**NATIONAL ASSEMBLY**

**MINUTES OF PROCEEDINGS**

**OF THE 40TH SITTING OF THE NATIONAL ASSEMBLY OF THE FIRST**

**SESSION (2015-2016) OF THE ELEVENTH PARLIAMENT OF GUYANA HELD**

**AT 2.00 P.M.**

**ON MONDAY, 18TH JULY, 2016,**

**IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS,**

**BRICKDAM, GEORGETOWN**

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

**Speaker (1)**

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

**MEMBERS OF THE GOVERNMENT (36)**

1. **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, M.P., Attorney General and Minister of Legal Affairs

**Senior Ministers (13)**

+ Hon. Amna Ally, M.P., Minister of Social Cohesion and Government Chief Whip

+ Hon. Lt. Col. (Ret’d) Joseph F. Harmon, M.S.M., M.P., Minister of State

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+ Cabinet Member

\*Non-Elected Member

2.

+ Hon. Dr. Rupert Roopnaraine, M.P., Minister of Education

+ Hon. Ronald A. Bulkan, M.P., Minister of Communities

+ Hon. Dr. George A. Norton, M.P., Minister of Public Health

+ 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 Social Protection

+ 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 with responsibility for Tourism

+\*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

**Ministers (9)**

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

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

Minister within the Ministry of Communities

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

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+ Cabinet Member

\*Non-Elected Member

3.

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

Hon. Nicolette O. Henry, M.P., Minister within the Ministry of Education (Absent – on leave)

Hon. Valarie Patterson, 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)

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

Mr. Audwin Rutherford, M.P.

**MEMBERS OF THE OPPOSITION (32)**

1. **People’s Progressive Party (32)**

Mr. Bharrat Jagdeo, M.P., Leader of the Opposition (Absent)

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), (Absent)

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4.

Dr. Frank C.S. Anthony, M.P., (Absent)

Ms. Pauline Campbell-Sukhai, M.P.

Mr. Odinga Lumumba, M.P.

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

Mr. Dharamkumar Seeraj, M.P.

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

Ms. Indranie Chandarpal, M.P. (Absent)

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

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

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

Dr. Bheri S. Ramsarran, 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, J.P., C.C.H., M.P. (Region No. 3 – Essequibo Islands/West Demerara)

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

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

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

Mr. Nigel D. Dharamlall, M.P.

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5.

Mr. Adrian V. Anamayah, M.P.

Mr. Charles S. Ramson, M.P.,

Mr. Harry Gill, M.P.

Ms. Bhagmattie Veerasammy, M.P., (Absent – on leave)

**Officers (2)**

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

Ms. Hermina Gilgeours, Deputy Clerk of the National Assembly

**COMMENCEMENT OF SITTING**

The Sitting commenced at 2.22 p.m.

**PRAYERS**

The Clerk read Prayers.

**ANNOUNCEMENT BY THE SPEAKER-**

The Speaker made the following announcement:

**LETTER OF COMPLAINT ADDRESSED TO THE SPEAKER ON APRIL 26, 2016.**

“Honourable Members you will recall that by a letter addressed to the Speaker dated April 26, 2016, which was read to this House, the Honourable Member Ms. Gail Teixeira, drew to the attention of the Speaker a complaint. That complaint concerned remarks made during the Budget Debate in February of this year by the Honourable Minister of Natural Resources and later by the Honourable First Vice-President and Prime Minister, relating to the treatment of Forest Resources by the previous Government.

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6.

The Member in her letter requested withdrawal of the remarks of which she complained and an apology from the two Honourable Members named in the complaint for, in the words of her

letter, “misleading the House and the Nation on February 11th and 12th and May 4th , 2016”.

If the Honourable Members against whom the complaint was laid failed to act as requested, the letter continued, the Honourable Member Ms. Teixeira would seek the Speaker’s permission to send the matter to the Committee on Privileges for misleading the House.

