

**NATIONAL ASSEMBLY**  
**MINUTES OF PROCEEDINGS**  
**OF THE 16<sup>TH</sup> SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**  
**SESSION (2020-2021) OF THE TWELFTH PARLIAMENT OF GUYANA HELD**  
**AT 10.00 A.M.**  
**ON THURSDAY, 28<sup>TH</sup> JANUARY, 2021**  
**IN THE DOME OF THE ARTHUR CHUNG CONFERENCE CENTRE,**  
**LILIENDAAL, GREATER GEORGETOWN**

**MEMBERS OF THE NATIONAL ASSEMBLY (71)**

**Speaker (1)**

\*Hon. Manzoor Nadir, M.P., Speaker of the National Assembly

**MEMBERS OF THE GOVERNMENT (38)**

**Peoples Progressive Party Civic (38)**

**Prime Minister (1)**

Hon. Brigadier (Ret'd) Mark A. Phillips, M.S.S., M.P., Prime Minister (Virtual-Participation)

**Vice-President (1)**

Hon. Bharrat Jagdeo, M.P., Vice-President (Virtual-Participation)

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

Hon. Mohabir A. Nandlall, S.C., M.P., Attorney General and Minister of Legal Affairs

**Senior Ministers (17)**

Hon. Gail Teixeira, M.P. (Region No. 7 – Cuyuni/Mazaruni), Minister of Parliamentary Affairs and Governance and Government Chief Whip

Hon. Hugh H. Todd, M.P. (Region No. 4 – Demerara/Mahaica), Minister of Foreign Affairs and International Co-operation

\*Hon. Dr. Ashni K. Singh, M.P., Senior Minister in the Office of the President with Responsibility for Finance

Hon. Bishop Juan A. Edghill, M.S., J.P., M.P., Minister of Public Works

/...2

**\*Non-Elected Member**

2.

Hon. Dr. Frank C. S. Anthony, M.P., Minister of Health

Hon. Priya D. Manickchand, M.P. (Region No. 3 – Essequibo Islands/West Demerara),  
Minister of Education

\*Hon. Brindley H.R. Benn, M.P., Minister of Home Affairs

Hon. Zulfikar Mustapha, M.P. (Region No. 6 – East Berbice/Corentyne), Minister of  
Agriculture

Hon. Pauline R.A. Campbell-Sukhai, M.P., Minister of Amerindian Affairs

Hon. Joseph L.F. Hamilton, M.P., Minister of Labour

Hon. Vickram O. Bharrat, M.P., Minister of Natural Resources

\*Hon. Oneidge Walrond, M.P., Minister of Tourism, Industry and Commerce

Hon. Nigel D. Dharamlall, M.P. (Region No. 2 – Pomeroon/Supenaam), Minister of Local  
Government and Regional Development (Virtual Participation)

Hon. Collin D. Croal, M.P. (Region No. 1 – BarimaWaini), Minister of Housing and Water

Hon. Vindhya V. H. Persaud, M.S., M.P. (Region No. 4 – Demerara/Mahaica), Minister of  
Human Services and Social Security

Hon. Charles S. Ramson, M.P., Minister of Culture, Youth and Sport

Hon. Sonia S. Parag, M.P., Minister of the Public Service

**Junior Ministers (4)**

Hon. Warren K.E. McCoy, M.P., Minister within the Office of the Prime Minister

Hon. Deodat Indar, M.P., Minister within the Ministry of Public Works

Hon. Anand Persaud, M.P., Minister within the Ministry of Local Government and Regional  
Development

Hon. Susan M. Rodrigues, M.P. (Region No. 4 – Demerara/Mahaica), Minister within the  
Ministry of Housing and Water

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**\*Non-Elected Member**

3.

**Other Members (14)**

Hon. Dharamkumar Seeraj, M.P.

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

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

Hon. Sanjeev J. Datadin, M.P.

Hon. Seepaul Narine, M.P.

Hon. Yvonne Pearson-Fredericks, M.P.

Hon. Dr. Bheri S. Ramsaran, M.P.

Hon. Dr. Jennifer R.A. Westford, M.P.

