



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2007/8 SESSION

**Hon. Edna M. Moyle, JP
Speaker**

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MEMBERS OF THE LEGISLATIVE ASSEMBLY

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Elected Member for North Side

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First Official Member Responsible for Internal and External Affairs

Hon. Samuel W. Bulgin, QC, JP

Second Official Member Responsible for Legal Affairs

Hon. G. Kenneth Jefferson, JP

Third Official Member Responsible for Finance and Economics

Hon. D. Kurt Tibbetts, JP

Honourable Leader of Government Business,

Minister of District Administration, Planning, Agriculture and Housing

Hon. Anthony S. Eden, OBE, JP

Minister of Health and Human Services

Hon. Alden M. McLaughlin, Jr., JP

Minister of Education Training, Employment, Youth, Sports and Culture

Hon. V. Arden McLean, JP

Minister of Communications, Works and Infrastructure

Hon. Charles E. Clifford, JP

Minister of Tourism, Environment, Investment and Commerce

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Ms. Lucille D. Seymour, BEM

Third Elected Member for George Town

Mr. W. Alfonso Wright

Fourth Elected Member for George Town

Mr. Osbourne V. Bodden

Third Elected Member for Bodden Town

Mr. Moses I. Kirkconnell, JP

Second Elected Member for Cayman Brac
and Little Cayman

OPPOSITION MEMBERS

Hon. W. McKeeva Bush, OBE, JP

Honourable Leader of the Opposition,
First Elected Member for West Bay

Mr. Rolston M. Anglin

Second Elected Member for West Bay

Mr. Cline A. Glidden, Jr.

Deputy Speaker

Third Elected Member for West Bay

Capt. A. Eugene Ebanks, JP

Fourth Elected Member for West Bay

Mrs. Juliana Y. O'Connor-Connolly, JP

First Elected Member for Cayman Brac
and Little Cayman

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Abbreviations: (1r), (2r), (3r), first, second, third reading; (A) Amendment; (C), Committee; **CAL**, Cayman Airways, Ltd.; **CAYFIN**, Cayman Islands Financial Reporting Unit; **C&W**, Cable & Wireless (CI) Ltd.; **CUC**, Caribbean Utilities Co. Ltd.; **GM**, Government Motion; **PPM**, People's Progressive Movement; **PMM**, Private Member's Motion; **PQ**, Parliamentary Question; **PWD**, Public Works Department; (R), Report; **SO**, Standing Order; **UDP**, United Democratic Party

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 - (ii) what is the current number of Civil Servants;
 - (iii) how many new positions have been filled by Caymanians; and
 - (iv) to give a break-down, by Ministry, of additional staff. (*Answered in writing*)
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**OFFICIAL HANSARD REPORT**  
**STATE OPENING AND BUDGET ADDRESS**  
**27 APRIL 2007**  
**9.45 AM**  
*First Sitting*

**The Speaker:** I call on Pastor Arch to say Prayers.

**PRAYERS**

**Pastor James Arch:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee to so direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among all. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that they may be enabled faithfully to perform the responsible duties of their high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**Proceedings resumed**

**The Speaker:** Please be seated.

**READING OF PROCLAMATION NO. 2  
SUMMONING OF THE NEW 2007/2008  
SESSION OF THE LEGISLATIVE  
ASSEMBLY BY HIS EXCELLENCY  
THE GOVERNOR**

**The Clerk:** Proclamation No. 2 of 2007 by His Excellency Stuart Duncan MacDonald Jack, Commander of the Victorian Order, Governor of the Cayman Islands.

**WHEREAS section 46(1) of the Constitution of the Cayman Islands provides that the ses-**

**sions of the Legislative Assembly of the Cayman Islands shall be held at such places and begin at such times as the Governor may from time to time by Proclamation appoint:**

**NOW, THEREFORE, I, Stuart Duncan MacDonald Jack, CVO, Governor of the Cayman Islands, by virtue of the powers conferred upon me by the said section 46 (1) of the Constitution of the Cayman Islands HEREBY PROCLAIM that a session of the Legislative Assembly of the Cayman Islands shall be held at the Legislative Assembly Building in George Town, in the Island of Grand Cayman beginning at 10:00 a.m. on Friday, the twenty-seventh day of April, 2007.**

**GIVEN UNDER MY HAND AND THE PUBLIC SEAL OF THE CAYMAN ISLANDS AT GEORGE TOWN IN THE ISLAND OF GRAND CAYMAN ON THIS TWENTY-SEVENTH DAY OF FEBRUARY IN THE YEAR OF OUR LORD TWO THOUSAND AND SEVEN IN THE FIFTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II.**

**Motion for the Suspension of the House**

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you and a very good morning to you, Madam Speaker, and colleagues and all members of the public in the Chamber. I move that this honourable House do rise to await the arrival of His Excellency the Governor to receive a gracious message from the Throne.

**The Speaker:** The question is that this honourable House do rise to await the arrival of His Excellency the Governor to receive a gracious message from the Throne. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The House will be suspended to await the arrival of His Excellency.

**Agreed:** That this honourable House do rise to await the arrival of His Excellency the Governor to receive a gracious Message from the Throne.

**Proceedings suspended at 9.47 am**

## ARRIVAL OF HIS EXCELLENCY THE GOVERNOR

*[The Governor's Aide-de-Camp gave three knocks on the door at 10 am]*

**The Serjeant-at-Arms:** His Excellency the Governor.  
All stand.

### Procession:

*Serjeant-at-Arms  
Honourable Speaker  
His Excellency the Governor  
Mrs. Jack  
Aide-de-Camp  
Clerk of the Legislative Assembly  
Deputy Clerk of the Legislative Assembly*

## INVITATION BY THE SPEAKER

**The Speaker:** I now invite His Excellency the Governor to address this honourable House.

## THE THRONE SPEECH Delivered by His Excellency the Governor, Mr. Stuart D. M. Jack, CVO

**His Excellency the Governor:** Madam Speaker, Members of the Legislative Assembly.

We can look forward to the next financial year with considerable confidence, though we cannot afford to be complacent about the many challenges that we will doubtless face.

Perhaps the biggest challenge will be to think about the implications for the Cayman Islands of major worldwide and regional developments.

Globalisation means the easier flow of people, money and work between countries. It represents both an opportunity and a challenge for the Cayman Islands. The Cayman Islands are major beneficiaries of globalisation. It is the basis of our two main industries, tourism and finance. But with these opportunities come potential problems. To remain a beneficiary of globalisation and yet be able to address its challenges, we need to understand the way globalisation works, to plan for contingencies, to be flexible and ready to move quickly. This could affect many areas of government such as economic policy, education (which is vital if we are to keep up with globalisation), international relations, security, immigration policy and even health.

A second major challenge is climate change. There is an undeniable global consensus that climate change is happening, caused by human activities. We must now start addressing its implications for us, including in our planning and building regulations as well as in our disaster preparedness. The conse-

quences of not doing so could be dire, especially for islands such as ours.

Third, we must have an eye to developments in neighbouring countries that might create either problems for us – such as in crime or migration, or opportunities for collaboration.

In facing these three challenges and others, we can draw on the many strengths of these islands.

Our economy is strong. Although inevitably changing, our society remains strong, as do the values on which it is based, including Christian values, democratic and accountable government, and respect for human rights.

Ties with the United Kingdom and with the Royal Family also remain strong, as demonstrated during the visit of His Royal Highness Prince Edward. As we review the constitutional relationship with Britain over the coming months, I hope that the people of these islands will actively take part in the public consultation process that the Government and political parties will be leading.

As for the areas for which I as Governor am responsible and the personal priorities that I set out on my arrival, I am confident that we will make further progress over the next year, building on the achievements of the recent past. That applies to law and order. We will continue to strengthen the police and the criminal justice system and to clamp down on crime. Our main focuses will include how we can prevent young people turning to crime, how we can reduce recidivism on the part of convicted criminals, how we can reduce the death toll on our roads, and how we can make the seas around our coasts safer and more secure. Serious work in all these areas is already in hand.

An especially encouraging feature of this work has been—and as far as I am concerned will continue to be—a team effort among all relevant parts of government and beyond.

The same goes for another of my priorities: disaster preparedness. As the new agency, Hazard Management Cayman Islands, builds up its capability over the coming year, we will be able not only to improve further the very good hurricane plans we already have but also to do the same for a wider range of hazards or possible disasters. In doing so, we will want both a joined-up effort across government and closer cooperation with the private and voluntary sectors.

We will also be working to improve the efficiency of the Civil Service and its responsiveness to the needs of Government and the wider community. Our aim will be a better trained, better managed Civil Service that provides an improved service to its customers whether they be Ministers or members of the public.

One very promising development will be the new Civil Service College that the Honourable Chief Secretary and the Portfolio of the Civil Service are establishing in partnership with the University College

of the Cayman Islands. I am setting up an award for excellent customer service by civil servants, and will in due course be inviting nominations from the public.

Beginning with the Judicial Branch of Government, I now turn my focus to the plans of various Ministries, Portfolios and Departments.

### **Judicial Administration**

During the next fiscal year, several operational and logistical improvements are set to enhance efficiency for the Judicial Administration and Judiciary.

A project committee is overseeing architectural aspects of the much-anticipated Summary Court Building, for which ground breaking is scheduled by the end of this year. A Commercial Division of the Grand Court is likewise being initiated, to deal with complex cases arising from local and international business and trust disputes, and a Drug Treatment Court will become operational within the next two months.

### **Legislative Assembly**

In conjunction with its progression as an independent branch of government, the Legislative Assembly is continuing its modernisation with a review of Standing Orders (2006 Revision). A website for Parliament is expected to be launched this August.

### **The Audit Office**

For the 2007/8 fiscal year, the Auditor General plans three new value-for-money audits, to focus on construction projects, customs waivers and duties, and issues relevant to Cayman Brac and Little Cayman. In addition, the Audit Office will complete work on project management within government.

### **The Cabinet Office**

The Cabinet Office will continue to develop strategic services for government, while encouraging public participation via several newly established agencies.

Accordingly, the Protocol Office will focus on developing standards and policies in keeping with both international practices and local traditions, while the equally new Freedom of Information Unit will coordinate preparedness activities for public entities. An independent Information Commissioner will be vested with both investigatory and enforcement powers.

Also newly established, the Constitutional Review Secretariat's research on constitutional options is already underway. This will be followed by public consultation, eventually leading to a national referendum. Results will provide the mandate upon which government will negotiate with the United Kingdom to achieve a new and updated Cayman Islands Constitution.

In other areas, Computer Services will develop an e-government initiative to facilitate wider online public service delivery; Government Information Services will focus on strengthening its strategic approaches to public education and issues management, and the Temporary Housing Unit will monitor the relocation of temporary trailer homes to a secure holding site from which they may be readily re-deployed if needed.

### **The Portfolio of Internal and External Affairs**

The Portfolio of Internal and External Affairs has been strengthened by additional staff and expanded accommodations. This is to support the Portfolio's 2007/8 thrust towards enhancing public safety in a range of areas.

For the Royal Cayman Islands Police Service, strategic priorities for 2007/8 will focus on further lowering serious crime, reducing road traffic casualties and increasing detection rates. National security will also be enhanced by improving prisoner education and rehabilitation programmes and introducing "best practice" legislation.

The National Hazard Management Plan will define priorities for hazard management planning and enhance coordination of disaster mitigation and management programmes. 9-1-1 Emergency Communications will also strengthen disaster and major incident preparedness, while assuming a new responsibility—electronic monitoring—under the Government's anticipated alternative sentencing programme. Immigration services will be strengthened in terms of measures to detect and prosecute those who fail to observe immigration laws and regulations.

The achievement of these goals will require appropriate human resource capabilities and practices, development of physical infrastructure, and the acquisition of specialist equipment. These will include:

- Additional sea-going vessels, permitting more effective policing of Cayman's borders, as well as a new Marine and Drugs Task Force Building.
- Construction of a Bodden Town Emergency Centre, to incorporate Fire, Police and Paramedic Services. Facilities and equipment will also be expanded on Cayman Brac.
- Completion of designs for a purpose-built Emergency Operations Centre (EOC);
- Construction of a new National Archive facility, completion of which is expected to coincide with the start of the 2009 hurricane season; and,
- In the area of immigration, acquisition of technology to detect false documents and read biometric data.

### **The Portfolio of the Civil Service**

Previously a provider of traditional human resource services, the Portfolio of the Civil Service now serves as government's strategic advisor on HR matters.

In this new capacity, the Portfolio will in 2007/8 continue restructuring as it focuses on developing audit programmes, promoting and facilitating effective HR practices, supporting the decentralisation of human resource aspects of government's financial management database, and expanding activities undertaken by its Strategic HR Unit.

A major undertaking for the Portfolio is the launch of the Civil Service College which will be ready for course participants this September.

### **The Portfolio of Legal Affairs**

In its continuing effort to remain attuned to community needs, the Portfolio of Legal Affairs will focus on expanding current services.

The Legislative Drafting Department will add staff experienced in the area of financial services legislation and the year's legislative programme will include a new Proceeds of Criminal Conduct Law and amendments to the Police Law. Work will continue on assisting with the practical aspects of introducing alternative sentencing legislation and establishing the Drug Court.

Plans for the Law School include the introduction of a Master's programme in international finance.

The Attorney General's Chambers will appoint dedicated in-house attorneys to cover emerging Human Rights issues, and—with the aim of improving crime-detection—mid-2007 will also see the formal opening of expanded forensic services, to include DNA testing.

The Law Reform Commission will complete work on the Corporate Insolvency Review, the Residential Tenancies Bill and the Legal Practitioners Bill. The commission further anticipates drafting a Legal Aid Bill, anti-corruption legislation and a Charities Bill.

### **The Portfolio of Finance & Economics**

During the 2007/8 financial year, the Portfolio of Finance & Economics will again provide government with financial and economic and accounting services and advice, while supporting the financial services sector and improving Cayman's business environment.

Key internal goals include independent evaluations of departments' management systems; automation of the management of containerised cargo, and sourcing of a new IT system to support enhanced pensions administration.

In delivering services to local and international business, the Portfolio will upgrade the General Registry's online system, enabling electronic fee submis-

sions, and will also expand online payment capability for the shipping sector. This comes in the wake of Maritime Authority plans to establish and expand shipping services in Asia, Fort Lauderdale, France, London and Singapore, and to seek associate members status within the International Maritime Organization.

The Portfolio will also continue efforts to position Cayman as a leading international business centre, undertaking several 2007/8 scheduled key policy and legislative activities. These will include the Cayman Islands Monetary Authority's actions based on assessment and impact studies of various international requirements. At home, the Authority will issue new and updated policies, procedures and guidance notes.

### **The Ministry of District Administration, Planning, Agriculture and Housing**

Activities for the Ministry of District Administration, Planning, Agriculture and Housing will, in 2007/8, set the stage for a higher standard of development for Cayman's people. This will be achieved by promoting a more comprehensive approach to planning and through delivering policies and services that support positive economic growth.

Directly-related initiatives will include the tabling of an updated Development Plan for Grand Cayman. The Planning Department will also implement the Builders Bill, designed to protect both homeowners and construction personnel, while the National Housing Development Trust will continue to focus on the provision of affordable housing for low-income Caymanians.

Capital projects will include the largest government project thus far – the new government office building, scheduled for completion in 2009. Slated for construction is a new state-of-the-art civic centre for the district of Bodden Town which will serve as a Category 'A' hurricane shelter. Also scheduled are: construction of a new custom-built Mosquito Research and Control Unit's hangar on Grand Cayman, and an MRCU building on Cayman Brac.

Agriculture Department staff will develop plans for a new strategic direction, to include an agri-tourism complex in Lower Valley and strengthening of agricultural production as well as research, programme development and marketing.

Disaster mitigation will continue to receive attention: tanks for storing emergency fuel will be located in the eastern districts, new storm modelling software will be introduced, and regionally networked seismic monitoring stations will be located throughout the three islands.

### **The Ministry of Health and Human Services**

The Ministry of Health and Human Services will continue to be guided by the broad strategic goal

of ensuring a healthy resident population through the development of appropriate policies, legislation and access to a wide range of services.

Priorities in the area of human services will include:

- Services that contribute to achieving the UN Millennium Development Goals, including the promotion of gender equality and empowerment of women;
- Policy formation, utilising data from the report on the National Assessment of Living Conditions. This will affirm the further research required for an in-depth understanding of our social strengths and weaknesses;
- Reinstatement of a Community Development Unit, with Community Officers in each district; and
- Development of a National Plan for the elderly.

Major initiatives and legislative reform addressing needs of children and youth will include a Policy Framework for Children and Youth and a National Child Protection Strategy. Both the Children Law and Regulations and Adoption Law will be revised, in keeping with the requirements of the Convention on the Rights of the Child. The Ministry will continue its support of alternative sentencing and drug rehabilitation court initiatives, in particular with the provision of treatment and probation services.

In the area of Health Services, the Ministry will seek to:

- Evaluate, update and implement the National Anti-drug Strategy;
- Implement in January 2008 a new model for health care delivery that will:
  - Establish a Public Health Department under Central Government;
  - Implement a new governance model, with a consistent management structure for the Health Services Authority; and
  - Implement a national strategy to promote wellness.

### **The Ministry of Education, Training, Employment, Youth, Sports & Culture**

In the 2007/8 fiscal year, the Ministry of Education, Training, Employment, Youth, Sports and Culture will continue with its wide-ranging reform of education services, while implementing outcomes from reviews of the Pensions, Labour and Sports departments. Among broad aims supporting these initiatives will be the adoption of an integrated approach to management and engaging stakeholders in developing national policies.

Key objectives include rebuilding the George Town Primary School and constructing three new high schools, around which "learning communities" will be designed. Similar models will be developed for Cayman Brac. The review of the National Curriculum will be completed and new legislation will be drafted.

Sports will benefit from the establishment of the first national legislative framework for its oversight and management, to be complemented by expanding existing sporting facilities.

Finally under this Ministry, a secretariat will be established to support the Human Rights Committee and its work, which has steadily grown as a direct result of the committee's strong public awareness thrust.

### **The Ministry of Communications, Works and Infrastructure**

Environmental issues, road networks and improved efficiency will be the year's focus for the Ministry of Communications, Works and Infrastructure. Key strategies for achieving these broad goals will involve flood mitigation in vulnerable areas; the development and management of recreation areas, and expansion of the Postal Service. The agenda will also include implementation of road-safety and traffic-management measures and decentralisation of the Department of Vehicle and Drivers' Licensing.

With these goals in mind, the Ministry will oversee an investigation into reducing, re-using and recycling landfill waste and will monitor the reorganisation of landfills in Grand Cayman and Little Cayman. A review of the Public Health Law, with emphasis on updating environmental health and solid waste measures, is also scheduled. The Postal Service will add 2,000 new postal boxes and Internet-based services, and a new post office is slated for Savannah.

Anticipated policy measures will entail creating, in conjunction with the community and special interests, a law to regulate unsolicited electronic messages ("spam"), as well as regulations to support amateur radio operations. "Graduated" licensing for young drivers is anticipated and traffic legislation will be revised to accommodate provisions for the handicapped.

Other important objectives are: concluding licensing negotiations with Caribbean Utilities Company Ltd and updating the Electricity Law; new Radio Cayman programming, focusing on culture, history, business and industry; restructuring the Office of Telecommunications; and strengthening the Public Works Department's consultancy services and accountability.

The Water Authority will advance its pipeline extension into North Side as well as along the Queen's Highway, and construct a pumping facility and reverse-osmosis plant in North Side. The East End well-field and reservoir site will be upgraded. An extension to Cayman Brac's piped water supply is also scheduled.

## The Ministry of Tourism, Environment, Investment and Commerce

During 2007/8, the Ministry will work with its agencies to strengthen natural resources management while executing strategies to promote tourism and investment growth.

Outcomes will include: implementing the five-year National Tourism Management Policy; introducing legislation governing Sunday music and dancing, public transport, and national conservation. These initiatives will all involve continuing public and private collaboration, particularly in the tourism and commercial sectors.

In further support of commerce, there will be increased emphasis on improving workforce standards and on market research. Boatswain's Beach will restructure its business plan to elevate the park's profile, and Cayman Airways will continue implementation of its two-year "Turnaround Plan" aimed at enhancing efficiency and reducing the need for government funding.

The Cayman Islands Investment Bureau will place greater emphasis on encouraging the involvement of local professionals in entrepreneurship initiatives. The Cayman Islands Development Bank expects to acquire its own central office accommodations to better service client needs, reduce costs and increase its asset base.

The Cayman Islands Airports Authority will continue redeveloping the Owen Roberts Airport. Infrastructural work such as redesigning airport access roadways will be completed by December 2007, while Phase II will begin in January 2008; preparatory work will start on Little Cayman's Airport. With regard to sea ports, Cayman's Port Authority will improve cruise facilities in George Town and Spotts. The Island's long-term competitiveness as a cruise destination will be strengthened with berthing facilities for four cruise ships.

While working to support and strengthen commerce, balancing progress with environmental protection will remain a critical focus of this Ministry. Accordingly, the Cayman Islands Environmental Project, promoting public/private partnership in support of improved environmental performance, will be jointly piloted by the Departments of Tourism and the Environment. In addition, the Endangered Species (Trade and Transport) Law and other national conservation legislation will be enacted, and a National Sustainable Development Strategy and a National Biodiversity Action Plan developed.

### Conclusion

Madam Speaker, Members of the Legislative Assembly,

As I conclude I would like to thank the many civil servants who have helped to formulate these plans and who will have the job of implementing them.

A special word of thanks goes to the private citizens who play an important part as members of statutory boards and consultative groups.

I pray that God will guide your work in the Legislative Assembly and the work of all areas of government over the coming year and beyond; and that He will continue to watch over and protect these islands.

*[The Aide-de-Camp handed the Throne Speech to the Clerk to be laid upon the Table]*

## DEPARTURE OF HIS EXCELLENCY THE GOVERNOR

### Procession:

*Serjeant-at-Arms  
Honourable Speaker  
His Excellency the Governor  
Mrs. Jack  
Aide-de-Camp  
Honourable Chief Justice  
Mrs. Smellie  
Pastor James Arch*

**The Clerk:** Please be seated.

**Proceedings suspended 10.26 am**

**Proceedings resumed at 10.28 am**

**The Speaker:** Please be seated. Proceedings are resumed.

### Motion of Thanks to His Excellency the Governor

**The Speaker:** I call on the Leader of the Opposition, the Honourable W. McKeever Bush, Father of the House.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

I move:

**BE IT RESOLVED that this honourable Legislative Assembly record its grateful thanks to His Excellency the Governor for the [very promising] Address delivered at this Meeting.**

**The Speaker:** The question is: Be it resolved that this honourable Legislative Assembly record its grateful thanks to His Excellency the Governor for the Address delivered at this Meeting. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed. That this honourable Legislative Assem-**

bly record its grateful thanks to His Excellency the Governor for the Address delivered at this Meeting.

#### **Motion to Defer Debate on the Throne Speech**

**The Speaker:** I recognise the Honourable Leader of Government Business, the Honourable D. Kurt Tibbetts.

**Hon. D. Kurt Tibbetts:** Thank you.

**BE IT RESOLVED that the debate on the Address delivered by His Excellency the Governor be deferred until Friday 4 May, 2007.**

**Hon. W. McKeeva Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** We have never had a chance to have a meeting, and I do not know why we are putting off the debate until next week. Maybe the Minister could explain why.

**The Speaker:** Honourable Leader of Government Business.

**Hon. W. McKeeva Bush:** I should have asked whether we intend to meet in that timeframe, in between. That may need some explanation.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, the Business Committee met and that was what was decided.

The fact of the matter is that several Members of Cabinet will be off the Island during the course of the week attending the RIMS Conference (Risk and Insurance Management Society, Inc.) and it was also thought, in conjunction with that, that we would give the Backbench and the Opposition sufficient time to go through all three documents, to be able to prepare their debates properly.

**The Speaker:** The question is: Be it resolved that the debate on the Address delivered by His Excellency the Governor be deferred until Friday, 4 May 2007. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: That the debate on the Address delivered by His Excellency the Governor be deferred until Friday, 4 May 2007.**

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

**The Annual Plan and Estimates for the Government of the Cayman Islands for the Financial Year**

**ending 30 June 2008; together with the Annual Budget Statements for Ministries and Portfolios for the Financial Year ending 30 June 2008, Purchase Agreements for Statutory Authorities, Government Companies and Non-Governmental Output Suppliers for the Year ending 30 June 2008, and Ownership Agreements for Statutory Authorities and Government Companies for the Year ending 30 June 2008**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the following documents in respect of the Government's financial year that will end on 30 June 2008:

- Annual Plan and Estimates for the Government of the Cayman Islands;
- Annual Budget Statements for Ministries and Portfolios;
- Purchase Agreements for Statutory Authorities, Government Companies and Non-Governmental Output Suppliers;
- Ownership Agreements for Statutory Authorities and Government Companies.

