#### **NATIONAL ASSEMBLY**

#### **MINUTES OF PROCEEDINGS**

# OF THE 95<sup>th</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2015-2018) OF THE ELEVENTH PARLIAMENT OF GUYANA HELD AT 2.00 P.M.

#### ON MONDAY, 30<sup>TH</sup> JULY, 2018,

### IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

#### MEMBERS OF THE NATIONAL ASSEMBLY (69)

#### Speaker (1)

\*Hon Dr. Barton U.A. Scotland, O.R., C.C.H., M.P., Speaker of the National Assembly

#### **MEMBERS OF THE GOVERNMENT (36)**

(i) A Partnership For National Unity/Alliance For Change (36)

#### First Vice-President and Prime Minister (1)

+ Hon. Moses V. Nagamootoo, J.P., M.P., First Vice-President and Prime Minister

#### Other Vice-Presidents (3)

- + Hon. Carl B. Greenidge, M.P., Vice-President and Minister of Foreign Affairs
- +Hon. Khemraj Ramjattan, M.P., Vice-President and Minister of Public Security
- +\*Hon. Sydney Allicock, M.S., M.P., Vice-President and Minister of Indigenous Peoples' Affairs

#### **Attorney General and Minister of Legal Affairs (1)**

+ Hon. Basil Williams, S.C., M.P., Attorney General and Minister of Legal Affairs

#### **Senior Ministers (15)**

- + Hon. Amna Ally, M.P., Minister of Social Protection and Government Chief Whip
- + Hon. Lt. Col. (Ret'd) Joseph F. Harmon, M.S.M., M.P., Minister of State

- + Hon. Dr. Rupert Roopnaraine, M.P., Minister of the Public Service
- + Hon. Ronald A. Bulkan, M.P., Minister of Communities
- + Hon. Dr. George A. Norton, M.P., Minister of Social Cohesion with responsibility for Culture, Youth and Sport
- + Hon. Winston D. Jordan, M.P., Minister of Finance
- + Hon. Raphael G.C. Trotman, M.P., Minister of Natural Resources
- + Hon. Volda A. Lawrence, M.P. (Region No. 4 Demerara/Mahaica), Minister of Public Health
- + Hon. David A. Patterson, M.P., Minister of Public Infrastructure
- + Hon. Catherine A. Hughes, M.P. (Region No. 4 Demerara/Mahaica), Minister of Public Telecommunications
- +\*Hon. Winston G. Felix, D.S.M., M.P., Minister of Citizenship
- + Hon. Hans Dominic Gaskin, M.P., Minister of Business
- +Hon. Noel L. Holder, M.P., Minister of Agriculture
- +Hon. Dawn Hastings-Williams, M.P. (Region No. 7 Cuyuni/Mazaruni), Minister of Public Affairs
- +Hon. Nicolette O. Henry, M.P., Minister of Education

#### Ministers (7)

\*Hon. Keith Scott, M.P., Minister within the Ministry of Social Protection

Hon. Annette N. Ferguson, M.P., Minister within the Ministry of Public Infrastructure

Hon. Valerie Garrido-Lowe, M.P., Minister within the Ministry of Indigenous Peoples' Affairs

Hon. Jaipaul Sharma, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the Ministry of Finance

Hon. Dr. Karen Cummings, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the Ministry of Public Health

Hon. Simona Charles-Broomes, M.P., Minister within the Ministry of Natural Resources

Hon. Valarie Patterson-Yearwood, M.P. (Region No. 10 – Upper Demerara/Upper Berbice), Minister within the Ministry of Communities

#### Other Members (9)

Ms. Jennifer J. Wade, M.P. (Region No. 5 – Mahaica/Berbice) (Absent)

Ms. Rajcoomarie Bancroft, M.P. (Region No. 8 – Potaro/Siparuni)

Mr. John Adams, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Richard Allen, M.P. (Region No. 1 – Barima/Waini)

Mr. Michael Carrington, M.P.

Mr. Jermaine Figueira, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

Mr. Charrandas Persaud, M.P. (Region No. 6 – East Berbice/Corentyne)

Mr. Haimraj Rajkumar, M.P. (Region No. 2 – Pomeroon/Supenaam)

Mr. Audwin Rutherford, M.P.