Hon. Faizal M. Jaffarally, M.P. (Region No. 5 – Mahaica/Berbice)

Hon. Dr. Tandika S. Smith, M.P. (Region No. 3 - Essequibo Islands/West Demerara)

Hon. Lee G.H. Williams, M.P.

\*Hon. Sarah Browne, M.P., Parliamentary Secretary in the Ministry of Amerindian Affairs

\*Hon. Vikash Ramkissoon, M.P., Parliamentary Secretary in the Ministry of Agriculture

Hon. Bhagmattie Veerasammy, M.P.

**MEMBERS OF THE OPPOSITION (32)**

**(i) A Partnership For National Unity + Alliance For Change (APNU/AFC) (31)**

Hon. Lt. Col. (Ret'd) Joseph F. Harmon, M.S.M., M.P., Leader of the Opposition

Hon. Khemraj Ramjattan, M.P.

Hon. Roysdale A. Forde, S.C., M.P.

Hon. Raphael G.C. Trotman, M.P., (Absent on – leave)

Hon. Dawn Hastings-Williams, M.P. (Region No. 7 – Cuyuni/Mazaruni)

Hon. Dr. Nicolette O. Henry, M.P.

Hon. Dr. Karen R.V. Cummings, M.P.

Hon. Tabitha J. Sarabo-Halley, M.P.

Hon. Geeta Chandan-Edmond, M.P.

Hon. Christopher A. Jones, M.P., Opposition Chief Whip

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**\*Non-Elected Member**

4.

Hon. Annette N. Ferguson, M.P. (Virtual Participation)

Hon. David A. Patterson, M.P.

Hon. Coretta A. McDonald, A.A., M.P.

Hon. Catherine A. Hughes, M.P. (Region No. 4 – Demerara/Mahaica) (Virtual Participation)

Hon. Haimraj B. Rajkumar, M.P.

Hon. Amanza O.R. Walton-Desir, M.P.

Hon. Natasha Singh-Lewis, M.P.

Hon. Sherod A. Duncan, M.P.

Hon. Juretha V. Fernandes, M.P.

Hon. Vincent P. Henry, M.P.

Hon. Ronald Cox, M.P. (Region No. 1 – BarimaWaini)

Hon. Shurwayne F.K. Holder, M.P. (Region No. 2 – Pomeroon/Supenaam)

Hon. Ganesh A. Mahipaul, M.P. (Region No. 3 – Essequibo Islands/West Demerara)

Hon. Nima N. Flue-Bess, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Maureen A. Philadelphia, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Deonarine Ramsaroop, M.P. (Region No. 4 – Demerara/Mahaica)

Hon. Vincero H. Jordan, M.P., (Region No. 5 – Mahaica/Berbice)

Hon. Dineshwar N. Jaiprakash, M.P. (Region No. 6 – East Berbice/Corentyne)

Hon. Richard E. Sinclair, M.P. (Region No. 8 –Potaro/Siparuni)

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

Hon. Devin L. Sears, M.P. (Region No. 10 – Upper Demerara/Upper Berbice)

**A New and United Guyana, Liberty and Justice Party and The New Movement (ANUG, LJP & TNM) (1)**

Hon. Lenox R. O'Dell Shuman, M.P., Deputy Speaker of the National Assembly

**Officers (2)**

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

Ms. Hermina Gilgerous, Deputy Clerk of the National Assembly

### **COMMENCEMENT OF SITTING**

The Sitting commenced at 10.14 a.m.

### **PRAYERS**

The Clerk led in Prayers.

### **ANNOUNCEMENTS BY THE SPEAKER-**

The Speaker made the following announcements:

#### **1. COVID-19 Recovery**

“Hon Members, on December 28<sup>th</sup>, a month ago we had a sitting. At the commencement of that Sitting which I presided over virtually, I mentioned that I was not feeling well and out of an abundance of caution I thus did that session virtually. The next day my family and the grandsons were tested for COVID-19 and all except my younger daughter were positive.

I had a fever, headache, pain in the body, loss of taste and no appetite and a feeling of weakness. Prompt action by medical personnel who brought medication and a menu of vitamins and supplements accompanied by local herbs were also in our menu of treatment. I continued to have symptoms and kept getting weaker and I began to lose my voice.