**The Speaker:** So ordered.

Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

When you invite me to speak on the Second Reading of the Appropriation Bill that appears on today's Order Paper, my Budget Address on the Bill will refer to the documents that have just been tabled. I therefore do not need to say anything further at this time on the documents that have just been tabled.

Thank you.

## **Welcome by the Honourable Speaker to the Students of the Rotary Club Adventures in Citizenship Programme**

**The Speaker:** Before I move to Government Business, I would like to take this opportunity to welcome the students of the Rotary Club Adventures in Citizenship Programme who are with us this morning.

Madam Clerk.

## **GOVERNMENT BUSINESS**

### **BILLS**

## FIRST READING

### The Appropriation (July 2007 to June 2008) Bill 2007

**The Clerk:** The Appropriation (July 2007 to June 2008) Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

## SECOND READING

### The Appropriation (July 2007 to June 2008) Bill 2007

**The Clerk:** The Appropriation (July 2007 to June 2008) Bill 2007.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move the Second Reading of a Bill entitled The Appropriation (July 2007 to June 2008) Bill 2007.

**The Speaker:** The motion has been duly moved and is open for debate.

Does the Honourable Third Official Member wish to speak thereto?

Honourable Third Official Member.

## BUDGET ADDRESS

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I pause for a few seconds to allow the Serjeant to distribute the Address to all honourable Members.

*[pause]*

**Hon. G. Kenneth Jefferson:** Madam Speaker, on behalf of the Government of the Cayman Islands, I rise to present the Budget for the 2007/8 financial year that encompasses the 12-month period from 1 July 2007 to 30 June 2008. This year is referred to throughout this Address as "2007/8".

Each year, governments throughout the world undertake and complete the important exercise of the preparation of national budgets. The purpose of a national budget is twofold: 1) it sets out the fiscal discipline that a government will adhere to during the year; and 2) its content indicates the direction in which a government intends to take a country.

Accordingly, this Budget Address contains both elements: fiscal discipline and the direction that

the Government intends to take the Islands. This Budget Address is entitled "Shaping our Future".

While the Islands' economy has been robust in recent years, we cannot afford to rest on our past successes. The devastation caused by Hurricane Ivan in 2004 forced us to realise the fragility of our prosperity. The Government therefore recognises that when the Islands' economy is strong, it must take the necessary steps to shape the future of the Cayman Islands to ensure that the successes continue.

Shaping our future entails knowing the factors that impact the successes we have enjoyed for years and taking steps to enhance those factors. Shaping our future well will result in, among other things, a well-educated population; the Islands being able to offer good health care to everyone; a strong economy that affords a high standard of living; fiscal interventions by Government that are sustainable; low levels of crime; and a preserved environment.

The 2007/8 Budget strives to enhance the well-being of today's generation, and it presents a sustainable and affordable platform for building successes in the years to come.

### The Economic Outlook

Shaping our future must take into account the present economic conditions and those conditions that are forecast for the future. In its August 2006 report, Moody's Investors Service raised the ratings for the Cayman Islands to Aaa and Aa3 which are equivalent to exceptional and high-grade ratings. The ratings are based on the Islands' macroeconomic performance; political and social developments; the state of Government's finances and its debt position; and the Islands' vulnerability to external shocks. These exceptional and high-grade ratings place the Cayman Islands on par with the United Kingdom, the USA and Canada.

These ratings in the 2006 Moody's report provide an independent verification, not only of the Government's ability and willingness to meet its debt obligations, but they also indicate that the Islands' macroeconomic fundamentals are solid. The Government therefore asserts that the Islands' macroeconomic fundamentals provide evidence that present conditions are conducive to future successes.

During the 2007/8 financial year, the Cayman Islands' economy is expected to remain robust due to the continued recovery of the tourism sector, the near completion of reconstruction efforts and the continued expansion of the financial services sector.

In respect of the 2007/8 financial year:

- Real GDP growth is expected to be 3.5 per cent;
- Inflation is forecast to be 3.5 per cent; and
- Unemployment is expected to be 3.6 per cent.

The comparable rates that are forecast in respect of the current financial year, 2006/7, are as follows:

- Real GDP growth is expected to be 4.2 per cent;
- Inflation is forecast to be 2.2 per cent; and
- Unemployment is expected to be 3.1 per cent.

The forecasts that I have just outlined are applicable to a 1 July to 30 June period. Since many entities have a financial year that ends on 31 December, coupled with the fact that until a few years ago government also maintained a financial year which ended on 31 December, members of the general public, private and public sector entities may be able to better relate to information presented on a calendar-year basis. In respect of the year to 31 December 2007, the economy is expected to grow by 3.8 per cent; inflation is forecast to be 3.6 per cent and unemployment, 3.5 per cent.

The Government therefore reiterates the point made earlier that the Islands' macroeconomic fundamentals provide evidence that present conditions are conducive to future successes and, this positive outlook is supported by the results forecast for such macroeconomic fundamentals.

### **An Overview of Financial Statement Forecasts**

I said at the outset of this Address that a fundamental purpose of a national budget is to set out the fiscal discipline that a government will follow during the course of a year.

The fiscal discipline that Government will follow is provided by the forecast financial statements which are contained in Part C of the Annual Plan and Estimates document that was laid on the Table of the Legislative Assembly earlier. In particular, the fiscal discipline that Government will follow in the 2007/8 financial year is given by the level of its planned expenditure for that year. It must, however, be recognised that revenues also impact fiscal discipline – since Government's spending is a function of its revenues.

The forecast financial statements show the financial position of both Core Government and the Entire Public Sector – the latter includes Statutory Authorities and Government Companies. I will, however, only focus on the Core Government estimates.

The key measure of the Government's performance is the magnitude of its Net Surplus. Net Surplus is calculated by subtracting total operating and financing expenses from total operating revenue.

The financial statements indicate a forecast Net Surplus of \$17.5 million for the 2007/8 year. The Net Surplus is arrived at by subtracting forecast total operating expenses of \$469.2 million, along with \$12.4 million of financing expenses, from the forecast total operating revenue of \$499.1 million.

The Strategic Policy Statement (SPS) for the 2007/8 financial year that was laid on the Table of the Legislative Assembly in December 2006 indicated that the targeted level of Net Surplus was \$19.6 million. The difference between the targeted and forecast Net Surplus is insignificant.

The forecast total operating revenue of \$499.1 million is a modest 8.6 per cent more than the \$459.7 million which was presented in the 2007/8 SPS.

Honourable Members will recall that the 2006/7 Budget contained \$23.3 million of new revenue measures which were necessary to generate additional income to fund the Government's planned capital projects and expanded services over the 2006/7 financial year. The Government recognises that revenue measures impact the cost of living. Accordingly, new revenue measures have not been pursued in the 2007/8 financial year. The forecast total operating revenue of \$499.1 million, therefore, does not include any new revenue measures.

The combined \$481.6 million that consists of forecast total operating expenses of \$469.2 million and forecast financing expenses of \$12.4 million is 4.8 per cent more than the \$459.7 million which was presented in the 2007/8 SPS. The variance is due primarily to the approval of the cost of living adjustment which was awarded to civil servants effective July 2006. This cost of living adjustment was approved after the SPS was presented to the Legislative Assembly in December 2006.

The forecast Balance Sheet shows that as at 30 June 2008, total assets will be valued at \$990 million, while total liabilities are projected at \$504.7 million. The Government's Net Worth, which is the difference between total assets and total liabilities, is therefore forecasted to be \$485.3 million.

The Cash Flow Statement indicates that during the 2007/8 year, \$143.1 million will be spent on purchasing and developing executive assets and \$16.6 million will be invested in Statutory Authorities and Government Companies.

Additional comments pertaining to fiscal discipline are provided in an upcoming section of this Address that is entitled "Compliance with Principles of Responsible Financial Management and Strategic Policy Statement".

### **Executive Assets and Equity Investments**

One of the most immediately apparent ways to identify the direction in which a government intends to take a country is to consider its capital expenditure and investment programme. Government's annual budget indicates capital expenditures and investments under two headings: Executive Assets and Equity Investments.

The 2007/8 Budget seeks appropriations for the following capital expenditures and investments that the Government expects to undertake during the year:

- \$35.5 million is planned to be spent on three high schools and a new George Town primary school;
- \$18 million is to be spent on the new Government Office Accommodation Project;
- \$14.4 million is sought in respect of the purchase of various entity assets by the Portfolio of Internal and External Affairs, of which, \$1.7 million is sought to enable the construction of a headquarters facility for the Hazard Management Cayman Islands;
- \$13.3 million to the Health Services Authority to enable the Authority to purchase medical equipment and cover a portion of its operating losses;
- \$5.2 million is to be spent on the acquisition of entity assets by the Ministry of Communications, Works and Infrastructure;
- \$4 million to extend the Linford Pierson Highway to Walkers Road;
- \$3.8 million is planned to be expended on sports stadia and fields;
- \$3 million is to be spent on a new Summary Court building;
- \$3 million is sought in respect of miscellaneous road surface upgrades on Grand Cayman;
- \$3 million is also planned to be spent on a new Civic Centre in Bodden Town which will serve as a Category 'A' hurricane shelter;
- \$3 million is also sought in respect of payments to be made for lands used in the construction of public roads;
- \$2 million in respect of a new emergency facility in Bodden Town;
- \$2 million is to be spent on the East/West Arterial road on Grand Cayman;
- \$1.1 million in respect of a traffic-calming project;
- \$1 million is planned to be spent on the construction of a secure remand facility for juveniles;
- \$0.7 million in respect of various road projects for Cayman Brac and Little Cayman;
- \$0.5 million is sought to enable the Cayman Islands National Insurance Company to purchase an upgrade to its computer system;
- \$0.5 million is planned as an investment in the Maritime Authority of the Cayman Islands;
- \$0.5 million is sought for the National Housing and Community Development Trust;
- \$0.5 million is also sought to be spent on various capital works to be undertaken by the University College of the Cayman Islands;
- \$0.5 million is sought in respect of planned purchases of paving and transport equipment for the National Roads Authority;
- \$0.4 million is sought for the Tourism Attractions Board;
- \$0.3 million is sought to permit the Sister Islands Affordable Housing Corporation to help fund the construction of four additional homes on Cayman Brac; and
- \$0.2 million to assist the National Gallery of the Cayman Islands in its reconstruction efforts.

The Government is clearly demonstrating that it sees a future in which education, law and order, adequate health care services for everyone, new and upgraded road infrastructure, secure and suitable accommodation for the delivery of public services and the provision of sporting facilities, are important, and it is taking action to make these a reality.

### Revenue Measures

As I stated earlier, Madam Speaker, the Government does not propose any new revenue measures for 2007/8. Therefore, the forecast level of expenditures, both operating and capital, will be funded by existing cash balances, existing sources of revenues and borrowings.

### Borrowings

The level of borrowing that Government includes in its annual budget attracts significant scrutiny. Principally, this is because legislators, past and present, seek to minimise borrowings. The present Government also adheres to this philosophy.

This position is obvious when we examine the borrowing that has occurred in the current financial year. Government has the ability to borrow \$94 million in the current financial year that will end on 30 June 2007. In the 10-month period from 1 July 2006 to 27 April 2007—that is, today—only \$10 million of that amount has actually been borrowed.

While Government's operating revenues are greater than operating and financing expenses for 2007/8, the resulting \$17.5 million Net Surplus is only able to partially fund the necessary capital expenditures and investments that are required to propel the Islands forward. It must therefore be accepted that borrowing is a necessary and legitimate financing mechanism.

The financial statements in the Annual Plan and Estimates indicate that the Government will seek an appropriation to borrow up to \$129.8 million in the 2007/8 year, to assist in the funding of the capital expenditures and investments that I outlined earlier. The \$129.8 million in borrowings for 2007/8 exceeds the target amount stated in the SPS by \$8.3 million. It is important that I explain why this single-year variation is not a cause for concern.

The SPS for 2007/8 that was tabled in the Legislative Assembly in December 2006 envisaged

that borrowings for 2006/7 would be \$48 million, and for 2007/8 the amount would be \$121.5 million. Therefore, the combined borrowing envisaged in the SPS for the two years is \$169.5 million. The Government has, to today's date, only drawn-down \$10 million in the current financial year. It is forecast that the maximum amount of additional borrowings in the two-month period to June 2007 is \$17 million. Thus the forecast maximum amount of borrowings during the year to 30 June 2007 is \$27 million – out of a possible \$94 million that has been appropriated for the current year.

When the maximum borrowings of \$27 million for the 2006/7 year are combined with the \$129.8 million of borrowings for the 2007/8 year, the resulting \$156.8 million should be compared to the \$169.5 million in borrowings envisaged by the SPS over the two years, 2006/7 and 2007/8. The Government is therefore forecasting that borrowings in 2006/7 and 2007/8 will actually be \$12.7 million less than envisaged in the SPS.

When this two-year perspective is adopted, it is clear that the philosophy of borrowing minimisation mentioned earlier continues in the 2007/8 Budget.

I take this opportunity to provide information on the level of Central Government Public Debt. Central Government Public Debt has two components: 1) funds borrowed by Government for use on its own capital expenditures; and 2) funds borrowed by Government but on-lent to Statutory Authorities – this latter component being known in past years as “self-financing loans”.

At 30 June 2005, Central Government public debt was \$164.5 million. During the year to 30 June 2006, borrowings of \$24 million were made by Government while repayment of debt-principal was \$14.7 million. The outstanding balance on Central Government public debt was \$173.8 million at 30 June 2006. In the 10-month period from 1 July 2006 to today, borrowings of \$10 million have been made by Government while \$13.6 million of debt-principal repayment has occurred. Therefore, as at 27 April 2007, Central Government public debt stands at \$170.2 million.

As shown in the Annual Plan and Estimates for 2007/8, the Balance Sheet therein indicates that as at 30 June 2008, the balance of the Government's outstanding debt is forecast to be \$295.7 million, which is 3 per cent below the \$305.8 million that was stated in the 2007/8 SPS.

Borrowings are typically scrutinised with two considerations in mind: 1) what the borrowed funds will be used for; and 2) whether the borrowings are affordable. I have stated that the 2007/8 borrowings will be used to fund necessary capital expenditures and investments that will propel the Islands forward. Borrowings will not be made to pay for Operating Expenses – those are adequately covered by Operating Revenues.

I will now turn to the affordability of forecast borrowings for 2007/8.

### **Compliance with Principles of Responsible Financial Management and Strategic Policy Statement**

Madam Speaker, the Government is legally obliged to comply with the Principles of Responsible Financial Management (the “Principles”) that are set out in section 14 of the Public Management and Finance Law. The objective of those Principles is to ensure that, over a year, Government's forecast expenditures, including the interest cost of borrowing, and its revenues are fiscally disciplined.

The affordability of forecast borrowings for 2007/8 is best judged by an examination of Government's Debt Service Ratio. This is the third Principle stated in section 14 of the previously-mentioned Law. This Principle requires that Government's interest and other debt-servicing expenses, plus principal repayments of its borrowings, do not exceed 10 per cent of its revenues. This is a very conservative definition because it takes into account both interest payments and principal repayments.

Government's forecast Debt Service Ratio for 2007/8 is 6.6 per cent. The forecast level of borrowings for 2007/8 is therefore affordable because there is comfortable compliance with a very conservative 10 per cent limit. The 6.6 per cent Debt Service Ratio is lower than the 7 per cent ratio envisaged in the 2007/8 SPS.

The first Principle requires that the entire public sector's revenues exceed its expenses. This means that when the revenues and expenses of central Government, all Statutory Authorities and all Government Companies are netted-off, there must be a resulting Surplus. The financial statements for 2007/8 indicate a Net Surplus of \$17.5 million: hence there is compliance with this first Principle. The SPS indicated that the target figure for the 2007/8 Net Surplus was \$19.6 million. The \$2.1 million difference between the forecast Net Surplus for 2007/8 and the SPS target amount is insignificant.

The second Principle requires that Core Government's assets exceed its liabilities. The financial statements indicate a forecast Net Worth of \$485.3 million at 30 June 2008. There is compliance with this second Principle.

The fourth Principle requires that the existing balance of Government's borrowing, plus a risk-weighted portion of public agencies' debt that has been guaranteed by Government, less the Government's cash balances, should not exceed 80 per cent of central Government's revenue. This is referred to as the Net Debt Ratio. The forecast Net Debt Ratio for 2007/8 is 61.5 per cent: hence there is compliance with this Principle. When this level is compared to the target ratio of 60 per cent in the 2007/8 SPS, the resulting variance is small.

The fifth Principle requires that Government's cash balances at 30 June 2008 should be equivalent to at least 75 days of expenditure in 2007/8. It is fore-

cast that Government's total cash balances at 30 June 2008 will be equivalent to 75 days of expenditure. Hence there is compliance with this fifth Principle. The Government forecasts that its cash balances will total \$90.3 million at 30 June 2008, which will marginally exceed the \$90.1 million level set in the SPS.

Madam Speaker, compliance with the Principles is evidence that the 2007/8 Budget is fiscally disciplined and, the fact that it does not differ significantly from the SPS tabled in this House in December 2006, indicates that it conforms with the 2007/8 SPS.

### Conclusion

Madam Speaker, in concluding, I must give my sincerest thanks to all Honourable Ministers and Official Members of Cabinet; all Chief Officers; all Chief Financial Officers and other supporting staff; Statutory Authorities and Government Companies; and a special thanks to staff in the Portfolio of Finance, the Budget Unit and the Treasury Department for producing the Appropriation Bill and its accompanying documentation tabled earlier.

I would like to make special mention of the sterling efforts of Deputy Financial Secretary, Mrs. Sonia McLaughlin, and Senior Assistant Financial Secretaries, Mr. Michael Nixon and Mrs. Anne Owens, for spearheading the production of the 2007/8 Budget.

I conclude by making reference to my initial remarks – that the purpose of a national budget is twofold: 1) it sets out the fiscal discipline that a government will adhere to during the year; and 2) its content indicates the direction in which a government intends to take a country.

The 2007/8 Budget satisfies those two purposes.

The 2007/8 Budget is fiscally responsible. The salient points are:

- Forecast Operating Revenues exceed Operating and Financing Expenses by \$17.5 million;
- Core Government's assets exceed its liabilities by \$485.3 million;
- Repayment obligations that arise from Government's forecast borrowings are affordable and are less than the 10 per cent upper limit specified for the Debt Service Ratio in the Public Management and Finance Law;
- The forecast level of cash balances, \$90.3 million, at 30 June 2008 is sufficient to meet the legal requirement of 75 days of expenditure-coverage for 2007/8;
- The 2007/8 Budget conforms to the targets set out in the SPS – which the Legislative Assembly resolved to accept as the foundation for the preparation of the 2007/8 Budget.

The content of the 2007/8 Budget indicates that, among other things, the Government is clearly demonstrating that it sees a future in which education,

law and order, adequate health care services for everyone, new and upgraded road infrastructure, secure and suitable accommodation for the delivery of public services and the provision of sporting facilities, are important. The 2007/8 Budget shows that Government will make these a reality.

I commend The Appropriation (July 2007 to June 2008) Bill 2007 to all honourable Members and would seek their support.

Thank you, Madam Speaker.

### Motion for Deferral of Debate on the Budget Address

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

On behalf of the Government, I beg to move that:

**BE IT RESOLVED that the debate on the Budget Address be deferred until Friday 4 May, 2007.**

**The Speaker:** The question is: Be it resolved that the debate on the Budget Address be deferred until Friday 4 May, 2007. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: That the debate on the Budget Address be deferred until Friday, 4 May 2007.**

### Motion for the Throne Speech and Budget Address to be Debated Simultaneously

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

**BE IT RESOLVED that the Throne Speech and Budget Address be debated simultaneously Friday, 4 May 2007.**

**The Speaker:** The question is: Be it resolved that the Throne Speech and Budget Address be debated simultaneously Friday, 4 May 2007. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: That the Throne Speech and Budget Address be debated simultaneously Friday, 4 May 2007.**

## STATEMENT BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

### POLICY STATEMENT

#### “Making a Difference: Delivering Results”

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, 18 May will mark the second anniversary since the People’s Progressive Movement was sworn in as the Government of the Cayman Islands and took up this heavy mantle of office.

Given the present favourable conditions, it has proven easy for many people to forget that this Government assumed responsibility for the affairs of this country a mere eight months after the devastation of Hurricane Ivan—at a point when, in many respects, the country was at an all-time low. We were still reeling from the impacts of the Hurricane. The country appeared to be rudderless, with no real direction being taken in relation to the re-building process. Indeed, we were in the grip of a crime wave. Public trust and confidence in Government had been undermined, inflation was out of control, and real fear was being expressed by many people about the future of these beloved Islands.

I readily confess that it was really a tough time to take up office, but I want to hasten to add that with considerable pride, the team in which the electorate reposed their trust in May 2005 has been, and continues to be, up to the challenge.

Indeed, many people, particularly visitors to these Islands, have described the transformation of these Islands over the past 23 months as nothing short of amazing. Lest I am misunderstood, I am not attempting to say that we have fixed every problem or that, single-handedly, our administration is responsible for the tremendous recovery these Islands have enjoyed. I would never be so presumptuous, Madam Speaker!

But what I am certain of, and what many people have said to us, is that the ethics, vision, initiatives and the environment that this Government has brought to administering the affairs of this country have renewed public trust, inspired investor confidence and engendered optimism among our people.

For this Government, openness, honesty, transparency and accountability are not just fine-sounding words; they are imperatives imbedded deeply in our philosophy of governance. In consequence, not only is the full recovery of these Islands now almost complete, but there are unprecedented levels of new development and a strong and vibrant economy.

The success thus far of this administration has not come by happenstance. The PPM came to office with a plan, a team and a mandate. We have spent, and continue to spend, a great deal of time discussing the plan and refining the vision, and we continue to work as a team. We have proven a willingness to meet the challenges head on and to make the hard decisions—and there have been some very hard ones—even in the face of criticism. And at the same time, we have stayed true to our philosophy of consultative and responsive government; of protecting and promoting human rights; of upholding the rule of law; and of observing the highest level of propriety in the discharge of our office.

We have lived true to our promise of openness, transparency and accountability by holding weekly press conferences and regular meetings of the district and national councils of the PPM and making these meetings open to the public. We consult regularly with stakeholders in business and civil society, and we uphold the rule of law. In short, we have stayed the course; we have kept the faith and, as we promised, brought a new culture of governance to these beloved Islands.

Today, as we deliver the third budget of our term, we do so with a tremendous sense of pride and gratitude. Personally, I give thanks to Almighty God for his guidance and his mercy, for without his divine assistance nothing would be possible. The Good Book tells us, “**Unless the Lord builds the house, They labour in vain who build it;**” And so it is with building a country.

I gratefully acknowledge the efforts and achievements of my colleagues on both the Front and Backbenches of this honourable House and the many hardworking members of the civil service, the statutory authorities, the government-owned companies and the boards who have worked, and continue to work, so hard in both the preparation of this Budget and day by day in enabling this administration to achieve its vision.

We are immensely proud of this Budget for a number of reasons, Madam Speaker. First, and foremost, it is the third consecutive balanced budget this Government has delivered to the country - and it has a healthy operating surplus.

Secondly, this Budget does not propose any new revenue measures. This Government is keenly aware of the pressures on both businesses and individuals alike, as a result of the cost of living in Cayman. Among the efforts we are making to address that, we are determined not to increase the cost by imposing revenue measures which might have that effect.

Thirdly, it complies with all the principles of Responsible Financial Management, as has been outlined by the Honourable Third Official Member in the Budget Address that he just completed.

And, finally, it provides the financial basis to address the social and physical needs of the country

and to give life to the vision, the plans and the programmes of this PPM Administration as set out in the Speech from the Throne.

Fiscal discipline is a critically important principle of a responsible and credible government and Cayman's continued success hinges on how well we manage the country's financial affairs.

I believe it is important therefore to underscore the Honourable Third Official Member's statement that this Budget is sustainable and it is one that complies fully with the principles of Responsible Financial Management contained in section 14 of the Public Management and Finance Law (2005 Revision).

The financial statements indicate forecast total operating revenue of \$499.1 million and forecast total operating expenses of \$469.2 million. This results in a forecast Net Surplus of \$17.5 million for the 2007/8 year.

The forecast Balance Sheet shows that as at 30 June, 2008 the projected total assets will be valued at \$990.0 million, while the liabilities are projected at \$504.7 million, giving the Government's Net Worth a value of \$485.3 million.

Government's forecast Debt Servicing Ratio for the upcoming fiscal year is projected to be 6.6 per cent, significantly below the permitted 10 per cent by law.

The Net Debt Ratio for the upcoming fiscal year is projected to be 61.5 per cent, significantly below the permitted 80 per cent.

