

***NATIONAL ASSEMBLY OF THE FIRST SESSION OF
THE NINTH PARLIAMENT OF GUYANA (2006-2011)***

***REPORT OF
THE SPECIAL SELECT COMMITTEE
OF THE NATIONAL ASSEMBLY***

ON THE

***PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 –
BILL NO. 17 OF 2011***

PRESENTED TO THE NATIONAL ASSEMBLY

BY

THE CHAIRMAN OF THE COMMITTEE

ON

1ST SEPTEMBER, 2011

**REPORT OF THE SPECIAL SELECT COMMITTEE OF
THE NATIONAL ASSEMBLY ON THE
PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL
NO. 17 OF 2011**

Publication

1. The Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011 seeks to amend the Public Utilities Commission Act.
2. The Bill was published on 3rd August, 2011.

Introduction and First Reading

3. The Bill was introduced in the National Assembly and read for the first time on 4th August, 2011.

Second Reading

4. The Bill was read a second time in the National Assembly on the 11th August, 2011.

Committal to Select Committee

5. Following its second reading the Bill was committed by the National Assembly for consideration by a Special Select Committee.

Establishment of Special Select Committee

6. At the meeting held on the 12th August, 2011, the Committee of Selection established a Special Select Committee to consider the Public Utilities Commission (Amendment) Bill 2011 Bill No. 17 of 2011 and the Telecommunications Bill 2011 – Bill No. 18 of 2011.
7. No Members from the Opposition attended this meeting.

Members of the Special Select Committee

8. At the meeting held on the 12th August, 2011, the Committee of Selection nominated the following Members to comprise the Special Select Committee to consider the Telecommunications Bill 2011 – Bill No. 18 of 2011 and the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011.

Members of the People’s Progressive Party/Civic (PPP/C) (6)

The Hon. Samuel A.A. Hinds, M.P

The Hon. Clement J. Rohee, M.P.

The Hon. Manzoor Nadir, M.P.

The Hon. Jennifer I. Webster, M.P.

Mr. Mohabir A. Nandlall, M.P.

Mr. Odinga N. Lumumba, M.P.

Members of the People’s National Congress Reform – 1 Guyana (PNC/R-IG)

No nominations were made by the PNC/R-1G

Member of the Alliance For Change (AFC)

No nominations were made by the AFC

Due to the absence of the Members from the Opposition, from the meeting of the Committee of Selection, letters dated 15th August, 2011, were sent to the Leaders of the PNC/R -1G and the AFC enquiring whether their parties would be nominating Members to the Committee. To date there has been no response.

(See Appendix I for copies of letters sent)

First Meeting of the Committee – Election of Chairman

9. At the first meeting of the Special Select Committee established to consider the Telecommunications Bill 2011 – Bill No. 18 of 2011 and the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011, held on Wednesday, 17th August, 2011, the Committee elected the Hon. Samuel A.A. Hinds, M.P., Prime Minister and Minister of Public Works and Communication as Chairman of the Special Select Committee.

Meetings of the Committee

10. At the first meeting held on 17th August, 2011, the Committee agreed to meet twice per week on Monday and Wednesday at 1.00 p.m., with a minimum of two hours of deliberations.

Methodology

11. The Committee decided to consider the Telecommunications Bill – Bill No. 18 of 2011 followed by the Public Utilities Commission (Amendment) Bill 2011 – Bill No 17 of 2011.

It was also agreed that the Bills would be considered Clause by Clause and that there was no need to invite public submissions on the Bills since the Government had consultations with stakeholders as the Bills were being drafted.

Other Meetings of the Committee

12. At its third Meeting held on Thursday, 25th August, 2011, the Committee commenced consideration of the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011.

13. The Committee met on three (3) other occasions as follows:-

4th Meeting held on 29th August, 2011;

5th Meeting held on 30th August, 2011; and

6th Meeting held on 31st August, 2011.

(See Appendix II for the Attendance Record of the Committee.)

Consideration of Bill

14. The Committee considered the Long Title and Clauses of the Bill.

15. The following Clauses were amended:-

2, 4, 9, 10, 11, 12, 17, 19, 24, 27, 28, 29, 30, 31, 33 and 35.

16. *As part of the amendments made to the Bill, a new Clause (CLAUSE 15A) was included.*

17. The following Clauses were unaltered :-

1, 3, 5, 6, 7, 8, 13, 14, 15, 16, 18, 20, 21, 22, 23, 25, 26, 32 and 34.

18. The details of the amendments made to the Bill by the Committee are attached at Appendix III.

Report of the Special Select Committee

19. At its 6th meeting held on Wednesday, 31st August, 2011, the Special Select Committee on the Telecommunications Bill 2011 – Bill No. 18 of 2011 and the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011, agreed that this Report on its consideration of the Bill should be presented to the National Assembly.

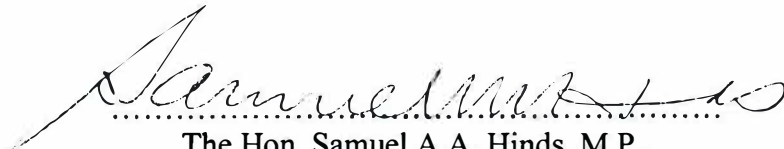
20. The Report is hereby submitted.

Minutes

21. The Minutes of the Proceedings of the Committee are at Appendix IV.

Records of the Proceedings

22. Records of the Proceedings of the Committee are being prepared and will be available at the Parliament Office.


The Hon. Samuel A.A. Hinds, M.P.,
Prime Minister and Minister of Public Works and Communication,
Chairman

Committees Division
Parliament Office
Public Buildings
Brickdam,
Georgetown.

31st August, 2011.

APPENDIX I

Tel: 226- 8456-9



Parliament Office,
Public Buildings,
Brickdam,
Georgetown,
Guyana.

15th August, 2011.

Mr. Robert Corbin, M.P.,
Leader of the Opposition and
Leader of the People's National Congress Reform (PNC/R),
Congress Place,
Sophia,
Georgetown.

Dear Mr. Corbin,

Re: Outstanding nomination of Members to the Special Select Committees on Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011 and Telecommunication Bill 2011 – Bill No. 18 of 2011.

The Committee of Selection held its **25th Meeting on Friday, 12th August, 2011**, for the purpose of nominating Members to the Special Select Committee on Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011, and the Telecommunications Bill 2011- Bill No. 18 of 2011.

Due to the absence of Members from the Opposition, I was directed by the Committee to enquire whether your party will be nominating Members to the Committee.

Further, I wish to advise you that the first meeting of the newly constituted Committee is scheduled for Wednesday, 17th August, 2011, at 1.00 p.m., at the Parliament Office.

The Committee looks forward to an early response.

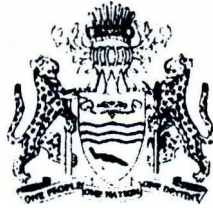
Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Ms. Sherene Warren'.

Ms Sherene Warren
Clerk of Committee
for Clerk of the National Assembly

Copy to:

Mr E Lance Carberry, M.P , Chief Whip



Tel: 226- 8456 9

Parliament Office,
Public Buildings,
Brickdam,
Georgetown,
Guyana.

15th August, 2011.

