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**THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT**

[VOLUME 4]

**PROCEEDING AND DEBATES OF THE THIRD SESSION OF THE NATIONAL
ASSEMBLY OF THE SECOND PARLIAMENT OF GUYANA UNDER THE
CONSTITUTION OF GUYANA**

38th Sitting

2 p.m.

Monday, 4th January, 1971

MEMBERS OF THE NATIONAL ASSEMBLY

Speaker

His Honour the Speaker, Mr. Sase Narain, J.P.

Members of the Government -- People's National Congress

Elected Ministers

The Hon. L.F.S. Burnham, S.C.
Prime Minister

Dr. the Hon. P. A. Reid,
Deputy Prime Minister and Minister of Agriculture

The Hon. M. Kasim, A.A.
Minister of Communications

The Hon. H.D. Hoyte, S.C.
Minister of Finance

The Hon. W.G. Carrington,
Minister of Labour and Social Security

The Hon. Miss. S.M. Field – Ridley,
Minister of Health

The Hon. B. Ramsaroop,
Minister of Housing and Reconstruction (Leader of the House)

The Hon. D.A. Singh
Minister of Trade

The Hon. O. E. Clarke,
Minister of Home Affairs

The Hon. C. V. Mingo
Minister of Local Government

Appointed Ministers

The Hon. S.S. Ramphal, S. C. (Absent)
Attorney – General and Minister of State

The Hon. H. Green,
Minister of Works, Hydraulics and Supply

The Hon. H. O. Jack,
Minister of Mines and Forests

Dr. The Hon. Sylvia Talbot,
Minister of Health

Parliamentary Secretaries

Mr. J. C. Joaquin, J. P.,
Parliamentary Secretaries, Ministry of Finance

Mr. F. Duncan, J. P.,
Parliamentary Secretaries, Ministry of Agriculture

Mr. W. Haynes,
Parliamentary Secretary, Office of the Prime Minister

Mr. Salim,
Parliamentary Secretaries, Ministry of Agriculture

Mr. J. R. Thomas,
Parliamentary Secretaries, Office of the Prime Minister

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Mr. C. E. Wright, J. P.
Parliamentary Secretaries, Ministry of Works, Hydraulic and Supply

Other Members

Mr. J. N. Aaron
Miss M.M. Ackman, Government Whip
Mr. k. Bancroft
Mr. N. J. Bissember
Mr. J. Budhoo, J. P.
Mr. L. I. Chan - A – Sue
Mr. L. I. Correia
Mr. M. Corrica
Mr. E. H. A. Fowler
Mr. J.R. Jordan
Mr. S. M. Saffee
Mr. R. C. Van Sluytman
Mr. M. Zaheeruddeen. J. P.
Mrs. L. E. Willems.

(Absent)

Members of the Opposition

People's Progressive Party

Dr. C. E. Jagan, Leader of the Opposition
Mr. Ram Karran
Mr. R. Chandisingh
Dr. F. H. W. Ramsahoye, S.C.
Mr. D. C. Jagan, J. P. , Deputy Speaker
Mr. E. M. G. Wilson
Me. A. M. Hamid, J. P., Opposition Whip
Mr. G. H. Lall, J. P.
Mr. N. Y. Ally
Mr. R. D. Persaud, J. P.
Mr. E. M. Stoby, J. P.
Mr. R. Ally
Mr. E.L. Ambrose
Mrs. L.M. Branco
Mr. Balchand Persaud
Mr. Bholu Persaud
Mr. I. R. Remington, J. P.
Mrs. R. P. Sahoye

(Absent)

(Absent – on leave)

Mr. V. Teekah

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United Force

Mr. M.F. Singh
Mrs. E. DaSilva
Mr. J. A. Sutton

Independent

Mr. R. E. Checks

OFFICERS

Clerk of the National Assembly - Mr. F. A. Narain

Deputy Clerk of the National Assembly Mr. M. B. Henry

The National Assembly met at 2 p.m.