On January 6<sup>th</sup> I was weak, and I called for the Ambulance and went to the COVID Center at Liliendaal where I was treated with intravenous fluid and medication. I spent the day there.

I raise this today to urge you and your families to follow the COVID protocols and treat urgent with symptoms. I was sick and felt I would never return to any semblance of a near normal life.

6.

I express my thanks to Dr. Bux, Dr. Bovell, Dr Shaw, Dr Raghunauth, Dr Baldeo, Dr Doodnauth and the medical team at Liliendaal for this care and attention. I also want to thank all of you for calling, caring and praying for my health and wellbeing”.

## **2. Social Media Posts and Comments by Members of Parliament**

“I am in receipt of a letter from Mr. Yogieraj Dass, Chairman of the Canals Polder NDC, where he drew my attention to social media posts by Hon. Members of this house. These posts he said were inaccurate and totally wrong.

There has been precedence in the previous Parliament where matters pertaining to social media posts were raised. The statements published by members in their private capacities on their private Facebook pages, I am of the view that the Speaker or the House cannot compel the Members to:

1. Desist from posting any further inaccurate information on social media
2. Delete all inaccurate and inflammatory posts social media.
3. Offer an apology in Parliament

I, however, urge Hon. Members to be careful on the accuracy of the information you published and to take into account the responsibilities of the offices you hold and those you represent. If we are to win hearts and minds and earn respect and reinforce our credibility, we have to be truthful and honest with our facts”.

## **PRESENTATION OF PAPERS AND REPORTS-**

By the Senior Minister in the Office of the President with Responsibility for Finance:

- (i) The Customs (Amendment of First Schedule) (No. 3) Order 2020 – No. 82 of 2020.

(Circulated)

7.

- (ii) Financing Agreement No. 6786-GY dated December 15, 2020 between the Cooperative Republic of Guyana and the International Development Association (IDA) for an amount of SDR18,400,000.00 for the purpose of providing additional financing for the Flood Risk Management Project Loan No. 5474-GY.

(Circulated)

- (iii) Financing Agreement No. 6802-GY dated December 15, 2020 between the Cooperative Republic of Guyana and the International Development Association (IDA) for an amount of SDR5,400,000.00 for the purpose of financing the COVID-19 Emergency Response Project.

(Circulated)

- (iv) The Public Loan (Increasing of Limit) Order 2021 – No. 2 of 2021.

(Circulated)

- (v) The External Loan (Increasing of Limit) Order 2021 – No. 3 of 2021.

(Circulated)

## **REPORTS FROM COMMITTEES**

By the Speaker of the National Assembly (Chairman of the Committee of Selection):

Minutes of Proceedings of the 2<sup>nd</sup> Meeting of the Committee of Selection held on Monday, 28<sup>th</sup> December, 2020.

(Circulated)

## **QUESTIONS ON NOTICE-**

### **For Written Replies**

#### **1. NATIONAL PROCUREMENT BOARD**

**Member Asking:** Ms. Annette Ferguson, M.P.

8.

**Minister Answering:**                      **The Senior Minister in the Office of President with responsibility for Finance**

1. The publication of the new appointees to the Public Procurement Board stated the following persons have been nominated and appointed to serve on the board:

- Mr. Tarachand Balgobin as Temporary Chairman
- Mr. Bernard Lord - Member
- Mr. Desmond Mohamed - Member
- Mr. Steve Ninvalle                      - Member
- Mr. Mark Conway                      - Member
- Ms. Gloria Beharry                      - Member

In accordance to Part 111 of the Procurement Act 2003, Section 16, clearly addresses the creation and membership of the National Procurement and Tender Administration Board, Section 16(2) states:

*“The administration shall be managed by the National Board which shall consist of seven (7) members appointed by the Minister from among persons of unquestionable integrity who have shown capacity in business, the professions, law, audit, finance and administration”.*

Can the Honourable Minister state the following:

- (a) Whether the names listed above were appointed in keeping with Section 16 (2) of the National Procurement act?
- (b) The current construct is six (6), when will the additional person be appointed?

2. Section 16(3) states:

*“the members of the National Board to be appointed by the Minister shall comprise:  
(i) not more than five persons from the Public Service;  
(ii) not more than three persons from the private sector after consultation with their representative organizations”.*



9.