#### **MEMBERS OF THE OPPOSITION (32)**

#### (i) People's Progressive Party (32)

Mr. Bharrat Jagdeo, M.P., Leader of the Opposition

Mr. Clement J. Rohee, M.P.

Ms. Gail Teixeira, M.P., Opposition Chief Whip

Mr. Mohamed Irfaan Ali, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Mr. Mohabir A. Nandlall, M.P. (Region No. 4 – Demerara/Mahaica)

Ms. Priya D. Manickchand, M.P. (Region No. 5 – Mahaica/Berbice)

Dr. Frank C.S. Anthony, M.P.

Ms. Pauline Campbell-Sukhai, M.P. (Absent – on leave)

Mr. Odinga Lumumba, M.P.

Bishop Juan A. Edghill, M.S., J.P., M.P.

Mr. Dharamkumar Seeraj, M.P. (Absent – on leave)

Dr. Vindhya V. Persaud, M.S., M.P.

Ms. Indranie Chandarpal, M.P. (Absent – on leave)

Mr. Joseph L.F. Hamilton, M.P.

Mr. Collin D. Croal, M.P. (Region No. 1 – Barima/Waini)

Ms. Gillian R. Burton-Persaud, M.P. (Region No. 4 – Demerara/Mahaica)

Dr. Bheri S. Ramsaran, M.P.

Dr. Jennifer Westford, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Ms. Africo Selman, M.P.

Mr. Zulfikar Mustapha, M.P. (Region No. 6 – East Berbice/Corentyne)

Mr. Ganga Persaud, M.P.

Ms. Yvonne Pearson- Fredericks, M.P.

Mr. Neendkumar, J.P., M.P. (Region No. 4 – Demerara/Mahaica)

Mr. Komal Chand, C.C.H., J.P., M.P. (Region No.3 – Essequibo Islands/West Demerara)

Dr. Vishwa D.B. Mahadeo, M.P. (Region No. 6 – East Berbice/Corentyne)

Mr. Cornel Damon, M.P. (Region No. 2 – Pomeroon/Supenaam)

Mr. Alister S. Charlie, M.P. (Region No. 9 – Upper Takutu/Upper Essequibo)

Mr. Nigel D. Dharamlall, M.P.

Mr. Adrian V. Anamayah, M.P.

Mr. Harry Gill, M.P.

Ms. Bhagmattie Veerasammy, M.P.

Mr. Vickram O. Bharrat, M.P.

#### Officers (2)

Mr. Sherlock E. Isaacs, A.A., Clerk of the National Assembly

Ms. Deslyn West, Assistant Clerk of the National Assembly

#### **COMMENCEMENT OF SITTING**

The Sitting commenced at 3.20 p.m.

#### **PRAYERS**

The Clerk read Prayers.

#### ANNOUNCEMENTS BY THE SPEAKER

The Speaker made the following announcements:

### (1) Parliamentary Procedure and Practices

"Hon. Members, I should offer you a word of regret at our late start. A matter of very major importance came to my attention just as I was about to appear before you in the Chamber and that required my immediate attention Hon. Members. One of the universal and best-known rules of parliamentary practice, one with which every Member of Parliament is presumed to be familiar is that the conduct of the Speaker cannot be criticized, except by way of substantive motion. I refer to Erskine May Parliamentary Practice, 24<sup>th</sup> Edition, page 61 which reads as follows:

"Reflections upon the character or actions of the Speaker may be punished as breaches of Privilege. His actions cannot be criticized incidentally in debate or upon any form of proceeding except a substantive motion. His authority in the Chair is fortified by many special powers which are referred to below. Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of

procedure, and many conventions exist which have as their object..."

Hon Members, I would request you to observe the Standing Order which states that, when the Speaker is addressing the House, there should be no other voice heard at the time.

Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized. The House of Commons Procedure and Practice, the Canadian Practice, 2<sup>nd</sup> Edition pages 313 and 314 states:

"Reflections on the character or actions of the Speaker – an allegation of bias, for example – could be taken by the House as breaches of privilege and can be punished accordingly."