The allegedly offending remarks were first made during the Budget Debate on 11th and 12th February, 2016, and as stated by the Honourable Minister of Natural Resources, during the course of his delivery, the remarks were taken from a Report which was prepared by the Guyana Forestry Commission, the Agency of Government responsible for the Management of and for reporting on the state of the Forestry Resources of Guyana. The Honourable Minister of Natural Resources under whose portfolio the Guyana Forestry Commission falls said that he had directed that the Report be prepared and that he relied on the Report. On the very date on which the remarks complained of were delivered, copies of the document from the Forestry Commission were given to the Honourable Member who made the complaint and to all other Members of the House who were interested in the complaint. There was no challenge to the integrity of the document which was distributed. The matter next engaged the attention of the House after an hiatus of over two months, through the letter of 26th April, to which I referred earlier. That letter saw some discussion on the Floor of the House on 4th May, 2016.

I pause in my narrative to state that that letter of 26th April, 2016, was a letter of complaint by one Member against remarks made by other Honourable Members. The letter did not seek at that time to engage the discretion of the Speaker for action to be taken in relation to an alleged breach of privilege and any view to the contrary is wholly mistaken. The action of the Speaker in this regard can bear no parallel with any other matter which may in the future engage, or is presently engaging, the Speaker.

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7.

In the face of the complaint aforesaid which was being formally made for the first time by the Honourable Member Ms. Teixeira, the Speaker invited the Honourable Minister Mr. Trotman to consider the complaint of misleading the House leveled against him and the request for a withdrawal of the remarks complained of and for an apology from the Honourable Minister for his alleged misleading statement.

At the conclusion of the discussion which ensued on this matter on the floor of the National Assembly on 4th May, 2016, it was clear to the House and to the Honourable Member Ms. Teixeira that the Honourable Minister Mr. Trotman was not prepared to offer in this Honourable House either apology or withdrawal. The Honourable Minister presented that the complaint of the Honourable Member Ms. Teixeira was without merit and was ill-deserving of any such action from him. In the face of this response, the Honourable Member Ms. Teixeira was left to determine whether there would be any further action on her part, and if so, what would commend itself to the Honourable Member as an alternative course of action.

That alternative course of action is the letter of 24th May, 2016 in which the Honourable Member Ms. Teixeira is seeking “permission in accordance with Standing Order Number 32 (2)” to bring a Motion asking that the Honourable First Vice-President and Prime Minister and the Honourable Minister of Natural Resources be sent to the Privileges Committee for misleading the House and the nation on February 11, 12 and May 4, 2016. Attached to the letter of 24th May, 2016, which was addressed to the Speaker, was the “Motion of Privilege”.

In the circumstances of the letter of May 24, 2016, the Speaker held himself in duty bound to determine whether the letter and the Motion taken together establish a prima facie case of a Breach of Privilege, so that the Honourable Members be taken before the Committee of Privileges.

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8.

I hold the test as to whether there exists a prima facie case to be one in which the facts and circumstances complained of, stand to support the wrong complained of, without the assistance of any additional information. I have examined the letter of May 24, 2016 and the other relevant documents and have concluded that a prima facie case of a breach of privilege has not been made. In the circumstances the request and motion of 24th May, 2016, are disallowed.”

**Leave:**

Honourable Members, leave has been granted to:

Mr. Cornel Damon for today’s Sitting.

**PRESENTATION OF PAPERS AND REPORTS**

By the First Vice-President and Prime Minister:

Audited Financial Statements of the Government Information Agency for the year ended 31st December, 2010.

(Circulatd)

**REPORTS FROM COMMITTEES**

By the Minister of Public Health (Chairman of the Committee on Appointments):

Second Report of the Committee on Appointments in relation to the Appointment of a Director and Deputy Director of the Financial Intelligence Unit (FIU) within the Anti-Money Laundering and Countering the Financing of Terrorism Authority (AML/CFT) Act No. 1 of 2015.

(Circulated)

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9.