Our cash reserves are being maintained at the required level of 75 days of expenditure for the upcoming fiscal year, which is projected to be some \$90.3 million.

I repeated those figures because it is important to understand and for the public to have, should I say a clear knowledge of exactly what the Budget projects.

As the Honourable Third Official Member has said, this Government, while committed to major infrastructure improvements, is equally committed to borrowing only what is absolutely necessary. So, although authorised to borrow up to \$94 million in the fiscal year which will end 30 June, we have, to this point, only borrowed \$10 million and we expect to only require a further \$17 million of borrowings by the end of this fiscal year. We have been able to finance a number of projects from general revenue and so we have been able to minimize the borrowings.

Over the course of the upcoming fiscal year we are envisaging the need to borrow approximately \$130 million. This is mainly because many of the major projects proposed will be well underway during the upcoming fiscal year. There is no question that these projects are entirely affordable as the Honourable Third Official Member has pointed out. Equally, there is no question that they are critically necessary projects.

The principal objective of this Government is to improve the quality of life for all the people in these Islands, and that is what the funding in this Budget is designed to do. The list of more than 20 significant projects that the Honourable Third Official Member set out in his Address is not a list of isolated items; they are all aimed at that overriding objective.

From roads to schools, to money invested in the Health Services Authority, the Tourism Attractions Board and the Sister Islands Affordable Housing Corporation, this Government is forging ahead with plans to make these Islands a better place in which to live, to work and to do business.

But impressive as the list of capital projects is, this Government recognises that significant investment directly into our people is also required and the Budget also supports a significant social agenda. Increased support for the indigent, increased funding for health care; increased provision for special education needs, enhanced funding for scholarships and for early childhood care are all a part of this Budget.

The Ministry of Health and Human Services will work robustly to place human development at the center of the national agenda. It will continue to be guided by the broad, strategic goal of ensuring a healthy resident population of the Cayman Islands through the development of policies and legislation, and access to a wide range of services which enable people to experience a state of complete physical, mental and social well being.

Madam Speaker, I will now list some of the Ministry's key outcomes in the area of Human Services.

### Human Services

- A plan will be developed to integrate all services to ensure a holistic approach is taken to addressing the human needs of the people;
- Private-public partnerships, which strengthen civil society and thus the common good, will be pursued;
- Priority will be given to services that contribute effectively to meeting the UN Millennium Development Goals, including the promotion of gender equality and the empowerment of women;
- Data from the report on the National Assessment of Living Conditions will inform policy formation and will affirm the further research required for an in-depth understanding of our social strengths and weaknesses;
- A National Plan for the elderly will be developed. Funds have been allocated to support the needs of the most vulnerable, in particular, the children and the elderly;
- Each district will be provided with purpose-built facilities to meet the unique needs of its elderly population. In some cases, these facilities will be residential homes, and in others

- they will serve as centres for social activities and programmes;
- A Community Development Unit will be reinstated, with community officers in each district;
  - The essential needs of children and youth, including the emotional, spiritual, physical, social and civic needs, will be addressed through implementation of the following major initiatives and legislative reform:
    - A Policy Framework for Children and Youth;
    - The National Child Protection Strategy, including The Children's Law and Regulations;
    - The Adoption Law
    - These efforts will be in keeping with the requirements of the Convention on the Rights of the Child.
  - A secure remand facility will be developed for the rehabilitation of youth in trouble.
  - Measures will be taken to support the implementation of the Alternative Sentencing and Drug Treatment Court Laws, in conjunction with the provision of treatment and probation services.

### Health

- Regulatory functions will be given priority, including inspection of health care facilities and enforcement of the Pharmacy Law;
- Close attention will be paid to controlling the escalating costs of health care (and I am sure the Minister will speak to that when he gives his contribution). This will be done by re-examining the uses of public funding, and its complementarity with private health insurance coverage;
- Evaluation, updating and implementation of the National Anti-Drug Plan will be supported;
- A new model for health care delivery will be implemented in January 2008. As a result of that, the Ministry will establish a Public Health Department under central Government, and it will implement a new governance model and consistent management structure for the Health Services Authority. It will also implement a national strategy to promote wellness.

The Government is cognisant that while the cost of living impacts all who live here, its impact on the indigent is particularly harsh. In last year's budget we increased the stipend for seamen and veterans to \$500 per month. In this year's Budget, we are making

provision for a similar increase for those who receive permanent financial assistance from Government.

The Government is also keenly aware that the cost of living is on everyone's mind. This is so because the cost of living determines how much, if any, disposable income families end up with out of their pay cheques. This determines whether they are able to meet their monthly commitments, let alone save any of their earnings.

From the long-term perspective, we know that it is education which will increase the earning power of our people, and we have embarked on the journey to bring a standard of education to these Islands that is second to none. But we also know that it will take time before we truly begin to reap the benefits of this initiative.

In the meantime, as we examine the factors which affect people's pockets most, three that immediately come to mind are interest rates on loans and mortgages, the rising cost of fuel and electricity rates. Madam Speaker, these components radically affect the price of goods on the shelf, transportation, housing costs and even our ability to support our families with the basic necessities of life, namely food, clothing and shelter. This is truly right at the top of the list of all the difficult challenges which any Government has to take on, especially in a free market economy such as ours.

We know that the issue has to be addressed, but I have to say, private sector stakeholders must assist if we are really going to see any meaningful results. During this very meeting of the Legislative Assembly we will be meeting with the commercial banks, with a view to finding ways to not only lower interest rates, especially mortgage rates, but also to having them offer fixed rate lending.

Madam Speaker, this is not like the old times. Those institutions now have as much at stake here as we do. They must now look at making certain concessions in order for us to continue our past successes.

*[Inaudible interjection by an honourable Member of the House]*

**Hon. D. Kurt Tibbetts:** And while what I have said must come about, there are also some harsh realities that we have to face.

We have watched fuel prices spiral upwards, straight across the globe, so the truth is that there are limits to what we can actually do in that regard. When we compare average fuel prices from the pump over a six-month period with nine other countries within the region, we are somewhere just above the median.

The signage at the retail outlets is all just about installed now and the strategy behind that exercise was twofold: it was both to make customers more conscious of prices; and also to make the retailers more competitive among themselves.

The Government now has the benefit of two independent consultant reports on fuel bulk distributor

prices; these reports have just been received. Although I have not had the opportunity to peruse them very carefully, preliminary examination tells us a tale that requires sitting at the table with these bulk distributors.

Their Local Companies (Control) Licences run out in early 2011, and the arrangements that they now enjoy—or should I say all of the arrangements that they now enjoy—will not continue beyond that time if I have anything to do with it!

In the meantime, armed with the knowledge of their mark-up methodology and their profit margins, certainly, we are going to engage in discussions.

The much talked about negotiations with Caribbean Utilities Company Ltd have been extremely difficult. The Minister, the negotiating team, all of us, were hopeful and confident that by now we would have had a new contract in place, one that was fair to Caribbean Utilities Company Ltd and also fair to the consumer.

While I cannot be specific because these negotiations are ongoing, let me say that I am totally satisfied that the Government negotiating team has represented the country's interests well. On 8 May Cabinet will receive a presentation from the team, and the following week we will invite Caribbean Utilities Company Ltd to come and explain their position to us. After that the Government will agree with the negotiating team a position to take to the table.

I have to say at this point in time, if there is an impasse then Government will have to do whatever it has to do to move on. Of this I am sure, there will be no more monopolies. And if the negotiations are unsuccessful, the Board of Directors of Caribbean Utilities Company Ltd will have to explain that to their shareholders. I am certain the Minister responsible will be able to explain to the country the Government's position.

So, these are but some of the challenges we face and we are facing them head on. I just have to say that it is physically impossible to bring about desired results in short order. But we continue to battle and I am confident those desired results will come.

I spoke earlier about the objective of this Government to improve the quality of life for our people. In last year's budget we announced the reduction of stamp duty on the purchase of all real property by Caymanians to the tune of 4 per cent; the only exception to this is in relation to certain high-end properties along the West Bay corridor and certain parts of George Town where Caymanians will pay 7.5 per cent like everyone else.

The significantly lower stamp duty for Caymanians was designed to make the purchase of real property more affordable for them and to encourage more of our people to own property.

Secondly, further concessions were offered to Caymanians acquiring property for the first time. First-time Caymanian purchasers of raw land now pay no duty on the purchase of land valued at \$50,000 or

less, and land valued at more than \$50,000, but not exceeding \$75,000 attracts stamp duty of only 2 per cent.

Thirdly, first-time Caymanian purchasers of property which includes a building on it now pay no stamp duty on the purchase of such property with a value of \$200,000 or less. Property which includes a building valued at more than \$200,000, but not exceeding \$300,000, attracts stamp duty at only the rate of 2 per cent. This has worked well and many Caymanians have seized the opportunity to become home and property owners as a result of these concessions.

At the last budget meeting I spoke about the work of the National Housing and Development Trust (NHDT) and the role which it would play in further assisting Caymanians to obtain their own home. There has been a lot of water under the bridge since then, Madam Speaker, and I need to explain a few things.

Originally, the NHDT had planned to develop the four-acre site on Eastern Avenue. However, the subdivision plan only allowed for 29 homes to be built on that site. So, the NHDT decided to invite tenders for the purchase of that property. The highest offer received for the property was CI \$2.7 million.

So, that would mean that each of the proposed 29 lots would have a value of some \$90,000, just about the same as the value of the house that was to be built on it. As a result, the Board made a conscious decision that it would make more economic sense to dispose of the property and to purchase a larger tract of land which would allow for more lots to be created. So, the NHDT has been land hunting in each of the five districts in Grand Cayman with a view to acquiring suitable property on which to begin the construction of quality affordable housing.

In the meantime, we also struggled with whether to develop the site at Fairbanks because of the experience of Hurricane Ivan and the flooding of the low lying areas there. Recently, however, test bores have proven that a retention pond can be created and the fill excavated from that retention pond can be used to reclaim some 11 acres of the property to 6 feet above sea level, which will allow for some 70 homes to be built on that site.

A ten-acre site in West Bay that is Crown land is also being looked at with a view to building additional homes in that district. Subdivision plans for Crown land in the districts of Bodden Town and North Side are being worked on and we have engaged in talks with a private individual for land acquisition for the affordable homes in the district of East End.

Planning permission is now being sought for the three options of houses and we anticipate construction taking place concurrently in the various districts, including Cayman Brac. We are fairly confident now that construction will commence within 120 days.

Madam Speaker, it has taken longer than anticipated, but as the Minister responsible, I was not going to rush and end up wasting the second tranche of funding of US\$14.5 million as the first tranche has

ended up being wasted. I might add that, from all appearances, the Government is going to have to seriously look at a strategy of repayment of the first tranche of bond issue as the existing housing stock cannot anywhere near support the repayment schedule.

The good news is that the NHDT will be able to sustain itself in the future with a very reasonable capital injection from the Government, with the land and infrastructure being Government's contribution to the scheme.

Madam Speaker, at the last budget meeting I also said that Government was giving serious consideration to re-introducing the Government Guaranteed Home Mortgage Scheme. We have decided to do so, and in a matter of weeks this programme will allow qualifying low- to middle-income Caymanians to access mortgage financing from participating banks on the strength of a Government guarantee.

This guarantee to be given by the Government will be in lieu of the usually required down-payment on a mortgage. Essentially, Government will guarantee up to 35 per cent of the upper layer of the mortgage, with the guarantee falling away once the equivalent amount of the principal is paid down.

And just to quickly interject, countless individuals and young families are renting today and they are quite able to pay their rent on a monthly basis, but they find themselves in a situation whereby (having to pay that rent) they do not have enough disposable income to save enough money to get the deposit that is required for a mortgage. This is going to assist these individuals and young families tremendously.

The new scheme is different from the one which was in existence from 1994 - 2002 in several respects. The maximum mortgage amount has increased from \$150,000 to \$200,000, while the maximum income permitted in the scheme will increase to \$75,000 per annum, which is the income necessary to qualify for a \$200,000 mortgage.

Quickly, to interject here again, we were hoping that all of the lending institutions would participate. We only have had confirmation of two; a third is well on the way, but we are not going to wait on that. We are going to proceed with the scheme posthaste.

And let me take this opportunity to say to those institutions who have either not responded or have not responded positively to the call from the NHDT, they too have a responsibility to this country. And this situation is nothing about them losing money, the Government is quite willing to issue the guarantee required for them to engage in the on-lending. Sooner or later, if they keep the attitude that they have, all of us will be the losers; but they will not miss out on losing.

It has taken a while to get it right, but we will now begin to see meaningful strides in the initiative and many of our people will be helped to own their own homes. This, we know, is a vital ingredient for any stable and progressive society.

From the very start this Government stated that Education is one of its key priorities. Over the course of the past 18 months following the holding of the first National Education Conference, a great deal of work has been done in the transformation of the education system of these Islands and these efforts are already bearing some fruit.

The Budget provides for \$35.5 million to commence the actual construction of three high schools in George Town, West Bay and Frank Sound and a new George Town Primary school. The site plans for all three high schools have been submitted to the Central Planning Authority, and subject to planning permission and following the completion of the tendering process, site works will start in September this year.

*[The Honourable Leader of Government Business to a member of the Gallery]* Is that the Director of Planning I see up there? Would you please deal with them fast, Sir? Thank you.

Start of construction of all three high schools is slated for January 2008, with completion of all schools by April and May of 2009.

The Government is in the process of acquiring land on which to build the new George Town Primary School and preliminary design work on the new school will commence shortly. And, Madam Speaker, I can tell you, the paper is being prepared as I speak to go to Cabinet for approval for the land purchase as negotiations have come to an agreement between the owner of the property and the Lands and Survey negotiating team.

In keeping with Government's commitment to ensuring that our people are given every opportunity to grow, develop and achieve their potential, this Budget provides for increased funding to parents who need financial assistance to send their children to pre-school. Over the years assistance has been provided to children from 3.9 years to 4.8 years of age just prior to entering primary school. This Budget provides an increase in funding for these children from \$300 per month to \$400 per month.

We believe that this age group deserves the best possible start in life and support to fulfill their potential. However, we have also identified a number of younger children, from 18 months to 3.9 years of age, with special educational needs. These children would really benefit from early childhood intervention, but because of the financial position of their families they are unable to go to pre-school. We have therefore broadened the scope of Government's financial provision in order to include these special needs children as well.

All in all, we have increased support to early childhood from \$493,000 in the 2006/7 allocation to \$1.2 million in the fiscal year ahead. We take great pride in this increase to this area of service to our people, allowing our very young increased chances to aspire to and to achieve a good quality of life.

Madam Speaker, during the last year we recognised that the financial level of support to 'A' level students of \$2,500 was negatively impacting many of them who were academically able but not in a position financially to make up the remainder of the school fees. We amended the policy and all Caymanian students who now apply to do their 'A' levels receive 80 per cent of current year costs. This policy has sent our 'A' level numbers from 10 students in 2005/6 with an expenditure of \$25,000, to this year, 55 students with an expenditure of \$152,000. We are extremely pleased to provide this educational support to our talented young people and this support continues into the coming fiscal year.

In the area of local and overseas scholarships the Government is fully committed to the development of our human capital. To this end, we have increased our overall scholarship funding from \$4.45 million in the 2006/7 allocation to \$6.2 million this year. We are therefore proposing to raise the amount of the grant for overseas Bachelor degree programmes from CI\$16,000 annually to CI\$20,000, and to increase the Masters programmes from CI\$20,000 annually to CI\$25,000. This is to take into account the significant increases in university fees overseas.

Sports scholarships have been integrated into the scholarship program of the Education Council. This now means that our aspiring elite athletes no longer need to be subjected to concerns about a shortage of funding as they did in the past, where there was no clear policy for these particular types of scholarships. We intend to encourage and assist these athletes, allowing them to take up their academic pursuits at highly competitive schools where they not only excel at their particular sport, but also can earn a degree.

As part of its exercise in improving the quality of life for all who live and visit these Islands, the Ministry of Communications, Works and Infrastructure and the National Roads Authority (NRA) have undertaken one of the largest road development programmes in the Cayman Islands today. Work continues on the Esterley Tibbetts Highway and the East/West Arterial: two three-mile stretches of roadway, the first from the Galleria Roundabout to Raleigh Quay, and the second from Hirst Road in Newlands to Selkirk Plaza on Shamrock Road. These two roadways will provide much needed relief for all residents, and funding has been provided in this Budget to ensure the completion of these and other road works.

Hot-mix pavement overlays have either been completed or are underway for all of central George Town; Queens Highway in East End; the road that you live on, Madam Speaker, in North Side, and roads in Bodden Town and West Bay.

These and other smaller, but equally important, traffic and infrastructure improvements continue the short-term component of a long-term national roads plan.

Other road safety initiatives include:

- Amendments to the Traffic Law and regulations to improve road safety. Ministry representatives have met with stakeholders to gather feedback on proposed changes;
- The implementation of the Graduated Drivers' Licence Programme. Testing procedures and guidelines for driving examiners and instructors are being finalised. A tentative launch date has been set for June 2007; and
- Vehicle inspection reforms and inspection guidelines have been developed for private garages, for which inspection manuals have already been completed.

In the area of utilities regulation, Madam Speaker, the Ministry's negotiation team continues discussions with Caribbean Utilities Company Ltd. The aim is to replace Caribbean Utilities Company's (CUC) exclusive licence, which expires in January 2011, with a non-exclusive one that will allow other interested energy production companies to enter the market. It is expected, and really hoped for, that, in the main, negotiations will be completed by early July of this year.

I need to also mention some coastal road protection and the alleviation of flooding in some flood-prone areas.

#### **Coastal Road Protection and the Alleviation of Flooding in Flood-Prone**

Coastal-defence walls, as they are termed, are under construction in parts of East End and for measures to deal with the problem in the Savannah Gully the design work is well underway with a view that once that is completed in a few months, whatever construction is needed will begin.

The Ministry of Tourism, Environment, Investment and Commerce and its agencies will work individually and collectively to enhance the economic development of the Cayman Islands by executing sustainable strategies aimed at growing tourism and investment and enhancing the management of the Islands' fragile natural resources which underpin our current and future success.

Unlike short-sighted approaches of the past, the Ministry and its agencies are working on a multi-faceted approach to achieve sustainable development. This approach invests in our people, it anticipates and caters to future infrastructural needs, it seeks strategic alliances, and it puts in place the laws needed to ensure the smooth and effective governance for our local economy and the environment.

More specifically, in terms of growth strategies, the Ministry of Tourism continues to focus on key aspects of our national economic development including, but not limited to, the following:

- In the area of Human Capital Development the Ministry will be providing Ministry of Tour-

ism Scholarships, Launching the Tourism Apprenticeship Programme, Expanding Business Development Training at the Cayman Islands Investment Bureau, Launching a National Customer Service Excellence Programme in the tourism sector;

- In the area of Infrastructural Development, the Ministry will be undertaking major expansion of the Owen Roberts International Airport and creating a nationally-owned airport in Little Cayman and also berthing facilities at the Royal Water Cruise Terminal;
- Completing the redevelopment projects at Boatswains Beach and the Royal Water Terminal and at Pedro St. James are also part of the strategy;
- In the area of legislative framework, the Ministry is in the process of completing Marine Conservation (Amendment) Law and regulations for wildlife interaction zones. In fact, the Marine Conservation (Amendment) Law should see its passage and the Governor's assent in very short order;
- Preparing dedicated legislation for public transport reform, dolphin facilities and updating legislation on Sunday Music and Dancing is also high priority on the list;
- Enhancing indigenous ownership and wealth. The Ministry has successfully launched the "Go East Initiative" to facilitate improved distribution of visitors and to create opportunities for Caymanians in lesser developed districts to benefit from the tourism sector;
- Prioritising small business lending programmes is also important to the Ministry and they are in conversation with the Cayman Islands Development Bank (CIDB) and its board, with a view to developing lending policies to this end;

Madam Speaker, the Ministry also would not leave Cayman Brac and Little Cayman out and they are contributing by:

- Opening a branch of the CIDB in Cayman Brac;
- Hiring a dedicated staff member of the Cayman Islands Investment Bureau to facilitate small business development and inward investment there;
- Facilitating dialogue on the formulation of an economic plan for Cayman Brac and Little Cayman; and
- Assisting with the introduction of scale-appropriate cruise tourism in Cayman Brac and better honing niche markets such as dive and nature-based tourism.

Madam Speaker, also high in priority is providing adequate and affordable airlift for Cayman Brac and Little Cayman.

The Ministry's focus on strengthening tourism will be by:

- Updating the National Tourism Management Policy to govern tourism over the next 5 years;
- Increasing environmental conservation programmes and promoting responsible and sustainable development practices;
- Implementing necessary safeguards at Stingray City and the Sandbar;
- Improving the dive product by establishing the Kittiwake site in partnership with the private sector;
- Leveraging strategic partnerships with major US brands, and one such is the National Football League (NFL) in North America.
- Strengthening the partnership between the Department of Tourism and the national airline to ensure adequate airlift to strategic tourism markets such as the recent decision to fly into New York (and I think that will commence in June); and
- The Ministry is initiating policies to prepare for the eventual liberalisation of the Cuba market.

Madam Speaker, I want to quickly take the opportunity now to speak, in some detail, about the subjects for which I have responsibility. My colleagues on the Front Bench will, no doubt, deal with all the subjects for which they have responsibility when they come to debate the Budget Address and Throne Speech. Hence I have not spoken extensively or comprehensively in respect of the subjects for which they have constitutional responsibility.

Cayman Brac and Little Cayman are an integral part of this country, and so Government continues to give them the attention and resources that they need and deserve.

The plans for District Administration beginning in 2007/8 Budget year are as follows:

It is now evident that the domestic tourism market has enormous potential, and to this end, plans are underway to encourage more visitors from Grand Cayman. It is anticipated that this domestic tourism initiative will be instrumental in stimulating an increased level of economic activity on Cayman Brac especially, but also included in Little Cayman.

Nature tourism in Cayman Brac and Little Cayman continues to show much promise with a 50 per cent increase in guided tours during the past year. So, to this end, an eco-tourism initiative will be expanded and promoted as an economic driver for Cayman Brac and Little Cayman.

Planned improvements to Cayman Brac's disaster management capabilities include two access ramps to the Bluff in the eastern districts, to help ease evacuation efforts in the threat of a storm. These two ramps are the Ann Tatum Bluff Road ramp and the Charlotte Bluff Road ramp.

Infrastructural development is ongoing, including the expansion of Cayman Brac and Little Cayman roads network, upgrade to the Cemetery Pier and related support facilities, and also, we are making every attempt for the deepening of the inner reef waterway on the south side of Cayman Brac.

Work is also underway for a FIFA (Fédération Internationale de Football Association) certified field at the Sports Complex on the Bluff in Cayman Brac, to support sporting activities in Cayman Brac and Little Cayman inter-island competition, and it is certainly not far fetched for us to aspire to be able to hold international competition at that facility when it is completed.

The facility is expected to host its first international competition in August of 2008, and I am certain the representatives from Cayman Brac and Little Cayman will speak more to that.

Plans are in place to transfer some of the existing overflow public service activities in Grand Cayman to Cayman Brac, thus creating new jobs and enhancing the economy with very minimal impact to the Island.

### **The Lands and Survey Department and their plans**

In the land registry section a new, convenient document-tracking system will allow the public to track the status of their documents. The Department will also commence the electronic scanning of all Land Registry files to add into their database.

The Valuation Office will oversee and carry out the re-valuation of all the Crown Properties, which are some 725 parcels, for asset management and insurance purposes. This will provide for a true asset management database for the Estate of the Crown.

The Department's Survey Office will carry out a new aerial photographic exercise of the three Islands to add to the country's robust geo-database, and it will help in the development of 3-D visualisation solutions for government and the private sector.

Madam Speaker, as an important technical support for Hazard Management Cayman Islands (HMCI), the Department will complete construction of seismic monitoring equipment bases on Grand Cayman and Cayman Brac and Little Cayman and conduct training on the equipment for HMCI. They will also assist HMCI in the further development of the TAOS (Tactical Oceanographic/Acoustic Spreadsheet) storm model to assist the Government in tracking hurricanes and also their impact on our Islands.

In the Geographical Information Systems (GIS) area, they market the updated Street Atlas of the Cayman Islands including supplying new maps for [www.caymanlandinfo.ky](http://www.caymanlandinfo.ky).

The Department will be utilising the data gathered from the 2006 hydrographic survey of the waters and seabed around all three Cayman Islands and this will allow them to produce the first detailed coastal and navigational maps. These maps will provide an

invaluable resource for recreational boaters and the tourism, shipping and fishing industries.