Just before we were to begin this afternoon's proceedings my attention was drawn to today's publication of the Stabroek News newspapers, pages 6 and 7 to a letter under the hand of Hon. Member, Mr. Harry Gill. The letter, on my first reading, appears to make imputations against the Speaker in his office and in so far as the name of the Speaker is coupled in the letter against the Speaker in his person.

If the Hon. Member Mr. Gill was dissatisfied with the rulings or decisions of the Speaker he could have taken a course of action provided for in the Standing Orders to which all Members in this House have submitted themselves when they became Members of this House. Instead he has proceeded on a course of action which is totally impermissible under the Standing Orders. His conduct is an affront to the Office of the Speaker, the person of the Speaker and to the dignity of this House.

This is the second occasion in two years that such a disregard for the rules of this House has been displayed by Hon. Members and it may be that the silence of this House on the previous occasions has emboldened the Hon. Member Mr. Gill. Thank you".

#### (2) **<u>Leave</u>**:

Honourable Members, leave has been granted to Mr. Dharamkumar Seeraj, Ms. Pauline Campbell-Sukhai and Ms. Indranie Chandarpal for today's Sitting.

#### PRESENTATION OF PAPERS AND REPORTS-

By the Minister of Finance:

Annual Report of the Dependants' Pension Fund for the year 2017.

(Circulated)

#### **MOTION OF PRIVILEGE**

The First Vice-President and Prime Minister moved a motion of Privilege against Mr. Harry Gill, M.P. re. publication of a letter in the Stabroek Newspaper by Hon. Member, Mr. Harry Gill who made imputations against the Speaker on a ruling made in the National Assembly on 27<sup>th</sup> July, 2018. The Speaker stated that, after careful consideration of the request, he had found that a *prima facie* case had been made out against the Honourable Member and, thereafter, referred the matter to the Committee of Privileges.

#### (iii) <u>COMMITTEES BUSINESS-</u>

#### **MOTIONS**

## - ADOPTION OF SEVENTH PERIODIC REPORT OF THE PARLIAMENTARY SECTORAL COMMITTEE ON SOCIAL SERVICES

Mr. John Adams, M.P. (Chairperson of the Parliamentary Sectoral Committee on Social Services) moved the following motion:

#### BE IT RESOLVED:

That the National Assembly adopts the Seventh Periodic Report of the Parliamentary Sectoral Committee on Social Services for the period September 10, 2015 to February 16, 2018.

(Notice Paper No. 129 (M 100 Committees 26) published on 2018-03-15)

The following Members spoke to the motion:

Dr. Vishwa Mahadeo

Mr. Alister Charlie

Dr. Vindhya Persaud

Thereafter, Mr. John Adams, M.P. replied.

The motion was then <u>put</u> and <u>carried</u>.

#### **SUSPENSION OF SITTING**

At 4.05 p.m., the Sitting was suspended for refreshments.

#### **RESUMPTION OF SITTING**

At 5.23 p.m., the Sitting was resumed.

# - CYLINDER CAPACITY FOR DUTY-FREE CONCESSION TO BE GRANTED TO THE ACCOUNTANT AND ATTORNEY-AT-LAW OF THE FINANCIAL INTELLIGENCE UNIT (FIU)

The Minister of Social Cohesion with responsibilities for Culture, Youth and Sport (Chairperson of the Committee on Appointments) moved the following motion:

WHEREAS in keeping with the Anti-Money Laundering and Countering the Financing of Terrorism (Amendment Act 2015, Act No. 1 of 2015, which states:

The Principal Act is amended by the substitution for section 9 of the following section as section 6, Subclause 4(b)-

(3A) The Financial Intelligence Unit shall include-

b) An attorney-at-law and an accountant appointed by the Parliamentary Committee on Appointments from a short list provided, based on applications in response to public advertisement.

AND WHEREAS the Committee had advertised the position of Accountant and subsequently shortlisted ten (10) applicants, but interviewed nine (9), since one (1) applicant withdrew from the position.

AND WHEREAS the Committee also, had advertised for the position of Attorney-at-Law and subsequently shortlisted six (6) applicants, but interviewed five (5), since one (1) applicant withdrew.