Mr. Raphael Trotman, M.P.,
Leader,
Alliance For Change,
56 Chalmers Place & Hadfield Streets
Georgetown.

Dear Mr. Trotman,

Re: Outstanding nomination of Members to the Special Select Committees on Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011 and Telecommunication Bill 2011 – Bill No. 18 of 2011.

The Committee of Selection held its **25th Meeting on Friday, 12th August, 2011**, for the purpose of nominating Members to the Special Select Committee on Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011, and the Telecommunications Bill 2011- Bill No. 18 of 2011.

Due to the absence of Members from the Opposition, I was directed by the Committee to enquire whether your party will be nominating Members to the Committee.

Further, I wish to advise you that the first meeting of the newly constituted Committee is scheduled for Wednesday, 17th August, 2011, at 1.00 p.m., at the Parliament Office.

The Committee looks forward to an early response.

Yours sincerely,

Ms Sherene Warren
Clerk of Committee
for Clerk of the National Assembly

APPENDIX II

SPECIAL SELECT COMMITTEE ON
THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 AND
THE TELECOMMUNICATIONS BILL 2011 – BILL NO. 18 OF 2011

**ATTENDANCE RECORD FOR MEETINGS HELD ON THE CONSIDERATION OF THE
PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 OF 2011**

NAME	August			
	25 th	29 th	30 th	31 st
The Hon. Samuel A. A. Hinds, M. P.	Pr.	Pr.	Pr.	Pr.
The Hon. Clement J. Rohee, M.P.	Abs.	Ex.	Ex.	Ex.
The Hon. Manzoor Nadir, M.P.	Pr.	Pr.	Pr.	Pr.
The Hon. Jennifer I. Webster, M.P.	Pr.	Pr.	Pr.	Pr.
Mr. Mohabir A. Nandlall, M.P.	Ex.	Ex.	Ex.	Abs.
Mr. Odinga Lumumba, M.P.	Pr.	Ex.	Pr.	Abs.

Pr. - Present
Abs. - Absent
Ex. - Excused

Committees Division
Parliament Office
Public Buildings
Georgetown

APPENDIX III

APPENDIX III

**Clause by Clause consideration of the Public Utilities Commission (Amendment) Bill
2011 - Bill No. 17 of 2011 showing approved amendments made by the Committee on
31st August, 2011**

CLAUSES OF THE BILL	AMENDMENTS
Clause 1 Short Title, Cap 57:01	Clause 1 was unaltered.
Clause 2 Amendment of the Arrangement of Sections of the Principal Act Paragraph (a) sections 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”; Paragraph (b) Paragraph (d)	section 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”; Unaltered Renumbered paragraph (c)
Clause 3 Amendment of section 2 of the Principal Act	Clause 3 was unaltered.

<p>Clause 4</p> <p>Amendment of section 3 of the Principal Act</p> <p>Subsection 1, paragraph (a)</p>	<p>1. in subsection (1) –</p> <p>(A) by the insertion above paragraph (a) of the following paragraph as paragraph (A) –</p> <p>‘(A) “agreement between the Government and a public utility” and “agreement between the Government and a public utility or telecommunications undertaking” means an agreement between the Government and the public utility or telecommunications undertaking itself, and not between the Government and any parent, subsidiary or other affiliate of a public utility or a telecommunications undertaking’;</p> <p>Renumbered paragraph (a)</p>
<p>Clause 5</p> <p>Amendment of section 4 of the Principal Act</p>	<p>Clause 5 was unaltered.</p>
<p>Clause 6</p> <p>Amendment of section 5 of the Principal Act</p>	<p>Clause 6 was unaltered.</p>
<p>Clause 7</p> <p>Amendment of section 7 of the Principal Act</p>	<p>Clause 7 was unaltered.</p>

<p>Clause 8</p> <p>Amendment of section 8 of the Principal Act</p>	<p>Clause 8 was unaltered.</p>
<p>Clause 9</p> <p>Amendment of section 10 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the <i>two other</i> places where it appears of the words “or a telecommunications undertaking”.</p>	<p>Unaltered</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the first and third places where it appears of the words “or a telecommunications undertaking”.</p>
<p>Clause 10</p> <p>Amendment of section 20 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of <i>fin</i>es to the Commission, all sums</p>	<p>Unaltered</p> <p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of fines and penalties to the</p>

<p>assessed by the Commission in the nature of fines <i>or</i> penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by such public utility, telecommunications undertaking, or other company or person.”.</p>	<p>Commission, all sums assessed by the Commission in the nature of fines and penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by such public utility, telecommunications undertaking, or other company or person.”.</p>
<p>Clause 11</p> <p>Amendment of section 21 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in subsection (2) <i>by</i> the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking.”.</p> <p>Paragraph (c)</p>	<p>Unaltered</p> <p>in subsection (2) and in the marginal note by the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking;”.</p> <p>Unaltered</p>
<p>Clause 12</p> <p>Amendment of section 22 of the Principal Act</p> <p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “<i>a</i> telecommunications undertaking”.</p>	<p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “or a telecommunications undertaking”.</p>

<p>Clause 13</p> <p>Amendment of section 23 of the Principal Act</p>	<p>Clause 13 was unaltered.</p>
<p>Clause 14</p> <p>Amendment of section 24 of the Principal Act</p>	<p>Clause 14 was unaltered.</p>
<p>Clause 15</p> <p>Amendment of section 36 of the Principal Act</p>	<p>Clause 15 was unaltered.</p>
	<p>Insertion of a new Clause 15A</p> <p>Section 50(1) of the Principal Act is amended as follows – by the substitution for the words “an annual compound rate of eight percent” of the words “a rate that is equivalent to the average treasury bill rate for the preceding three hundred and sixty-four days”.</p> <p>In the marginal note insert:</p> <p>“Amendment of section 50 of the Principal Act”</p>
<p>Clause 16</p> <p>Amendment of section 52 of the Principal Act</p>	<p>Clause 16 was unaltered.</p>

<p>Clause 17</p> <p>Amendment of section 53 of the Principal Act</p> <p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert <i>before</i> it the words “or telecommunications undertaking”.</p>	<p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert after it the words “or telecommunications undertaking”.</p>
<p>Clause 18</p> <p>Amendment of section 55 of the Principal Act</p>	<p>Clause 18 was unaltered.</p>
<p>Clause 19</p> <p>Amendment of section 56 of the Principal Act</p> <p>Paragraph (a)</p> <p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears <i>the of</i> words “or telecommunications undertaking”;</p> <p>Paragraph (b)</p>	<p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears of the words “or telecommunications undertaking”;</p> <p>Unaltered</p>
<p>Clause 20</p> <p>Amendment of section 57 of the Principal Act</p>	<p>Clause 20 was unaltered.</p>

<p>Clause 21</p> <p>Amendment of section 59 of the Principal Act</p>	<p>Clause 21 was unaltered.</p>
<p>Clause 22</p> <p>Amendment of section 60 of the Principal Act</p>	<p>Clause 22 was unaltered.</p>
<p>Clause 23</p> <p>Amendment of section 62 of the Principal Act</p>	<p>Clause 23 was unaltered.</p>
<p>Clause 24</p> <p>Amendment of section 64 of the Principal Act</p> <p>Paragraphs (a) to (c)</p> <p>Paragraph (d)</p> <p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ <i>and</i> a telecommunications undertaking”;</p> <p>Paragraph (e)</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ <i>and</i> telecommunications undertaking”.</p>	<p>Unaltered</p> <p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ or a telecommunications undertaking”;</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ or telecommunications undertaking”.</p>