Madam Speaker, the Mosquito Research and Control Unit (MRCU) will soon have a new aircraft hangar and support facilities. The construction will begin very shortly here in Grand Cayman. The benefits of this purpose-built hangar include: proper protection for aircraft for the very first time—and we do have two new aircrafts—proper storage of aircraft parts; and proper storage of pesticides. In so doing, this will enhance workers' health and their safety, and also, this will be in compliance with the Civil Aviation Authority (CAA) regulations and there will be a fully functioning maintenance workshop.

The new Cayman Brac MRCU facility will also begin construction very shortly, modelled after the new operational building here on Grand Cayman, and will bring practical benefits such as proper pesticide storage, protection of equipment and better labs and offices to Cayman Brac. It will replace the present facility which was built in 1969 and, significantly, it will relocate MRCU offices in Cayman Brac up on to the Bluff—that is, moving it away from alongside the District Administration Building.

The Government is also exploring the opportunity of developing a modern approach to mosquito control for Little Cayman, with particular emphasis on protection of the environment.

### **The Planning Department**

Staffing will be obtained to implement the Builders Law and the accompanying regulations, and an updated Development Planning Statement for the Cayman Islands will be tabled in mid 2008. Members of the various communities are being encouraged to participate and to discuss land use, zoning and other issues.

There also, very importantly, will be the ongoing implementation of the Zucker Audit recommendations. To this end, among other endeavours, more staff being recruited and e-government features will be instituted such as the ability of applicants to track applications online, very similarly to the measures being employed by the Lands and Survey Department.

### **Department of Agriculture**

The Department plans to expand and develop the facilities at the Lower Valley Agricultural Station, and this will incorporate the Agri-Tourism complex that we have been talking about. Certainly, this will strengthen Agricultural Production, research, development and marketing prospects for the Agricultural sector.

I might just quickly add, this fiscal year, 2006/7, which ends in June we have spent our financial resources acquiring property. The necessary properties have been acquired so next year we will

begin physical construction of the Agri-Tourism complex.

The Department intends to complete the establishment of satellite butcher shops in districts across Grand Cayman for the sanitary and hygienic processing of meats of animal origin for human consumption.

And I dare say, since the supermarkets are now on board and regularly purchasing these meats, one of their demands is that these animals are slaughtered in hygienic conditions. These new satellite butcher shops, along with the existing abattoir, will certainly provide those facilities.

The Department also is going to continue the construction and equipping of a slaughterhouse and butcher shop in Cayman Brac to improve the sanitation and hygiene practices over there.

They are also embarking on the expansion of the main building in Lower Valley to increase and improve accommodations for staff, storage and lab facilities at the Department of Agriculture in Grand Cayman. They will complete the construction of a new fertilizer and feed storage facility at Lower Valley, in order to improve the efficiency with which sales are conducted. My report yesterday also told me that those plans are in to the Planning Department.

The Agriculture Department will also provide greater access to farms on Grand Cayman and Cayman Brac by clearing and improving more farm roads in the next fiscal year. They will continue to develop a mission and objectives for a new strategic direction for the agricultural sector. And they will continue to train staff in the areas of veterinary medicine and surgery, general agriculture and accounting to increase capability in all of those disciplines.

I wish to quickly provide an update on the constitutional modernisation process which this Government has restarted.

### **Constitutional Modernisation**

I announced the launch of the Constitutional Review Secretariat on 16 February of this year. I can now say the Secretariat is now fully operational; it officially opened its doors on 12 March.

The Secretariat falls under the Cabinet Office and is headed by the Cabinet Secretary, Mr. Orrett Connor. It is currently staffed by four persons.

Mrs. Suzanne Bothwell, a Senior Crown Counsel seconded from the Legal Department, is the Director. Professor Jeffrey Jowell, Queen's Counsel of Blackstone Chambers, has also been retained as an advisor to the Cayman Islands Government during the constitutional modernisation process. He is a Research Professor of public law and he is also a practising barrister at Blackstone Chambers.

The Constitutional Modernisation Initiative 2007 will comprise of a four-part programme.

Phase 1 of the programme will consist of a review of constitutional options that are viable within the

Caymanian context. Internal discussions between all Elected Members of the Legislative Assembly will eventually take place to determine the key options that are to be presented to the people of the Cayman Islands. Once this has been achieved, a Public Discussion Paper will be presented to the Cayman public as a basis for public discussion and consultation.

During Phase 1, the Secretariat also intends to mobilise its public relations plan, which will focus on the Secretariat and its role with a view to arousing an interest in people about the activities that will take place in Phase 2 of the programme. This is expected to run starting May and will continue up until the publication of the Public Discussion Paper.

Phase 2 of the programme will comprise of a comprehensive public education programme and public consultation period that is also expected to last a number of months.

Phases 3 and 4 of the programme will comprise of a national referendum on constitutional issues and then subsequent negotiations.

The results of the referendum will provide the Cayman Islands Government with the basis upon which it may enter into negotiations with the Foreign and Commonwealth Office in achieving a modern constitution for the Cayman Islands.

At present, the Secretariat is working very closely with Professor Jowell, with a view to presenting the Government with a range of constitutional options in June. These findings will be derived partly from comparative analyses of other British Overseas Territories Constitutions (BOTC), constitutions of other countries, and from considerations being driven by the Government.

Some of the areas that are being explored include:

- A bill of fundamental human rights;
- The clarification of the relationship with the UK so that the interests of the Cayman Islands and the UK can be harmoniously safeguarded;
- The review of all democratic institutions, their promotion of the rule of law, efficiency, fairness, transparency and accountability;
- The review of the United Kingdom's/Governor's Reserve powers; and also
- The composition of the Legislative Assembly and various Commissions and Offices.

So, I think it is fair to say that this is a critically important exercise and one in which the Government hopes all the people of these Islands will participate. The objective is to achieve the best possible constitution for these Islands, one which represents the views and aspirations of the majority of our people.

In conclusion, as I said in my delivery last year, compliance with the principles of responsible financial management continues to be a primary ob-

jective for the Government and the 2007/8 Budget certainly fulfills that requirement.

It continues the clear message about our vision for this country. We continue to balance our priorities with the wish list within the expected levels of funding. And we are continuing the building blocks on the foundation which our two previous budgets have built.

The challenges keep presenting themselves, and I expect that this will be the case for many years to come. But we are not daunted. This PPM Government is strong and it is committed to the cause.

We know that strength comes from teamwork. We also know that Almighty God is by our side and we thank Him for His guidance. He has been our rock throughout. And today we pray for His steady hand as we guide the "good ship Cayman" through the calm and through the storm, making a difference: delivering results.

Thank you.

**Some Hon. Members:** Hear, hear!

**An Hon. Member:** Well done!

**The Speaker:** I will entertain a motion for the adjournment of this honourable House.

**An Hon. Member:** [Inaudible] get up again.

**The Speaker:** Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Madam Speaker, I move the adjournment of this honourable House until Friday morning, 4 May at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Friday morning, 4 May, 2007 at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 12.27 pm the House stood adjourned until 10 am Friday, 4 May 2007.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**4 MAY 2007**  
**10.07 AM**  
*Second Sitting*

**The Speaker:** I call on the Fourth Elected Member for the district of George Town to say Prayers.

**Quorum**  
*Standing Order 13 -*

**Hon. W. McKeeva Bush:** Madam Speaker, there is no quorum in this House, so this House cannot begin.

**The Speaker:** Serjeant, would you find the Members who are in the dining room and ask them to come to the Chamber, please? It is after ten o'clock.  
 Thank you.

*[pause]*

**The Speaker:** I will ask the Fourth Elected Member for the district of George Town to say Prayers.

**PRAYERS**

**Mr. W. Alfonso Wright:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.11 am

**ADMINISTRATION OF OATHS  
 OR AFFIRMATIONS**

**OATH OF ALLEGIANCE**  
*(Administered by the Clerk)*

*Mr. Kearney Gomez, MBE, JP to be the Hon. Temporary First Official Member*

**The Speaker:** Mr. Gomez, would you please come to the Clerk's table and may we all stand?

**Mr. Kearney Gomez:** I, Kearney Gomez, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** Mr. Gomez, I welcome you to these Chambers on behalf of Members and invite you now to take your seat.

*[pause]*

**The Speaker:** Please be seated.

**READINGS BY THE HONOURABLE  
 SPEAKER OF MESSAGES  
 AND ANNOUNCEMENTS**

**The Speaker:** I have no messages or announcements.

**STATEMENTS BY HONOURABLE  
 MINISTERS/MEMBERS  
 OF THE CABINET**

**The Speaker:** I have received no notice of statements by Ministers and Members of Cabinet.

**GOVERNMENT BUSINESS**

**Commencement of the debate on the Throne speech delivered by His Excellency, Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, delivered Friday 27 April 2007; together with**

**The Second Reading Debate on The Appropriation (June 2007 to July 2008) Bill 2007 (The Budget Address) delivered by the Financial Secretary, the Honourable Third Official Member, on Friday 27 April 2007**

**The Speaker:** The motions have been duly moved and are open for debate. Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, I want to thank the good Lord for keeping us all safe and rendering his blessings on us. I want to thank Him for giving me another opportunity to be here to look at the work of the Government.

Madam Speaker, the Budget before us and the Government's speech from the Throne read by His Excellency the Governor last week hold out many, many promises. There are some things that I appreciate in it, but general direction is bad. It is just a "grab bag" of promises, reflecting insincere intentions and regrets. It is improvisation borne of desperation.

It is a typical PPM measure: promising all things to all people. Never before in the history of our country has so much been said but so little done; [nor] has so much debt been accumulated; [nor have] our people had to endure the hardships and suffering which are now emanating from the top to the bottom of our society.

Over the past two years, the PPM Government, and its leadership, has been able to ride on the wave of the successful planning, good financial management and robust economy inherited from the last administration. And while riding that wave, they have delivered flowery, back-patting speeches of the great achievements of the PPM Government. Sadly, Madam Speaker, their achievements are visible only to the PPM Government who have become so efficient at misleading our people that they are now misleading themselves.

The state of our economy and the plight of our people are not good. Economic decline, the hardships being endured from trying to make ends meet from day to day as a result of the poor policies, and the concerted efforts to mislead our people—that situation will get worse.

The PPM Government came to power with several slogans. The big one, being "Government you can trust," is fast becoming the "Government which will lead us all to bust."

Madam Speaker, the PPM Government misled the public initially into believing that it had a plan which would benefit the people of these Islands. They are trying to mislead the public [into believing] that it is as a result of their policies and their plans over the last two years that our economy has been so good, that our country was able to obtain an Aaa 3 rating—a triple 'A' rating, the highest possible rating we could get—and because they have been able to borrow un-

precedented amounts of money which will burden our people for a long time to come.

Madam Speaker, instead of thanking the previous Government for giving them the ability to get something, they are making flowery speeches criticising the last government for the achievements which have allowed the PPM the liberty of doing nothing for two years. The PPM should have been putting policies in place to enhance our economic activity and opportunities for our people.

The effect of the PPM's increased revenue measures—some plus \$25 million worth last year—no real policies creating the most divisive society which these Islands have ever experienced, have resulted in the slowing down of our economy, significantly increased the cost of living, significantly increased costs of doing business, significantly increased red tape associated with doing anything in these Islands, including licensing your car.

It is almost impossible for young Caymanians to open new businesses that are successful. Those with small- and medium-sized businesses are finding that the economic malaise and red tape and bureaucracy are making it very difficult for those businesses to operate in a profitable manner.

Instead of helping Caymanians, the policies of the PPM have burdened our people and made it impossible and difficult for all strata of our society to meet their day-to-day expenses, buy food, pay bills and prepare for the challenges of globalisation and the 21st century.

Running huge debt burdens while shrinking our economy should be a clear demonstration to all that they seem to have very little, if any, understanding that that word "progressive"—which is in their party—progressive planning and sensible economic measures are essential to the future of our country and to our people.

Madam Speaker, nothing in the Leader of Government Business' policy statement is inspiring; in fact, mostly everything in the speech is somewhat terrifying. There are no measures to increase economic activity and lift the burden off the back of our people. Every aspect of the speech pats the PPM on their backs, from the beginning to the end, for the great achievements made in the last two years: the huge borrowing for expenditure, which could only have been possible by the booming economy, good economic planning and sound principles, which the last administration put in place during our term of government.

Now, they can cuss me from today till next Friday but they cannot say that we did not leave the country in a booming, economic situation with good money in the Government accounts. They can say anything they want, and they have said mostly anything (some of them not all of them, but some on the Front Bench), but they cannot say that.

Madam Speaker, it is easy to borrow money and easy to spend money that you have inherited. It is

much more difficult to repay that money and to continue to generate earnings.

Governments do not generally go bust; the people which they represent go bust. At one point the present Leader said that the country was broke some years back. But governments do not generally go bust. The people they represent go bust paying back for the poor policies, overspending and degeneration of economic activities caused by governments who do not do the right thing. There are a lot of examples around the world. They cannot say we did not leave them a booming economy and money in the bank.

Madam Speaker, they would like people to believe that that triple 'A' rating came just in the last two years, you know, just in the last two years, never caring to give credit to former administrations (nor even the UDP Administration) for the work and the magnificent job done in repelling the dangers that affected us over the many years. It just happened. It just happened in the last two years. Oh, yeah! Ha! Ha! Ha! People are not that blind!

So, let us examine our present situation.

Our financial industry and tourism industry are the two pillars of our economy. These two industries generate other economic activities such as construction, other businesses which service those industries, the revenue it generates, and jobs, which without them and the people who work in them—be they from Cayman or elsewhere—our Islands would return in a short period of time to the Islands which time forgot.

There is always talk of going back to the good old days, but no one wants to get in a catboat to get from one side of the Island to the other. Oh, the fish stew is good from a cookrum, and I know it is. But believe you me, they are not good days. Uh-uh!

And those who wish to live in the past should spend a couple of months with families in the outer undeveloped islands of some of our Caribbean neighbours and experience what life was like for our forefathers, those of us that might choose to forget it or maybe did not have it to deal with. And they will figure out how difficult it is to make sufficient money, to have a decent standard of living and to educate their children without people and without economic activity.

The \$25 million plus revenue measures introduced by the PPM last year while enjoying the benefits of continuing economic activity which they inherited, has enabled them to enjoy budget surpluses while their policies continue to have a negative effect on our people and our businesses.

Significantly increased work permit fees, Trade and Business Licence fees; everyday costs such as licensing your car; increased red tape and the difficulty of getting day-to-day important business activities completed; the difficulty of attracting and maintaining the necessary people in order to sustain our economic activity; and changes to our immigration policies, have all increased the cost of living and driven potential business to other countries.

Madam Speaker, the country will recall that I issued a warning about the potential increased borrowing activities when the last budget was presented, and predicted that the capital expenditure predicted then by the PPM in that budget could not have been expended. Despite this, the PPM introduced the revenue measures which have significantly added to the cost of living and the burden of our people.

Countries like Canada are offering incentives in order to attract business once conducted in the Cayman Islands. Countries like Ireland and other financial industries are growing at rates far in excess of the Cayman Islands. We are generating jobs and economic activities in the developed world—that is what Cayman is doing now—while jeopardising our economy and the ability of our own Caymanian people to obtain jobs and to earn a living.

Madam Speaker, never before in my lifetime has our society been so divided. Flowery speeches, change of policies, anti-foreign rhetoric, economic policies which encourage those working amongst us to leave and to cease investing and spending money earned—mind you, in our Islands—are resonating through our economy.

Our tourism industry, despite a lot of talk, is in the worst position it has ever been for many, many years. Not even when the late Mr. Jefferson was there counting the people coming back in, locals coming back in, and the numbers were pushed up by 100,000 . . . not even then did it seem to be as bad as it is today.

The PPM speaks of attracting high-end tourists. We all did that; that is what we wanted. However, their policies have done nothing to encourage the industry to produce the product and the hospitality which high-end tourists expect and are able to obtain in other jurisdictions.

Our air arrivals have not returned to normal, our summer bookings are dismal. High-end tourists and others are now going to alternative Caribbean jurisdictions never before recognised for their ability to deliver a superior product to ours. I warned some years ago that the agricultural economies around us, in the region, were moving fast toward developing tourists, and so they have come to that point and they are doing well.

Madam Speaker, it is well recognised in the tourist industry that Europe and Asia, and in particular China, are growing tourist markets. The efforts of the last government to start to develop these markets were terminated at an early stage of the PPM Government's "You Can Trust" programme and the effects are now being felt.

Oh, they say the big law firms can do it for us! The big law firms take care of themselves in those jurisdictions, and those offices would have been the place to send people to the Cayman Islands. They could have used the offices for anything.

The previous government had put in place strategic plans for the development and enhancement

of our tourism industry, the attraction of the high-end tourism market.

Madam Speaker . . .

[pause]

**Hon. W. McKeeva Bush:** I am just trying to find one spot in the Leader of Government's speech from last Friday.

[pause]

**Hon. W. McKeeva Bush:** The Leader of Government business last week went on to point out various programmes that he claimed were their work. But they cannot take credit for it. I know that we did it and the public knows that. And although my name might not be there, and I get blamed for it and somebody else's name is there, they know who built the Royal Watler facility.

But hear what the Leader of Government business had to say last week: **"Unlike short-sighted approaches of the past"**—

**The Speaker:** Could you give me the page, please?

**Hon. W. McKeeva Bush:** Page 19.

**"Unlike short-sighted approaches of the past . . ."**

Then the Minister went on to talk about: **"Human Capital Development, Providing Ministry of Tourism Scholarships."** Where is that new? **"Expanding Business Development Training at [the Investment Bureau]."** Where is that new? **"Launching a National Customer Service Excellence Programme [it is a name but it was all being done before. I am glad that it is continuing] in the tourism sector."**

It goes on under **"Infrastructureal Development: Undertaking major expansion of the Owen Roberts International Airport."** Is that new? The only thing new about it is it is going in the wrong place. And the **"Little Cayman and berthing facilities at the Royal Watler Cruise Terminal"** all ongoing. Short-sighted approaches of the past you say? **"The Boatswain's Beach"** project, then it goes to the **"Legislative Framework."**

Madam Speaker, in the four years — when I did get the law, by the time we put it out to the public, nobody came back, and I certainly could not bring the law because nobody came back with any information on it.. However, I certainly made good inroads, in the enhancing of our marine conservation.

On and on he went: **"Prioritising small business lending programmes in the lending policies of the CIDB,"** I will talk about that later.

**"Contributing to the Sister Islands,"** I am going to talk about that, but is this new? And there he says, Madam Speaker, **"Opening a branch of the CIDB"** in Cayman Brac and Little Cayman.

Madam Speaker, what a shame that they could say these were short-sighted approaches of the past. Yeah, it was short-sighted, but by whom? Who walked out and did not support the law when I created the Cayman Islands Development Bank? Who voted against it? It was not McKeeva Bush. It was the starring members of the PPM.

On and on he went: **"Leveraging strategic partnerships with major US brands such as the NFL,"** and that is a laugh! You know that was done before and it is a pity that the news media in this country sometimes—sometimes, I said—do not do their work, because if they did it they could not give an impression that this thing is just starting. They could not do that. But they do it.

**"Strengthening the partnership between the Department of Tourism (DoT) and the National Airline."** I sure hope that can be done, but that is something that was ongoing and it was better in the last few years than it ever was before.

And **"to ensure adequate airlift to strategic tourism markets."** Well, they are going to New York. American Airlines went there, also Cayman Airways went there, also I think Continental Airlines went there and could not make it. I dearly pray that we survive at this time. But I know, for one thing, going in in the middle of summer certainly cannot be the best time and the right time.

Of course, it is a good time for the Caribbean State Ball, and he can carry up his colleagues to have a good time. Perhaps, the "Minister of Dance"—the Third Elected Member for George Town—and the "Minister of Functions"—the Fourth Elected Member for George Town will have a good time.

[Laughter]

**Hon. W. McKeeva Bush:** But it certainly, Madam Speaker, is a bad time as far as our tourism destinations.

[Laughter and inaudible interjections]

**Hon. W. McKeeva Bush:** [To the Third Elected Member for George Town] You never learned to dance like me, darling!

[Laughter and inaudible interjections]

**Hon. W. McKeeva Bush:** And I guess they decided that the plane could not go without Sir Turtle, but I will come to that too!

[Laughter]

**Hon. W. McKeeva Bush:** Yes, Madam Speaker, these are short-sighted approaches by the last government, but if it were not for them I wonder where he would be today.

After two years on the job, every time the Minister gets up, the first thing he does is try to lay blame for his failures at our administration's feet where if any success he has enjoyed was due to what we had put in place. He takes credit for any improvement by comparing tourism figures against those of the Hurricane Ivan period when we had no planes coming here and no rooms to rent.

Given the fact that he had the benefit of a brand new Ritz-Carlton opening immediately upon his taking office, with over \$10 million spent on promotion of the Island at that time, and an unprecedented boom in Caribbean tourism where other countries are rapidly expanding, Blind Bartimaeus would have seen an improvement over the Ivan period.

Madam Speaker, they say a rising tide lifts all boats, but in the face of this surge for the Caribbean under his captain ship, our boat is getting stuck on a reef of nothing happening.

Madam Speaker, the expansion of the airport in its current location, in my opinion, is a mistake. I had that opinion when we were the government. Cayman, in order to meet the challenges and the changing market conditions of our tourist industry with the expected growth from Europe and Asia and other jurisdictions (which are a significant distance from the Cayman Islands), needs a state-of-the-art airport for the future which should be located elsewhere.

What sense does it make for us to put \$50 - \$100 million in an area that we know if a surge comes in it will give it six feet of water?

United Nations (UN)?

I hear some people saying that the United Nations cannot tell us anything. The truth is, the United Nations Development Programme (UNDP) has had many good programmes throughout its years and has given us some sound advice. We may not like it. I mean, some governments have never taken it, but the fact is that that is a good organisation, the UNDP, and they have warned us. And we should not need any warning from outside of experiencing what we did.

The present airport should be reserved and maintained to provide service to the increased private aircraft business that we want because that is the high end tourist and that is what we are trying to get. We should want to see 100 private planes there because it means big money is coming into the country and that trickles down.

I know what they said in the run-up to the Election, that I wanted my friends. I know that. Well, I do not know how many friends I got, but I know this: it is good for the country.

It should be left for cargo deliveries, and as I said before, turn it into a centre for the courier services such as DHL, UPS, Fed Ex and so on—a transfer centre for this area of the world.

All kinds of things were also said about my plan for a new dock in the east and moving the airport there. But, Madam Speaker, what I saw in my mind's eye is that this country needs a new economic base.

We should know that by now—politics or no politics—creating solid, new revenue. We do not know. We do not know what vagaries will hit our finance and tourism base. We do not know!

We know that we have been challenged and challenged and challenged. Whether it will be a hurricane that destroys the Seven Mile Beach, South Sound and George Town (God forbid if anything like that was to happen), or an international issue that affects global finance such as we are benefiting and experiencing good revenue from today. What if something happens? And the world we live where crazy people walk into schools and shoot up and kill 33 people. We do not know.

My plan to have built a new airport in the east, build a sheltered and safe harbour for shipping and cargo, a transshipment base and trades centre, with a sheltered facility for mega yachts would definitely give this country a new economic base where we would ensure, we could ensure, Caymanians benefited. It is good strategic planning, and now that we are about to move on to some of those areas we should not make those mistakes. Maybe we will get some disgruntled people. Maybe, I do not know. Maybe they have had a change of heart, I don't know. But, nevertheless, it is the right thing to do for this country to have a safe harbour.

This country has the best safe harbour in the Caribbean that I know, the North Sound; but nobody is going to touch it, we do not want that, so we should create one. Creating one in the east for 30-35 acres where the cruise ships could go sometimes when the weather is bad on this side and the people would still get a cruise.

So, those things I know I was cussed and I was accused about I had rich friends. I even hear that I had a private plane! A private plane?

What I do know, it certainly would definitely be a good "Go East Initiative". I know that. I do not know about the present one: it sounds good, but I have to wait to see whether it will work out or not.

Madam Speaker, creating that dock, that facility would have given this country all the fill it needed for every road that we want to build and that we need. I hear that the proposed new area for a cargo dock is in the vicinity of Mr. Arthur Bodden's shop. I do not know; I say I heard. For as much as this Government talks about openness, there seems to be a lot going on that I cannot get serious answers to.

By the way, Madam Speaker, I thought that we would have answered some questions in the morning before getting into the debate. At least we would have got them done. I would have gotten some answers for some of the things that I need information on for a budget debate, but that is not happening. Certainly, it will not do me any good at this point, but the information that I sought in those several questions is information that this country needs.

But, in any event, should what I heard be true, I question whether that will enhance George Town or

create a safe harbour or be effective for a future Cayman Islands.

What I proposed in the past, Madam Speaker, is that we take George Town and turn it into a tourism Mecca; pedestrianise it; take out the cargo; do not put it anywhere on Front Street; move it out! You know what George Town would be like? The Minister of Roads and Infrastructure talked about how he wanted to see George Town developed. When we created the road that goes up and around, I think Goring Avenue, it was one of the things that we had planned to do. We would pedestrianise certain areas so people could come right around. But we should even go further than that. And now other roads are being built and widened.