AND WHEREAS the Committee on Appointments after deliberation reached a consensus by majority and recommended **Mr. Surendra Lall Boodhoo** and **Mrs. Yonette Romao Scarville,** as suitable persons to be appointed as the **Accountant** and **Attorney-at-Law,** respectively of the Financial Intelligence Unit (FIU) in accordance with the Anti-Money Laundering & Countering the Financing of Terrorism (Amendment) Act 2015, Act No. 1 of 2015.

AND WHEREAS the Committee deliberated at its 30<sup>th</sup> Meeting held on March 28, 2018, and agreed to offer **Mr. Surendra Lall Boodhoo** and **Mrs. Yonette Romao Scarville, Accountant and Attorney-at-Law** respectively, duty free concessions for vehicle at 2000-cylinder capacity (c.c), respectively.

#### BE IT RESOLVED:

That this National Assembly adopts this Motion of the Standing Committee on Appointments to address matters relating to the cylinder capacity for duty-free concession to be granted to the Accountant and Attorney-at-Law of the Financial Intelligence Unit.

#### BE IT FURTHER RESOLVED:

That this National Assembly signifies to the Clerk of the National Assembly that **Mr. Surendra Lall Boodhoo and Mrs. Yonette Romao Scarville** be granted duty free concession in accordance with section 5, of the Anti-Money Laundering and Countering the Financing of Terrorism Act No. 1 of 2015.

(Notice Paper No. 131 (M 102 Committees 28) published on 2018-04-12)

The following Members spoke to the motion:

Mr. Mohammed Irfaan Ali

Mr. Adrian Anamayah

Mr. Neendkumar

A CLA TRICT

Bishop Juan Edghill

Thereafter, the Minister of Social Cohesion with responsibilities for Culture, Youth and Sport replied.

EOD

The motion was then <u>put</u> and <u>negatived</u> on the following division:

A DOT A TAI

<u>AGAINST</u>	<u>ABSTAIN</u>	<u>FOR</u>
Mr. Bharrat	Mr. Gaskin	Mr. Rutherford
Ms. Veerasammy	Mr. Ramjattan	Mr. Rajkumar
Mr. Gill	Mr. Greenidge	Mr. C. Persaud
Mr. Anamayah		Mr. Figueira
Mr. Dharamlall		Mr. Carrington
Mr. Charlie		Mr. Allen
Mr. Damon		Mr. Adams
Dr. Mahadeo		Ms. Bancroft
Mr. Chand		Ms. Patterson
Mr. Neendkumar		Ms. Henry
Ms. Pearson- Fredericks		Ms. Broomes
Mr. G. Persaud		Dr. Cummings

Mr. Mustapha		Mr. Sharma
Ms. Selman		Ms. Garrido-Lowe
Dr. Ramsaran		Mr. Hastings- Williams
Ms. G. Persaud		Mr. Holder
Mr. Croal		Ms. Hughes
Mr. Hamilton		Mr. Patterson
Dr. V. Persaud		Ms. Lawrence
Bishop Edghill		Mr. Trotman
Mr. Lumumba		Dr. Norton
Dr. Anthony		Mr. Bulkan
Ms. Manickchand		Dr. Roopnarine
Mr. Nandlall		Lt. Col. (Ret'd Harmon)
Mr. Ali		Ms. Ally
Ms. Teixeira		Mr. Nagamootoo
Mr. Rohee		
Mr. Jagdeo		
28	3	26
	<del></del>	

# - ADOPTION OF THE NINTH REPORT OF THE COMMITTEE ONAPPOINTMENTS IN RELATION TO THE APPOINTMENT OF MEMBERS OF THE RIGHTS OF THE CHILD COMMISSION

The Minister of Social Cohesion with responsibilities for Culture, Youth and Sport (Chairperson of the Committee on Appointments) moved the following motion:

WHEREAS Article 212 U of the Constitution has established a Rights of the Child Commission;

AND WHEREAS in accordance with Article 212 U(2)(a) of the Constitution, the Rights of the Child Commission shall consist of-