ELECTION OF MEMBER TO PRESIDE AT THE SITTING

The Clerk: Hon. Members, as both offices of Speaker and Deputy Speaker are vacant, it is necessary for the National Assembly to elect a Member of the Assembly not being a Minister or a Parliamentary Secretary, to preside at this sitting. This is in accordance with Article 75 of the Constitution and Standing Order No. 4(1) of the Standing Orders of the National Assembly. I now call for nominations for the officer to preside.

The Prime Minister (Mr. Burnham): I beg to propose that the hon. Member Mr. Neville Bissember be elected to preside.

Mr. Ram Karran *seconded.*

The Clerk: Hon. Members, there being one proposal, the hon. Member Mr. Bissember, nominated by the hon. Prime Minister and seconded by the hon. Member Mr. Ram Karran, I declare Mr. Bissember as the Member only elected to preside at the sitting. [Applause]

[The hon. Member Mr. N.J. Bissember was declared the Presiding Member.]

The Presiding Member (Mr. Bissember): Hon. Members, please stand.

[Mr. Bissember in the Chair.]

PRAYERS

The Clerk of the Assembly read Prayers.

**RESIGNATION OF MRS. P.A. LIMERICK AND ELECTION OF
MRS. L.E. WILLEMS**

The Presiding Member: Hon. Members, a letter dated 31st December, 1970 has been received from Mrs. P.A. Limerick tendering her resignation as a Member of the National Assembly.

In accordance with Article 70(1) of the Constitution the representative of the People's National Congress list of candidates was called upon to further extract from the list the name of a person who is not an elected Member of the National Assembly but is qualified for election as, and is willing to become, such a Member to fill the vacancy.

A letter has now been received from the hon. Prime Minister, as representative of the People's National Congress list, extracting the name of Mrs. Lola Eileen Willems to be the person to fill that vacancy. If Mrs. Willems is present, I shall ask her to be good enough to come up for the Oath of Office to be administered. *[Applause]*

OATH

The Oath of Office was made and subscribed by Mrs. L.E. Willems.

2.25 p.m.

ELECTION OF SPEAKER

The Clerk: I now call for nominations for the office of Speaker.

The Prime Minister: Mr. Clerk, I have to nominate Mr. Sase Narain as a fit and proper person as Speaker of this House.

Leader of the Opposition: Mr. Clerk I beg to nominate Mr. Crum-Ewing who has served as Clerk of this House for several years --

The Clerk: I am sorry, hon. Member, there is to be no debate on this nomination.

Mr. M.F. Singh seconded.

The Clerk: Hon. Members, there are two proposals. First, Mr. Sase Narain nominated by the hon. Prime Minister and seconded by the hon. Minister of Trade, and secondly, Mr. A.I. Crum-Ewing nominated by the hon. Leader of the Opposition and seconded by the hon. Member, Mr. M.F. Singh. In accordance with our Standing Orders, I shall now put the Question on the person first proposed.

Question that –

Mr. Sase Narain be the Speaker of the National Assembly.

put.

The Clerk: I think the “Ayes” have it.

Mr. Ram Karran: Division!

Assembly divided: Ayes 29, Noes 20, as follows:

Ayes

Mr. Cheeks
Mrs. Willems
Mr. Zaheeruddeen

Noes

Mr. Sutton
Mr. M.F. Singh
Mrs. DaSilva

Mr. Saffee	Mr. Teekah
Mr. Jordan	Mrs. Sahoye
Mr. Fowler	Mr. Remington
Mr. Corrica	Mr. Bholā Persaud
Mr. Correia	Mrs. Branco
Mr. Budhoo	Mr. Ambrose
Mr. Bancroft	Mr. R. Ally
Miss Ackman	Mr. Stoby
Mr. Aaron	Mr. R.D. Persaud
Mr. Wrights	Mr. M.Y. Ally
Mr. Thomas	Mr. Lall
Mr. Salim	Mr. Hamid
Mr. Haynes	Mr. Wilson
Mr. Duncan	Mr. D. Jagan
Mr. Joaquin	Mr. Chandisingh
Mr. Mingo	Mr. Ram Karran
Mr. Clarke	Dr. Jagan - 20
Mr. D.A. Singh	
Mr. Ramsaroop	
Miss Field-Ridley	
Mr. Carrington	
Mr. Hoyte	
Mr. Kasim	
Dr. Reid	
Mr. Burnham - 29	