Madam Speaker, leave George Town for tourism. Be they cruise or be they other visitors, leave it for a tourism Mecca. That is what is needed.

Madam Speaker, without the much criticised cruise ship facilities, the Boatswain Beach facilities, the Ritz-Carlton, the Westin, Camana Bay and other developments, where would our tourist industry be today? Where are the plans of the PPM to meet the challenges of the 21st century? I know one thing, it is certainly not the general mood or the general habit of the Minister—that is, every time to get up in this House, or in a speech anywhere, and say “it was McKeeva’s fault.” That was good for the campaign. It helped them get elected but it is not working now.

Words and self-praise, accompanied by a lot of back patting, have not achieved anything for our tourist industry over the last two years.

Now, again, dealing with the statement by the Leader of Government Business and what he is going to do to cut down the cost of living. Instead of saying he is going to put pressure on the oil companies, where I doubt he is going to be able to make any inroads . . . I would hope he could get something done but I doubt it. Where is a plan for renewable energy? Where is it?

We have the perfect platform for the best application for today’s renewable energy, with over 300 days of sunshine each year and a good breeze every day.

We need, certainly, to get costs down and this is not the only way, there are other ways. I believe that the oil companies can more pressure us (unless we had our own) than we can pressure them, but I would hope for success for the Minister, the Leader of Government Business.

Madam Speaker, our financial industry, at one time the fifth or fourth largest in the world, grew at unprecedented rates during the term of the UDP Government. Changes to our immigration policies—instituted within days after the PPM arrived into power—failure to take advice and consult with leaders in that industry, failure to understand the benefits of having top representation in Washington, D.C. at all times, and maintaining relationships with free market associations—are beginning to take their toll on our major

industry. They can say anything after they get up, but it is a fact that I am saying.

Today there are more pending bills in Washington which have the potential of severely affecting our financial industry. There are more negative articles being promulgated throughout the press in the developed world than can be left ignored. More and more of the work which was once done in the Cayman Islands is moving to other locations, other jurisdictions, creating potential for serious criticism from those who would like nothing better than to move our industry to their own jurisdiction, decreasing the opportunities for Caymanians across the board.

Madam Speaker, they have a good way with words. If I ever said anything from the beginning of the creation of the PPM it is that they have good, good public relations (PR). They can spin—good spin doctors—anything.

Madam Speaker, our medical care situation has never been in a worse state of affairs. I am not saying that the Minister is not trying to do work either, but what I say here is the truth. Our people deserve effective medical care, not only for headaches, but for serious medical problems and emergencies.

It is quite clear to the public that the Hospital cannot, at present, provide some important medical care for cases of serious illnesses, such as heart attacks and other problems, for our population and our visitors. How can we want to be a top-class, high-end destination without it? Visitors experience it on a regular basis. Two years and a worsening situation is not progress; it is injustice to our children, our young and our old alike.

Great fanfare and more flowery speeches were made by the leadership of the PPM as to the benefits which the “Government you can trust” would bring—medical care in our Islands. In our country, Madam Speaker, our country that can boast close to a \$500 million budget, a country that is now the sixth largest international business centre, a country that trillions of dollars pass through, should have state of the art medical equipment, should have the most sophisticated specialists and other medical enhancements that we can buy. Pay the money!

There should be no cause for concern, pain and suffering in this country for the want of those necessities. Our people should not have to suffer in the world that Cayman is doing business in today. We are the sixth largest international financial business centre. What it takes is boldness, innovation . . . and do we need yet another consultant for it? I doubt it. No. But we need safe, state of the art medical care.

I thank the private hospital because it is doing a fair job. It is an excellent facility. But Government has a responsibility to provide that state of the art specialist care for our people.

The situation is deteriorating, it is not improving. We have some good staff, some good doctors, but in this country where we boast we are the sixth largest financial industry, I guess they will jump up

and say what you did. I hope they will do that. Mind you, they are good at it.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** *[To an honourable Member]* Sorry?

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** He was asking if I curtailed the previous Minister of Health.

Madam Speaker, I had no instruments to tell anybody what to do. They do as the please, it seems like, if they can get three people out of five to support them.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** Ha! Ha!

**The Speaker:** Could we continue with debate and not the cross-talk, please?

**Hon. W. McKeeva Bush:** He asked a fair question though, I should say, Madam Speaker.

*[Laughter]*

**Hon. W. McKeeva Bush:** While they were saying I was a dictator I could not tell anybody to do anything that they said, *'This is my Ministry.'* But I should say there was some effort in trying to get things done in a not easy situation because I noticed that the hospital is not an easy baby to deal with. I know that. I know. But I am saying for a country talking about the 21st century and we are talking about trillions of dollars and being the sixth financial industry, it should be state of the art. You need boldness and innovation.

And they asked me to tell them, *'Well, why don't you say what needs to be done?'* I am telling them, but I am not on Cabinet. I am not on Cabinet.

Madam Speaker, the UDP Government has introduced a system which, when completed, would have put in place new schools in the districts and provide a state of the art education system for our children which would enable them to meet the challenges and to compete in a globalised economy.

Madam Speaker, the IBM state-of-the-art teaching aids for training of teachers, provision of computers with the goal to provide each child in every school access, if not a computer, was well underway. Since the introduction of the PPM we have heard nothing about this programme. I do not know where it is.

The building of schools in various districts was a programme put in place as one of the strategic planning decisions by the UDP. To date, no new schools have been built. Our people are questioning the ability of the system to get three in one year,

which will be needed to deliver education to prepare our young ones for the age of technology and increased productivity which industry demands. Despite great talks of progress, our children certainly do not have the schools as of now.

Borrow money they say and we will get it overnight in time for the next election. I know that my good friend, the Minister of Education, is going to get up probably right after me (or not too long thereafter), and I want him to tell us what he is doing with that programme, if that goes out the door. And if it goes out the door, what is he putting in place.

Cayman Airways . . . Madam Speaker, before I move there, I want to ask him also—and I think this is probably one of the questions I would have [wanted answered if there had been a Question time] —“ What happened to funding for private schools?”

Some private schools are associated with churches, and those churches, the vast majority of them are very poor people. And that is because the kind of building that some of the poor churches build is because they have hardworking members that will go out and work and build and keep down costs. And now we can use them as hurricane shelters too.

That's not good? Good, yeah!

Madam Speaker, the private schools, pre-schools, take loads of expenditure away from government, that government does not have to put out. I think they do it cheaper, or less expensively. I believe that we should continue to put money into those pre-schools and private schools. It does not matter who they are connected to. Just look at their budget to see what they have, what they are paying and so on. Have a programme that we continue to fund, because if government had to educate every child, and if we did not have those schools, it would cost us no end of more money. So, it is a fair and wise investment to do that and I do not know if it is happening now.

*[LoO replies to inaudible comment from the Floor]* If it is, it is not as much as it should be.

Madam Speaker, the PPM with great fanfare introduced new management, displaced long-serving dedicated Caymanians, and except for the increase of fees, confusion and check-in difficulties, a new building purchased called “Good Deal” — which I say is like the “Emperor's new clothes,” — there have been no results in Cayman Airways to speak of.

Cayman Airways is important to our country, to our economy, and to our people. From its inception there have been countless studies, consultants and unheard of geniuses who are all going to revolutionise the airline and turn it into a profit-producing operation. High fares and empty seats will not enhance our tourist product, nor will it produce profits.

The United Democratic Party, after reviewing numerous consultative papers and listening to various proposals, realised that Cayman Airways was important to us and that it was unlikely to ever be a profitable airline. Its main purpose from its inception was to open new routes for our tourist industry and provide a

reliable, friendly, safe, service to our people while keeping airfares at reasonable rates. Making our economy able to enjoy significant economic benefits and produce revenue, our country could then afford to keep the airline running—and it did—while managing it in such a manner that its losses would be outweighed by the benefits which the airline provided for our people and our country on a whole.

The Deloitte study showed us this. It showed us the benefits of how much it was bringing into the country. Has this all been changed? Certainly all is not well there. All is not well. We wait to see.

We put in place new routes, Madam Speaker, and the Minister just after he left my Ministry in the middle of the night went out to the newspapers and criticised what had been done. I am sure the Member from the Brac on the backbench of the government knows what I am saying because we discussed it. He went to the newspapers and criticised what had been done—in the run-up to the election, in particular, severely criticising the schedule.

Well, Madam Speaker, on the back of the PPM rode wild promises and untruth. He was elected. The schedule was changed to what he said and, lo and behold, it is being changed back again—back to where it was under our management. So, the genius failed again, and what a mess!

Of course, the plan we had, and the schedule was doing all right; not to say that it could not have been improved. The Sister Islands were being served with jet service at a good time, a fair time. We put in the Brac Express and we had plans to move to Dash-8 equipment and the provision of new services once the airport on Little Cayman was built that could take a Dash-8. Now today this country is spending millions of our needy dollars on the most expensive consultants and in Cayman Airways it has simply gone from bad to worse.

No matter how hard the new board might be working, what it shows is that a new Minister came in with no plan but to criticise the Minister (meaning me), no plan, but a vindictive agenda of getting rid of good staff and with his genius change everything, even poor old Sir Turtle, the icon on the tail.

So, Madam Speaker, the failure to sell turtle meat at gold prices turned into a scheme to get rid of the whole turtle!

*[laughter]*

**Hon. W. McKeever Bush:** Which, Madam Speaker, has also failed. If it weren't so serious, it would be laughable.

I wonder what colour they had planned for it. I wonder if it was going to be that red that I see on the advertisement of that plane with the red tail up in the airport.

*[In response to inaudible background comments]* Red is danger. Of course, we know that by

now. We all thought it was valentine; but, boy, we found out. What a sad day for a funeral. No valentine.

Madam Speaker, the PPM Government increased duties on the transfer of land, introduced changes to immigration policies which resulted in high earners in our economy failing to invest in our country and the only booming area of sales was along the West Bay beach. That is not so booming today.

Many Caymanian developers, Madam Speaker, are experiencing difficulties in selling their developments. And a key area of our economy which our citizens were competing in in an effective and an efficient manner has been all but shut down. The local developers are not only having a difficult time with red tape . . . and, Madam Speaker, why does there have to be all this bureaucracy?

Bureaucracy has delayed current development, delayed proposed developments, and increased the cost and frustration of developing in this country to a point never before envisioned.

Madam Speaker, I had one little piece of land . . . and I am a person who did not believe in buying a load of land. I could not afford it over the years and beside that, I had enough surrounding me with my two children. But I went and signed a loan for someone and I had to end up taking over the loan and taking the piece of land. That is the only other piece, Madam Speaker, that I had at the time. I bought that in the 90s. A full acre—perfect acre—right on the road, and one house below us. One house, which was being serviced by the . . . Barkers Road was big enough for garbage trucks and other vehicles to go up and down there.

They came and told me, when I got ready to sell it, because I was going to cut it up into four pieces and sell it, they said, 'No. Can't do that. You have to have a 30' road.'

I said, 'Oh yeah?'

'Yes!'

So they took that off it and left me with three lots. And the bureaucracy to get that subdivided . . . Madam Speaker, this country needs a different system for doing that. It is just too costly for poor people. I imagine what people who have a piece of land and are less well off than me must go through.

*[Inaudible interjection]*

**Hon. W. McKeever Bush:** A poor man that has two or an acre and left it for four children?

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** I never changed it.

The thought process?

Stop fixing me, man! I keep telling ya!

*[Laughter and interjections]*

**The Speaker:** Is this a convenient time to take the morning break?

**Hon. W. McKeeva Bush:** Yes Ma'am.

**The Speaker:** Proceedings will be suspended for 15 minutes.

**Proceedings suspended at 11.16 am**

**Proceedings resumed at 11.40 am**

**The Speaker:** Please be seated.

Honourable Leader of the Opposition continuing his debate on the Throne Speech delivered by His Excellency the Governor, and the Second Reading of the Appropriation Bill.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, when the break was taken, I was asked whether this situation of frustration that I gave with the subdividing of land did not exist. Perhaps a lot of frustrations did exist, but they have increased. Certainly, some in Planning.

Nevertheless, Madam Speaker, opportunities for young Caymanians to become developers are decreasing minute by minute. It is time, from my point of view, that the purview of small apartments—which Caymanians have the ability to borrow and build—be left for Caymanians. That will not hurt foreign investment in this country.

But it should be left for young . . . because they are becoming a glut . . . a glut of them. That is why I am saying so. If we never had people investing then, certainly, we would not stop foreign investment in that area. But I believe that that aspect of development in this country can now be left to small Caymanians and families.

I believe, Madam Speaker, that the Government fails to understand that investment and development in our country such as some of the big developers have done, is essential. Increasing red tape and increasing criticism and animosity for persons who contribute significantly to our development is short-sighted, counterproductive and downright dangerous. Had it not been for the investment made by others in our financial and tourism industry, those people who believed in these Islands and took the risk associated in investing in new buildings and other ventures with Caymanians, the Cayman Islands would not be where they are today.

Madam Speaker, during the period of the last government, our banking industry attracted first class institutional banking organisations from all parts of the world. Cayman grew to the second largest depository in the world, next only to the United States of America. Its rate of growth in most areas was unprecedented.

Madam Speaker, the increased cost of doing business, the difficulties in attracting skilled personnel and the cost associated with the revenue enhance-

ment measures introduced by the PPM last year are now taking their toll.

The PPM now, in another effort, demonstrative of their lack of knowledge in the area and understanding of our free market economy, in a last ditch effort to respond to the burdens they have meted out on the backs of our citizens, now seek to regulate interest rates. This is typical PPM. It sounds good. But I ask can it be done? Caymanians are suffering all right, but is this the way?

Madam Speaker, not even in the United States of America, the world's largest economy—an economy responsible for close to 60-odd per cent of the world's GDP—are interest rates dictated by government. It is not!

I believe students of economics would understand that interest rates in these islands are a factor of many different things: the availability of long term money; and, I have long been told, it is the cost of doing business and the risks associated with various customers, and world markets. To suggest to our people, without even having a central bank, that the Government is able to reduce the rates charged by various financial institutions for loans is downright misleading. It is worse than misleading! It is a dangerous indication of the desperation of a government who may now realise that they are well underway to destroying the economic activity which these islands have been able to encourage and to produce for our people one of the highest standards of living in the world.

Madam Speaker, back in the period 1979/1980, in the 80s ('81, '82, '83, around there) interest rates in this country went up to about 21 per cent. But our people got homes. A good middleclass was built. Poor people did improve their lot. Poor people in those years added on to their homes or improved their homes otherwise—even with the high interest rates on loans in those years. But how did people improve their lot? Because salaries could meet expenses—mortgages and all! No other reason; salaries could meet expenses.

If the PPM is genuine, and if they really wanted to help Caymanians, they would work hard at getting them salary increases to meet the high cost of living—mortgages and all—that our people are experiencing. That is the way to go.

**Hon. D. Kurt Tibbetts:** [*inaudible*]

**Hon. W. McKeeva Bush:** Well, the Leader of Government Business asks which one is easier to do.

You pick!

I think if we acknowledge the real rate of inflation in the country and if we acknowledge the real rate of the cost of living, rather than saying what it is as it stands, Madam Speaker, we have no other alternative than to move in that direction. But a lot of things will depend on it because then government will have to do something that means more revenue. And it means

getting revenue and not borrowing for it—and that is where we are diverging in policies with the present government.

What they have said sounds good. And I hope sincerely and pray that something could be done. It may sound good to the voters, which they intend to want; however, they create for our people a situation much worse than they can face today. So, Madam Speaker, things are not that good.

I turn now to the economic development aspect of this budget. Given the current state of our local economy . . . and no one needs to stand here and say 'Boy, this is good.' It is not good. People are hurting! And they are hurting more in the last two years than they ever hurt before and we must accept that. There is no use in saying, 'But McKeeva, this is your fault.' And what McKeeva didn't do.

Madam Speaker, this Government did not have Ivan! They did not have 9/11; they did not have all the vagaries that McKeeva had to do. They did not have Britain pounding down the doors saying 'We're going to do this to you.' They did not! They did not have the problems that we had to contend with!

And yet, Madam Speaker, when we had to increase fees—they did not support it—and yet we were able to leave millions of dollars more than the country ever had before in the accounts for this Government.

They can cuss me, but boy you cannot fault me on it! You can't do that Bobo!

[laughter]

**Hon. W. McKeeva Bush:** I must ask Government how the current Leader of Government Business can say with confidence and in all truth that this Administration has engendered optimism among our people. *Where you staying? Where you stay?*

**Hon. D. Kurt Tibbetts:** I know where you stay and I know where I stay.

**Hon. W. McKeeva Bush:** I know you know where I stay.

**Hon. D. Kurt Tibbetts:** And I know where you stay too.

**Hon. W. McKeeva Bush:** Okay! That's good Bobo. Good!

But, it's not true! I have never seen so many Caymanians in despair, except for the morning after [Hurricane] Ivan.

Madam Speaker, people are long past the euphoria of the election. They have gone past that, when they believed the PPM. They are long past that. They believed them and expected them to do something by now—not to make things worse. But the beating they are taking today, they cannot be happy. And even if some are still optimistic, they must realise that

the country's leadership is not taking them in the right direction and the leadership is bogged down.

[Inaudible interjections]

**Hon. W. McKeeva Bush:** I hear the Minister from East End saying 'bad as it is, it's got to be better off than what it was when I was there.'

You can say anything. You are getting some roads built so you are happy. You should be! I am happy too, but you do not have the problems that we had, and we raised the money for you!

[Laughter and interjections]

**Hon. W. McKeeva Bush:** That's right!

**The Speaker:** Could we stop the cross-talk and debate, please?

**Hon. W. McKeeva Bush:** That's right, Madam Speaker. That is what I am doing, whenever they shout the issues at me it reminds me one more time of where they are at.

Madam Speaker, they can look back: I made mistakes, I did, I did. But those mistakes are not hard to turn around. What is being done now cannot be turned around easily. At least I left a good economy! At least I left money in the bank! What is happening today . . . and you get an "Ivan" and what I had to contend with in those four years, you will not have any money in the bank; and you will not have a good economy. And added to that, I did not borrow any pile of money. We amalgamated the loans we had and got a better rate. That was good.

Let me see them try that today. With the amounts of money they are borrowing, if we get in trouble, God help us!. Good-bye Hannah!

I say, Madam Speaker, on the contrary, the PPM Administration ruling has coincided almost identically with a country that is reeling. The high cost of living, a topic so widely discussed in the community and a factor which has caused so much trauma in people's lives that the Administration is now finally admitting that it can no longer ignore it and has taken every opportunity to give political sound-bytes about the fact that it is concerned.

It should really be concerned, but have they really counted the cost of the additional borrowing they are doing? And at the end of the day what is it all going to mean for this country? Have they really counted that cost?

If the PPM is so concerned about the cost of living, why have they not done something about it up to this point? Why?

You are going to blame that on me? Am I stopping you from doing your work? No! You dance in the streets; you go where you want; you party with who you want to party with. I am not in the Glass House to stop anybody from doing anything. They

have a wide-open full road to do what they want to do. So don't blame me!

*[Inaudible interjections]*

**Hon. W. McKeeva Bush:** Yes, we have been blamed: "You're not doing anything. You are too quiet." One paper called us, what? "Silence Opposition!"

*Give unnah de rope—let unnah do wha unnah wanna do. Let um dance up! Let um do wha dey wanna do!*

If the PPM is so concerned about the cost of living, why have they not done something about it up to this point? If they are about making a difference and delivering results, as the speech by the LGB is entitled, where are the results on the cost of living issue? Where is the difference in the lives of hardworking Caymanians who cannot pay their car loans, who cannot buy groceries, who cannot pay school fees?

The inflation rate mentioned by the Honourable Financial Secretary does not reflect the very high cost of living. I think he said something like 3.6 per cent, I think it was. That does not reflect the very high cost of living being experienced by the wider community. In fact, by the very acknowledgement of the PPM Administration itself, the cost of living has truly spiraled out of control for our people.

I am not suggesting that the current methodology is incorrect, Mr. Financial Secretary, based on the existing information used by those in our Economic & Statistics Office. However it is absolutely clear to me, and has been for some time, that the basket of goods used in the process needs to be updated to more adequately reflect the items that should be included in any cost of living analysis. The admission of the basket of goods being outdated has also been mentioned recently in connection with the current NALC [National Assessment of Living Conditions] exercise.

So, I want to caution our use, this House's use, an elected Member's use and reliance of these inflation figures which give us a false sense of security in the current climate. We cannot have this very high cost of everything and inflation is only just over 3 per cent. It has to be a whole lot more, and this country needs to recognise it and do something about it. Publish it! I said that a long time ago.

On borrowing, Madam Speaker, again we are talking about a false sense of security. I note that the confirmation from the Honourable Financial Secretary and, in particular, the emphasis by the Leader of Government Business, that the Budget is compliant with the principles of responsible financial management contained in section 14 of the Law. This particular achievement is a compliance requirement. And get it straight, it is a compliance requirement, but it says nothing about the usefulness of how the budget is being spent.

In other words, it is a necessary but insufficient indicator of good fiscal policy. And while I do not

wish to unfairly criticise any aspect of this budget, it is incumbent on me to say that aside from the compliance with the principles, this budget and the one presented last year have not resulted (except for my good friend from East End's building of the roads — we needed roads) in any visible sign of productive use of public funds to date.

It is fairly easy to say that we have borrowed a lot less than originally forecasted. Of course. But what does that mean? Does it mean we have been shrewd and prudent and saved funds in some areas?

When you get up and make such a speech, does it mean that? Or is it not the truth that this is the result of delaying projects that we have promised to the people? And do these delays in implementation not have consequences for the community and the wider economy?

The fact is that we can identify clearly that the reason for the less-than-projected borrowing is because this PPM Administration has not actually done much over the last 12 months. The nearly \$70 million short fall . . . can you imagine? In a year that we hardly had rain, but the sun was shining bright, and good trade winds were blowing, and there were no serious blowups in the world that affected us. Out of \$94 million . . . you only borrowed it . . . you say you only borrowed twenty-seven. Why? Because you did not get the work done. Never had to spend it, but you could not get the work done.

*[interjections]*

**Hon. W. McKeeva Bush:** I know.

It is \$70 million worth of delayed activities. It would have hopefully put the country further ahead than it is now.

The PPM Administration Achilles' heel is not being able to take decisive action. And yet again we have witnessed that very prominent feature in the manner they have governed.

And of some concern to me for a while now is the idea emanating from this Budget that the record levels of borrowing and the resulting repayments are sustainable. If you take into account the entire public debt, this country is running a serious risk of destroying, through excessive borrowing, the financial stability built up over the years by several governments.

This borrowing could be kept under control if the PPM Government focused more on putting policies in place to support a vibrant economy, get a new revenue base and benefiting from the resulting revenues, rather than the current approach of turning to borrowing while simultaneously making the Cayman Islands a more difficult place to do business. A divergence in policies.

Divergent policies are the core of the problematic approach taken by this PPM Administration. On the one hand they have made it more difficult to get the necessary employees for businesses, said all manner of evil about all and sundry; made more red

tape and watched prices spiral out of control while they danced in the streets and had a good time on the front page of the paper. On the other hand, they never speak about meeting with commercial banks to seek concessionary interest rates.

This Administration is taking an extremely bad approach towards businesses. They continue to make it more difficult to do business in the Cayman Islands while asking businesses to contribute more. How can that strategy work, I ask. How will it work?

We have to find a way to assist Caymanians while maintaining a viable climate to do business. That way we can achieve additional revenue for government without having to resort to raising more taxes.

The PPM continues to tout the fact that it is not raising taxes in this Budget, but it misses the point that by putting in place key policies it could create economic activity and benefit directly through increased revenue as a result of this increased volume of activity. That way we can avoid these record levels of borrowing being projected. I have always said that, Madam Speaker.

I have always said that we have to continue developing. There are people who do not want it. I know that they do not want to see anything done. Some of them already have it made. They do not care about some of us. We know that. I have already had them to contend with. I know that to be a fact.

They would not live on the places pumped up, and giving them ocean front. But it is a bad thing! You should not do it! It is bad! Bad for the country, they say. I know some of them well. *"I know some of them well"* as the Bahamian Calypsonian said!

Madam Speaker, balanced development works. In a country that was nearly 50 per cent swamp, do you think we could have had this by keeping all the swamp that we had when, as I said, there was probably more than 60 per cent swamp?

They can kiss-up to their buddies. But one thing they cannot do is say that I did not leave money in the Government's treasury. They cannot say that the economy was not good. They cannot say that there were a lot of small Caymanian businesses started. They cannot say that.

If they would do those things that I talked about, we will be able to avoid these record levels of borrowing being projected.