<p>Clause 25</p> <p>Amendment of section 65 of the Principal Act</p>	<p>Clause 25 was unaltered.</p>
<p>Clause 26</p> <p>Amendment of section 66 of the Principal Act</p>	<p>Clause 26 was unaltered.</p>
<p>Clause 27</p> <p>Amendment of section 70 of the Principal Act</p> <p>Section 70 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>and</i> telecommunications undertaking”.</p>	<p>Section 70 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “or telecommunications undertaking”.</p>
<p>Clause 28</p> <p>Amendment of section 71 of the Principal Act</p> <p>Section 71 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>and</i> telecommunications undertaking” and by the insertion after the word “utility” in the marginal note of the words “or telecommunications undertaking”.</p>	<p>Section 71 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “or telecommunications undertaking” and by the insertion after the word “utility” in the marginal note of the words “or telecommunications undertaking”.</p>
<p>Clause 29</p> <p>Amendment of section 72 of the Principal Act</p> <p>Section 72 of the Principal Act is amended by the insertion immediately after the word</p>	<p>Section 72 of the Principal Act is amended by the insertion immediately after the word</p>

<p>“utility” of the words “<i>and</i> telecommunications undertaking”.</p>	<p>“utility” of the words “or telecommunications undertaking”.</p>
<p>Clause 30</p> <p>Amendment of section 73 of the Principal Act</p> <p>Section 73 of the Principal Act is amended by the insertion immediately after the word “utility” <i>where</i> it appears for the first, second and third times of the words “or telecommunications undertaking” and where the word “utility” appears for the fourth time by the insertion of the words “and telecommunications undertaking”; and in the marginal note by the insertion immediately after the word “utility” of the words “<i>or</i> telecommunications undertaking”.</p>	<p>Section 73 of the Principal Act is amended by the insertion immediately after the word “utility” wherever it appears and in the marginal note of the words “or telecommunications undertaking”.</p>
<p>Clause 31</p> <p>Amendment of section 75 of the Principal Act</p> <p>Paragraph (a)</p> <p>by re-numbering it as subsection (1) and in the re-numbered subsection by the insertion immediately after the word “utility” where it appears for the first time of the words “ <i>and</i> telecommunications undertaking” and where the word “utility” appears for the second time by the insertion of the words “<i>or</i> telecommunications undertaking” immediately after it,</p> <p>Paragraph (b)</p>	<p>re-numbering it as subsection (1) and in the re-numbered subsection by the insertion immediately after the word “utility” where it appears for the first time of the words “ or telecommunications undertaking” and where the word “utility” appears for the second time by the insertion of the words “or a telecommunications undertaking” immediately after it,</p> <p>Unaltered</p>

<p>Clause 32</p> <p>Amendment of section 82 of the Principal Act</p>	<p>Clause 32 was unaltered.</p>
<p>Clause 33</p> <p>Amendment of section 83 of the Principal Act</p> <p>Paragraph (a)</p> <p>in subsection (1) in the opening part and the marginal note by the insertion immediately after the word “utility” the words “ <i>and</i> telecommunications undertaking”, and in the ending part by the insertion immediately after the word “ utility” of the words “ <i>and</i> the telecommunications undertaking”;</p> <p>Paragraph (b)</p> <p>Paragraph (c)</p> <p>in subsection (3) by the insertion immediately after the word “utility” of the words “ <i>and</i> a telecommunications undertaking”;</p> <p>Paragraphs (d) and (e)</p>	<p>in subsection (1) in the opening part and the marginal note by the insertion immediately after the word “utility” the words “ or a telecommunications undertaking”, and in the ending part by the insertion immediately after the word “utility” of the words “ or the telecommunications undertaking”;</p> <p>Unaltered</p> <p>in subsection (3) by the insertion immediately after the word “utility” of the words “ or a telecommunications undertaking”;</p> <p>Unaltered</p>
<p>Clause 34</p> <p>Amendment of section 85 of the Principal Act</p>	<p>Clause 34 was unaltered.</p>

<p>Clause 35</p> <p>Amendment of section 87 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in paragraph (b) by the insertion immediately after the word “utilities” of the words “or telecommunications <i>undertaking</i>”, and by the insertion immediately after the word “utility” of the words “or a telecommunications undertaking”;</p> <p>Paragraphs (c) and (d)</p>	<p>Unaltered</p> <p>in paragraph (b) by the insertion immediately after the word “utilities” of the words “or telecommunications undertakings”, and by the insertion immediately after the word “utility” of the words “or a telecommunications undertaking”;</p> <p>Unaltered</p>
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APPENDIX IV

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)**

**MINUTES OF THE
3RD MEETING OF THE SPECIAL SELECT COMMITTEE ON THE PUBLIC UTILITIES
COMMISSION (AMENDMENT) BILL 2011 - BILL NO. 17 OF 2011 AND THE
TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011**

**HELD ON THURSDAY, 25TH AUGUST, 2011 AT 1.12 P.M. IN THE COMMITTEE ROOM NO.2
(GROUND FLOOR, WEST OF THE MAIN STAIRWAY), PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN.**

MEMBERS OF THE COMMITTEE (6)

CHAIRMAN

(Nominated by the Committee of Selection on 12th August, 2011)

(Elected by the Committee on 17th August, 2011)

The Hon. Samuel A.A. Hinds, M.P.,
Prime Minister and Minister of Public Works and Communication

From the People's Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 12th August, 2011)

The Hon. Clement J. Rohee, M.P., - (Absent)
Minister of Home Affairs

The Hon. Manzoor Nadir, M.P.,
Minister of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister within the Ministry of Finance

Mr. Mohabir A. Nandlall, M.P. - (Excused)

Mr. Odinga N. Lumumba, M.P.

From the People's National Congress Reform- 1 Guyana (PNC/R-1G)

No nominations were made by the PNC/R-1G.

From the Alliance For Change (AFC)

No nominations were made by the AFC.

Officers

Ms. Sherene Warren - Clerk of Committee
Ms. Candayce Girard - Assistant Clerk of Committees
Ms. Tracy Armstrong - Assistant Clerk of Committees

In Attendance:

Mr. Cecil Dhurjon - Chief Parliamentary Counsel
Ms. Gita Raghbir - Director of Telecommunication, Office of the President

ITEM 1: CALL TO ORDER

1.1 At 1.12 p.m., the Chairman called the meeting to order.

ITEM 2: ANNOUNCEMENT

2.1 Excuses:

2.1.1 The Committee was informed that Mr. Mohabir A. Nandlall, M.P., had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:-

- (i) Notice to attend the 3rd Meeting dated 23rd August, 2011;
- (ii) Minutes of the 2nd Meeting held on 22nd August, 2011; and
- (iii) Matrix showing amendments to the Telecommunications Bill 2011 – Bill No. 18 of 2011 approved by the Committee (Clauses 1 to 95).