Can the Honourable Minister state the following:

- (a) State from the list of appointees, where the persons are employed?
- (b) State who are the representatives from the Private Sector?

3. Section 16(4) states:

*“Two members of the National Board shall serve on a full-time basis and the remainder shall serve on a part-time basis. The Minister shall appoint as Chairman one of the full-time members”.*

Can the Honourable Minister state the following:

- (a) Whether there is a conflict of interest in appointing Mr. Tarachand Balgobin as Temporary Chairman, since he is a full time Public Servant and the Act does not allow for this arrangement?
- (b) Is there consideration for the appointment of a substantive Chairperson of the Board?
- (c) If yes, is there a period for the appoint and when?

**(Notice Paper No.15 (Q9 Opp.9) published on 2020-10-28)**

See **Appendix I** for the Answers to the questions above.

## **2. CONTRACTED EMPLOYEES**

**Member Asking:**                      **Mr. David Patterson, M.P.**

**Minister Answering:**                **The Minister of Public Works**

- 1. Can the Minister provide the designation of each person employed on contract in the Ministry of Public Works as well as its gazetted umbrella and associated Agencies since August 2, 2020?

10.

2. Can the Minister provide the emoluments (salaries and other benefits) for each of the persons employed on contract since August 2, 2020 as stated above?
3. Can the Honourable Minister advise if allowances for these employments were in Budget 2020, and if so, under which line item are they being paid?

**(Notice Paper No. 20 (Q12 Opp.12) published on 2020-12-07)**

See **Appendix II** for the Answers to the questions above.

### **3. CONTRACTED EMPLOYEES**

**Member Asking:** Mr. David Patterson, M.P.

**Minister Answering:** The Minister of Natural Resources

1. Can the Minister provide the designation of each person employed on contract in the Ministry of Natural Resources as well as its gazetted umbrella and associated Agencies since August 2, 2020?
2. Can the Minister provide the emoluments (salaries and other benefits) for each of the persons employed on contract since August 2, 2020 as stated above?
3. Can the Honourable Minister advise if allowances for these employments were in Budget 2020, and if so, under which line item are they being paid?

**(Notice Paper No. 21 (Q13 Opp.13) published on 2020-12-07)**

See **Appendix III** for the Answers to the questions above.

### **4. TRAWLER LICENSES**

**Member Asking:** Mr. Khemraj Ramjattan, M.P.

**Minister Answering:** The Minister of Agriculture

11.

1. To whom were two new trawler licenses issued to, for years 2020-2021 by the Ministry of Agriculture Fisheries Department?
2. Were there any due diligence conducted on these license(s) to verify a meritorious grant thereof?
3. If there were any such due diligence done, could the Honourable Minister provide copies to this Honourable House of the said due diligence Report(s)?
4. Was the Guyana Association of Trawler Owners and Seafood Processors Association (GATOSP) consulted in any way prior to this grant of the two trawler licenses?

**(Notice Paper No. 22 (Q14 Opp.14) published on 2020-12-07)**

**ANSWERS**

1. “They were issued to a well-established Guyanese operator in the fishing industry who was duly qualified to receive the said licenses, who complied with the requisite procedure and satisfied all the legal requirements in relation thereto.
2. I know of no requirement for due diligence to be conducted on the “LICENSE”. In the Ministry of Agriculture, as indeed, every Ministry in our Government, decisions are based on the meritocracy and not on caprice nor extraneous nor irrelevant consideration.
3. As indicated above this question is misconceived and erroneous as due diligence cannot be done on a “LICENSE”.
4. In the same manner that you were not required to consult Licensed Firearm Holders before you handed out hundreds of gun licenses, there is equally no requirement to consult with trawler owners and seafood processors for the grant of new licenses.

12.

Notwithstanding, the Ministry of Agriculture consults on a regular basis with each and every sector which falls under the administration of the Ministry. These consultative engagements are publicized regularly in the media and were you attentive you would have so observed.”