And finally, and importantly, it is doubtful that this administration will be able to raise the required revenue to make the repayments on this additional borrowing if they continue down the road of stifling economic activity.

Economic planning and vision, Madam Speaker . . . the Leader of Government Business has stated that the PPM came to office with a plan a team and a mandate, and they have spent—and continue to spend—a great deal of time discussing the plan and refining the vision.

Madam Speaker, it would appear that a critical component of the PPM's plan was to ignore any existing plans aimed at improving the economic development of this country and the welfare of its people. Oh yes, that is clear.

Only recently the president of the Chamber of Commerce highlighted yet again the important role that small businesses play and called for a national strategy to support this important segment of our economy.

More than two years ago the Draft Economic Plan commissioned by me then—which has been completely ignored by this Administration due to their narrow-sighted policies—outlined a number of national strategies in this area. Some of these are highlighted as follows:

- 1) significantly improve coordination of all supporting organisations of small businesses;
- 2) actively encourage and promote small businesses;
- 3) provide domestic businesses with better access to information;
- 4) facilitate financing for start-up or growth of small businesses;
- 5) development of human capital.

In addition, the plan outlined specific action steps for each of these areas. And one of these was the recommendation that a small business support unit be established to improve coordination of the various organisations that currently provide services for this sector and to implement the national strategy which is outlined in the document for small businesses.

A related point regarding assistance to small businesses (and of direct relevance to the LoGB's recent promise to discuss interest rates at banks) is the role of the Cayman Islands Development Bank, which was established by my administration some years ago. The reason for creating the Development Bank was precisely to fill the void where normal commercial banking decisions had left some worthy borrowers without access to financing.

We have to recognise that while not all those who apply for a loan can get one, there are many who due to the operation of a free market and the all-fits-one policy of the retail banks, will not gain access to such financing. And even if so, not at reasonable rates.

The role of the CIDB, the Development Bank, was to address that issue because the Development Bank by virtue of their mandate and objectives consider a number of wider economic and social factors when assessing the validity of a loan. Yet this organisation, which can play a vital role in assisting both small businesses and residents, was not supported by this PPM Administration when I created it. And it continues to be under-utilised by the PPM Administration, some of whom walked out, as I said, others voted against it at the time of its introduction. Rather than focusing on simply having a meeting with the banks

(as the LoGB announced) the PPM could consider making better use of the Development Bank.

It could also consider encouraging the various banks to pool some funds together into a separate fund which could be utilised to assist in providing low rates for Caymanians and small businesses. By organising a special fund the various retail banks would effectively be sharing the risk associated with this additional lending.

In addition, the PPM should arrange additional funding for the Development Bank so that that organisation can move quickly to assist in bridging the gap that exists as far as interest rates and access of funds is concerned for both individuals as well as businesses.

The PPM, Madam Speaker, have had two years. And they are not just by themselves, you know. They have a civil service. So they are not working up there as they are making people believe. They are up there in that Glass House, they say, working day and night. That's not true! That is simply not true!

They have a civil service that will work with them. We had many that would not work with us. And I say this: They not only have that, they have spent millions of dollars on consultants.

If I had had that kind of support and expertise behind me in all that we did in the time that we had and all that we went through, we would have gotten a lot more done, Madam Speaker. But we did not have those kind of consultants. No sir! Nor that kind of money. No baby! Hmm!

Two years to organise additional funding for the CIDB. And, Mr. Leader of Government Business, it is time that you get it done. It is time that you do that.

Madam Speaker, that economic plan also included strategies for the Sister Islands, which were developed as a result of discussions with businesses and representatives of the community in the Sister Islands. I am sure that the Second Elected Member for Cayman Brac and Little Cayman—who sits on the Government's backbench—knows that, or should remember.

Again, this PPM Administration took the decision to ignore that plan and the many strategies and action steps outlined therein and spent the public's resources going over old ground and coming up with many of the same conclusions.

Allow me to outline some of what was said in that Plan over two years ago on the topic of the Sister Islands. The three high level strategies for the Sister Islands stated in the Economic Plan were: **"To develop a balanced nature/dive tourism industry . . . ; To provide urgent stimulus to Cayman Brac to stabilise the economy and encourage a larger resident population; To establish a governance framework that recognises the unique needs of the Sister Islands given their stage of economic development and natural resources."**

One of the action steps targeted towards achieving these objectives more than two years ago was to establish a Sister Islands Investment Bureau Business Development Office. Some of the stated elements of that strategy are: to establish a private sector driven board for the Investment Bureau; support the initiatives with government funds; create a marketing plan and develop positioning and brand identity under the Grand Cayman umbrella; create marketing material to generate awareness, familiarity and preference; establish links to Grand Cayman's New York and London Investment Bureau Offices; and create an incubator model of potential new business prospects with targeted market segments in the Sister Islands.

Who says we did not plan for it?

And, Madam Speaker, the Plan is here. The Plan was laid on the Table. And I want to lay it on the Table again and ask them to take it and look at it. The PPM's lack of recognition for this important document would be understandable if most of what I just outlined was no longer relevant to the Sister Islands at this time. But given the wasted ground that this PPM Administration has gone over to come to many of the same conclusions two years later . . .

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** I thought that was what I had done, but Madam Speaker, I said I want to lay that on the Table of the House.

**The Speaker:** The document has been laid on the Table of the House previously hasn't it?

**Hon. W. McKeever Bush:** I am laying it again! That is what I want done.

**The Speaker:** So ordered.

**Hon. W. McKeever Bush:** Thank you very much, Madam Speaker.

Yes, it was laid back then, as I said. But I am laying it again just in case it has gone somewhere about.

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** No?

As I said, Madam Speaker, given the wasted ground that this PPM Administration has gone over to come to many of the same conclusions two years later . . . and, frankly, still falling short of some of these conclusions which were well researched and informed, I believe that an explanation to this honourable House is long overdue as to why the decision was taken to ignore these important strategies for, not just the Sister Islands, but for the country in these past two years.

I guess, Madam Speaker, if it had a plaque on it with my name, they would have changed it, put theirs on it and say it is good. It has no plaque on it.

I note with some concern from the LoGB's remarks that there is now a move to embark on another process to develop an economic plan for the Sister Islands by facilitating dialogue along these lines.

Madam Speaker, the document is there. Again, it concerns me that there is a document that already exists and, in my opinion, can be drawn on heavily to set the course rather than going over the same ground again.

The mention of airlift issues, to finance for businesses, to nature tourism in the Sister Islands—all of the strategies being touted about now were already proposed, as I said, more than two years ago. Even the most recent plan announced by the LoGB to transfer overflow activities in public sector to the Brac was already laid out in that plan more than two years ago.

Was it because it was McKeeva who did it? That's why? Not utilising the kind of advice from strategy outlined in a country's economic plan is pure contempt. Pure contempt!

Madam Speaker, the same with the Investment Bureau. A plan was made for that. What did they do with it? A full report. A full set of policies and procedures for the Cayman Islands Investment Bureau.

And while I am positively surprised that this Administration did not shut down that agency entirely in the same manner that they reversed the very important strategic plan for Hong Kong, I do have some concerns regarding whether this agency and the resources being utilised to run it are being maximised for the benefit of the Cayman Islands. But I want to lay that document on the Table again also, Madam Speaker, the Cayman Islands Investment Bureau Policies Guidelines and Procedures by Deloitte & Touche.

**The Speaker:** So ordered.

**Hon. W. McKeeva Bush:** Nothing done with it, just saying that I hadn't done anything, and went island-wide to tell people that McKeeva Bush didn't do anything, he didn't prepare any plans, he had no plans for the country, when, Madam Speaker, the plans there were done by a very . . . one of the most reputable firms in this country and a worldwide reputable firm.

*[interjections]*

**Hon. W. McKeeva Bush:** A consultant?

Yeah, but it did not cost what yours cost, you know. Did not cost what yours is costing. No millions of dollars here. A lot of goodwill went into that document by Deloitte.

I know that is what they are going to say, Madam Speaker, 'you had consultants.' Sure I got a consultant to help me with the Investment Bureau

plans. Sure I got one for the Economic plan. I had ideas, but I could not write the plan. But do you know what? You are getting consultants for everything: Sports, schools, horses, bicycles, cars . . . you have a consultant for everything!

*[interjections]*

**Hon. W. McKeeva Bush:** You do not have one for cars? Oh, well that is the only thing.

*[interjections]*

**Hon. W. McKeeva Bush:** oh.

*[Interjections]*

**Hon. W. McKeeva Bush:** No, no. Don't have one for roads either.

No?

Good! Good boy!

*[laughter and interjections]*

**Hon. W. McKeeva Bush:** Madam Speaker, I know that is what they are going to say. Let them say it.

But, as I said, that report I laid there for the Investment Bureau works well. If you look at some of the more successful jurisdictions in the world in terms of their ability to attract investment and to help their small businesses, then we see that agencies such as the Investment Bureau are actively involved at the national level. Whether it is promoting the attraction of doing business in Singapore, Hong Kong or Barbados, these other agencies serve as an important co-ordination point of national efforts to promote foreign investment.

The PPM implementation of the Bureau risks reducing this important national organisation's effectiveness. I urge them to consider the framework which was created when this special report on the Investment Bureau to see how the more varied role of the Bureau could be executed for the benefit of the Caymanian people. Are they going to do that? I do not know, Madam Speaker. I don't know.

Madam Speaker why has that plan and so many aspects of it which were relevant then and increasing in importance today been ignored? It was paid for with public funds, has relevant strategies and analysis, and as Leader of the Opposition I would like to know why no action has been taken by the PPM on that.

The two plans, may well have required some tweaking at the implementation phase, and also due to the fact that we experienced a major hurricane after it was drafted, but those are not valid reasons to ignore the very good analysis and recommendations it contained. This is a plan for the Cayman Islands, not the UDP, not McKeeva, not the PPM. It was for the people of the Cayman Islands.

What I am saying to this honourable House is that the continued neglect of these economic plans is not an issue of politics that we can simply continue to ignore; it is an issue of whether this PPM Administration maximised the use of public resources which were used to develop the plan by not reviewing it seriously as part of its own vision for the country.

They have no plan! I heard him saying they had a plan, but where is it? Where is their plan? None!

Plan of despair!

They would rather get up and say to the country that McKeeva did nothing, that he had no vision, and he was wrong in what he was doing. A smarter approach would have been for the PPM Administration to use what they thought was good from the plan and make changes to areas where they thought change was required. But it was irresponsible of them to ignore it because it was carried out with every intention of being implemented for the sake of the people of the Cayman Islands. In fact, the Economic plan itself followed a spirit of cooperation.

For example, given that the National Tourism Management Policy was drafted, the plan did not attempt to recreate a strategy for tourism, but instead sought to integrate it into the overall national approach for economic development. There are literally dozens of strategies and action steps that are already in the plan. It is extensive, containing a wide range of discussion, analysis and strategies for both private and public sector and already addressing most of the issues currently being discussed.

Madam Speaker, before I close there are a few areas . . .

This is a question for probably the Leader of Government Business and the Minister for East End. On a stretch of land where a two-million dollar house has just been built, and in the same vicinity 50 house lots were purchased: should a quarry be built there? It is also a tourism-related area, and is that part of the "Go East" initiative in Breakers?

Madam Speaker, on housing, I am glad that the Minister said that he would use that Plan. The Leader of Government Business, the 1994 Plan. Because in 1994, according to him, he was not sure it was a good thing, and if it had been left to them it would not have been introduced.

**Hon. W. McKeeva Bush:** Back in 1992/1994, I could not get any bank, as I was Minister of Housing at the time, to get houses for low and middle income people. They were not getting homes.

A private individual came up with a programme which I knew was workable. The Opposition of the day brought a motion to the House and there was nothing good said about Government's attempt to get housing. By the time that motion came we had agreed that we go with that developer, we would go to some banks and we would go with any other person who came up with a good programme on housing. But

the present Leader of Government Business, who seconded that motion then, made enough racket and the Opposition made enough imputations and allegations that the National Team did not go with Frank Hall Homes/Affordable Homes, but we went forward with the bank against the grain and Opposition of the Leader of Government Business who was then an Opposition Member.

In that programme we gave over 180 homes (I think it was). It was a good programme. And he said it is nothing new. He said it has a few changes. The 1994 plan moved up from \$125,000 to \$200,000 and a salary I think of \$60,000 to \$75,000. But that was a good plan.

Get the *Hansards*, and stay home tonight and read it and see what your Leader said about it at that time.

Boy, I went back to the Glass House and said, 'Well, what am I going to do?'

And the National Team said 'Look, they have created enough doubt. Nothing is being said about it.' And I am sure that the Elected Member for North Side knows about it too. She would remember. I am sure she remembers.

And we said, No, do not go with that company. But they were going to put up well over, I think in the first tranche, something like \$17 million for housing.

'Oh, no, no, no, you cannot do that. You cannot do that!' I will never forget it! Sitting right over there they were. I will never forget it. That is what I was told, You can't do that!

Can't do that, eh?

Yeah?

Today they use it, 12, 13 years hence.

But I thank him.

One of the things I believe the Minister in the UDP failed on was that he did not really push that programme. I applaud the Government for picking it up.

Madam Speaker, on the sale of the piece of property on Eastern Avenue. I spoke to the Minister about it briefly. I understand it has 19 foundations and it has 13 houses, which means that each of those houses is something like \$60,000 at least. And at least at no more than \$5,000 per foundation, it is worth something, so it should be very close to \$900,000 if not more, but at least that.

They are moving out those people. I understand his rationale and he is selling the government land. But I believe it is being sold for too little no matter how many people came to bid on it. He said three people came to bid on it. What is the amount it is costing per square foot?

How much?

Fifteen dollars.

Madam Speaker, I would think that is more valuable . . . more like \$25 or \$27 per square foot. It is on Eastern Avenue in a very valuable area. Land around it is going for around the same thing. And you

are selling it for half price. The price should be somewhere at least \$4.5 million. It should be! Check the size of the land and if prices are going around \$25 and \$27 per square foot, do not tell me it should not be more, plus the value that we have in the houses and foundations there.

Check on it! Check on it!

I understand the rationale. Complete what he is saying about getting land somewhere else, but then you have more money to get more land with it. I still am not sure, because at the time we discussed it, the Minister did not know who was going to purchase. Who is the offer from? If that can be made known.

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** I would like to know now. I am asking the question at this point in time.

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** No one would believe that. I got several in and could not get an answer yet, so I know it is not Question Time.

Madam Speaker, it looks like I will not get an answer, but anyway . . . not to say that they do not have good intentions. I said I thought it was a good idea to do what they said, but I believe that we can get more for that land and that we are selling it for half price according to what I have been told, that the property is per square foot \$15. No, it has to be more than that!

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** Anyway . . . do not ask me what anybody did not do. I cannot read minds, and I certainly had no control, and I had no lock and chain to lock them up, so I cannot tell you why.

I know he wanted to do housing for low income people and he tried to get land and that is where he went, and that was one of the areas. I told him then too that I felt that it was rather good piece of government land, but that is what he chose to do. He had the support and he got through it.

And do you know what? Poor people got houses. Costly, but they got houses. And you know what? They stood up to Hurricane Ivan too. Yeah. Sure.

Anyway, Madam Speaker, another situation is where some of our people are being sent home from work in the government services. Bus wardens. I understand that some bus wardens age 60, women, are now being told they have to go home, they cannot be considered government employees any more and they can come back but they will only be paid \$400 per month. Now, Madam Speaker, you tell me that that is not a downright disgrace in this country today, if that is so.

*[Inaudible interjections]*

**Hon. W. McKeever Bush:** You'll have time.

But I am begging someone to look into that situation because these people . . . Do not say they are not needed unless you are going to invite other people of other nationalities, origins of other countries, to go and be your bus wardens. And, by God, if they can go back to work at age 60 they should be paid a full salary. It is the same thing.

Why are you going to tell them that you are only going to pay them \$400 a month if they are making \$9[00?] before you send them home? Madam Speaker, these things are not right.

At John Cumber Primary School, in the same vein, a lady was there for about 18 years—

**The Speaker:** Honourable Leader of the Opposition, if I may interrupt. You have two minutes remaining.

**Hon. W. McKeever Bush:** John Cumber Primary School sent home a woman there. She has no income. A Jamaican lady was there for about 18 years. She got cancer. They sent her home. Now they got people from other origins, as I said, down there doing the cleaning and being the security guards.

Madam Speaker, this is not right! For God's sake do not tell me it is right. It is wrong!

In closing, Madam Speaker, these Islands cannot live long on borrowed dollars. This Government is borrowing today against our grandchildren's future in order to buy time for its own political survival today. If the Government keeps on borrowing at the present rate, the burden of financing the national debt may reach monstrous proportions. Indeed the country will have to continue borrowing just to pay back interest on the debt. To my mind that way of managing is irrational, very bad and will impose on future generations an unacceptable burden.

At different times when faced with their failures the PPM Government has blamed the weather, blamed McKeever, blamed the Opposition, blamed people voicing their opinion on the radio, blamed people in the news media. However, the fact is clear, they, themselves are the problem.

My most sincere hope is that the present PPM in the next one and a half years will not so complicate the major issues and so muddy the waters that workable solutions become impossible to find by the time a new government comes on board, God willing.

Madam Speaker, I thank you for your time. I thank the House for its indulgence and not so much heckling.

**The Speaker:** Proceedings will be suspended until 2 pm.

**Proceedings suspended at 12.37 pm**

**Proceedings resumed at 2.13 pm**

**The Speaker:** Proceedings are resumed. Continuation of the debate on the Budget Address and the Throne Speech.

Does any other Member wish to speak?  
Honourable Minister of Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, it is my privilege to offer my contribution to the debate on the speech from the Throne delivered by his Excellency, Mr. Stuart Jack last Friday, and to also offer my contribution in relation to the Budget Address delivered by the Honourable Third Official Member, the Financial Secretary, on that same day. I will also comment on the Policy Statement delivered by the Honourable Leader of Government Business following those two addresses.

I believe this is the seventh occasion which I have had the opportunity to debate the Throne Speech and Budget Address in this honourable House and I am always moved to record my gratitude for the people of this country, particularly the people of my constituency for having given me this tremendous honour.

I am humbled always at the magnitude of responsibility that has been reposed in me and the government, in fact on every Member of this honourable House. And I never, ever, Madam Speaker, lose sight of why I am here and of that tremendous trust that has been reposed in me.

Madam Speaker, the Honourable Leader of the Opposition went on at some considerable length this morning responding to the various speeches to which I earlier referred, but spending a great deal of time deriding the Government and seeking to negate the tremendous strides that we have made since we took office just under two years ago.

He claimed, among other things, that we are or were—I am never quite certain if he is in the present or in the past—that we are or were riding on the success of the previous administration. He claimed that the economy is in decline. He spoke about the plight of the people, he claimed that we had divided the society, and on and on ad nauseam.

Now, Madam Speaker, if I could have a moment; I have lost some figures I had here. *[pause]*

Madam Speaker, if one were to believe the Leader of the Opposition, he would believe that this is a country that is approaching, if not already, a disaster. One would believe that things are very, very bad, that things are terrible. The figures and the facts tell a very different story.

The Leader of the Opposition spoke about the Government riding on the success of the previous administration. Madam Speaker, when we took office it was barely eight months after the most devastating event that ever took place in these islands—Hurricane Ivan. I need hardly remind anyone of that. The country was leaderless. The rebuilding process was being stymied because of a lack of coordination, because of

a lack of application of sufficient resources to it, and there was an underlying lack of confidence in where the country was going. That is what we inherited, Madam Speaker.

He spoke about the fact that we have spent significant amounts of money and, according to him, we borrowed more money than anyone else had ever conceived to borrow but that there has been no productive use of funds. One only has to look around this country to see the tremendous building efforts that have occurred. And, yes, the private sector has done an exemplary job; but look at the government buildings. Virtually every government building was in disrepair, and virtually nothing had been done to effect the necessary repairs to the government buildings and facilities.

From my Ministry's perspective alone, Madam Speaker, every single school was still in a state of disrepair. Less than two years down the road every single school—in fact, this has been the case since the beginning of the last school year in September. Every single school has had the necessary repairs effected to it and is functioning properly. Madam Speaker, those are tangible results.

The Leader of the Opposition may not regard effecting repairs to schools as productive, but I believe the majority of people in this country do. And not to mention the public libraries, all of which have been repaired and reopened.

We are going a step further: In his (the Leader of the Opposition) constituency, for the first time there will be a public library which we hope to be able to open very shortly. I am going to invite the Leader of the Opposition to come and, indeed, give him an opportunity to give a speech. Perhaps during that speech he can explain to his constituents why, after more than 22 years in office, having had three stints on this side of this honourable House, it took a government that does not have a single representative in West Bay to make sure that West Bay had the same things the other districts, including Cayman Brac, have had for years—a public library. So he can have that opportunity to do that then.

Now, Madam Speaker, as is his want, the Leader of the Opposition spoke about the economy being in decline. I just want to mention a few indicators and let those who listen to me draw their own conclusions.

We took office in May of 2005. In 2004 there were 8,892 companies registered. In 2005 there were 10,210, a 15 per cent increase on 2004. In 2006, last year, there were 12,277, a 28 per cent growth on the previous year, and up until this point, January to March of this year, we have registered 3,388. Indicators are if those trends hold true, that we will be up to about 17 per cent over last year's in terms of company registrations. That, Madam Speaker, I do not believe supports the Leader of the Opposition's statement that there has been an undermining of confidence, that

investors are no longer attracted to these Islands because the PPM is in office.

Another key indicator, Madam Speaker: land transfers. From July 2005 to June 2006 the actual value of land transfers was \$377,810,344. From July to March of this year we are at just over \$222 million, and indications are that we are going to be above the actual value of transfers for last year because there are a number of significant transactions that are pending registration.

So, Madam Speaker, perhaps the Leader of the Opposition is spending a little too much time reading the *Cayman Net News* editorials. If he would pay a little more attention to the actual facts (which will hardly ever be found in that publication) he might be able to assist this honourable House and the broader listening audience a little more when he stands up to make his submissions.

He spent quite a bit of time harassing my colleague, the Minister of Health and Human Services. If one were to listen and did not know better, at points you would be led to conclude that the Leader of the Opposition has only recently joined the ranks of Members in this House, because when he speaks from the Opposition Bench, you can hardly conclude that he has spent 22 years and three stints on the Front Bench of this honourable House where he led decision-making. You would believe that all of the problems and all of the issues which this Government is wrestling with only came about since we took office. He was Minister of Health at one point as well.

**Hon. V. Arden McLean:** Four years.

**Hon. Alden M. McLaughlin, Jr.:** No, he did not last four years (my colleague, the Minister of Communications, Works and Infrastructure, is saying). He did not last four years as Minister of Health.

**Hon. V. Arden McLean:** Oh, yeah. That is right. They kicked him out!

**Hon. Alden M. McLaughlin, Jr.:** He did not last four years, and I will let other people who have a memory at least as good as mine understand why he did not last four years as Minister of Health.

Suffice it to say, Madam Speaker, that the problems with the health services of these Islands are endemic; they have been there for a long, long time. And I am not going to try to stand here and say that we are going to be able to resolve all of them, no matter what efforts are made by my colleague, supported by the rest of the Government and the Government Back Bench.

But what I am going to say is that all of those issues cannot possibly be laid at our feet, nor could any reasonable being expect that this Government would have resolved what has been a problem for more than quarter of a century in less than two years.

Madam Speaker, whenever there is any complaint made about anything that his government did or did not do the Leader of the Opposition has a way of saying, well, he could not do any better because he did not have the support of all of his colleagues. Whenever there is anything that can be complimented in relation to that government, he was the one responsible; but whenever there were—and there were many things wrong with that administration—it was not his fault, it was the Minister of Education or the Minister of Community Services, but somebody else was responsible.

Madam Speaker, that alone, that alone, that acknowledgment—which he made more than once in the course of his address this morning and into the afternoon—the lack of teamwork and the lack of leadership ability ought to disqualify the Leader of the Opposition, and the Government of which he was a part, from holding those offices again in the future of these Islands. This country cannot run with a divided government.

Whatever may be said about this Government, we are a team; and that is why (to the discomfort of many people, but in particular the Leader of the Opposition) we are making some very positive strides and we are able to point, with some degree of pride, to the successes of this Administration in the short period of time that we have been in office.

Madam Speaker, when he talks about the successful projects of his government, which had office from November 2001 to June 2005, I ask him to point to one. Is it the affordable housing scheme? A \$14.5 million bond which this Government is going to have to find some means of repaying? The houses of which are or were in disrepair and which, quite frankly, have very, very short lives? Or, is he going to point to the success story of Boatswain Beach? more of which is to come when my colleague, the Minister of Tourism, speaks to that.