- (a) Not less than five nor more than fifteen members, with expertise in issues affecting children, nominated by entities, by a consensual mechanism determined by the National Assembly, after the entities which shall include the Ministry with responsibility for Children's affairs, the Ministry of Education, and organizations representing the interest of youth, are determined by the votes not less than two-thirds of all elected members of the National Assembly; and
- (b) A member who shall be a nominee, without the right to vote, chosen by and from each of the following commissions: the Human Rights Commission, Ethnic Relations Commission, and Women and Gender Equality Commission and Indigenous People's Commission:

AND WHEREAS the Parliamentary Standing Committee on Appointments (COA) examined the list of entities to nominate members to the Rights of the Child Commission in accordance with article 212 U (1)(a) of the Constitution; with regard to the number of members on the said Commission;

AND WHEREAS the Committee having deliberated on the identification of the entities for nomination to the Rights of the Child Commission unanimously agrees and proposes that the Commission be comprised of nominations from the list of entities in the First Schedule in the following categories:

Service - 2

Religion - 3
Youth - 2

Women - 2

Statutory Bodies - 2

Professional Bodies - 1

Professional Bodies - 1
Other - 1

Ministry of Education - 1

Ministry of Labour, Human Services & Social Security – 1

AND WHEREAS the Committee also unanimously agreed on the consensual mechanism to guide the process for consultation and nomination of Members to the said Rights Commission herein at the Second Schedule:

#### BE IT RESOLVED:

That this National Assembly approves the proposed representation of the above-mentioned categories from the list of entities;

#### BE IT FURTHER RESOLVED:

That this National Assembly adopts the Ninth Report of the Committee on Appointments in relation to the appointment of Members of the Rights of the Child Commission, which recommends the list of entities proposed in the forth "And Whereas" clause, to be consulted to nominate members of the Rights of the Child Commission" in keeping with article 212 U (1) (a) of the Constitution;

#### BE IT FURTHER RESOLVED:

That this National Assembly approves the consensual mechanism, outlined in the Second Schedule attached.

(Notice Paper No. 132 (M 103 Committees 29) published on 2018-04-26)

#### FIRST SCHEDULE

## Proposed entities to be consulted for the Nomination of Members of the Rights of the Child Commission

#### **SERVICE-2**

Child Link
Community Based Rehabilitation Programme
Friends of the Needy
Generation Next
Guyana Legal Aid Clinic Inc.
Guyana Relief Council
Help and Shelter
Kids First Fund

Radio Needy Children's Fund The Guyana Red Cross Society Young Women's Christian Association of Guyana (YWCA)

#### **RELIGION-3**

Central Islamic Organisation of Guyana -1 Guyana Hindu Dharmic Sabha -1

#### YOUTH - 2

Youth For Change - (AFC) Youth Arm
Dharmic Naujawan (Dharmic Youth)
Guyana Congregational Young People's Union
Guyana Girl Guides Association
Guyana Junior Chamber (Jaycees)
Guyana Youth and Student Movement (GYSM)
Muslim Youth League
Diocese of Georgetown
Youth Challenge Guyana
Assembly of God Youth Ministries

Guyana Conference of Seventh-day- Adventists Church Youth Ministries

#### WOMEN - 2

Women's for Change-AFC
Mothers' Union Diocese of Guyana
AME Zion Church Women
Guyana Association of Women's Lawyers
Guyana Hindu Dharmic Sabha Mahalia Mandale
Guyana Women's Miners Association
Guyanese Women in Development (GUYWID)
National Congress of Women
National Committee of Sisters Affairs (NACOSA) (CIOG Women's Arm)
TUC Women's Advisory Council
Women Across Differences
Women's Progressive Organisation

#### STATUTORY BODIES - 2

National Commission on Disabilities -1 National Commission on the Family -1

#### **PROFESSIONAL BODIES -1**

Guyana Association of Professional Social Workers (GAPSW) Guyana Nurses Association (GNA)

#### **OTHER-1**

African Cultural Development Association (ACDA)
Amerindian People's Association
Guyanese Organisation of Indigenous Peoples
Indian Action Committee (IAC)
Ministry of Health
National Toshaos Council
Pan African Movement
Guyana Rastafarian Council
Ministry of Education – 1
Ministry of Labour, Human Services and Social Security - 1

