's Chambers to have them looked at. It took some time but the AG's chambers cannot....while I was displeased with the amount of time AG's Chambers took, they brought to this National Assembly dozens of Bills between then and now. They also have work to do. The Committee understood that and, that is why I have difficulty... this is what I call duplicitous behaviour. You come to the Committee sit down agree to certain things... this is all on record the Parliament tapes this... you can hear this. I have no difficulty with the fact that this is something that we can verify...you then come to this National Assembly and dissemble, that is, telling untruths- blatant untruths. That is what is incredibly startling about Members who come here and claim to love and represent the people of Guyana.

I also heard from that Hon. Member: if the welfare of our children is so important then why it took so long the P.P.P/C and Minister Manickchand do not like children. We brought these Bills to the National Assembly; we sat through them year after year and we passed seven of them. Attached to this Report, and I invite you, and all the Members of this National Assembly, in particular, my friends of the media to look at it, it is a record of attendance. This is how much the P.N.C.R-1G loves Guyana's children; when they get an opportunity to contribute to how we can protect and care for Guyana's children this is how they utilise it. I am going to read the days that we sat and the Members that sat on this Committee from the P.N.C.R-1G: Mrs. Lawrence, MP: 4th August- absent, 10th August- absent; 17th November - absent; 24th November-absent; 1st March-absent; 7th March-absent. End of Committee.

She never came to this Committee to see how we can look after Guyana's children; yet, the P.N.C.R-1G loves Guyana's children.

Mr. Mervin Williams, MP: 4th August-absent; 10th October-excused; 17th November-excused, 24th November -present; 1st March-absent; 7th June - absent. Sir, two Members of the P.N.C.R-1G out of three were absent except for this one Mrs. Clarissa Riehl was absent or excused, of the six times we sat, four times.

Compare this to the record of the P.P.P/C:

Mrs. Indranie Chandarpal: present, present, present, present, present, present. Does this speak about the love for Guyana's children?

Mrs. Shirley Edwards: absent, present, present, present, present, present. This is how the P.P.P/C seeks to develop and look after Guyana's children. So that we can come here and so that we can tell the people how much we love them. We could go on podiums and do that but we must show tangibly that we are willing to put in the work that will see our children benefitting from the knowledge of all of us, in this House.

We heard that this work was rushed and that is what is controversial... *[Interruption]* this reminds me of that old proverb: *empty vessels making the most noise*. This is what I have a problem with. The Member from the P.N.C.R-1G says we took long and then she says we are rushing it. Make us your mind, if you can, make up your mind. This party is in chaos and it comes up every time they come here to speak.

I say now, that this Committee, with the knowledge and experience we had, did the best we could. I think I can speak for everyone who was present there. If there are mistakes; if in starting up the implementation of this Bill we find that we need to come back to this National Assembly and make amendments, then we so we will do, because that is what is necessary to look after our children. More than that, it will be a stagnant set of people who believe that laws are made and never amended. That is not us, on this side on the House; we are 'progressive' and that is why we will come again and again and again and again if necessary to do whatever we have to do to look after our children.

And so, after the exposure of the duplicitous behaviour of the P.N.C.R-1G, once again, I ask that this Bill be adopted by this National Assembly. I thank you.

Bill read a second time

Assembly resolved into Committee

Mr. Chairman: Hon. Members, as this matter was considered by a Special Select Committee and there is a Report which contains amendments I am only required, I am advised, to present the Report which contains the amendments at this stage. Therefore, I propose that the Report be adopted.

Question put, and agreed to

Assembly resumed.

Ms. Manickchand: I wish to report that the Bill and the Report of the Special Select Committee on the Child Care and Development Services Bill was considered in Committee. I ask that the Bill as appended to the Report be passed by this National Assembly.

Mr. Chairman: Hon. Members the question is that the Bill as amended in the Report of The Special Select Committee on the Child Care and Development Services Bill be read a third time and passed as amended.

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

COMMITTEE'S BUSINESS

MOTION

ADOTION OF REPORT OF THE PUBLIC ACCOUNTS COMMITTEE FOR THE YEARS 2007-2008

Mrs. Lawrence: Mr. Chairman, as I rise to speak to this Report of the Public Accounts Committee, I ask that you allow me to express on behalf of myself and the Members of the People's National Congress Reform-1 Guyana our deep condolences to Hon. Member Rodrigues and her extended family on the passing of her beloved mother.