So, Madam Speaker, what this Government will not do, and I give this solemn undertaking to this country, is to leave a stack of unfinished projects which are yet unpaid for, which are costing the country significant amounts of money, in some cases (as is the Boatswain Beach situation) hemorrhaging, and then ride off into the sunset and stand up on our hind legs and boast about the successes that we had: successes only in the very fertile imagination of the Leader of the Opposition.

I am encouraged to know that the Leader of the Opposition now supports Cayman Airways Ltd because I was very much around, very much around, when he wanted to shut the operation down. I am not going to say much more about that.

But, Madam Speaker, if I can sum up really, the Leader of the Opposition's speech, I will conclude by simply saying, "In the abundance of water, the fool is thirsty."

Madam Speaker, if I can come now to my substantial contribution to the subjects for which I have constitutional responsibility.

*[Inaudible interjection]*

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, over the past two years since I took up office I have spoken at length in this honourable House on a range of matters affecting my Ministry, but I readily confess that I have spent more time dealing with issues affecting education than any of the other subjects in my Ministry. Today will be really no different and there is every reason for that approach.

This Government took office fully cognisant of the dire need to improve our education offering facilities and resources generally. The PPM ran on a platform on which we said that human capital and education are the cornerstones upon which hinge the social, economic and cultural well-being of our society.

So, Madam Speaker, when we propose to borrow significant money for projects such as schools, I do not believe that many people other than the Leader of the Opposition and *Cayman Net News* would complain about it. And while I am on the subject of borrowings, I just want to put this in context: The Leader of the Opposition carried on at some length about—in fact he ended on this note that we are going to place the country in a position where we are going to have to borrow money to have to pay even interest; we are going to strangle the country to death with huge public debts, echoing sentiments and headlines from the *Cayman Net News* yesterday.

From November of 2001 to May 2005, the period during which the Leader of the Opposition was Leader of Government Business, his government borrowed just under \$77 million—\$76,915,924 to be exact. Thus far, we have borrowed just over \$51 million. So, there is what the Leader of the Opposition says, there is what *Cayman Net News* says and then there are the facts. Those are the facts, Madam Speaker.

The reason why education is at the forefront of this Government's agenda is because we recognise that for our young people to be able to function in what Thomas Friedman has described as the “flattened world ahead”, it is imperative that we give them the best quality education that money can buy.

Our children will work in jobs, many of which we cannot even contemplate: jobs that simply do not exist, they have not been invented yet. They will live and work here. Many of them will live and work abroad. But wherever they work they will be held to globally accepted standards.

And so, Madam Speaker, it is the goal of this Government—and the mandate of this Minister—to deliver to the people of this country a truly world-class education and that is not just some exaggerated ambition or some exaggerated statement on my part. That is what we are seeking to do and for that we require significant funding. But no money that is spent on any-

thing else, save perhaps health, is better spent than the money that we have spent, and we are proposing to spend, on education.

Now, Madam Speaker, I know full well that because of the spectacular un-achievement of the UDP Government in this regard that is something that does not sit well and, perhaps, is only dimly understood by the Leader of the Opposition. But that, Madam Speaker, is the policy, the philosophy of this Government.

Madam Speaker, there have been many accomplishments since the 2005 Education Conference. Alongside the construction of the new schools, the forthcoming financial year will also see the beginning of the implementation of the new governance model for educational services and the introduction of the learning communities; the completion of the review of the national curriculum; the passage of a new education and training law; a systematic response to the recently completed special education needs report; a comprehensive approach to improving literacy standards; and the further improvement of service to pre-school children.

In the transformation of the education services, care has been taken to ensure that equity in service provision can be found throughout the three Cayman Islands. With the upcoming school year, a number of education specialists will take up positions based on Cayman Brac. This decision will ensure that services required by our children there are readily available on demand and not sporadically as has been the case in the past.

Madam Speaker, the National Education Conference outlined serious concerns from all stakeholders in the areas of special education needs. Many of these concerns revolved around the very late identification of needs, along with insufficient resources to deal with them once identified. This was particularly true of Cayman Brac and Little Cayman, but there is also a very significant issue in Grand Cayman.

To address the situation, a full review of all aspects of special education needs within the education system was undertaken during the last half of last year. The resulting report was received in December of 2006, accompanied with a myriad of recommendations, including the identification of a number of specialist posts needed to reinforce the system. The majority of these recommendations have been accepted and there will be an enhanced Special Education Needs (SEN) service from September of this year, led by a new head of special education needs services who takes up his posting on 1 June 2007, next month.

Additionally, professional development for staff working with special education needs students has already come up for attention, and I commend the support, assistance and teacher aides who recently completed the 16-hour course last month, the first of its kind provided locally.

The new school year ahead will see a whole new improved approach to the organisation and coor-

dination of special education needs within our education system, which can only be for the good of our students.

Madam Speaker, I have spoken in the past about literacy issues and the low levels of literacy among many of our students. To tackle this issue the Ministry has invested significant funds to ensure that every one of our schools has a reading specialist appointed. Public funding has also allowed the purchase of significant resources to tackle issues within each individual school and a supported professional development for staff in a variety of strategies as well. All this has allowed more opportunities for reading specialists to really concentrate on individual students in developing their reading skills.

Schools have undertaken a wide range of initiatives, including very exciting projects such as the Book Bag Project, Drop Everything and Read and another called Sustained Silent Reading.

Madam Speaker, recognition must also be paid to the private sector for their involvement, which has supported this important work in our schools as well. That, Madam Speaker, is one of the things that I am particularly pleased about, that the number of companies who have actually come on board and are mentoring or assisting in some way with the development of our children, whether it is in the reading programme or in other programmes.

The literacy specialists have worked hard in our schools and there are encouraging signs that they have made a very positive impact. The end of year data to reflect the impact of their work will be replaced early in the next school year.

I am happy to formally welcome the new Chief Education Officer (to be called, in the new regime, Director of Education Services), Mrs. Shirley Wahler, who has already given a very firm commitment that raising literacy standards will be an ongoing priority for the new education service during her tenure. We look forward to the passion and commitment that she will bring to this role.

Inevitably, Madam Speaker, in a budget debate much attention will be drawn to the significant funds identified for the major capital works projects underway in the Ministry. I welcome this attention and with it the opportunity to share, once again, my commitment to these projects and my belief that they are essential to the future of these Islands.

It is, however, important to state at the outset that simply building new schools is not a magic solution to the challenges that our education system currently faces. They are but one of a range of initiatives that are being pursued by my Ministry. Indeed, the advantage of pursuing these initiatives together means that they are likely to succeed and produce the improvements and performance that we all see. I appreciate that with change there is upheaval and that this presents difficulties, but given the importance of education, I urge the wider community to be brave

and to see this multifaceted process through to the end.

Following extensive consultation and an inclusive design process, we are about to embark upon the construction phase of three new high schools in Grand Cayman. The Leader of the Opposition expressed some concern, or doubt, that this was actually going to happen, and I do not blame him. I do not blame him at all, Madam Speaker, given the record of his government in this regard.

The signs which proclaim the building of new high schools on the sites in Frank Sound and West Bay are rotting they have been there so long. Nary a penny was allocated to the construction during his tenure as Leader of Government Business, and nary a block has been laid in that regard. He takes credit and says that the Government is simply continuing their programme to give these Islands world class education facilities. Madam Speaker, you cannot win either way.

Notwithstanding the fact that his government had spent significant millions of the people's money to purchase those properties, if I had decided that we should go and build them somewhere else, there would have been a complaint about that. We heard that complaint made in regard to other things during his meanderings this morning. But because I have stayed with those properties and sought not to expend further monies to acquire additional properties, he says it is their programme.

Madam Speaker, I really do not mind who takes credit for it. But what is going to happen under this Administration, which has not happened under any other administration, is that the young people of this country are going to get world class facilities, the best facilities in the world is what we are aiming for. So, I say to the Leader of the Opposition, and all of the detractors who believe that this is not going to happen: watch this space.

Madam Speaker, the objective is to have the Beulah Smith High School in West Bay, the Clifton Hunter High School in Frank Sound and the new John Gray open their doors the start of the school year, September 2009.

Madam Speaker, I am reminded we have not even changed the names which were accorded to these empty parcels of land by the last government, because we do believe that those names are names of educators who have gone before, who have made a real contribution. This Government is not about one-upmanship in that regard, so I want to the Leader of the Opposition to at least, at least, have some grace and acknowledge that.

Madam Speaker, these new facilities, these three new schools, will be built upon the school's concept that has seen significant improvement in student behaviour, morale and community involvement since its introduction at the George Hicks High School campus. That, again, is a magnificent success story which was opposed by the Leader of the Opposition be-

cause some of its detractors gave him a speech to make about it.

The move to four schools at George Hicks was not without headaches, Madam Speaker, but today we hear from more and more satisfied parents, students and teachers on the benefits they have derived from the smaller school environments. This will be the approach taken at the new schools as well.

I could not miss this opportunity to publicly thank Bank of Butterfield and Digicel for their very significant financial contributions when we dared to be brave to try something new for our students at George Hicks. Their support has ensured that the four schools at George Hicks have been able to try new things out with students, provide additional and professional support to staff, and increase the number of mentors available to the students by the community service provided by their staff.

The new high schools will allow for a maximum of 1,000 students on each site, made up of four smaller schools (or academies as they will be called), housing a maximum of 250 students at each academy. This group will be further subdivided into two learning bases of 125 students to ensure that students receive personalised attention and teachers have an opportunity to build strong relationships with them, as evidenced by the progress of students at George Hicks over the past year or so.

Some of the design features that have been incorporated specifically to enhance the student's learning experience will include a building dedicated to the performing arts, which will provide students full access to music, dance, drama and even a covered outdoor space for the steel band to practice; a state-of-the-art design and technology building providing opportunities for students to have access not just to the programmes to be offered today but also for an expansion of our course offerings to serve our growing service industries; teaching spaces which will be able to accommodate the various learning styles of our students; 25 metre pools at the Beulah Smith and Clifton Hunter High Schools; and indoor gymnasiums at each school capable of accommodating a range of net sports and also able to accommodate graduations and other large functions as necessary.

With construction commencing in September of this year, and a plan completion date for Beulah Smith and Clifton Hunter in April 2009 and John Gray in May 2009, we will realise a long-held dream of our people for new high schools to properly accommodate our children.

Madam Speaker, attention is also being given to the needs of primary schools. We have had some issues with primary schools.

I pause at this point, Madam Speaker, to acknowledge the seriousness of the incident which occurred not at the school but by a student of East End Primary over the course of this week.

As my Ministry has said to the media, we are taking that issue most seriously because it involved

the threatened use of a weapon. What is particularly distressing for me is that it has occurred at a primary school.

Most of the serious discipline issues that we have had have involved the high schools, and I am happy to say, Madam Speaker—and I believe that the evidence is clear on that—we have made huge strides as far as improvement of discipline is concerned, at both George Hicks and John Gray over the course of the past year. And so, this particular incident which involves a primary school student is particularly worrying.

We have engaged the police and we have engaged the services of the Children and Family Services Department, in conjunction with personnel from my Ministry, to investigate the incident properly and to carry out whatever necessary counselling or other interventions that are believed to be necessary to help resolve the situation.

But, Madam Speaker, George Town Primary has been a neglected primary school for as long as I can remember. What is particularly tragic about that is that George Town Primary is one of the best primary schools on this Island, bar none, including all of the best of the private schools in the lot. They have been particularly challenged since the flood in, I think it was, January 2004, and then the hurricane later that year. And the numbers of children, or the numbers of classes that could be held, or year groups that could be held at that school have had to be reduced. At the moment, the school only goes to Year 4.

I have met, Madam Speaker, with the parents of George Town Primary. I have actually met with the PTA executive on a number of occasions. But I met with the entire PTA just recently and listened to their concerns and frustrations because of the children who would be going into Year 5 having to move on to Red Bay or Prospect Primary.

We have worked very hard over the course of the past couple of weeks and we have developed a programme which will allow us to keep Year 5 and Year 6, ultimately, at George Town Primary over the course of the next couple of years. And although we have advised the PTA executive of this, I know this will come as very welcome news to those very dedicated, very passionate parents to whom I spoke just a couple of weeks ago. So, I am very delighted to be able to say that.

Madam Speaker, this is going to involve the use of modular classrooms, but this is a very short-term fix because the big plans are to construct a new state-of-the-art primary school for George Town Primary on land that the Government is in the process of acquiring, which is just a very short distance from George Town Primary itself. That proposal which I made to the parents when I met with them was met largely with approval, and my undertaking to them and my undertaking to this country is to deliver that school for the start of the school year September 2009. The school will be built to accommodate a maximum of

500 students and will have all of the modern facilities which one would expect a state of the art primary school to have.

We are going to work with the parents, as we have done with the high schools and the teachers and other stakeholders, in the design of the primary school and I am very hopeful that it will serve as a template for the design of new primary schools over the course of the coming years.

Madam Speaker, the construction of new schools, in tandem with the work underway on the national curriculum, sets a solid platform for the future for the children of these Islands. The work underway on the national curriculum takes the focus of curriculum to include not only what students will be expected to know, understand and be able to do in ten subject areas, but also how they will be taught and assessed.

The projected timeline indicates that curriculum materials will all be ready for distribution to schools and the public for two months' consultation in September and October of this year. Changes will then be made and final documents launched and circulated in January 2008. Schools will be expected to teach all subjects from September 2008.

Madam Speaker, I would like to list the subjects which are included in the proposed new national curriculum:

Key stages 1 and 2: English; Mathematics; Science; Design and Technology; Information and Communication Technology; Social Studies, which includes Geography, History and Citizenship; Arts; Dance, Drama, Music and Visual Art; Physical and Health Education; Religious Education; Modern Language; Spanish; Personal, Social and Moral Learning.

I pause here, Madam Speaker, to say that we have decided to teach a modern language as part of the national curriculum at the primary school level.

Key stage 3 and 4: English; Mathematics; Science; Design and Technology; Information and Communication Technology; Social Studies; Geography; History and Citizenship; Arts; Dance, Drama, Music and Visual Art; Physical and Health Education; Religious Education; Modern Language; Personal, Social and Moral Learning including careers. So, that is where we are on the national curriculum, Madam Speaker.

All of this change and development within our education sector, emphasises the importance of the work carried out by the Schools Inspectorate. Over the past year the unit has carried out some seven full inspections and provided a range of school improvement services to both public and private schools.

Over the year ahead, 11 full inspections are planned, 7 within public schools and 4 for private schools. Additionally, the unit will complete theme reports for English, Maths and ICT, along with surveys for science and foreign languages. These theme reports and surveys will review performance of our students across the subject areas and provide insights

into how well our children are doing nationally in both public and private schools in these key subject areas.

Madam Speaker, the new governance model for education services, with a new Director of Education Services at its head, will require a new Education Law and work on this has already begun. Indeed, I am in receipt of the draft report from the Education Law consultants, which is now under consideration.

The Leader of the Opposition made a big thing (and has been making a big thing) in conjunction with his co-conspirator, *Cayman Net News*, about the use of consultants by this Government.

Madam Speaker, I am going to speak only for my Ministry. I make no apologies for getting experts to advise me about matters in which I do not have the necessary expertise. There may be those who believe they know all and rush headlong into matters with disastrous results like the Boatswain Beach operation. And we all know who was responsible for that.

But I can console the Leader of the Opposition, and the others who may have concerns, that the Education Law consultants who I have on board in relation to this are costing this Government not one penny in fees; we simply pay their expenses. They are senior solicitors with the National Union of Teachers in the United Kingdom, with whom we have managed to successfully negotiate to help us carry out this very exciting project.

The drafting instructions for this legislation will once again reaffirm my Ministry's commitment to placing the student at the centre of the education service. Providing the necessary supports for the students, the new legislation will also take the opportunity to liberate the energies of the teaching profession so that they can more effectively do what they have dedicated their professional lives to do—that is, to help children learn.

In addition with the establishment of clear lines of accountability, the new legislation will clearly identify who has the responsibility and precisely what this then entails. This, I believe, demonstrates a commitment to an unprecedented trust in the teaching profession and its inherent value to these Islands.

Without the trust and support of those at the frontline of education, the reform process will not succeed. And if this can be encapsulated in the law that forms the very basis of education provision in the Cayman Islands, then we will have gone a good way to guaranteeing the success of the various reforms underway.

Madam Speaker, if we are to effectively support the national social agenda of our people, we must strategically integrate many of the services we provide to achieve the greatest benefit: the provision of support through to early years' care to scholarships, to tertiary education, to matters of labour administration and pension services. Education must be developed in such a way that our people are able to access it and further see positive impacts in their lives as a result.

I will now review a number of these areas, Madam Speaker, and the efforts underway and those that are planned.

Over the years assistance has been provided to children three years, nine months to four years, eight months, just prior to entering primary school. We believe that this age group deserves the best possible start in life and support to fulfill their potential. A child's experience in their early years has a major impact on their future life chances. Children develop rapidly during this time physically, emotionally, intellectually and socially.

Preschool is about developing key skills such as listening, speaking, concentration and learning to work together and cooperate with other children. It is also about developing early communication, literacy and numeracy skills that will prepare young children for primary school.

Beyond this, however, Madam Speaker, we recognise that to support only this age group leaves children 18 months to 3.9 years with special education needs in cases where there is a financial need in that family, where families are unable, essentially, to afford to send these children to preschool.

Children have special needs for a variety of reasons. Whether it is a disability from birth such as autism or they may be developmentally delayed due to circumstances at home. For example, if a child with good hearing is born to deaf parents the child's speech will be delayed for no other reason than he is not hearing speech. If that child attended preschool at a young age, then any delay in his language development could be addressed so that when he went to school he was at the same stage as his peers.

There are often critical periods in a child's development when the right support can mean the difference between a child making sufficient progress to enter and cope with mainstream school or having to go to a special school.

So, Madam Speaker, acknowledging the critical importance of this sort of developmental support to the early years, we have increased support to these young children from about \$494,000 last year to \$1.2 million in the fiscal year ahead.

Additionally, the provision of legislation for early years will ensure the provision of equitable standards of early years care for all children in respect of trained personnel, quality of environments and resources available to the young children.

This Government, Madam Speaker, is fully committed to the development of our human capital. To this end we have increased our overall scholarship funding from \$4.45 million last year to \$6.154 million this year, ensuring that we can support our young people both here at home — to attend UCCI and other local tertiary colleges, as well as to allow our young people an opportunity access to the hallowed halls of academia worldwide, where they can access the broadest range of scholarship in a variety of areas.

Madam Speaker, numbers at UCCI are ballooning—that is the only word I can think of. In the last two years we see that the award of overseas scholarships has grown from 66 in 2005 to 90 last year, and my Ministry is currently processing some 136 applications for this year.

I am pleased to advise that the Education Council has just approved a comprehensive listing of career opportunities in priority areas of study which will be published in the coming week. Information on scholarships is now available on our website, [www.brighterfutures.ky](http://www.brighterfutures.ky), with downloadable application forms for both local and overseas applicants.

On our website can also be found new scholarships offered by local companies or international agencies because we are working closely with our private sector partners to grow the access to and the availability of scholarships, because there are so many scholarships that are around which are being sponsored by various companies who tell us that they are not being taken up, while at the same time we have a number of students who would love to avail themselves of the opportunities but are just unaware of the existence of those scholarships. So, we have gotten these companies to come on board and to advise the Education Council of the existence of those scholarships, and in many cases, they have actually agreed to let us process the applications as well. So, I am very pleased about that.

All this is coupled with the increase in scholarship funding for overseas award of scholarships as follows:

The Government has agreed to increase the scholarship awards for:

- Bachelors programmes from CI \$16,000 to CI \$20,000 per annum;
- Masters from CI \$20,000 to CI \$25,000; and
- PhD funding up to CI \$75,000 for the programme.

Increase in local funding which provides a level support, opportunities to Cayman Islands Law School, UCCI and ICCI allow our people opportunities that they have never had before.

Madam Speaker, an area of concern which became apparent early after I took office was the inadequacy of the existing level of financial support to 'A' level students.

The existing policy was a sum of \$2,500 being the amount given to each student who wished to study for the 'A' levels. What was clear was that this formula was negatively impacting many of our young people who are academically able but not in a position financially to make up the remainder of the school fees.

We have amended the policy and all Caymanian students during this school year who applied to do their 'A' levels received 80 per cent of current year costs. This policy has seen our 'A' level numbers of from ten students in 2005/06 with expenditure of

\$25,000 to this year at 55 students doing 'A' levels with an expenditure of \$152,138.

I am most pleased to provide this educational support to our talented young people who can now attend either Cayman Prep or St. Ignatius High School where these courses are offered. This support continues into the coming fiscal year.

Madam Speaker, I am delighted on each occasion when I am able to attend functions which recognise, yet again, the outstanding accomplishments of our young athletes.

Our collegiate athletes continue to impress in the United States through the likes of Carl and Carlos Morgan, Tyrell Cuffy, Omar Wright and others, younger athletes recently returning from the CARIFTA games with three medals in athletics and 16 medals in swimming. Teenager, Kemar Hyman, is currently ranked in the top 10 in the world for the 100 metres in his age group. Bret Fraser just set a CARIFTA record in the 200 metre backstroke in the 15-17 age group. He leaves for university in September.

Madam Speaker, our potential elite athletes are being sought after by US universities for the college teams, many of them receiving partial scholarships.

Sports scholarships up until now did not have a defined policy, nor were they funded at the level of the regular academic scholarships. We have changed that. Sports scholarships have been integrated into the scholarship programme of the Education Council. This now means that our aspiring elite athletes no longer need to be subjected to concerns about a shortage of funding support as they did in the past, where there was no clear policy for these particular types of scholarships.

We must encourage and assist our athletes, allowing them to take up their academic pursuits at highly competitive schools where they not only excel at a particular sport but they can also earn a degree. Madam Speaker, we can, with pride, as a small Island nation look to what Kareem Street has accomplished with our first ever Commonwealth Games medal, and Cydonie Mothersill representing us all around the world in track as well, both of whom are not only accomplished athletes but individuals holding university degrees. Of them we can be justly proud.

This is but the first step for athletes. The ongoing work of the sports consultancy addresses many issues, one of which is ensuring we develop a comprehensive programme to support our elite athletes both at home and abroad.

Madam Speaker, questions have been raised both within and outside this House about Government's support for private schools. With the development of a public education system, naturally, the matter of service provision to private schools, which provides services at the primary and secondary levels, has also come up for review.

The number of private schools has grown to nine, with a student population of 2,648, with more

private schools projected to come online, I am told. Not long ago the number of private schools could be counted on one hand and we still did not reach five.

Madam Speaker, there have been absolutely no changes in the policy which I inherited in relation to financial support for private schools. Government currently makes a grant, or a contribution, to the Private Schools Association of just over \$900,000 per annum. I believe all nine of the schools to whom I have referred belong to the Private Schools Association, so it will be obvious that as the numbers increase, the amount of money that is available to each school decreases.

The issue is further complicated by the fact that no longer are all the private schools faith-based, or church schools, in the sense that we always understood private schools to be in Cayman. We now have at least two schools that are for-profit schools.

An additional complication is that the private schools—and this is what the consultants have actually confirmed to me in writing who are doing the Education Law—in general, are viewing the efforts to significantly improve Government's education system with some suspicion and, in some cases, they are very, very worried about the impact that that is going to have on their registration. That is understandable, Madam Speaker, but I need to make something very plain.

This Government (and any government) has an obligation to ensure that the children, in particular (people in general, but the children are my true passion) and young people of this country have every opportunity that our resources can avail them to get the best education there is.

I am making no apologies for saying and for seeking to deliver to this country a world-class education system. It is my ambition that no parent will choose to send their child to a private school on the basis that the private school is going to give their child a better education than the public education system.

There are many other very good reasons why parents will want to send their children to a faith-based, or any private school, but it ought not to be that those who can afford the most their children get the best education.

I have every regard for the private schools and the tremendous contribution they have made to the education system, and are still making of these Islands.

I am a product of a private school and the public school, having gone to a private prep school and then to the government high school. Both of my children—and I say this unashamedly—are in private school, they have been there since they were four, and it is rather late in the day for me to consider moving them. I sent them to private school because I thought they would get a better education. I want to remove that factor from the consideration of any parents to come. The decision ought not to be made on

the basis that the government system is somehow inferior to the private school system.

I say that also, Madam Speaker, to say that I have, as is obvious, no prejudice about the private schools. My children are in private schools. When the fees go up I pay them as well. So, I want—because I have heard all sorts of rumblings around the place, I just wanted to clear the air on that point.

What I am going to say about this, Madam Speaker, is that at the moment I have on my desk letters from three of the private schools seeking significant, individual financial support for one situation or other. And when I say significant, I am talking about millions of dollars in the medium-to-long run.

What I am going to say as a matter of policy is this, Madam Speaker: the Government is not at all averse to reviewing the amount that we give to the Private Schools Association by way of subsidy, but the Government is not going to subsidise for-profit schools, number one.