3.2 The following documents were circulated at the meeting:-

- (i) Matrix showing additional proposed amendments to the Telecommunications Bill 2011- Bill No. 18 of 2011; and
- (ii) New matrix showing proposed amendments to the Public Utilities (Amendment) Bill – Bill No. 17 of 2011.

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 2ND MEETING HELD ON 22ND AUGUST, 2011.

4.1 Confirmation:

- 4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Jennifer I. Webster, M.P., and Mr. Odinga N. Lumumba, M.P., respectively.

ITEM 5: MATTERS ARISING

- 5.1 There were no matters arising from the Minutes.

ITEM 6: TO CONTINUE CONSIDERATION OF THE TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011

6.1 Consideration:

- 6.1.1 The Committee continued consideration of the Bill by examining the matrix (showing the Clause by Clause amendments to the Bill) with approved amendments by the Committee in collaboration with the matrix showing additional proposed amendments to the Bill.
- 6.1.2 In addition to the previous amendments made to the Bill, **Clauses 29 and 43** were amended. **Clauses 2, 40, 41, 79 and 85** were further amended.
- 6.1.3 Matrix showing the approved amendments made to the Bill by the Committee is appended to the Minutes.

6.2 Draft Report:

- 6.2.1 The Clerk was requested to prepare a Draft Report on the Telecommunication Bill 2011 – Bill No. 18 of 2011 for Members consideration at the next meeting of the Committee.

ITEM 7: TO COMMENCE CONSIDERATION OF THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 OF 2011

7.1 Consideration:

7.1.1 At 2.40 p.m. the Committee commenced Clause by Clause consideration of the Bill.

7.1.2 **Clause 1** was *accepted as presented*.

7.1.3 **Clause 2**

7.1.3.1 The Committee agreed to the following:

(i) Substitution of “*section 64*” for “*sections 64*” at **paragraph (a)**; and

(ii) Renumber paragraph (**d**) as paragraph (**c**).

7.1.4 Thereafter, further consideration of the Bill was deferred to the next meeting.

ADJOURNMENT

At 2.55 p.m. the meeting was adjourned to 1.00 p.m. on Monday, 29th August, 2011.

Confirmed this ^{29th}..... day of August, 2011


.....
The Hon. Samuel A.A. Hinds, M.P.
Prime Minister and Minister of Public Works and Communication
Chairman

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)**

**MINUTES OF THE
4TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE PUBLIC UTILITIES
COMMISSION (AMENDMENT) BILL 2011 - BILL NO. 17 OF 2011 AND THE
TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011**

**HELD ON MONDAY, 29TH AUGUST, 2011 AT 1.23 P.M. IN THE COMMITTEE ROOM NO.2
(GROUND FLOOR, WEST OF THE MAIN STAIRWAY), PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN.**

MEMBERS OF THE COMMITTEE (6)

CHAIRMAN

(Nominated by the Committee of Selection on 12th August, 2011)

(Elected by the Committee on 17th August, 2011)

The Hon. Samuel A.A. Hinds, M.P.,
Prime Minister and Minister of Public Works and Communication

From the People's Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 12th August, 2011)

The Hon. Clement J. Rohee, M.P., - (Excused)
Minister of Home Affairs

The Hon. Manzoor Nadir, M.P.,
Minister of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister within the Ministry of Finance

Mr. Mohabir A. Nandlall, M.P. - (Excused)

Mr. Odinga N. Lumumba, M.P. - (Excused)

From the People's National Congress Reform- 1 Guyana (PNC/R-1G)

No nominations were made by the PNC/R-1G.

From the Alliance For Change (AFC)

No nominations were made by the AFC.

Officers

Ms. Sherene Warren	- Clerk of Committee
Ms. Candayce Girard	- Assistant Clerk of Committees
Ms. Tracy Armstrong	- Assistant Clerk of Committees

In Attendance:

Mr. Cecil Dhurjon	- Chief Parliamentary Counsel
Ms. Gita Raghubir	- Director of Telecommunication, Office of the President

ITEM 1: CALL TO ORDER

1.1 At 1.23 p.m., the Chairman called the meeting to order.

ITEM 2: ANNOUNCEMENT

2.1 Excuses:

2.1.1 The Committee was informed that the following Members had asked to be excused from the meeting:-

- (i) The Hon. Clement J. Rohee, M.P.
- (ii) Mr. Mohabir A. Nandlall, M.P.
- (iii) Mr. Odinga N. Lumumba, M.P.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:-

- (i) Notice to attend the 4th Meeting dated 26th August, 2011;
 - (ii) Minutes of the 3rd Meeting held on 25th August, 2011;
 - (iii) Draft Report on the Telecommunications Bill 2011 – Bill No. 18 of 2011;
- and

- (iv) Matrix showing amendments to the Telecommunications Bill 2011- Bill No. 18 of 2011 approved by the Committee on 25th August, 2011.

3.2 The following documents were circulated at the meeting:-

- (i) Public Utilities Commission Act 1999 – Act No. 10 of 1999; and
(ii) Letters dated 15th August, 2011, to the Leader of the PNC/R -1G and the AFC, enquiring whether their parties would be nominating Members to the Committee.

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 3RD MEETING HELD ON 25TH AUGUST, 2011.

4.1 Confirmation:

- 4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Manzoor Nadir, M.P., and the Hon. Jennifer I. Webster, M.P., respectively.

ITEM 5: MATTERS ARISING

- 5.1 There were no matters arising from the Minutes.

ITEM 6: TO CONSIDER THE DRAFT REPORT OF THE TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011

6.1 Consideration:

- 6.1.1 The Committee examined the Draft Report paragraph by paragraph and made the following corrections:

6.1.1.1 **Page 2**

- Insertion of a new *paragraph (7)* to read:

“No Members from the Opposition attended this meeting.”

Thereafter, the subsequent paragraphs were renumbered.

6.1.1.2 **Page 3**

- Substitution of the words “*copies of letters sent*” for the words “*sample of letter sent*” in the parenthesis at the first paragraph.

6.1.1.3 **Page 4, paragraph 10 (New paragraph 11)**

- (i) Substitution of the Heading “*Methodology*” for “*Methodology Process*”.
- (ii) Substitution of the word “*submissions*” for the word “*submission*” in line 4.
- (iii) Substitution of the words “*stakeholders as the Bills were drafted*” for the words “*the telecommunications agencies in Guyana before the Bills were drafted*” in the last line.

6.1.1.4 **Page 5, paragraph 18 (New paragraph 19)**

- Deletion of the word “*accordingly*” before the word “*hereby*”.

6.1.1.5 **Page 6, paragraph 20 (New paragraph 21)**

- (i) Deletion of the word “*Verbatim*” at the beginning of the paragraph.
- (ii) Substitution of the words “*are being prepared and will be available at the Parliament Office*” for the words “*have been prepared and are available at the Parliament Office*”.

6.2. Thereafter, the Draft Report on the Telecommunication Bill 2011 – Bill No. 18 of 2011 was adopted by the Committee. The Committee agreed that the Report would be presented to the National Assembly on September 8th, 2011.