Mr. Chairman, Hon. Members of the House, the Report of the Public Accounts Committee for the years 2007-2008 was laid before this House at the last sitting. I now rise to speak on this Report. Since we are close to the end of the life of this Ninth Parliament it may be appropriate to begin by giving you an overview of the work of the Public Accounts Committee.

I was elected as Chairperson of this August Body, the P.A.C, on 21st December, 2006. The Committee Members were as follows: Mrs. Indranie Chandarpal, Ms. Bibi Shadick, Mr. Komal Chand, Mr. Dharamkumar Seeraj, Mr. Harripersaud Nokta - representatives of the Government, Mr. Winston Murray, deceased may his soul rest in peace, and Anthony Vieira of the P.N.C.R, Mr. David Patterson of the A.F.C.

At that time we recognised that we were faced with a backlog of Auditor General's Reports, many of which were tardy in their presentation to the National Assembly. We, therefore, committed ourselves to working long hours in order to correct this overwhelming deficiency. I am happy to report that in this Ninth Parliament, the Reports for the five year period: 2002-2006 have been presented before this Hon. House prior to today's presentation of the 2007-2008 Reports.

Further, I wish to report that the Committee, whose membership now includes Mr. Ernest Elliot and Mr. E. Lance Carberry replacing Messers Murray and Vieira, has concluded its examination of the 2009 Auditor General Report. The Committee's staff is working feverishly to have this Report laid in the National Assembly before the life of this Ninth Parliament comes to an end. I would also like to bring to the attention of this House that during the Ninth Parliament the Committee interfaced with local and overseas consultants, namely Mr. Neesam Ali, Evaluator of the International Development Bank (IDB) project a joint mission of the IDB, the World Bank and the European Union (EU); Mr. J. Bachelor and Mr. G. Debrowe, Representatives of the Canadian Comprehensive Audit Foundation

(CCAF); and Mr. G. Gilroy, CCAF's Internal Evaluator, for the purposes of determining areas of support to the PAC in its oversight of the Audit Office of Guyana.

I would like this Hon. House to note that these consultations did not take place solely with the Chairperson but representatives from the Government and Opposition parties were involved. This collaboration, in my opinion, facilitated greater interaction among Committee members and forged a cohesive working group. Please note, partnerships and coalitions can produce great results for the benefit of all.

I am happy to report that during this tenure the PAC were guest of the legislature of the United States of America, the United Kingdom and Canadian Comprehensive Audit Foundation, and this interaction with the different Public Accounts Committees provided invaluable exposure and experience for us. We learnt and witnessed the structure and functioning of the P.A.C and the Secretariat.

Further, the P.A.C was instrumental in setting up workshops for Members, Advisors, the Audit Office's staff and Committee staff of our National Assembly. The workshops focused on Parliamentary oversight and value for money audit, both of which will enable us to scrutinise and analyse the recently introduced value for money audits of the Audit Office of Guyana.

I now turn my attention to the present report for 2007-2008. For 2007, there are 13 areas of concern for the P.A.C and 14 for the 2008 Report. These concerns which adversely affected the financial management system in those years still exist to date. For some of those concerns, however, I would like to point out that, even though they still exist, there has been some improvement and change in attitude by Accounting officers.

A major concern is the non-establishment of the Public Procurement Commission, as provided for in our Constitution from Articles 212 W to 212 Z and from Articles 212 AA to 212 EE. It is significant that nine articles of our Constitution provides for this Commission.

3.55 p.m.

In addition, there is the National Procurement Act which provides for specific functions of the Public Procurement Commission. The Public Accounts Committee is mandated to submit the names of nominees for the Public Procurement Commission to the National Assembly. However we have not been able to meet this mandate since the P.A.C continues to await the

list of nominees to be submitted by the Government members of the P.A.C. This delay has hampered the effective and transparent scrutiny of the procurement of goods and services and the execution of works to promote fair competition among suppliers and contractors and more so transparency in the procurement process.

The Constitutional provisions which I referred to earlier provides for a commission that will comprise persons of various professions such as lawyers, accountants, engineers and so on. To date, the nomination by the P.N.C.R through our Chief Whip Mr. E. Lance Carberry, submitted since the 4th of June 2003 the following nominees along with their curriculum vitae, namely; Dr. Clarence Charles, Mr. Christopher Ram, Mr. Jerrold Brooms, Mr. Samuel Trust and Mr. Winston Terrell. However, due to the death of Mr. Terrell Ms. Emily Dodson was submitted. Unfortunately Mr. Jerrold Brooms also passed away. In the meantime the A.F.C has nominated Mr. Marcel Gaskin. The Committee hopes that the Government will surprise everyone and submit their requisite list of nominees to enable the public procurement commission to be established before the end of this Ninth Parliament. While the appointment of a Public Procurement Commission now will be equivalent to closing the stable gates after the horses have bolted and would not correct the lack of scrutiny and lack of transparency which occurred during this Parliament, it may guarantee transparency during any future government.