## **STATEMENTS BY MINISTERS, INCLUDING POLICY STATEMENTS**

### **(1) The History of the Venezuelan Challenge to Guyana’s Sovereignty**

The Minister of Foreign Affairs and International Co-operation made a statement re. the History of the Venezuelan Challenge to Guyana’s Sovereignty.

## **PUBLIC BUSINESS**

### **(i) PRIVATE MEMBERS’ BUSINESS**

## **MOTIONS**

### **ITEM 1 - NARCOTICS DRUGS AND PSYCHOTROPIC SUBSTANCES** **(CONTROL) (AMENDMENT) BILL 2020 -No. 16 of 2020**

Mr. Sherod Duncan, M.P., moved the following motion:

BE IT RESOLVED:

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Narcotics Drugs and Psychotropic Substances (Control) (Amendment) Bill 2020 -No. 16 of 2020:

A BILL intituled AN ACT to amend the Narcotic Drugs and Psychotropic Substances (Control) Act.

**(Notice Paper No. 23 (M9 Opp. 3) published on 2020-12-11)**

13.

The following Members spoke to the motion:

Hon. Priya Manickchand, M.P., Minister of Education

Hon. Jermaine Figueira, M.P.

Hon. Charles Ramson, M.P., Minister of Culture, Youth and Sport

Hon. Roysdale Forde, M.P.

### **SUSPENSION OF SITTING**

At 12.00 p.m., the Sitting was suspended for refreshments.

### **RESUMPTION OF SITTING**

At 1.21 p.m., the Sitting was resumed.

Assembly resumed the debate on the motion.

The following Members also spoke to the motion:

Hon. Brindley Benn, M.P., Minister of Home Affairs

Hon. Khemraj Ramjattan, M.P.

Hon. Mohabir Nandlall, M.P., Attorney General and Minister of Legal Affairs

Thereafter, Hon. Sherod A. Duncan, M.P., replied.

The motion was then **put** and **negatived**.

## **INTRODUCTION OF BILLS**

### **Presentation and First Readings**

1. **THE FISCAL MANAGEMENT AND ACCOUNTABILITY (AMENDMENT) BILL 2021 – Bill No. 1/2021**

The Senior Minister in the Office of the President with Responsibility for Finance, on behalf of the Government, presented the following Bill, which was read the first time:

A BILL intituled AN ACT to amend the Fiscal Management and Accountability Act.

2. **NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL 2021 – Bill No. 2/2021**

The Attorney General and Minister of Legal Affairs, on behalf of the Government, presented the following Bill, which was read the first time and referred to a Special Select Committee:

A BILL intituled AN ACT to amend the Narcotic Drugs and Psychotropic Substances (Control) Act.

## **PUBLIC BUSINESS**

(ii) **PRIVATE MEMBERS' BUSINESS**

### **MOTIONS**

**ITEM 2 - APPOINTMENT OF A COMMISSION OF INQUIRY TO INVESTIGATE THE UNREST AT THE LUSIGNAN PRISON, THE SUBSEQUENT DEATHS OF AND THE INJURY OF SEVERAL PRISONERS ON THE 19<sup>TH</sup> SEPTEMBER, 2020**

Ms. Geeta Chandan-Edmond, M.P., moved the following motion:

WHEREAS, Article 138(1) of the Constitution of the Republic of Guyana prescribes that no person shall be deprived of his life intentionally save in the execution of the sentence of a Court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS, in accordance with the Commission of Inquiry Act, Chapter 19:03, “The President may issue a Commission appointing one or more Commissioners and authorizing such Commissioners to inquire into any matters in which an inquiry would in the opinion of the President be for the public welfare”;

AND WHEREAS, it has been widely reported and confirmed that several prisoners were shot by members of the Guyana Prison Services in or near the Lusignan Prison, resulting in injuries and two deaths on the 19<sup>th</sup> September, 2020;

AND WHEREAS, the lack of information surrounding the following matters are of public concern;

AND WHEREAS, the Home Affairs Minister has failed to provide answers on these matters of public importance and the public remains without credible information, after the 19<sup>th</sup> September, 2020 as to the circumstances which led to the unrest, injuries sustained and the subsequent deaths of several prisoners;

AND WHEREAS, it is important, in the public's interest to know and understand the specific facts and circumstances that led to the shooting and subsequent deaths of three prisoners so as to prevent a recurrence;

**BE IT RESOLVED:**

That the National Assembly calls on the Government to make full disclosure on all aspects of the tragedy at the Lusignan Prisons on the 19<sup>th</sup> September, 2020 and to declare what actions have been and are being taken to reduce the opportunities for such situations from re- occurring.