The Clerk: I therefore declare Mr. Sase Narain to be the duly elected Speaker of this National Assembly.

ELECTION OF DEPUTY SPEAKER

The Presiding Member: Hon. Members, the Speaker just elected is not here, I have been instructed. I therefore call for nominations for the office of Deputy Speaker of the National Assembly.

The Prime Minister: Mr. Presiding Officer, I beg to nominate Mr. Dereck C. Jagan to be Deputy Speaker of the National Assembly.

Mr. Ram Karran *seconded.*

The Presiding Member: Are there any other nominations? [Pause] I see there has been meaningful consultation. There being no other nomination, I have much pleasure and honour to declare my long-time friend and colleague in Parliament and at the Bar the duly elected Deputy Speaker of the National Assembly.

Hon. Members, before I ask him to be good enough to take the Chair, I crave your indulgence. As you may have observed, I was hurrying to get here when my name was called to preside. I want to say it is very rare that one gets here, so I, therefore, hastened to snatch the opportunity to get to the seat before it was too late.

I now want to invite the duly elected Deputy Speaker of the National Assembly, Mr. Derek Jagan, to be good enough to come and occupy this Chair which I am about to vacate.
[Applause]

2.35 p.m.

[Mr. Bissember vacated the Chair.]

[Mr. Deputy Speaker in the Chair.]

Congratulations to Deputy Speaker

The Prime Minister: Mr. Deputy Speaker, before you proceed with the rest of the matters for consideration today will you permit me, out of time perhaps according to the Order Paper, to offer my personal congratulations to you on your being elected Deputy Speaker. When I offer those congratulations they also come on behalf of my colleagues on the Government Benches, the Front Bench and the Back Bench.

We have had our political differences. As a matter of fact, so long as there is a system of Government and Opposition there must be real or imagined political differences, but such differences could never prevent me from admiring, as I have always done, the keen mind that you have brought to the deliberations of this House, even when it was called the House of Assembly, your sense of fairness and your sense of justice.

You have always been just and you have always been fair, because I will concede that even when it appears to the ordinary observer that you are not fair one realizes that you are responding to a whip, for which you are not responsible. *[Laughter]*

Now, however, that you are occupying the seat of Deputy Speaker – and I can assure you that the substantive Speaker will be busy from time to time and very often that seat will have to be, not warmed, but meaningfully occupied, by you – now that you will be occupying that seat from time to time, I have absolutely no doubt whatsoever in my mind that you will bring to bear on the decisions which you have to make that sense of fairness, that acuity of mind which I have always recognized in you. And even the superficial observer will have to concede the accuracy of my judgment of your fairness because then the whip cannot apply. *[Applause]*

Mr. M.F. Singh: Mr. Deputy Speaker, I should like to extend the hearty congratulations of the United Force, in this section of the House, to you on your well-deserved appointment as Deputy Speaker of this honourable House. It is, indeed, an appointment richly deserved, for we all know your tremendous knowledge of the Standing Orders and your tremendous knowledge of Parliamentary affairs and Parliamentary procedure. This has been demonstrated so often in this honourable House that we feel particularly happy on your elevation.