My next area of concern deals with overpayment to contractors by Ministries and Regions. In many of the projects allocated to contractors payments are made, or more correctly, suppose to be made on a certificate of completion. On inspection of the very projects, however, it has been noted that there has been non adherence to specifications; for example, in Region 2 the Doctors Quarters at Charity and in the Pomeroon at the Medical Clinic. Alternatively, changes in quality and quantity of materials used, for example, doors missing, floors not completed, and grill works not in place, a lamentable situation to say at the least. The money is not easily recouped because contractors have already been paid based on the so called certificate of completion issued by the Ministry and Regions.

The Committee on page 4 of the Report made the following recommendations; that officers and consultants who affix their signatures to certificates of completion in which overpayments are found should be sanctioned or surcharged where necessary. The Public Accounts Committee also expressed the concern of possible collusion between contractors and officials of the agencies and recommends that, firstly appropriate legal action should be

taken where necessary and secondly regional official make log entries when visiting projects with a view to having records that could be used for audit verification.

I will now like to address the non clearance of advances. The Public Accounts Committee feels that the Account General's Office is unable to keep track of the clearance of conference advances to public officers in a timely manner. As a result this reflects negatively on the Consolidated Fund. The Ministry continues to show large advances by many of these are for persons who may have exited the system or who are deceased. Further, the Committee notes that several agencies continue to have un-cleared advances. For example, in Region 9 matters relating to the clearance of advances have to date been ignored, for example advances totally some \$7.129 million to several individuals including Region Executive Officers, members of the R.D.C, the Guyana Police Force and the Guyana Defence Force. Despite several promises made to the Public Accounts Committee to have these advances cleared, to date this has not occurred. The Accounting General's Office therefore has to implement measures to ensure that firstly, notification to officers regarding clearance of advances are sent on a timely basis and secondly that action be taken to remove those amounts for the deceased and for persons who are no longer in the system.

Outstanding Reports by the Guyana Police Force; It is only this week that the Chairpersons penned a letter to the Commissioner of Police on the non-submission of reports concerning a number of issues with respect to the loss of public property. The appendix attached to this letter shows matter pending to the value of \$75.841 million which goes as far back as 1993. The P.A.C has stated among its recommendations that where discrepancies have been noted that measures should be instituted to avoid recurrences. It must be noted however that unless the Police provide the requisite reports, matters of this nature will not be addressed, this may very well appear to be or interpreted as a green light for alleged perpetrators.

Non Submission of Financial Statements by Subvention Agencies; It is alarming that at each presentation of P.A.C reports this concern has to be addressed. The subvention agencies which receive appropriations continue to default on the provision of financial statements. Consequently it is difficult to ascertain accountability and transparency for their appropriations. The report notes that the National Trust has never submitted financial statements since its establishment. The State Planning Secretariat which ought to have been dissolved several years ago continues to exist and receive a subvention but has not submitted a report since 1991. In addition, the Georgetown Public Hospital Corporation, another

significant agency, is also guilty of not submitting reports since its establishment in 1999. Further, this corporation, by not returning revenues generated to the Consolidated Fund, is in clear violation of Section 38(1) of the Financial Management and Accountability Act which states “all public moneys raised or received by the Government shall be credited fully and promptly to the consolidated fund”. While the Public Accounts Committee has reported and spoken of this breach of the law this corporation continues to flout it without any sanctions being imposed. The list of agencies in breach is inexhaustible.

Guyana Elections Commissions; the Public Accounts Committee will like to speak of the blatant breach of the financial regulations by this entity and the Commission’s alleged interference with the work of the Accounting Officer in breach of the provisions of the Financial Management and Accountability Act. The Public Accounts Committee would like to alert the National Assembly that it is currently preparing a special report on this entity. The P.A.C. is aware of its oversight role of the Audit Office. Even as we have appointed Parmesan, Chartered Accountants to audit the accounts of the Office of the Auditor General for the years ended 31st December 2006 to 31st December 2009 we are cognisant of the many issues which must be addressed. The P.A.C is now in a better position to focus on these issues since the backlog of reports has been effectively concluded.