**PUBLIC BUSINESS -**

1. **GOVERNMENT BUSINESS**

**BILLS – Second Readings**

1. **WILDLIFE CONSERVATION AND MANAGEMENT BILL 2016 – Bill No. 14/2016 published on 2016-05-10**

At the request of the Minister of Natural Resources the second reading of the following Bill was deferred:

A BILL intituled AN ACT to provide for the protection, conservation,

management, sustainable use and internal and external trade of Guyana’s

wildlife.

**(Read a first time on 2016-05-12)**

1. **TELECOMMUNICATIONS BILL 2016 – Bill No. 15/2016 published on 2016-05-24**

The Minister of Public Telecommunications with responsibility for Tourism moved the second reading of the following Bill:

A BILL intituled AN ACT to provide for the establishment of the Telecommunications Agency and for a regular, coordinated, open and competitive telecommunications sector and for connected matters.

**(Read a first time on 2016-05-24)**

The following Member spoke to the motion:

Mr. Irfaan Ali

**SUSPENSION OF SITTING**

At 4.07 p.m., the Sitting was suspended for refreshments.

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10.

**RESUMPTION OF SITTING**

At 5.10 p.m., the Sitting was resumed

The following Members also spoke to the motion:

Mr. Odinga Lumummba

Mr. Joseph Hamilton

The Minister of State

Ms. Gillian Persaud

Mr. Charles Ramson

The Minister of Foreign Affairs

Ms. Gail Teixeira

Thereafter the Minister of Public Telecommmunications with responsibility for Tourism replied.

The Bill was read a second time.

Ms. Gail Teixeira moved a motion for the Bill to be referred to a Special Select Committee.

The motion was put and negatived.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Parts 1 to 14** were passed as printed.

**Assembly resumed**

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11.

On a motion by the Minister of Public Telecommunications with responsibility for Tourism, the Telecommunications Bill 2016 was read a third time and passed as printed.

**SUSPENSION OF SITTING**

At 8.52 p.m., the Sitting was suspended for refreshments.

**RESUMPTION OF SITTING**

At 9.29 p.m., the Sitting was resumed.

**MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE ASSEMBLY AND MOVED BY A MINISTER-**

In Accordance with Standing Order No. 28(3), the Speaker’s consent was given to move the following motion:

**SUSPENSION OF STANDING ORDER NO. 104(9)**

The First Vice-President and Prime Minister moved the following motion:

BE IT RESOLVED:

That Standing Order No. 104(9) be suspended to enable the Assembly to proceed at its Sitting on Monday, 18th July, 2016, with the adoption of the Second Report of the

Standing Committee on Appointments to address matters relating to the Appointment of

the Director and Deputy Director of the Financial Intelligence Unit, which was presented

to the Assembly at today’s Sitting.

**(Notice Paper No. 58 (M45 Govt 32) published on 2016-07-18)**

The following Members spoke to the motion:

Ms. Gail Teixeira

The Attorney General and Minister of Legal Affairs

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12.

Thereafter the Prime Minister and First Vive-President replied.

The motion was put and carried.

**SUSPENSION OF STANDING ORDER NO. 10(1)**

At 10.00 p.m., the First Vice-President and Prime Minister moved that Standing Order No. 10(1) be suspended to enable the Assembly to conclude the debates on the Public Utilities Commission Bill 2016 and the Adoption of the Second Report of the Standing Committee on Appointments to Address matters Relating to the Appointment of the Director and Deputy Director of the Financial Intelligence Unit.

1. **PUBLIC UTILITIES COMMISSION BILL 2016 – Bill No. 16/2016 published on 2016-05-24**

The Minister of Public Telecommunications with responsibility for Tourism moved the second reading of the following Bill:

A BILL intituled AN ACT to make provision for the establishment, functions and procedure of the Public Utilities Commission and for matters connected therewith.

**(Read a first time on 2016-06-24)**

The following Members spoke to the motion:

Mr. Charles Ramson

The Minister of Business

Ms. Gillian Persaud

Thereafter the Minister of Public Telecommunications with responsibility for Tourism replied.