If I may say also, Mr. Deputy Speaker: I know that the Government is under no obligation to consult the United Force on the appointment of a Speaker or Deputy Speaker and, indeed, on this occasion we were not even brought into the picture, but we supported the

nomination of Mr. Crum Ewing because we are aware of his tremendous knowledge of the Standing Orders, his tremendous knowledge of Parliamentary procedure by virtue of his long association with the Parliament in Guyana. Further and very important – he was never attached or aligned to any political party in Guyana. So we supported Mr. Crum Ewing.

In your case, Mr. Deputy Speaker, I am very glad that good judgment has prevailed and for the first time in the history of Guyana since Independence we have had a Deputy Speaker chosen from the Opposition Benches.

Again I congratulate you and I think this augurs very well for the future. What has happened here today has made me a little more hopeful for the future in Guyana.

Mr. Checks: Mr. Deputy Speaker, there is nobody in the House who can speak for me. I wish to go on record as congratulating you on your elevation to this office. I have been associated with you in this House for several years and it is my observation that there is hardly another Member of this House who has the profound knowledge of the Standing Orders that you have. I should speak more about the old Standing Orders as I have not had enough experience the new. I know that you have a profound knowledge of the old Standing Orders, of Parliamentary procedure and of the Constitution. I have no doubt that if and when the occasion arises, as it has arisen now, for you to occupy that Chair, you will hold the scales of justice evenly between Government and Opposition, which is your duty. I congratulate you, sir.
[Applause]

Mr. Deputy Speaker: Mr. Prime Minister, Mr. Singh, Mr. Cheeks and hon. Members: I must say how happy I am that my good friend the Prime Minister has nominated me and ensured my appointment. *[Laughter]*

I wish to assure Members of the House that whenever I am privileged to sit here as a presiding officer I will always be very impartial and at times my colleagues in the Opposition

may even be angry with the decisions that I may have to make. But, whenever I sit here, I will be sitting, not as a member of the People's Progressive Party or as a Member of the Opposition, but as Speaker of the National Assembly. *[Applause]*

I am very happy that members of the Government seem very pleased with what I have just said, but may I say also that whenever members of the Government try to do anything which I think should not be permitted I shall also be very firm. *[Applause]*

I am very grateful for some of the remarks made by my learned and hon. Friend the Prime Minister but, knowing him as well as I do, I know that many of the remarks may not be justified, but I feel sure that the hon. Prime Minister made those remarks because no doubt, in the future, whenever a decision is to be taken he would wish me to remember whatever he said this afternoon. *[Laughter]*

2.45 p.m.

Hon. Members, as I have said before, it is the duty of the Speaker to be very impartial. He should also have the confidence of Members of the Assembly. I therefore wish to ensure that my impartiality will be accepted by every Member of this House. I thank you very much. *[Applause]*

ANNOUNCEMENTS BY THE SPEAKER

APPOINTMENT OF MINISTERS, PARLIAMENTARY SECRETARY AND GOVERNMENT WHIP

Mr. Deputy Speaker: I wish to announce that the hon. Member Mr. O.E. Clarke has been appointed as Minister of Home Affairs, the hon. Member Mr. C.V. Mingo as Minister of

Local Government, and the hon. Member Mr. C.E. Wrights as Parliamentary Secretary, Ministry of Works, Hydraulics and Supply.

I also wish to announce that the hon. Member Miss M.M. Ackman has been appointed Whip for the Government side in consequence of the resignation of Mrs. P.A. Limerick.

May I take this opportunity to congratulate the Ministers and hon. Members whose names I have just mentioned?