ITEM 7: TO CONTINUE CONSIDERATION OF THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 OF 2011

7.1 Consideration:

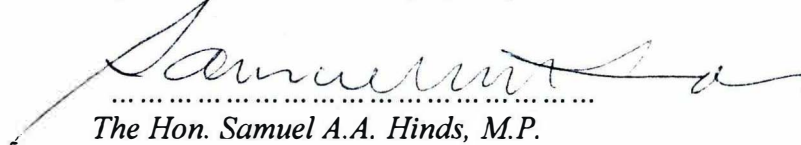
7.1.1 The Committee continued consideration of the Bill from Clause 3 and concluded at Clause 26.

- 7.1.2 The amendments made to the Bill are reflected in the appended matrix.
- 7.1.3 Thereafter, Members agreed that the Committee would meet on Tuesday, 30th August, 2011, at 12.00 p.m., to conclude consideration of the Bill.

ADJOURNMENT

At 4.00 p.m. the meeting was adjourned to 12.00 p.m. on Tuesday, 30th August, 2011.

Confirmed this day of August, 2011

A handwritten signature in cursive script, appearing to read 'Samuel A.A. Hinds', written over a horizontal dotted line.

*The Hon. Samuel A.A. Hinds, M.P.
Prime Minister and Minister of Public Works and Communication
Chairman*

29th August, 2011

**SPECIAL SELECT COMMITTEE ON
THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 -
BILL NO. 17 OF 2011
Amendments approved by the Committee**

CLAUSES OF THE BILL	AMENDMENTS
<p>Short Title, Cap 57:01</p> <p>Clause 1</p>	<p>Clause 1 was <i>accepted as presented</i>.</p>
<p>Amendment of the Arrangement of Sections of the Principal Act</p> <p>Clause 2, paragraph (a)</p> <p>sections 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”;</p> <p>Paragraph (b)</p> <p>Paragraph (d)</p>	<p>section 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”;</p> <p>Unaltered</p> <p>Renumbered paragraph (c)</p> <p>Clause 2 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 2 of the Principal Act</p> <p>Clause 3</p>	<p>Clause 3 was <i>accepted as presented</i>.</p>

<p>Amendment of section 3 of the Principal Act</p> <p>Clause 4</p>	<p>Insertion of a new subsection 1 (A):</p> <p>“agreement between the Government and a public utility” and “agreement between the Government and a public utility or telecommunications undertaking” means an agreement between the Government and the public utility or telecommunications undertaking itself, and not between the Government and any parent, subsidiary or other affiliate of a public utility or a telecommunications undertaking.”</p> <p>Clause 4 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 4 of the Principal Act</p> <p>Clause 5</p>	<p>Clause 5 was <i>accepted as presented</i>.</p>
<p>Amendment of section 5 of the Principal Act</p> <p>Clause 6</p>	<p>Clause 6 was <i>accepted as presented</i>.</p>
<p>Amendment of section 7 of the Principal Act</p> <p>Clause 7</p>	<p>Clause 7 was <i>accepted as presented</i>.</p>
<p>Amendment of section 8 of the Principal Act</p> <p>Clause 8</p>	<p>Clause 8 was <i>accepted as presented</i>.</p>

<p>Amendment of section 10 of the Principal Act</p> <p>Clause 9, paragraph (a)</p> <p>Paragraph (b)</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the <i>two other</i> places where it appears of the words “or a telecommunications undertaking”.</p>	<p>Unaltered</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the first and third places where it appears of the words “or a telecommunications undertaking”.</p> <p>Clause 9 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 20 of the Principal Act</p> <p>Clause 10, paragraph (a)</p> <p>Paragraph (b)</p> <p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of <i>fin</i>es to the Commission, all sums assessed by the Commission in the nature of fines or penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by such public</p>	<p>Unaltered</p> <p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of fines and penalties to the Commission, all sums assessed by the Commission in the nature of fines or penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by</p>

<p>utility, telecommunications undertaking, or other company or person.”.</p>	<p>such public utility, telecommunications undertaking, or other company or person.”.</p> <p>Clause 10 was the <i>accepted as amended</i>.</p>
<p>Amendment of section 21 of the Principal Act</p> <p>Clause 11, paragraph (a)</p> <p>Paragraph (b)</p> <p>in subsection (2) <i>by</i> the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking.”.</p> <p>Paragraph (c)</p>	<p>Unaltered</p> <p>in subsection (2) and in the marginal note by the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking.”.</p> <p>Unaltered</p> <p>Clause 11 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 22 of the Principal Act</p> <p>Clause 12</p> <p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “a telecommunications undertaking”.</p>	<p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “or telecommunications undertaking”.</p> <p>Clause 12 was then <i>accepted as amended</i>.</p>

<p>Amendment of section 23 of the Principal Act</p> <p>Clause 13</p>	<p>Clause 13 was <i>accepted as presented</i>.</p>
<p>Amendment of section 24 of the Principal Act</p> <p>Clause 14</p>	<p>Clause 14 was <i>accepted as presented</i>.</p>
<p>Amendment of section 36 of the Principal Act</p> <p>Clause 15</p>	<p>Clause 15 was <i>accepted as presented</i>.</p>
<p>Amendment of section 52 of the Principal Act</p> <p>Clause 16</p>	<p>Clause 16 was <i>accepted as presented</i>.</p>
<p>Amendment of section 53 of the Principal Act</p> <p>Clause 17</p> <p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert <i>before</i> it the words “or telecommunications undertaking”.</p>	<p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert after it the words “or telecommunications undertaking”.</p> <p>Clause 17 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 55 of the Principal Act</p> <p>Clause 18</p>	<p>Clause 18 was <i>accepted as presented</i>.</p>

<p>Amendment of section 56 of the Principal Act</p> <p>Clause 19, paragraph (a)</p> <p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears <i>the of</i> words “or telecommunications undertaking”;</p> <p>Paragraph (b)</p>	<p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears of the words “or telecommunications undertaking”;</p> <p>Unaltered</p> <p>Clause 19 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 57 of the Principal Act</p> <p>Clause 20</p>	<p>Clause 20 was <i>accepted as presented</i>.</p>
<p>Amendment of section 59 of the Principal Act</p> <p>Clause 21</p>	<p>Clause 21 was <i>accepted as presented</i>.</p>
<p>Amendment of section 60 of the Principal Act</p> <p>Clause 22</p>	<p>Clause 22 was <i>accepted as presented</i>.</p>
<p>Amendment of section 62 of the Principal Act</p> <p>Clause 23</p>	<p>Clause 23 was <i>accepted as presented</i>.</p>

<p>Amendment of section 64 of the Principal Act</p> <p>Clause 24, paragraphs (a) to (c)</p> <p>Paragraph (d)</p> <p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ <i>and</i> a telecommunications undertaking”;</p> <p>Paragraph (e)</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ <i>and</i> telecommunications undertaking”.</p>	<p>Unaltered</p> <p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ or a telecommunications undertaking”;</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ or telecommunications undertaking”.</p> <p>Clause 24 was then <i>accepted as amended</i>.</p>
<p>Amendment of section 65 of the Principal Act</p> <p>Clause 25</p>	<p>Clause 25 was <i>accepted as presented</i>.</p>
<p>Amendment of section 66 of the Principal Act</p> <p>Clause 26</p>	<p>Clause 26 was <i>accepted as presented</i>.</p>

**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)**

**MINUTES OF THE
5TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE PUBLIC UTILITIES
COMMISSION (AMENDMENT) BILL 2011 - BILL NO. 17 OF 2011 AND THE
TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011**

**HELD ON TUESDAY, 30TH AUGUST, 2011 AT 12.13 P.M. IN THE COMMITTEE ROOM NO.2
(GROUND FLOOR, WEST OF THE MAIN STAIRWAY), PUBLIC BUILDINGS, BRICKDAM,
GEORGETOWN.**

MEMBERS OF THE COMMITTEE (6)

CHAIRMAN

(Nominated by the Committee of Selection on 12th August, 2011)

(Elected by the Committee on 17th August, 2011)

The Hon. Samuel A.A. Hinds, M.P.,
Prime Minister and Minister of Public Works and Communication

From the People's Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 12th August, 2011)

The Hon. Clement J. Rohee, M.P.,
Minister of Home Affairs

- (Excused)

The Hon. Manzoor Nadir, M.P.,
Minister of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister within the Ministry of Finance

Mr. Mohabir A. Nandlall, M.P.