#### SECOND SCHEDULE

### Consensual Mechanism for the Nomination by Entities of Members of the Rights of the Child Commission

All the Entities in each Group, immediately on the passage of this motion, shall be written to by the Clerk of the National Assembly inviting them to meet as a group, to select their nominees and to send a representative/s on an appointed day/date, time to appear before the Parliamentary Standing Committee to Appoint Members of the Commissions, at the Parliament Buildings to present the name/s of their nominee/s for Membership on the Rights of the Child Commission.

A deadline shall be set by the Clerk of the National Assembly on advice by the Standing Committee, by which time it would be formally notified of the names and other requested particulars of the Nominee/s, the process used for the selection of the Nominee/s by the entity, and a statement to the effect that the Nominee/s is/are supported and accepted by that entity. The Nominee/s chosen to represent the Group must be person/s who are competent to contribute positively to the work of the Commission and who are committed to ensuring that it discharges all of its functions. They should have earned public respect and be of unquestionable honesty and integrity.

16.

The process used must be demonstrated to be unbiased and transparent. It is important that the Nominee/s obtain the unquestioned support and acceptance of the Entity nominating them as well as the Entities within the Group.

Where there is a recognised "umbrella organization" in the list of entities for that Group, the Clerk shall write to that organisation and copy his letter to each of the "constituent entities" within the Group.

The following Members spoke to the motion:

Bishop Juan Edghill

Mr. Ganga Persaud

Ms. Gail Teixeira

The Minister of Public Telecommunications

Thereafter, the Minister of Social Cohesion with responsibilities for Culture, Youth and Sport withdrew the motion.

# - ADOPTION OF THE REPORT OF THE SPECIAL SELECT COMMITTEE ON THE ANIMAL WELFARE BILL 2016 – BILL NO. 21 OF 2016

The Minister of Social Cohesion with responsibility for Culture, Youth and Sport (Chairperson of the Special Select Committee on the Animal Welfare Bill 2016) moved the following motion:

#### BE IT RESOLVED:

That the Report of the Special Select Committee on the Animal Welfare Bill 2016 – Bill No. 21 of 2016 be adopted.

(Notice Paper No. 151 (M 114 Committees 31) published on 2018-07-12)

The following Members spoke to the motion:

Mr. Zulfikar Mustapha

Mr. Alister Charlie

The Minister of Agriculture

Mr. Neendkumar

Thereafter, the Minister of Social Cohesion with responsibilities for Culture, Youth and Sport replied.

The motion was then <u>put</u> and <u>carried</u>.

#### **BILL- Third Reading**

### ITEM 5 - ANIMAL WELFARE BILL 2016 – Bill No. 21/2016 published on 2016-11-02

The Minister of Social Cohesion with responsibility for Culture, Youth and Sport (Chairperson of the Special Select Committee on the Animal Welfare Bill 2016) moved the third reading of the following Bill:

A BILL intituled AN ACT to deal with the welfare of animals; to provide for their protection and health; and connected matters.

(Read a first time on 2016-11-04)

(Read a second time and committed to a Special Select Committee on 2017-02-09)

On a motion by the Minister of Social Cohesion with responsibilities for Culture, Youth and Sport the Animal Welfare Bill 2016 was read a third time and <u>passed</u> as <u>amended</u>.

#### **EMANCIPATION GREETINGS**

The Minister of State extended Emancipation greetings to the Members of Parliament and citizens of Guyana. Bishop Juan Edghill joined the Minister of State in extending Emancipation greetings.

### **ADJOURNMENT**

At 7.22 p.m., on a motion by the First Vice-President and Prime Minister, the Assembly was adjourned to 2.00 p.m. on Wednesday, 8<sup>th</sup> August, 2018.

.....

HON. DR. BARTON U.A. SCOTLAND, O.R., C.C.H., M.P.,

**Speaker of the National Assembly** 

PARLIAMENT OFFICE, Public Buildings, Brickdam, Georgetown.

30th July, 2018.