

TENTH PARLIAMENT OF GUYANA

FIRST SESSION (2012)

NATIONAL ASSEMBLY

RESOLUTION NO. 31

RESOLVED,

That this National Assembly, in accordance with Standing Order No. 52(1), grant leave for the introduction and first reading of the Fiscal Management and Accountability (Amendment) Bill 2012 – Bill No. 24/2012 –

A BILL intituled AN ACT to amend the Fiscal Management and Accountability Act 2003.

Passed by the National Assembly on Monday, 17th December, 2012.

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S.E. ISAACS
Clerk of the National Assembly

TENTH PARLIAMENT OF GUYANA

FIRST SESSION (2012)

NATIONAL ASSEMBLY

RESOLUTION NO. 32

WHEREAS on the 27th day of June, 2012, a Motion of this National Assembly was successfully approved which said Motion, among other things, resolved that the responsible Minister of Government:

- (a) Makes financial provision for the urgent commencing of an independent financial audit of the operations of National Industrial Commercial Investment Limited (NICIL); and
- (b) Provides the National Assembly as early as possible with:
 - (i) A detailed report on the disposal by sale or otherwise of all state assets entrusted on NICIL and the Privatisation Unit, the terms on which they were disposed of and the criteria used;
 - (ii) The outstanding bi-annual reports and annual audited accounts required of NICIL and the Privatisation Unit under the relevant legislation;
 - (iii) The handing over report from the Former Executive Director of NICIL (and Head of the Privatisation Unit and), Winston Brassington; and
 - (iv) Report on the disposal by sale or otherwise of all other state assets, including the terms on which they were disposed of and the criteria used;

AND WHEREAS the responsible Minister has failed to fully comply with the terms of the above-mentioned Motion, now known as Resolution No. 14 of 2012 of this National Assembly, to make the necessary financial provision or to provide the reports and information thereunder;

2.

AND WHEREAS it is a notorious fact that NICIL has prime State Lands known as Block Apha, Kingston vested to it by Order of Minister Ashni Singh dated 23rd November, 2010 which vested is an illegality since NICIL is not a public corporation;

AND WHEREAS another illegality occurred when NICIL leased the said Block Alpha, Kingston for 99 (ninety-nine) years to a subsidiary company of NICIL, namely, Atlantic Hotels Incorporated which is the front company for the Marriot Hotel Project;

AND WHEREAS the moneys being invested by NICIL into Atlantic Hotels Incorporated are public moneys as defined by the Constitution and the Fiscal Management and Accountability Act, which monies ought to be made payable into the Consolidated Fund;

AND WHEREAS the expenditure of public monies, to be constitutional and lawful, has to be authorised for spending and/or investment by the majority approval of the National Assembly;

AND WHEREAS Government is using NICIL as an instrument, whether directly or indirectly through its subsidiary Atlantic Hotels Incorporated, to unlawfully acquire public lands and then to lease such lands, and also to spend billions of dollars of public monies into the Marriot Hotel Project so as to avoid and evade authorization and approval of the National Assembly,

RESOLVED,

1. That NICIL, excepting those necessary administrative costs for maintaining its running operations annually, forthwith pays into the Consolidated Fund all revenues and proceeds from the sale of all properties and shares of companies belonging to the State and vested in the name of NICIL during the period 1992 to 2012; and

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3.

2. That no further expenditure be incurred by NICIL or its subsidiary Atlantic Hotels Incorporated on the Marriot Hotel Project without the authorisation and approval of this National Assembly.

Passed by the National Assembly on Monday, 17th December, 2012.

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S.E. ISAACS
Clerk of the National Assembly