- (Excused)

Mr. Odinga N. Lumumba, M.P.

From the People's National Congress Reform- 1 Guyana (PNC/R-1G)

No nominations were made by the PNC/R-1G.

From the Alliance For Change (AFC)

No nominations were made by the AFC.

Officers

Ms. Sherene Warren	- Clerk of Committee
Ms. Candayce Girard	- Assistant Clerk of Committees
Ms. Tracy Armstrong	- Assistant Clerk of Committees

In Attendance:

Mr. Cecil Dhurjon	- Chief Parliamentary Counsel
Ms. Gita Raghurib	- Director of Telecommunication, Office of the President

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 12.13 p.m.

ITEM 2: ANNOUNCEMENT

2.1 Excuses:

2.1.1 The Committee was informed that the Hon. Clement J. Rohee, M.P., and Mr. Mohabir A. Nandlall, M.P., had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated at the meeting:-

- (i) Notice to attend the 5th Meeting dated 29th August, 2011;
- (ii) Minutes of the 4th Meeting held on 29th August, 2011; and
- (iii) Matrix showing amendments to the Public Utilities Commission (Amendment) Bill 2011- Bill No. 17 of 2011. (Clauses 1 to 26)

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 4TH MEETING HELD ON 29TH AUGUST, 2011.

4.1 Confirmation:

- 4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Jennifer I. Webster, M.P., and the Hon. Manzoor Nadir, M.P., respectively.

ITEM 5: MATTERS ARISING

- 5.1 There were no matters arising from the Minutes.

ITEM 6: TO CONCLUDE CONSIDERATION OF THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 OF 2011

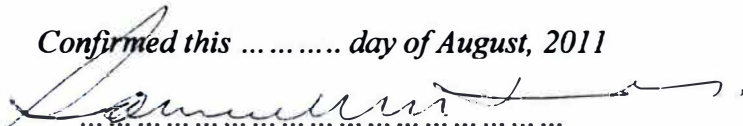
7.1 Consideration:

- 7.1.1 The Committee continued consideration of the Bill by examining the matrix (showing the Clause by Clause amendments to the Bill) with the approved amendments made by the Committee at its 4th Meeting held on 30th August, 2011.
- 7.1.2 In addition to the amendments made at that meeting, **Clauses 4, 10, 11, 12 and 15** were further amended.
- 7.1.3 Thereafter, the Committee concluded the consideration of the Bill by examining Clauses 27 to 35.
- 7.1.4 The amendments made to the Bill are reflected in the appended matrix.
- 7.1.5 Members then agreed that the Committee would meet on Wednesday, 31st August, 2011, at 12.30 p.m., to consider the Draft Report of the Bill.

ADJOURNMENT

At 1.10 p.m. the meeting was adjourned to 12.30 p.m. on Wednesday, 31st August, 2011.

Confirmed this day of August, 2011

A handwritten signature in blue ink, appearing to read 'Samuel A.A. Hinds', written over a dotted line.

*The Hon. Samuel A.A. Hinds, M.P.
Prime Minister and Minister of Public Works and Communication
Chairman*

31st August, 2011

SPECIAL SELECT COMMITTEE ON
THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 -
BILL NO. 17 OF 2011
Amendments approved by the Committee

CLAUSES OF THE BILL	AMENDMENTS
Clause 1 Short Title, Cap 57:01	Clause 1 was <i>accepted as presented</i> .
Clause 2 Amendment of the Arrangement of Sections of the Principal Act Paragraph (a) sections 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”; Paragraph (b) Paragraph (d)	section 64 – after the word “utilities” by the insertion of the words “ and telecommunications undertakings”; Unaltered Renumbered paragraph (c) Clause 2 was then <i>accepted as amended</i> .
Clause 3 Amendment of section 2 of the Principal Act	Clause 3 was <i>accepted as presented</i> .

<p>Clause 7</p> <p>Amendment of section 7 of the Principal Act</p>	<p>Clause 7 was <i>accepted as presented</i>.</p>
<p>Clause 8</p> <p>Amendment of section 8 of the Principal Act</p>	<p>Clause 8 was <i>accepted as presented</i>.</p>
<p>Clause 9</p> <p>Amendment of section 10 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the <i>two other</i> places where it appears of the words “or a telecommunications undertaking”.</p>	<p>Unaltered</p> <p>in paragraph (e) in the opening part by the insertion immediately after the word “utility,” of the words “a telecommunications undertaking, or” and by the insertion immediately after the word “utility” in the first and third places where it appears of the words “or a telecommunications undertaking”.</p> <p>Clause 9 was then <i>accepted as amended</i>.</p>
<p>Clause 10</p> <p>Amendment of section 20 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p>	<p>Unaltered</p>

<p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of <i>fin</i>es to the Commission, all sums assessed by the Commission in the nature of fines <i>or</i> penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by such public utility, telecommunications undertaking, or other company or person.”.</p>	<p>by substituting for subsection (4) of the following subsection as subsection (4) –</p> <p>“(4) Except to the extent that this Act or any other applicable written law, or regulations made under any of them, may designate the payment of fines and penalties to the Commission, all sums assessed by the Commission in the nature of fines and penalties imposed upon a public utility, a telecommunications undertaking, or any other company or person under this Act shall be paid directly to the Accountant General by such public utility, telecommunications undertaking, or other company or person.”.</p> <p>Clause 10 was the <i>accepted as amended</i>.</p>
<p>Clause 11</p> <p>Amendment of section 21 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in subsection (2) <i>by</i> the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking.”.</p> <p>Paragraph (c)</p>	<p>Unaltered</p> <p>in subsection (2) and in the marginal note by the substitution for the words “1990” of the words “2011”, by the insertion immediately after the word “utility” wherever it appears, of the words “or telecommunications undertaking;”.</p> <p>Unaltered</p>