**(Notice Paper No. 17 (M7 Opp 1) published on 2020-12-01)**

Hon. Joseph Hamilton, M.P., Minister of Labour spoke to the motion.

**SUSPENSION OF SITTING**

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

**RESUMPTION OF SITTING**

At 4.50 p.m., the Sitting was resumed.

Assembly resumed the debate on the motion.

The following Members also spoke to the motion:

Hon. Khemraj Ramjattan, M.P.

Hon. Dr. Frank Anthony, M.P., Minister of Health

Hon. Jermaine Figueira, M.P.

Hon. Brindley Benn, M.P., Minister of Home Affairs

Thereafter, Hon. Geeta Chandan-Edmond, M.P., replied.

The motion was then **put** and **negatived**.



The Speaker made the following Ruling on the motion re. Condemn the Brutal and Horrific Killing of Joel Henry, Isiaah Henry and Haresh Singh, Between the Period September 6 to 9, 2020.

“To entertain this motion would put the Assembly in contravention of its own Standing Orders, and trite rules of law. Further, and critically, entertaining this motion may ultimately jeopardise the ability of Guyana’s justice system to conduct a fair trial of any persons put on trial for the murder of the boys.

At the time of this letter, we are aware that three (3) persons have been charged in respect of the murder of the Henry Boys, and, have been placed on remand ahead of an intended preliminary enquiry. We also know that police have stated publicly that they are in search of additional suspects whom they are likely to charge with respect to the murders.

Motion prohibited by Standing Orders

Standing Order 33 (1) provides as follows:

**“On a motion made and when necessary seconded, the Speaker shall propose the question to the Assembly and, after debate, if any, shall then put the question for the decision of the Assembly.”**

This Standing Order allows members of the National Assembly a right to move motions, but it is not absolute, but, in these circumstances, limited by Standing Order 26 (g), which is titled ‘Admissibility of Motions, and provides as follows:

In order that a motion may be admissible, it shall satisfy the following conditions, namely: -

g) it shall not relate to any matter which is under adjudication by a court of law.”

Given that persons have been charged for two of these murders, and are before the court, this is a matter which is under adjudication by a court of law. The legal effect of this rule, therefore, is that the motion is not capable of being allowed to be read, or, debated.

This rule is made in contemplation of, and gives effect to the *sub judice* principle, which stipulates that public statements must not be made regarding a pending case for fear of their impact on public opinion.

On the principle of *sub judice*, the Court of Appeal of Barbados in *Director of Public Prosecutions' Reference No 2 of 2001 - (2002) 63 WIR 1*, had cause to say as follows:

*“Never again must it happen in this jurisdiction that, while a matter is 'sub judice' in a court of this country, other proceedings directly and fundamentally pertaining to that very matter which is 'sub judice' are commenced elsewhere and publicised in such a manner as might prejudice the outcome of the 'sub judice' proceedings.”*

This principle of *sub judice* is well entrenched.

*Criminal proceedings regarding persons accused of the murder of the Henry Boys are therefore sub judice, and the motion in question, would trigger proceedings which would be directly and fundamentally pertaining to those criminal proceedings, and which would publicise that matter in a manner which might prejudice the outcome of those sub judice criminal proceedings.*

*This rule applies doubly to this Assembly due to its status and the nature of its work. The National Assembly is one of the three-coequal branches of government and is therefore one of the most powerful State entities.*

*Moreover, given the nature of the crime, its peculiar violence, the political and ethnic undercurrents that it evoked, and several other factors, it is probable that during a debate on the motion, and that statements will be made which both vindicate, and violate the Standing Orders against the admissibility of a motion under adjudication in a court of law. If such statements are made, there is nothing in the Speaker's powers, or the Assembly's powers, including retractions, apologies and or disciplinary action that could effectively reverse the impact of such statements.*

19.