In conclusion I will thank the P.N.C.R for affording me this opportunity to chair this committee on its behalf. I have gained invaluable experience. Next I would like to acknowledge the commitment of all the committee members and express my appreciation for all the work that has been accomplished. To our advisers I wish to say thank you for your support. To the Clerk of the National Assembly, the Clerk of the Committee and the support staff, it would be remiss of me if I were not to express my thanks for the late hours and hard work that you have done. Finally, I would like to thank members of the media for giving the Public Accounts Committee a voice which has helped to bring awareness to the work of the Public Accounts Committee. Thank you. [Applause]

Ms. Shadick: Thank you Mr. Speaker. I have served as a member of the Public Accounts Committee since 2006, coming on at the same time as Mrs. Lawrence came on as Chairman. I have listened to her preliminary remarks about the work of the Committee and in order to save time, not because I cannot say anything else, I would like to say that I concur with the preliminary remarks. The Public Accounts Committee that served since 2006 has been a very dedicated Committee; it has worked and worked very hard. We are in a position now to say

that we have examined all the Auditor General's Reports, bringing us to current. We are committed to presenting and having the Report for 2009 adopted by this National Assembly before this Assembly goes on its break.

There is one thing which I am not sure I have correct; I know that Mr. Irfaan Ali who is now Minister was a member of that Committee earlier. When he became Minister he came off and he was replaced by Mr. Nokta. I would like to place on record his work. He was a very committed member and was very vocal on the Committee. I would like to place that on record. I would also like to say that the Public Accounts Committee has been nationally recognised and took up a whole article written by Mr. Christopher Ram in which he sought to deny greatly the efforts of the three women on the Committee as he called them. I would like to say that Mr. Christopher Ram is misleading this country when he talks about the three women on this Public Accounts Committee. He has dedicated a whole article to the three women on the Public Accounts Committee. That is what I would like to tell Mr. Christopher Ram; one day he should come and listen to what happens in the Committee and then he would know better.

We stand here to adapt a report for the Public Accounts Committee for 2007 and 2008. It is always of concern to me that we adopt these reports so many years later after the fact and so on. What I would like to say, reading this report and having gone through all the details, I would like to say that a great majority of the issues that keep coming before the Committee relate to matters that have been in the Auditor General's Reports since the 80s. Some of them cannot come out because there are bank accounts that have to be reconciled; there are records that they cannot find somewhere. A lot of it keeps coming back again. We have been trying and the agencies have been trying to clear these prior year matters. Some of them have been very successful and for that we are very thankful, and the Public Accounts Committee recognises that.

There are things that that agencies are saying they have to file a losses report for and they cannot get it past somewhere and so things happen. I would like to endorse what the Chairman said about the Police and not investigating in a timely manner and giving reports on matter of fraud that come up. There are matters that just lapse and go on and on and appear before us, especially in Court system and all of that. We need to pay some attention to that. I am hoping that the hierarchy of the Police Force can listen and ready and try to get us the help.

What is very interesting is that the Public Accounts Committee does not have any powers to sanction anybody. We can only discuss and recommend, but what is very interesting is that the agencies take the recommendation of the Public Accounts Committee very seriously. We see officers doing the best they can to try to improve, explain and to correct problems. This gives us hope, and this is encouragement. Also, I would like to say that our Constitutional laws ask that treasury memoranda be laid within 90 days after a report is laid in the National Assembly. I am happy to say that up to 2006 Report which has been laid, treasury memoranda has been brought before this National Assembly, which is a very satisfactory point that we are at. Also, the Fiscal Management and Accountability Act and the IFMAS system is helping in a very positive way that Accounting Officers do not fall into the custom of not accounting. The Auditor General can very quickly find out of vouchers and so on that are not cleared or check orders that are not brought to book and all of that; all of that has been helping the Committee.

There is one matter that keeps coming up which Government members are not pleased with, this is the matter of the Public Procurement Commission. That is something that is in our Constitution, and we all respect the Constitution. However, I have been advised, because I was not on the Committee before 2006, in the 8th Parliament I was told that the Government had submitted five names and the Opposition had submitted five names for consideration to become members of the Public Procurement Commission. Of the ten names that were submitted to the list there were no common names. There were five completely different names. I heard the names that Mrs. Lawrence the Hon. Chairman has called out and I have gotten information that the Government had submitted names of Mr. Harry Narign Nowback who was a Minister and at the time, Inge Nattoo, Shammear Mohamed, Martin Boodoo and Isam Ali, but my understanding is that when the Committee had to go through and decide on how to find the five names, there was a consideration on this way of moving forward that Government should appoint three and the Opposition should appoint two. I think there was no agreement on that and that that is still keeping this whole thing from going. There was no re-submission in this Parliament of names by Government. There has not been, and we are very embarrassed to sit at every Public Accounts Committee to say that we have no names to give, but there were five names that were given. Because no consideration was given to how the appointments would go the Government has not appointed any other names. We accept that no other names have been submitted, but I understand that until that modus is agreed upon, the Government is not prepared to submit any other names, that three should be

appointed by Government and two should come from the Opposition. That is my information; I am just saying what I was told.