	Clause 11 was then <i>accepted as amended</i> .
<p>Clause 12</p> <p>Amendment of section 22 of the Principal Act</p> <p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “a telecommunications undertaking”.</p>	<p>Section 22 of the Principal Act is amended by the insertion in paragraph (d) immediately after the word “utility” of the words “or a telecommunications undertaking”.</p> <p>Clause 12 was then <i>accepted as amended</i>.</p>
<p>Clause 13</p> <p>Amendment of section 23 of the Principal Act</p>	Clause 13 was <i>accepted as presented</i> .
<p>Clause 14</p> <p>Amendment of section 24 of the Principal Act</p>	Clause 14 was <i>accepted as presented</i> .
<p>Clause 15</p> <p>Amendment of section 36 of the Principal Act</p>	Clause 15 was <i>accepted as presented</i> .
	<p>Insertion of a new Clause 15A</p> <p>Section 50(1) of the Principal Act is amended as follows – by the substitution for the words “an annual compound rate of eight percent” of the words “a rate that is equivalent to the average treasury bill rate for the preceding three hundred and sixty-four days”.</p>

	<p>In the marginal note insert:</p> <p>“Amendment of section (50)(1) of the Principal Act”</p> <p>Clause 15(A) was then <i>accepted as proposed.</i></p>
<p>Clause 16</p> <p>Amendment of section 52 of the Principal Act</p>	<p>Clause 16 was <i>accepted as presented.</i></p>
<p>Clause 17</p> <p>Amendment of section 53 of the Principal Act</p> <p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert <i>before</i> it the words “or telecommunications undertaking”.</p>	<p>Section 53 of the Principal Act is amended by the insertion immediately after the word “utility” where it first appears of the words “or a telecommunications undertaking” and where the word “utility” appears for the second and third times insert after it the words “or telecommunications undertaking”.</p> <p>Clause 17 was then <i>accepted as amended.</i></p>
<p>Clause 18</p> <p>Amendment of section 55 of the Principal Act</p>	<p>Clause 18 was <i>accepted as presented.</i></p>
<p>Clause 19</p> <p>Amendment of section 56 of the Principal Act</p> <p>Paragraph (a)</p>	

<p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears <i>the of</i> words “or telecommunications undertaking”;</p> <p>Paragraph (b)</p>	<p>by the insertion in subsection (1) immediately after the word “Act” of the words “or any other applicable law” and by the insertion immediately after the word “utility” in the two places where it appears of the words “or telecommunications undertaking”;</p> <p>Unaltered</p> <p>Clause 19 was then <i>accepted as amended</i>.</p>
<p>Clause 20</p> <p>Amendment of section 57 of the Principal Act</p>	<p>Clause 20 was <i>accepted as presented</i>.</p>
<p>Clause 21</p> <p>Amendment of section 59 of the Principal Act</p>	<p>Clause 21 was <i>accepted as presented</i>.</p>
<p>Clause 22</p> <p>Amendment of section 60 of the Principal Act</p>	<p>Clause 22 was <i>accepted as presented</i>.</p>
<p>Clause 23</p> <p>Amendment of section 62 of the Principal Act</p>	<p>Clause 23 was <i>accepted as presented</i>.</p>
<p>Clause 24</p> <p>Amendment of section 64 of the Principal Act</p> <p>Paragraphs (a) to (c)</p>	<p>Unaltered</p>

<p>Paragraph (d)</p> <p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ <i>and</i> a telecommunications undertaking”;</p> <p>Paragraph (e)</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ <i>and</i> telecommunications undertaking”.</p>	<p>in subsections (4) and (6) by the insertion immediately after the words “utility” of the words “ <i>or</i> a telecommunications undertaking”;</p> <p>in subsection (5) by the insertion immediately after the word “utility” of the words “ <i>or</i> telecommunications undertaking”.</p> <p>Clause 24 was then <i>accepted as amended</i>.</p>
<p>Clause 25</p> <p>Amendment of section 65 of the Principal Act</p>	<p>Clause 25 was <i>accepted as presented</i>.</p>
<p>Clause 26</p> <p>Amendment of section 66 of the Principal Act</p>	<p>Clause 26 was <i>accepted as presented</i>.</p>
<p>Clause 27</p> <p>Amendment of section 70 of the Principal Act</p> <p>Section 70 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>and</i> telecommunications undertaking”.</p>	<p>Section 70 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>or</i> telecommunications undertaking”.</p> <p>Clause 27 was then <i>accepted as amended</i>.</p>

<p>Clause 28</p> <p>Amendment of section 71 of the Principal Act</p> <p>Section 71 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>and telecommunications undertaking</i>” and by the insertion after the word “utility” in the marginal note of the words “or telecommunications undertaking”.</p>	<p>Section 71 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “or telecommunications undertaking” and by the insertion after the word “utility” in the marginal note of the words “or telecommunications undertaking”.</p> <p>Clause 28 was then <i>accepted as amended</i>.</p>
<p>Clause 29</p> <p>Amendment of section 72 of the Principal Act</p> <p>Section 72 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “<i>and telecommunications undertaking</i>”.</p>	<p>Section 72 of the Principal Act is amended by the insertion immediately after the word “utility” of the words “or telecommunications undertaking”.</p> <p>Clause 29 was then <i>accepted as amended</i>.</p>
<p>Clause 30</p> <p>Amendment of section 73 of the Principal Act</p> <p>Section 73 of the Principal Act is amended by the insertion immediately after the word “utility” <i>where</i> it appears for the first, second and third times of the words “or telecommunications undertaking” and where the word “utility” appears for the fourth time by the insertion of the words “and telecommunications undertaking”;</p>	<p>Section 73 of the Principal Act is amended by the insertion immediately after the word “utility” wherever it appears and in the marginal note of the words “or telecommunications undertaking”.</p>

<p>and in the marginal note by the insertion immediately after the word “utility” of the words “or telecommunications undertaking”.</p>	<p>Clause 30 was then <i>accepted as amended</i>.</p>
<p>Clause 31</p> <p>Amendment of section 75 of the Principal Act</p> <p>Paragraph (a)</p> <p>by re-numbering it as subsection (1) and in the re-numbered subsection by the insertion immediately after the word “utility” where it appears for the first time of the words “ <i>and telecommunications undertaking</i>” and where the word “utility” appears for the second time by the insertion of the words “<i>or telecommunications undertaking</i>” immediately after it,</p> <p>Paragraph (b)</p>	<p>re-numbering it as subsection (1) and in the re-numbered subsection by the insertion immediately after the word “utility” where it appears for the first time of the words “ <i>or telecommunications undertaking</i>” and where the word “utility” appears for the second time by the insertion of the words “<i>or a telecommunications undertaking</i>” immediately after it,</p> <p>Unaltered</p> <p>Clause 31 was then <i>accepted as amended</i>.</p>
<p>Clause 32</p> <p>Amendment of section 82 of the Principal Act</p>	<p>Clause 32 was <i>accepted as presented</i>.</p>
<p>Clause 33</p> <p>Amendment of section 83 of the Principal Act</p> <p>Paragraph (a)</p> <p>in subsection (1) in the opening part and the</p>	<p>in subsection (1) in the opening part and the</p>