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13.

**Presiding by Mr. Jermaine Figueira, M.P.**

At 11:30 p.m. the Speaker withdrew from the Chamber and Mr. Jermaine Figueira, M.P., took the Chair.

**Speaker’s Return to the Chamber**

At 11:31 p.m. the Speaker returned to the Chamber.

The Bill was read a second time.

Assembly resolved itself into Committee to consider the Bill clause by clause.

**In Committee**

**Parts 1 to 15** were passed as printed

**Assembly resumed**

Ms. Gail Teixeira moved a motion for the Bill to be sent to a Special Select Committee.

The motion was put and negatived.

On a motion by the Minister of Public Telecommunications with responsibility for Tourism, the Public Utilities Commission Bill 2016 was read a third time and passed as printed.

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14.

**PUBLIC BUSINESS**

**(ii) COMMITTEES BUSINESS**

**MOTION**

**ADOPTION OF THE SECOND REPORT OF THE STANDING COMMITTEE ON APPOINTMENTS TO ADDRESS MATTERS RELATING TO THE APPOINTMENT OF THE DIRECTOR AND DEPUTY DIRECTOR OF THE FINANCIAL INTELLIGENCE UNIT**

The Minister of Public Health (Chairman 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, sections 5, as follows:-

*‘5. The Principal Act is amended by the substitution for section 8 of the following section as section 8-*

*8(1) “The National Assembly shall by -*

1. *a simple majority; and*
2. *on the recommendation of the Parliamentary Committee on Appointments, appoints the Director and Deputy Director of the Financial Intelligence Unit”.*

AND WHEREAS the Committee advertised the two positions and subsequently shortlisted eight (8) applicants for the position of Director and interviewed each in person and or via Skype;

AND WHEREAS the Committee shortlisted nine (9) applicants and interviewed each in person or by Skype for the position of Deputy Director;

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15.

AND WHEREASthe Committee on Appointmentsafter deliberations reached consensus and recommended **Mr. Matthew Edward Hugh Langevine** as the suitable candidate for the position of Director, respectively in accordance with the Anti-Money Laundering and Countering the Financing of Terrorism ( Amendment) Act 2015;

AND WHEREAS the Committee on Appointments after deliberations, by majority, recommended **Mr. Abiose Thomas** as the Deputy Director 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.

BE IT RESOLVED**:**

That this National Assembly adopts the Second Report of the Standing

Committee on Appointments to address matters relating to the appointment of the Director and Deputy Director of the Financial Intelligence Unit;

BE IT FURTHER RESOLVED:

That this National Assembly signifies to the Clerk of the National Assembly that **Mr. Matthew Hugh Edward Langevine** and **Mr. Abiose Thomas** be appointed in accordance section 5, of the Anti-Money Laundering and Countering the Financing of Terrorism Act No. 1 of 2015, Section 5.

**(Notice Paper No. 59 (M46 Committees 7) published on 2016-07-18)**

The following Members spoke to the motion:

Bishop Juan Edghill

The Minister of Public Infrastructure

Ms. Gail Teixeira

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16.

Thereafter the Minister of Public Health replied.

The motion was put and carried as amended.

**BIRTHDAY GREETINGS**

Mr. Irfaan Ali, M.P., extended birthday greetings to Ms. Gail Teixeira, M.P...The First Vice –President and Prime Minister joined Mr. Irfaan Ali in extending birthday greetings to Ms. Gail Teixeira.

**ADJOURNMENT**

At 1.11 a.m., on a motion by the First Vice-President and Prime Minister, the Assembly was adjourned to 2.00 p.m. on Thursday, 4th August, 2016.

**……………………………………………………………..**

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

**Speaker of the National Assembly**

**PARLIAMENT OFFICE,**

**Public Buildings,**

**Brickdam,**

**Georgetown.**

**18th July, 2016.**