PRESENTATION OF PAPERS AND REPORTS

The following Papers were laid:

- (1) Customs Duties (Exemption from Import Duties) Order, 1970 (No. 109), made under section 8 of the Customs Ordinance, Chapter 309, on the 26th of November, 1970, and published in the Gazette on the 5th of December, 1970.
- (2) Consumption Tax (Amendment) Order, 1970 (No. 113), made under section 4 of the Consumption Tax Act, 1969 (No. 13), on the 26th of November, 1970 and published in the Gazette on the 12th of December, 1970.
- (3) Customs (Prohibition of Imports) Order, 1970 (No. 116), made under section 42 of the Customs Ordinance, Chapter 309, on the 10th of December, 1970, and published in the Gazette on the 16th of December, 1970. [The Minister of Finance]
- (4) Sheet Anchor/Cumberland Local Government District (Constitution) (Amendment) Order, 1970 (No. 115), made under section 33 of the Municipal and District Councils Act, 1969 (No. 24), on the 5th December, 1970 and published in the Gazette on the 16th of December, 1970. [**The Minister of Local Government**]

QUESTIONS TO MINISTERS**SAUSAGE MAKING MACHINE AT THE GUYANA MARKETING CORPORATION**

The Minister of Trade and Leader of the House (Mr. Ramsaroop): Mr. Speaker, may I crave your indulgence. With your permission, I ask that the Reply to these Questions be deferred to the next sitting of the Assembly.

Question No. 6, by leave, deferred.

STATEMENT BY MINISTERS**CORRUPTION AND MALPRACTICES IN THE PUBLIC SECTOR**

The Prime Minister: This year has been described as the Year of Consolidation and the Year of National Unity, and my Government seriously intends that it should be both.

If we are to consolidate our gains and to lay firmly the basis for national unity we must be careful that there does not take place an erosion in our society of the very foundations which we are laying and upon which we have to build.

It is for this reason, sir, that I must express concern about what appears to be the emergence of a threat to the development of our country and to the Guyanese people.

I refer to the efforts of some people actuated by ill will against the Government and people of Guyana and of others, spurred on by avarice and a selfish desire to use our newly-won independence to corrupt or to gain by corruption and so demoralize the nation and stultify its growth.

With our determination to control our resources, there has been, and will continue to be, attempts to deflect us from our purpose and to sabotage our efforts.

These attempts take many forms. But one obvious one is to seek to undermine confidence by tempting holders of public office, political and civil service – and in this I include the Public Corporations – to be involved in corrupt transactions or unethical practices. This has been all the more persistent since the Government has moved into certain fields, like trading, hitherto reserved for the private sector. A number of private persons have been offering a consideration for Government's participation in their privately owned business concerns.

Such manoeuvres have been unsuccessful but they do not exhaust the stock of moves. Some of these persons, now disappointed, have resorted to lying whisperings.

Some foreign and local private sector operators, as in other developing countries like ours, have time and again sought to obtain favourable consideration by making offers to persons in authority or with the power to influence the relevant decisions. Such offers as I am aware of have been rejected and the offerers black-listed. Being human, however, I cannot claim to know of all cases and their success or lack of success.

My Government, however, sets its face firmly against all forms of corruption and all malpractices and will do everything to stamp them out. We hold that those whose privilege it is to serve in the public sector, whether as politicians – Ministers and Members of Parliament – or civil servants, must be free from venality of any kind whatsoever. At the same time they must not be in a position to be lightly accused and snidely attacked and become the objects of malicious gossip.

I have consulted the Ombudsman whose post is one under the Constitution and not subject to control by any other person or office holder. He and I accept the legal advice I have otherwise had, that save in the case of Public Corporations – which will be shortly remedied by

legislation – alleged malpractices such as and related to those referred to above can be ground of complaints to him by any citizen. The Ombudsman also has power to receive any such complaint on oath.

In the circumstances, I invite all citizens who are in a position to do so to make reports to the Ombudsman on oath of any alleged malpractice on the part of –

- (a) any officers or functionaries who are paid out of public funds.
- (b) any Minister or Member of Parliament including members of the Opposition.
- (c) members of the Board or any executive of any Public Corporation or government agency.
- (d) members and administrative officers of local government councils, statutory boards and committees.

2.55 p.m.