It is with great pleasure that I on behalf of our side of the House commend this report to the National Assemblé for confirmation of the Sitting. I thank you. [Applause]

Mr. Carberry: On a point of order. I think when we speak to these matters we have to be very factual. The fact is that the PPP submitted names and when those names were to be considered they asked for the names to be withdrawn so they could reconsider and resubmit names. There were two sets of submissions that were made and both of them were eventually withdrawn. The proposal of the P.N.C was very clear that we should in fact take all of these names and evaluate their suitability so that the Committee could in fact make a recommendation. We had ten names for five positions. Therefore there had to be some process of evaluation. The PPP's proposal was that we should do it like we do Select Committees, three for you and two for me. That was inconsistent with the Constitution, and we recorded that it was inconsistent with the Constitution. I want it to be clear that factually that is the position. [Applause]

Mr. Ramotar: Mr. Speaker if I may, because I was involved in this.

Mr. Speaker: You are the last person that I will entertain on this matter.

Mr. Ramotar: Okay, thank you. I would just like to set the record straight on that issue. At the time when this Bill was passed we had agreed that the way we will approach it was for us to submit a list of names, five names on each side and then take it from there. Unfortunately the two lists did not have common names, there was no intersection, and they were two separate groups of names. In order to accelerate the setting up of this Committee we had proposed that since we are the majority party in this National Assembly that we did not want to question all the people that we and the PNC had put forward were all qualified people in keeping with the requirements of the law. All of them had the requirements in keeping with the law and we decided that we will not question anyone. Therefore, since they had their qualification, being the majority party we were proposing that we nominate three members and then the Opposition nominate the two. That did not find favour with the other side. It appears to me that my Hon. Comrades on the other side seemed to want to have controlled the whole thing, it was something that was totally unaccepted to us. Thank you very much. [Applause]

Ms. Shadick: Thank you Mr. Speaker. I think they were saying almost the same thing I said earlier which people wanted to say. However, my last statement that I have great pleasure in asking that this Hon. House adopts the Report of Public Accounts Committee for the years 2007 and 2008.

Mr. Ramjattan: Mr. Speaker, I just wish to convey the comment of Mr. David Patterson who unavoidably cannot be here; it is that he concurs with the report and asks that the National Assembly supports it.

Mr. Speaker: Before we reach the end of our session for today, this (spectacles case) was left in the Parliament Chamber.

Mr. Seeraj: Thank you Mr. Speaker. As a member of Public Accounts Committee since 2006 I wish to state for the record that I also am very pleased to been a part of this Committee. I served on it as green member at that time and I must say that I have learnt tremendously under the stewardship of the Chairperson, the Hon. Volda Lawrence, and I have also learnt from the experience of the late Winston Murray and other members of the Committee who were on the Committee prior to 2006.

We have put in a lot of work as is evident by the laying of the reports from 2002 to 2006 and now with the presentation of the reports for 2007 and 2008. I also would like to join Ms. Shadick the Hon. Member in saying that we are going to push for the laying of the 2009 Report before the National Assembly as justification for the long hours that we have spent in perusing the Auditor General's Report. Once some deficiencies were noted in submissions before, I would like to state that from 2006 to present, based on my own experience and sitting on the Committee I can safely say that I have observed improvement in almost every single agency as it relates to issues raised by the Public Accounts Committee. We have noted also that in the Auditor General' Report prior year matters have become less and less on the report itself, occupying less space. Even current matters are being reduced, and I think it is testimony to the kind of work that we have been doing at the Public Accounts Committee level and the kind of awareness that we are bring forth and the accountability aspect of our work itself as it relates to the officers who come before us which we have noted this marked improvement. I am certain that given the trends that we have observed from 2006 to now we will have further improvement in the 2010 Report and further in 2011.

I think that Accounting Officers are becoming more and more aware that the work that they are doing is being scrutinised increasingly for accountability and transparency.

