

TWELFTH PARLIAMENT OF GUYANA – FIRST SESSION (2020-2021)

NATIONAL ASSEMBLY

NOTICE PAPER NO. 116

**Member Giving Notice: **The Minister of Parliamentary Affairs and Governance and
Government Chief Whip****

MOTION

REMOVAL OF THE CHAIRPERSON OF THE PUBLIC ACCOUNTS COMMITTEE

WHEREAS the Public Accounts Committee met on December 28, 2020, under the Chairmanship of the Honourable Speaker of the National Assembly where Mr. David Patterson, M.P., was nominated and declared the Chairperson;

AND WHEREAS at the Sixth Meeting of the Public Accounts Committee, on February 1, 2021, following certain exposures during the examination of the 2016 Auditor General’s Report, a motion was moved by Minister Gail Teixeira calling for Mr. David Patterson to resign as Chairperson while remaining as a member of the Committee and that another member of the Opposition be elected as the Chairperson; the motion was put in accordance with Standing Orders 26 (Admissibility of Motions) and 30 (h) Exemption from Notice;

AND WHEREAS the Chairperson having not agreed to resign, the motion was then moved and supported by the majority of the members for the removal of the Chairperson;

AND WHEREAS the Chairperson having not “put” the motion to a vote as required by the Standing Orders, the Clerk of the National Assembly was invited into the meeting to provide guidance;

2.

AND WHEREAS the Clerk advised the Committee that the Regional Group of Clerks in the Caribbean had agreed that any member could move a motion for the Chairperson to step aside and that “no notice was required for a motion to be brought in a committee and the motion should be “put”, and if a division was called, it should be voted on;”

AND WHEREAS on the departure of the Clerk, the Chairperson did not “put” the motion but instead vacated the chair while remaining in the room and invited other members of the Opposition to take the chair whereby they declined; resulting in their being no Chair and the meeting being aborted;

AND WHEREAS the Seventh Meeting was summoned by the Chairperson on March 15, 2021, with the “Motion for the removal of the Chairperson” not listed as an item on the Agenda;

AND WHEREAS at the said Meeting, a motion was moved to amend the agenda to include, as the first item, “the Motion for the removal of Mr. David Patterson as Chairperson of the PAC”; this motion to amend the agenda was put to a vote and carried; and again, the Chairperson did not put the motion for his removal;

AND WHEREAS the Clerk of the National Assembly was again invited to the meeting and advised that the Clerk of the Committee could conduct an election for a temporary Chair for the day’s meeting; it was also noted that the Chairperson, according to SO 102(3), has “no original vote but in the event of an equality of votes shall have a casting vote”; therefore, the Chairperson although personally involved could occupy the Chair and “put” the motion; the Chairperson did not comply and again vacated the Chair; there was no Chairperson in place to “put” the motion to a vote once again; it was then agreed that the Clerk of the National Assembly would seek legal advice from a lawyer who was “not politically aligned” on the interpretation of the Standing Orders;

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3.

AND WHEREAS the Clerk of the National Assembly formally circulated the legal advice he received dated March 23, 2021 “on whether SO 95(4) overrides SO 82(2)” to the Chairperson and Members of the Committee and called for a meeting to be held on March 31, 2021, no meeting was held, however, until April 12;

AND WHEREAS at the April 12th Meeting, the legal opinion was listed as Item #1 and “Motion for the removal of the Chairperson” as Item # 2 on the Agenda;

AND WHEREAS the Chairperson refused to allow a motion for the adoption of the legal opinion circulated by the Clerk and repeatedly ignored and refused to allow motions to go to Item 2 on the agenda and “put” the “Motion for the removal of the Chairperson” instead he overrode every effort to do so and moved to other items on the Agenda;

AND WHEREAS a Committee Meeting was convened for April 19, at which Item # 1 “Motion for the removal of Mr. David Patterson as Chairperson” was asterisked by the Chairperson on the Agenda; the meeting was subsequently cancelled;

AND WHEREAS on May 3, 2021, the Speaker of the National Assembly wrote the Chairperson of the Public Accounts Committee, copied to all members of the Public Accounts Committee, in which he stated that i) as Speaker he could intervene in a committee related issue in “ very serious and special circumstances;” (ii) the Chairperson of a Committee does not have the authority to place an asterisk against a Member’s motion, only the mover could; (iii) this action by the Chairperson was a “gross violation of the Standing Orders and tantamount to bullyism,” and, iv) he compelled the Chairperson to “put” the motion;

4.

AND WHEREAS to date Mr. David Patterson has demonstrated that he has no respect for the Speaker of the National Assembly and, it would appear, in the absence of a response to the Speaker's letter he is unprepared to obey the Speaker's instruction; he has disregarded the advice of the Clerk of the National Assembly on several occasions with regard to the Standing Orders and is resolute in his refusal, using all forms of subterfuge, to allow the motion for his removal to be "put" to the vote;

AND WHEREAS Mr. David Patterson has consistently and openly violated the Standing Orders and has introduced a level of bullyism unbecoming of a Member of Parliament, and, in doing so, bringing the image of the National Assembly into disrepute,

BE IT RESOLVED:

That as a result of Mr. David Patterson's conduct as Chairperson of the Public Accounts Committee with respect to his open violation of the Standing Orders, among other things, in particular since February 1, the majority of the members of the Public Accounts Committee have lost confidence in him as the Chairperson of the Public Accounts Committee;

BE IT FURTHER RESOLVED:

That this National Assembly approves the removal of Mr. David Patterson as the Chairperson of the Public Accounts Committee.

(Notice Paper No. 116 (M26 Govt 16) published on 2021-06-03)

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