In addition, and that list is not exhaustive, citizens must consider it their duty to report, also on oath, to the Ombudsman –

- (a) any plan by any person or persons to corrupt others to influence administrative action in one way or another especially for the private benefit of any person or persons and at extra cost to the Government of Guyana;
- (b) any gifts corruptly received directly or indirectly by any officer or functionary whose salary is paid out of public funds and including any Minister or Member of Parliament.

All the reports of the type I have enumerated above will be investigated by the Ombudsman and if the allegations are established they will be the basis of criminal proceedings and disciplinary and other action at the administrative level.

With a view to extending the powers of investigation of the Ombudsman I have today set up a Committee drawn primarily from this House to advise me and after receipt of the report of such Committee relevant legislation will be presented to Parliament. The members of the Committee are, the hon. Desmond Hoyte, Mr. Joaquin, Mr. Duncan, Mr. Zaheeruddeen, Dr. Fenton Ramsahoye, Mr. Reepu Daman Persaud, and Mr. Earl Maxwell Gladstone Wilson.

At the same time the investigating arm of the Police Force has been strengthened and has been commissioned to carry out investigations wherever there is suspected, but particularly in the public sector, any act of fraud or corruption. In addition, it has instructions to pursue every investigation to the final point wherever that point lies.

I have in draft, in addition, a code of conduct and behavior for Government Ministers and my party parliamentarians which I shall be presenting to the Cabinet and the party executive shortly. After this has been considered and, if necessary, amended, it will be promulgated publicly for the information of the people of Guyana.

As our young nation embarks on radical and revolutionary change aimed at altering the old structure and making the little man a real man, we must eradicate those abuses which were accepted as part of the old system. We must not only be, but must also palpably appear to be, guided by those high ideals of public morality which are so necessary for national survival and progress.

COUNCIL OF LAW REPORTING

Mr. Speaker, I have another matter on which I desire to make a brief statement, and that is, the Council of Law Reporting. From time to time in this House we have discussed the need for improving the arrangements for making available the published law of Guyana, both statute and judicial decisions. So far as statute law is concerned the House is already aware that a revision of the laws is in progress and in 1971 this exercise will be entering its final stage. By 1972 we hope to have available a revised edition of the Laws of Guyana as in force at the birth of the Republic, that is, the 23rd February, 1970. We need, however, to complement this effort by improved arrangements for the publication of our national law reports.

The West Indian Law Reports carry some of the more important decisions of our courts but it has nevertheless been necessary for us to publish a much wider range of our judicial decisions. As the work of the Judiciary expands the need for local law reports grows correspondingly. Up to the present time the work involved in the production of the local reports has been done on an *ad hoc* basis, formerly by member of the Judiciary and, more recently, by the Solicitor General. Those who have discharged this burden in the past deserve our gratitude; but the time has now come for us to make more permanent arrangements for local law reporting.

The Government has accordingly decided to establish a Council of Law Reporting having both executive and advisory functions and being responsible in particular for the publication of the law reports of Guyana. It is the intention that the Council, which will be established by an Act of Parliament, should comprise the Chancellor, the Chief Justice, the Attorney General, representatives of the recognized legal professional bodies and an Editor-in-Chief. Legislation for this purpose will soon be brought to this House.

The Concept of a Council of Law Reporting is not a new one. It was originally put forward in the then House of Assembly by my hon. and learned friend Dr. Fentor Ramsahoye as far back as January 1966. I am grateful to Dr. Ramsahoye for the proposal and for the interest he

has shown consistently over the years in this matter. I very much hope, therefore, that the hon. and learned Member will accept the invitation which I extend to him to be the first Editor-in-Chief in the Council of Law Reporting which we shall be establishing shortly.

PUBLIC BUSINESS

DEFERMENT OF PUBLIC BUSINESS

The Minister of Trade (Leader of the House) (Mr. Ramsaroop): There is agreement that there will be no Public Business taken today.

ADJOURNMENT

Resolved, “That this Assembly do now adjourn to a date to be fixed.” [Mr. Ramsaroop]

Adjourned accordingly at 3 p.m.