4.25 p.m.

What we are noting is that whilst some of the issues raised are not really issues of outright corruption and intent to do wrong, there are some issues of just following procedures. There are a number of issues that relate to trying to get work accelerated, and sometimes not following strictly the principles of proper accounting transparency and the Act itself.

One of the issues I think accounting officers find difficulty with is the clearing of cheques within sixteen days. I think that whilst they are trying their best, there are some instances where delays are unavoidable. I think the advice of the Public Accounts Committee is that the relevant accounting officers who are having difficulties in clearing cheque orders within the sixteen days should seek to have their respective ministers, or supervisors, make the kind of recommendation that will see this process of not submitting within sixteen not as an act of illegality, but simply that the circumstances make the occurrence unavoidable. We, at the Public Accounts Committee, will continue to press to ensure that there is strict adherence to established principles.

Mr. Speaker, with those few words I wish to join my colleagues in asking that the reports of the Public Accounts Committee for the years 2007 and 2008 be adopted by this House. Thank you. [Applause]

Mrs. Lawrence (replying): Mr. Speaker, I rise to ask that the reports of the Public Accounts Committee for 2007 and 2008, having been debated, now be put for adoption.

Question put, and agreed to.

Motion carried.

ADOPTION OF THE SECOND PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON FOREIGN RELATIONS

BE IT RESOLVED:

That the Second Periodic Report of the Parliamentary Sectoral Committee on Foreign Relations be adopted. [*Ms. Bibi Shadick, Chairperson of the Parliamentary Sectoral committee on Foreign Relations*]

Ms. Shadick: Mr. Speaker, I stand here because I am the current Chairperson of this Parliamentary Sectoral Committee on Foreign Relations. I emphasise current because this report is the second since this Committee was established and it covers the period 2006 to 2011. A read of the membership, and the changes of the membership of the Committee will give the reasons why this report is covering such a long period. When one look at the dates when meetings were held that is further testimony to why there is now a report. Sir, I cannot speak too much about what happened in the period 2006 to 2010 simply because I was not on the Committee for all those years. Nevertheless it is my duty as Chairperson to present the report to the National Assembly and to ask for its adoption.

What I can say, is now that I chair the committee, hopefully, we will have a third report before the National Assembly goes into recess. This is because we meet a little more often and have some more discussions. But it seems the mandate of this Sectoral Committee and the areas which it covers are not very popular areas. It seems as if members do not really have too much interest in discussing things like the Commonwealth and The United Nations; the list here is a shorter list. Some of our Members would have been happy to be on the Sectoral Committee on Social Services, for instance, where there is meat for them to look at. All that said, we only interact with one Ministry, and that is the Ministry of Foreign Affairs. And this Committee talks about interactions with the former Minister of Foreign Affairs, Dr. Henry Jeffrey, and the present Minister, Mrs. Carolyn Rodrigues-Birkett. I join with you, and thank you, for extending our condolences in the death of her mother. We hope we can all meet with her in person to give our condolences.

But I must say the Ministry of Foreign Affairs is always very willing to give us information or to answer queries we may have.

With those few remarks I would like to commend this report to this House and ask that it be adopted.

Question put and agreed to.

Motion carried

Mr. Speaker: Thank you very much. That brings us to the end of our business for today.

Before I take the adjournment I would like to remind Members that the Committee of Selection will meet on Monday coming at 1:30 pm in Committee Room No. 2. The Members

are myself, Hon. Prime Minister, Hon. Dr Leslie Ramsammy, Mr. Donald Ramotar, Ms. Gail Teixeira, Mrs. Indranie Chandarpal, Mr. Neendkumar, Mrs. Clarissa Riehl, Mr Lance Carberry, Mr. Dave Danny and Mr. Khemraj Ramjattan. The meeting should be only for about two minutes.

Mr. Carberry: Mr. Speaker, I think if you look at the report of the meeting on 25th May the second committee has already been established. There is only one committee to be established and that is the Special Select Committee on Access to Information. The other committee has already been established.

Mr. Speaker: Yes, it is just to do the Access to Information. Ms. Manickchand, do you want to say something?

Ms. Manickchand: Sir, I just want to wish all fathers in the House, and in the country, a happy father's day on Sunday.

Mr. Speaker: Thank you very much Hon. Member.

Mr. Rohee: Mr. Speaker, I wish to move that the Assembly stands adjourned until Thursday 23rd June at 2 o'clock

Adjourned accordingly at 4.33 p.m.