It is therefore unsurprising that the Standing Orders also limits other rights on the basis of the *sub judice* principle.

Standing Order 17 (1), for example, provides as follows:

“(1) Questions may be put to a Minister relating to the responsibility with which he or she has been assigned.”

Standing Order 20 (1) (i) (a), however, provides as follows:

“(1) The right to ask a question shall be subject to the following general rules, as to interpretation of which the Speaker shall be the sole judge: -

(i) a Question shall not be asked:

(a) on any matter which is sub judice.

The effect of Standing Order 20 (1) (i) (a), therefore, is that no question may be asked in any matters which is under adjudication by a court of law. Further, Standing Order 41 (2) prohibits Members of Parliament from making reference to matters which are *sub judice* in speeches given in the Assembly. Standing Order 41 (2) provides as follows:

“(2) Reference shall not be made to any matter which is sub judice, in such a way as might, in the opinion of the Chair, prejudice the interest of parties thereto.”

For the over two decades that I had previously served as a MP I have witnessed that the sub judice rule has been upheld by each and every Speaker of the Guyana National Assembly.

These Standing Orders, individually, and collectively, indicate, authoritatively, and conclusively, that the position of this National Assembly is “that which are engaging the attention of a court of law, and specifically the motion in question, are inadmissible, and shall not be debatable.”

**ITEM 3 - CONDEMN THE BRUTAL AND HORRIFIC KILLING OF JOEL HENRY, ISIAAH HENRY AND HARESH SINGH, BETWEEN THE PERIOD SEPTEMBER 6 to 9, 2020**

In light of the Speaker's Ruling the following motion will not be proceeded with until the matter is resolved by the Courts:

WHEREAS, Guyanese citizens, Joel Henry, Isiah Henry and Haresh Singh, all under the age of 20 years old, from the village of N0. 3 Village, West Coast Berbice, were brutally, barbarically and horrifically killed, and the bodies found at or near the Cotton Tree Back Dam in the Mahaica/ Berbice Region No. 5;

AND WHEREAS, the period September 6 to 9, 2020, will go down in the history of our country as the period when these unspeakable crimes left the nation numb and in a state of shock and sadness;

AND WHEREAS. these brutal, senseless, barbaric, depraved and horrific killings have caused untold pain, agony, grief, anguish, anger and despair to the surviving family members, fellow villagers and the entire Guyanese Community;

AND WHEREAS, these brutal and horrific killings have evoked unequivocal condemnation from Guyanese, living in Guyana and in the diaspora;

AND WHEREAS, the diplomatic community and civil society have also unequivocally condemned these brutal, barbaric and horrific killings;

AND WHEREAS, Parliament, of which the National Assembly is a part of the supreme legislative forum of our Republic wherein the people's elected representatives discuss and determine matters of national interest and is obliged to consider the grave threats to the public welfare and public security;

21.

AND WHEREAS, Article 138(1) of the Constitution of the Cooperative Republic of Guyana prescribes that no person shall be deprived of his life intentionally save in the execution of the sentence of a court in respect of an offence under the Laws of Guyana of which he has been convicted;

AND WHEREAS, to date these horrific deaths which are of public importance, concern and welfare remain substantially unresolved.

BE IT RESOLVED:

That the National Assembly recommends to the Government to procure and finance the assistance of expert and competent professionals who can resolve these cases;

BE IT FURTHER RESOLVED:

That the National Assembly condemns the killing of the three Citizens aforementioned, and extends sincerest condolences to the families of the deceased; and

BE IT FURTHER RESOLVED:

That the National Assembly calls on the Government to continue its earnest investigations, so as to ensure expeditious justice to the family.

**(Notice Paper No. 18 (M8 Opp 2) published on 2020-12-01)**

22.

**ADJOURNMENT**

At 6.50 p.m., on a motion by the Prime Minister, the Assembly was adjourned to 10.00 a.m. on Thursday, 4<sup>th</sup> February, 2020.

.....  
**HON. MANZOOR NADIR, M.P.,**  
**Speaker of the National Assembly**

**PARLIAMENT OFFICE,**  
**Public Buildings,**  
**Brickdam,**  
**Georgetown.**

**28<sup>th</sup>, January 2021.**