<p>marginal note by the insertion immediately after the word “utility” the words “ <i>and</i> telecommunications undertaking”, and in the ending part by the insertion immediately after the word “ utility” of the words “ <i>and</i> the telecommunications undertaking”;</p> <p>Paragraph (b)</p> <p>Paragraph (c)</p> <p>in subsection (3) by the insertion immediately after the word “utility” of the words “ <i>and</i> a telecommunications undertaking”;</p> <p>Paragraphs (d) and (e)</p>	<p>marginal note by the insertion immediately after the word “utility” the words “ or a telecommunications undertaking”, and in the ending part by the insertion immediately after the word “utility” of the words “ or the telecommunications undertaking”;</p> <p>Unaltered</p> <p>in subsection (3) by the insertion immediately after the word “utility” of the words “ or a telecommunications undertaking”;</p> <p>Unaltered</p> <p>Clause 33 was then <i>accepted as amended</i>.</p>
<p>Clause 34</p> <p>Amendment of section 85 of the Principal Act</p>	<p>Clause 34 was <i>accepted as presented</i>.</p>
<p>Clause 35</p> <p>Amendment of section 87 of the Principal Act</p> <p>Paragraph (a)</p> <p>Paragraph (b)</p> <p>in paragraph (b) by the insertion immediately after the word “utilities” of the words “or telecommunications <i>undertaking</i>”, and by the insertion immediately after the word “utility” of the words “or a</p>	<p>Unaltered</p> <p>in paragraph (b) by the insertion immediately after the word “utilities” of the words “or telecommunications undertakings”, and by the insertion immediately after the word “utility” of the words “or a</p>

<p>telecommunications undertaking”;</p> <p>Paragraphs (c) and (d)</p>	<p>telecommunications undertaking”;</p> <p>Unaltered</p> <p>Clause 35 was then <i>accepted as amended</i>.</p>
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**THE NATIONAL ASSEMBLY OF THE FIRST SESSION
OF THE NINTH PARLIAMENT OF GUYANA (2006- 2011)**

**MINUTES OF THE
6TH MEETING OF THE SPECIAL SELECT COMMITTEE ON THE PUBLIC UTILITIES
COMMISSION (AMENDMENT) BILL 2011 - BILL NO. 17 OF 2011 AND THE
TELECOMMUNICATIONS BILL 2011 - BILL NO. 18 OF 2011**

**HELD ON WEDNESDAY, 31ST AUGUST, 2011 AT 1.52 P.M. IN THE COMMITTEE ROOM
NO.2 (GROUND FLOOR, WEST OF THE MAIN STAIRWAY), PUBLIC BUILDINGS,
BRICKDAM, GEORGETOWN.**

MEMBERS OF THE COMMITTEE (6)

CHAIRMAN

(Nominated by the Committee of Selection on 12th August, 2011)

(Elected by the Committee on 17th August, 2011)

The Hon. Samuel A.A. Hinds, M.P.,
Prime Minister and Minister of Public Works and Communication

From the People's Progressive Party/ Civic (PPP/C) (5)

(Nominated by the Committee of Selection on 12th August, 2011)

The Hon. Clement J. Rohee, M.P., - (Excused)
Minister of Home Affairs

The Hon. Manzoor Nadir, M.P.,
Minister of Labour

The Hon. Jennifer I. Webster, M.P.,
Minister within the Ministry of Finance

Mr. Mohabir A. Nandlall, M.P. - (Absent)

Mr. Odinga N. Lumumba, M.P. - (Absent)

From the People's National Congress Reform- 1 Guyana (PNC/R-1G)

No nominations were made by the PNC/R-1G.

From the Alliance For Change (AFC)

No nominations were made by the AFC.

Officers

Ms. Sherene Warren	- Clerk of Committee
Ms. Candayce Girard	- Assistant Clerk of Committees
Ms. Tracy Armstrong	- Assistant Clerk of Committees

In Attendance:

Mr. Cecil Dhurjon	- Chief Parliamentary Counsel
Ms. Gita Raghbir	- Director of Telecommunication, Office of the President

ITEM 1: CALL TO ORDER

1.1 The Chairman called the meeting to order at 1.52 p.m.

ITEM 2: ANNOUNCEMENT

2.1 Excuse:

2.1.1 The Committee was informed that the Hon. Clement J. Rohee, M.P., had asked to be excused from the meeting.

ITEM 3: CIRCULATION OF DOCUMENTS

3.1 The following documents were circulated prior to the meeting:-

- (i) Notice to attend the 6th Meeting dated 30th August, 2011;
- (ii) Minutes of the 5th Meeting held on 30th August, 2011;
- (iii) Matrix showing amendments to the Public Utilities Commission (Amendment) Bill 2011- Bill No. 17 of 2011;
- (iv) Draft Report on the Public Utilities Commission (Amendment) Bill 2011- Bill No. 17 of 2011; and
- (v) Corrected Report on the Telecommunications Bill 2011 – Bill No. 18 of 2011.

3.2 The following documents were circulated at the meeting:-

- (i) Corrected Matrix showing amendments to the Public Utilities Commission (Amendment) Bill 2011- Bill No. 17 of 2011;

- (ii) Attendance Record for Meetings held on the consideration of the Public Utilities Commission (Amendment) Bill 2011 – Bill No. 17 of 2011; and
- (iii) Attendance Record for Meetings held on the consideration of the Telecommunications Bill 2011 – Bill No. 18 of 2011.

ITEM 4: CORRECTION AND CONFIRMATION OF MINUTES OF THE 5TH MEETING HELD ON 30TH AUGUST, 2011.

4.1 Confirmation:

- 4.1.1 The Minutes were confirmed, without corrections, on a motion moved and seconded by the Hon. Jennifer I. Webster, M.P., and the Hon. Manzoor Nadir, M.P., respectively.

ITEM 5: MATTERS ARISING

- 5.1 There were no matters arising from the Minutes.

ITEM 6: TO CONSIDER THE DRAFT REPORT ON THE PUBLIC UTILITIES COMMISSION (AMENDMENT) BILL 2011 – BILL NO. 17 OF 2011

6.1 Consideration:

- 6.1.1 The Committee examined the Draft Report paragraph by paragraph and made the following corrections:

- 6.1.1.1 **Page 1, paragraph 4**

- Deletion of the word “*also*” after the word “*read*” in the paragraph.

- 6.1.1.2 **Page 1, paragraph 5**

- Deletion of the words “*on the 11th August, 2011*” after the word “*Committee*” in the last line.

- 6.1.1.3 **Page 2, paragraph 8**

- Substitution of the word “*the*” for the word “*a*” in line 1.

6.1.1.4 Page 3, paragraph 10

- (i) Deletion of the word “*also*” after the word “*Committee*” in line 1.
- (ii) Insertion of the word “*of*” after the word “*hours*” in line 2.

6.1.1.5 Page 4, paragraph 12

- Deletion of the word “*meeting*” after the word “*its*” in line 1.

6.1.1.6 Page 4, paragraph 14

- Substitution of the word “*Long*” for the word “*Short*” in the paragraph.

6.1.1.7 Page 6, paragraph 22

- Substitution of the Heading “*Records of the Proceedings*” for “*Verbatim Records*”.

6.2 Thereafter, the Draft Report on the Bill was adopted by the Committee. The Committee agreed that the Report would be presented to the National Assembly on September 1st, 2011.

ITEM 7: ANY OTHER BUSINESS

7.1 Expression of Gratitude:

7.1.1 The Chairman thanked Members for their support and the earnestness with which they considered the Bills. He also expressed appreciation to Mr. Dhurjon and Ms. Raghbir for the technical/legal assistance given to Members, and the staff for their support to the Committee during its deliberations.

TERMINATION

At 1.25 p.m. the meeting was terminated.

(Unconfirmed)