Secondly, the Education Transformation System that Government is currently engaged in is costing, and is going to cost, many millions of dollars. The principal responsibility for the funding of private schools must be the churches or organisations or companies who own them and who run them. It is not Government's principal responsibility.

What I am going to insist upon is that, in relation to any assisted school, the Government sees what the budget is for that school so that we can ensure the level of contribution that is being made by the organisation or church that actually owns and runs the school.

And as I said, the Government is not averse to looking at increasing the subsidy, if it is warranted, in relation to the schools generally. But what Government cannot do, and will not do, is engage in a discussion the objective of which is to lead to substantial individual funding to a private or a number of private schools. That is a track down which we will not go because we cannot afford to go there. And once we—in fact, we do not even have to speculate about this. I have three letters on my desk. Once we approve significant individual funding for one school, what then do we do about the others?

So, the Leader of the Opposition was asking this question—I see he is absent—but perhaps somebody will report to him what I have said in that regard. It is a very serious matter, one to which we have given a great deal of consideration. And as I said, the funding is precisely what it was when I took office. We are not averse to looking at it again, but we have to consider all of those factors and there will not be individual grants to schools.

The amounts that I have seen make it very clear to me that once we go down that particular road, the Government is going to carry not only the millstone which it has and is required to bear in relation to the provision of public education, but also the one for

the private schools and the Government simply cannot afford to do that.

Madam Speaker, while I am on that subject as well, there is an issue with some of the private schools in relation to the quality of education they provide, and under the current Education Law the Schools Inspectorate is only able to inspect private schools that agree. We must address that issue in the new legislation.

It is my considered view that all schools who provide education to children in this country must meet minimum standards in relation to the provision of that education, and all schools must be subject to inspection. If they wish to offer an English-style curriculum, that is a matter for them; if it is an American, a matter for them; Canadian, is a matter for them.

Not seeking to dictate what they offer, but the standards must be standards which meet whatever the national standard is in relation to that. Otherwise, we are failing the students and we are allowing schools to take money, hard earned money, from parents for the provision of an education which is less than adequate. And as long as I am Minister of Education, regardless of how many rail against it, that is simply not going to be allowed to continue.

Madam Speaker, over the past year there has been significant achievements and improvements at UCCI. I spoke a little about that earlier, but the campus generally has seen extensive renovations with an enhanced entrance, increased parking, extensive security lighting around the campus and improvements to health and safety services to ensure safety and comfort of the student community.

Learning spaces throughout the campus have been upgraded and a range of new learning facilities provided, including a new student support and employment centre now being available.

I am also pleased to note, Madam Speaker, that there is a wide range of services directed at the students from a subsidised laptop purchase programme, campus-wide free wireless broadband service and including extended hours of service at the UCCI library.

Madam Speaker, when I took office the physical condition of that campus was a disgrace. We have now appointed a new board, we have appointed a new president, and the place looks like a completely different place.

On the academic front, the school year underway has seen a dramatic increase in the course offerings both provided locally, as well as through a number of partnerships with leading universities overseas.

Of particular note is the arrangement with the University of Brock in business and accounting Studies. This arrangement provides opportunities for placement for students in accounting firms in Canada for work experience. There are similar arrangements with the University of Toronto, the University of Liverpool and the University of London, and access to the

full range of professional programmes offered by City & Guilds.

Madam Speaker, these are just some of the new opportunities now available to our people to access tertiary education.

Special attention must be given to the enhanced range of technical and vocational courses now provided. Accounting, hospitality, information technology, construction, air conditioning and refrigeration, as well as a certificate in general education. This is for adult learners and school leavers who finished school with no CXC passes as an entry programme to allow them another chance at higher education.

Madam Speaker, this growth spurt with student numbers going from the spring of 2006 at 869 to 2,554 by the spring of 2007 has caused major challenges and has required that funding allocated to this public institution be reviewed.

Madam Speaker, it is proposed that we increase the funding for UCCI from about \$2.3 million last year to \$3.75 this year. This is an indication of the Government's commitment to the continued growth and development of the University College and our willingness to support that overwhelming growth and the desire of our people for their own development during the course of this year.

Madam Speaker, I want to move on to some of the other areas of my Ministry.

**The Speaker:** Honourable Minister, would this be a convenient point to take the afternoon suspension?

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker.

**The Speaker:** Proceedings will be suspended for 15 minutes.

**Proceedings suspended at 3.25 pm**

**Proceedings resumed at 3.51 pm**

**The Speaker:** Proceedings are resumed. Honourable Minister of Education continuing his debate.

Honourable Minister, you have 50 minutes remaining in your time.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I now turn my attention to sports.

Madam Speaker, I think by now the whole country is aware that we have appointed sports consultants. That consultancy work is well advanced that we held a sports symposium recently, in which just about all of the sporting organisations and stakeholders in sports engaged. I think that the report which will ensue will be very helpful as we try to establish a national sports policy for these Islands.

Madam Speaker, Hurricane Ivan wreaked havoc with sports facilities and over the course of the past couple of years, we have spent a great deal of time and resources and have gotten most of the sports facilities on the Islands back up to scratch. There are some significant ones that are yet to be addressed.

By September of this year the Ed Bush Sports Complex in West Bay will be reopened, fully restored and indeed facilities improved. The same is true of the Truman Bodden Sports Complex.

Madam Speaker, I have spent a significant amount of time with the football association talking about the future of football, in particular (sports in general but football in particular) and, indeed, these two facilities. One of the problems that we face in Cayman, particularly with sports fields which get a lot of use, is that the playing surface becomes worn and almost unplayable as the season progresses, generally, because of the lack of water and, as I said, the overuse.

After some real discussion and consideration, we have decided that the Ed Bush Sports Complex—which will have new lights, improved seating and restroom facilities—will also have a FIFA certified artificial turf. The field will be certified to be able to play the World Cup qualifying and other such games, because as we know, the World Cup Qualifiers will begin next year.

We are working at the moment on the Truman Bodden Sports Complex. We are going to lift the field, improve the drainage there, we have signed a contract for the replacement of the track and we now have planning permission for the construction of a purpose-built boxing gym on that facility as well. The tender for the construction of the gym has gone out and we are still of the view that that can be completed by the end of this calendar year.

With the exception of Ed Bush, all district playing fields now have restored lights and covered stands. Over the next several months all of the public district playing-field playing surfaces will be repaired. The irrigation systems that were there that are not working will be made operational and all of the playing services will be re-grassed.

We have come to a solution which will allow a combination of ground and publicly piped water to be used on the fields so that we can hopefully hold down the costs of maintenance, but allow for a consistently high quality playing surface even during the dry season.

Lighting of the district hard courts has progressed well and remaining courts are being addressed as I speak.

A revised master plan for the completion of additional works at the Jimmy Powell Oval is now in hand and includes the provision of a grandstand media centre, score boards and the like. Madam Speaker, the pavilion is complete. We are just waiting on the seating to be installed but I have taken the de-

cision that we should include, before that is officially open, a grand stand media centre and score boards. This planning is going on because the facility is being incorporated in the overall plan for that site which includes the Beulah Smith High School.

With the decision to move George Town Primary School now confirmed, work is underway for the revitalisation of the Annex, essentially, the historical home of football in these Islands. And in conjunction with the football association, we have also agreed on putting in a FIFA-certified artificial turf playing-surface there.

We are going to raise the quality of lighting which is also being done at Truman Bodden to meet international standards. We are going to put in some covered stands, improve the restroom facilities and concession area. When George Town Primary moves, the plan is that the older buildings would be demolished, the modulars moved and we would create a practice pitch on that part of the site which will hopefully reduce the amount of play on the new artificial turf on the main field.

Just for the sake of completeness, the plans at the moment for the remaining newer portions of George Town Primary would be for us to move the Department of Sports there and to allow some of the, perhaps the bigger, more active sporting organisations, offices in some of the buildings so that they can run their operations from there. But that aspect of it, Madam Speaker, is sometime down the road because George Town Primary will need the site for the next two school years, 2007/2008 and 2008/2009.

Over in Cayman Brac work is well advanced on the Cayman Brac sports facility which is being built to international standards allowing for not only sports development, but for sports tourism opportunities as well. I wish to pay tribute, Madam Speaker, to the efforts and enthusiasm of the Second Elected Member for Cayman Brac and Little Cayman, Mr. Moses Kirkconnell who has really been spearheading this effort.

I would also like to thank the First Elected Member for Cayman Brac and Little Cayman, Ms. Juliana O'Connor-Connolly, for her continued support of her efforts in this regard.

Madam Speaker, I also spoke about the new schools providing fully equipped gymnasiums and 25 metre pools for students in the wider community. I want to also say that I am in the process of concluding an agreement with the Cayman Islands amateur swimming association about the redevelopment of what is now the Lion's Aquatic Centre up at the Truman Bodden Sports Complex and when those plans come to fruition, which we expect to be towards the end—not the plans, the project which we expect to be towards the end of 2008, we would have in place a 50 metre pool and improved facilities generally, including stadium seating. That will be a public/private partnership between the Cayman Islands Government and The Swimming Association, and indeed I believe they are close or at least optimistic of having one major

sponsor on board because that will be a multimillion dollar project.

Madam Speaker, the achievements of our athletes continue to make us proud, and here I make specific reference to the most recent success of Charles Whittaker in defence of his junior middle-weight world title.

I am pleased to report also, Madam Speaker, on an ambitious project undertaken by my Ministry to develop long-term plans for all sports in these Islands. I mentioned this a little earlier in my speech, but I think I would like to spend a minute or two year because never before has such a comprehensive and all-inclusive consultation process, with all major stakeholders in sports, been undertaken as is the case now. And I am not speaking just in relation to the symposium to which I earlier referred but to the wider consultation process which has gone on.

I want to move on now, Madam Speaker, Speaker to speak about culture. I want to start by using the words of our cultural director for the Cayman National Cultural Foundation, Mr. Henry Muttoo, who I believe is right when he says that *"the soul of a nation is located in its arts and culture, and that education without culture, heritage and the arts is at best a flawed education."*

So, for all my passion and commitment to the enhancement of the education services of these Islands, I recognise at the same time that when one speaks of education one cannot exclude the arts and culture. Money spent on creative expression is equally money well spent and there will be no brighter futures if we do not make this important investment.

In respect of the Cayman Islands National Museum, I am therefore pleased to report that building repairs to the museum building on the waterfront are now underway. The need for extensive repairs, while challenging, has provided us with an opportunity to respond to the needs of all of our visitors by, for example, providing better accessibility to those visitors that may be physically challenged.

The contract for the refurbishment of the museum was signed and the work commenced on 12 April and is expected to run for the next 28 to 32 weeks. During the demolition stage there will be weekly meetings held to monitor progress and discuss sensitive work. In the meantime the museum gift shop has temporarily relocated to Panton House behind the Hard Rock Cafe. Upon completion of the renovations I look forward to returning this critical institution to the country.

Alongside the preservation of its historic buildings, the other main priority of the museum will be the national collection. Conservation of artifacts is ongoing and priorities have been established to make ready selected items for new university design natural and cultural heritage exhibitions and a state-of-the-art audiovisual presentation.

One such exhibition is the new maritime heritage display designed to travel outside of these Is-

lands to showcase our Caymanian heritage to the world like never before seen. Planning is also underway for a new shipwreck preserve.

Flanking the museum which seeks to celebrate the unique natural and cultural heritage of the three Islands, the National Gallery of the Cayman Islands serves to promote and encourage the appreciation and practice of the visual arts of and in the Cayman Islands. The National Gallery holds five to six exhibitions each year and provides a wide variety of educational programmes which are all open to the public. It is particularly encouraging to see the National Gallery reaching out to all aspects of our society and actively engaging them in its work, and I am therefore delighted to work in partnership with the National Gallery to fund and support the construction of the new gallery facility adjacent to the Esterley Tibbetts Highway.

When the gallery facility is completed it will sit alongside the newly refurbished Harquail Theatre which we completed just a short while ago, Madam Speaker. And the two attractions will together serve as an exciting zone of cultural activity.

This naturally brings me to the work of the Cayman National Cultural Foundation which continues to be committed to developing a deeper understanding and appreciation of the value of culture and the arts in the Cayman Islands. While the Cayman National Cultural Foundation will continue its excellent range of productions, it is cognisant of the changing times and the need to examine its outputs. In the next financial year the foundation will therefore investigate how it can alter its focus towards a greater emphasis on education and facilitation.

The solar production oriented policy of the last 10 to 15 years has produced a good number of Caymanian artists in all genres and now we should also seek to ensure that they receive the assistance necessary to realise their creative potential.

We recognise the importance of cultural activities, Madam Speaker and my Ministry will in the next financial year work with the various cultural entities to put in place a more comprehensive cultural policy. In no way will it dictate artistic content, it will prioritise and reward ventures similar to the National Gallery's Art Outreach and firmly establish culture as a vehicle for the promotion and preservation of cultural identity and cultural heritage (on the one hand) around the celebration of cultural diversity on the other.

These cannot be conflicting goals. If we are committed to brighter futures we should look to create brighter futures for all.

Finally—no, Madam Speaker, no such luck. I just remembered I have not dealt with the issue of pensions.

Madam Speaker, as far as pension services are concerned, highlights in this area include the completion of a feasibility study on the question of registering offshore pension plans. Our review of the National Pensions Law is now underway in close con-

sultation with stakeholders, with a view to identifying citizens' needs in the future.

The National Pensions office is now working towards developing a public relations plan designed to assist Caymanians and workers in general to manage their retirement years.

Looking ahead to the next fiscal year, I expect to have the review of the law completed and the legislative reform necessary undertaken. We will also initiate the registration of offshore pension plans and support the efforts underway to establish a Caribbean Pension Regulators Association.

I need to move on now, Madam Speaker, to talk about the Department of Employment Relations, Labour Services.

Madam Speaker, this area of my Ministry finds a comprehensive review of employment and labour administration services underway during the current year. The outcome of this work will provide the strategic direction for the future development of these services throughout the Cayman Islands. It will also provide the organisational structure and capacity to deliver the necessary services by the Department of Employment Relations as well as the necessary legislative framework required to provide an enabling environment for service delivery.

Notable highlights, Madam Speaker, include the gains taking place with the Investors in People Programme which has continued to grow over the past fiscal year, with four organisations being recognised as having attained the standard as an investor in people. Solid contributions have been made by the Department of Employment Relations to the National Assessment of Living Conditions by providing support to the National Assessment Team and to the survey sub-committee headed by the Economics and Statistics Office.

Looking to the next fiscal year, the major activity will be implementation of the recommendations from the labour consultancy, improvements in labour tribunal administration and the development of an improved management information system database for job placement. This should greatly improve service delivery and reduce the time taken to match job seekers to employment opportunities.

Madam Speaker, protection of the health and spirit of our people are imperatives that we must address at all times so as to ensure their ability to access a decent quality of life. Nowhere can this best be seen than in the level of support we give to youth and to sports to which I have already referred. This, Madam Speaker, has been a significant focus for the Ministry.

Programmes like Youth Flex must not be undervalued. Every week so many of our young people get an opportunity to develop confidence, research issues and speak publicly about them and for some to develop skills in an area which may become a lifetime career.

An exciting piece of work for the upcoming year is the introduction of the National Youth Assembly, which will give our young people an opportunity to voice their opinions on many matters in these Islands. A committee of young people, ably chaired by Ms. Dorothy Scott, a young Caymanian lawyer, has already done some good work towards achieving this goal during the year ahead. I am advised that just recently Mr. Victor Crumbly, a Member of that Committee, attended a youth assembly in Switzerland, which provided an opportunity for the group to see a youth assembly in action during their planning process. I look forward, Madam Speaker, to seeing this become a reality over the course of the ensuing year.

Madam Speaker, human rights. The rights of our people must be protected and in this context much work has been done over the past two years to establish the human rights agenda for the Cayman Islands on a firm footing. Madam Speaker, when I took office I found a defunct Human Rights Committee. I have striven unsuccessfully to discover one piece of work that that Committee actually produced.

The Committee was reconstituted with myself as Chairman and over the course of the past 18 months has done a substantial amount of work. Madam Speaker, what was once perceived as a marginal or peripheral subject has now become, as it rightly should be, a core component in every day decision making. The pace at which this transformation has occurred presents a number of challenges and it is in this context that the Cayman Islands Human Rights Committee has been asked to operate.

With one school of thought urging caution, positing that the Cayman Islands needs to adopt human rights in a culturally sensitive way, and another school just as anxious for prompt action to improve the level of protection afforded to human rights in the Cayman Islands, it could be said that the Human Rights Committee is caught between a rock and a hard place. While the Committee has acknowledged this, Madam Speaker, it has not inhibited the development of the Committee, nor has it swayed it from the developmental path that we will continue to advance along in the forthcoming financial year.

Building upon the successful re-establishment of the Human Rights Committee, the ratification of its terms of reference, the introduction of a complaints procedure for individuals concerned about human rights and a public information campaign which has successfully placed rights that have subsequently been adopted by the National Treaties in the context of Caymanian history, the Human Rights Committee will now enter a new phase in its evolution.

Madam Speaker, to this end, funds have been identified in this Budget for the creation of a secretariat in order to support the work of the Human Rights Committee. This will facilitate the more efficient processing of petitions and it will ensure that the Committee is able to fulfill its commitment to sustaining and

building upon the public awareness work already underway.

Madam Speaker, we have appointed a Caymanian lawyer who holds a Masters degree in Human Rights Law to act as the secretary to the Committee and also, Madam Speaker, to run the secretariat so that the work of the Committee can be facilitated and expedited.

**Hon. W. McKeeva Bush:** Who would that be?

**Hon. Alden M. McLaughlin, Jr.:** Her name is Danielle Coleman.

One of the understandable criticisms of the Human Rights Committee, Madam Speaker, from its inception has revolved around its composition and, in particular, the role of the Minister as Chairman of the Committee and the number of Government employees who have been Members of the Committee.

When the Committee was first becoming established it really was a matter of enlisting enthusiastic and committed workers and where they happened to work or come from was secondary. However, now that the Committee has become firmly established, I thought it prudent to address the perception of independence, or lack thereof, and have accordingly, in conjunction with my Cabinet colleagues, made a number of new appointments to the Committee and revoked the appointments of the majority of Government employees who sat on the Committee with their full understanding of the reasons therefor.

This, Madam Speaker, will ensure that the private sector has far and away the majority of seats on the Human Rights Committee. We have also, Madam Speaker, revoked the appointment of the Members of the Legislative Assembly who sat on the Committee, the First Elected Member for Cayman Brac and the Third Elected Member for George Town, both of whom I am sure fully understand the reasons why.

Madam Speaker, the next stage is for me to step down as Chairman of the Committee. I met with the newly appointed Committee last week and explained the thinking behind what is being done. And I have taken the decision in conjunction with my Cabinet colleagues to resign as the Chairman of the Human Rights Committee at the end of this fiscal year and for a private sector person to be appointed to the Chair.

The reasons why I have continued for the next couple of months is to ease the transition process to ensure that the new Members who came on board the Committee understood the thinking and were comfortable in their new roles, and so they are well aware of what the programme is. In due course, Madam Speaker, I will make a public announcement as to who the new Chairman of the Human Rights Committee is.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, as I said, I have always understood the justifiable concerns about the role of, particularly the role of a Cabinet Minister as Chair of the Committee.

*[Inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr.:** I have striven—and I believe that this will be borne out by all Members and former Members of the Committee—to avoid any interference or attempts to control what is said or reported or printed by the Committee and I believe that all of the decisions that have been taken, all Members of the Committee will attest that the views expressed in the various reports are the views of the majority of the Committee. But the perception point is an insurmountable one. The only reason I persevered was because I believed and most members, if not all members of the Committee, agreed that without Government support the Committee would have fallen flat on its face before it started.

There has never been, as far as I am aware, in impediment to the private sector establishing a human rights body and there are those who bang on and on and on who spend a lot of time talking and just as much writing, complaining about alleged human rights breaches in the Cayman Islands, some of whom, at least one of whom was a Member of the Committee but they do little or no work.

A commitment to this Committee requires significant work in investigation and in analysis of the law and the situations. It requires competent people, it requires a support structure to make which you are it happens. I am now satisfied that at this juncture we have put in place the necessary infrastructure to ensure the continued success of the human rights Committee.

My goal, Madam Speaker, is for the Human Rights Committee, over the course of the next couple of years, to evolve into a full-fledged human rights commission, the establishment of which is enshrined and protected by the new constitution or revised constitution, whatever you want to call it, when it comes.

I believe it is that level of standing that will give the Committee the independence it needs and perpetuity to carry out this very important work and will, I believe, lend to the credibility of these Islands as a growing democracy, an important little country in this world which has all of the important organs of a mature democracy. And that is, Madam Speaker, where I would like to see the Human Rights Committee go.

Madam Speaker, I have managed to get through the subjects for which I have constitutional responsibility, I believe, even though in many cases in a somewhat abbreviated form but I hope that I have been able to dispel whatever concerns there were in the minds of the listening public and just as importantly my colleagues across the floor and that I have managed to answer some of the very pertinent, very

fair questions that were raised by the Leader of the Opposition when he stood up.

Madam Speaker, I want to say from a personal standpoint, that the past two years have been the most challenging period of my life. But I want to say that it has also been the most fulfilling period of my life. I am a Member of a Government that is committed to improving the lot of these Islands for all who live here and for generations yet unborn.

Every single member of this team believes in what we are trying to do. We work together as a team, and that is not to say we do not have issues or that we always agree, but we do not suffer from the fatal weakness of the former administration which the Leader of the Opposition so openly acknowledged this morning. It is not a question of five governments, each trying to get on with its agenda.

As the Leader of Government Business said so eloquently when he addressed this House last Friday morning, the overall objective of this Government is to improve the quality of life for all who live here. We understand that everything that each Ministry does is interconnected.

We spend a great deal of time and give a great deal of thought to every single initiative that we launch. I am proud, Madam Speaker, to be a Member of the People's Progressive Movement. I am doubly proud, Madam Speaker, to be a Member of this team that is on this side, and I call it this team because I include deliberately the supporting Back Bench Members.

Madam Speaker, the level of commitment that is required of Cabinet Ministers, not just to the application of matters that they have to consider in their ministries or, indeed, to the overall government apparatus, but to attend functions and events and make speeches and fly overseas means—and this is nothing new, it just grows with each passing year—that we are not available to our constituents in the way that we once were. That, Madam Speaker, is perhaps the matter that worries me and distresses me most, for I have never enjoyed anything, I think, quite as much as the interaction with my constituents and dealing with them on a day-to-day basis. That simply is not possible for any of us when we are operating at the ministerial level.

We make a real effort, every single Cabinet Minister spends at least one half day per week in our constituency offices, but that is not the same as being there every day as you can when you are not in this post. I raise that, not to complain, but to say that that makes the work of our supporting Back Bench Members more important, that much more valuable, and I have to say, Madam Speaker, that we are blessed with some extraordinarily able and committed Back Bench Members in the persons of the Third and Fourth Elected Members for George Town, the Third Elected Member for Bodden Town and the Second Elected Member for Cayman Brac and Little Cayman.

They spend a great deal of time in the constituencies, dealing with constituents and constituency issues, and I wish to assure all within the sound of my voice that they make sure that your concerns are raised with the Ministers. If a concern which requires ministerial assistance or intervention is not being dealt with I want you to blame us who are Ministers and not the elected Members because I assure you they have brought it to our attention. In fact, I sometimes think they plague us with the level of requests and concerns.

But that, Madam Speaker, I say to demonstrate the level of commitment, the level of work and application that is given to this job by the elected Members of the Government Back Bench.

Madam Speaker, in addition to that, every Monday unless we are in the House or there is some really pressing matter, we spend between five and six hours in caucus, that is in discussions with all Elected Members of the Government and we discuss a wide range of issues and we reach decisions on all critical matters.

In addition, Madam Speaker, the full apparatus of the PPM machine is working and functioning well. District councils, the Executive, National Council meetings are held on a regular basis and we make every effort to attend to deal with the concerns, hammer out hard policy matters and to report to the broader party base. But just as importantly, Madam Speaker, we have also opened national council meetings and the district council meetings to the wider population, including the media so that everyone is aware of what the Government's thinking is and what the Government's proposals are in relation to any matter. And, Madam Speaker, we have faithfully attended press briefings, since we took office, every Friday morning.

#### **Moment of Interruption—4.30 pm**

**The Speaker:** Honourable Minister, we have reached the point of interruption, but if you are just going to be a few more minutes, under Standing Order 2 the Speaker has the right to defer the moment of interruption.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, may I enquire how much time I have left?

**The Speaker:** Madam Clerk? *[pause]*

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I am told I have about 10 or 11 minutes, so there are a few more things I would like to mention so if we could go on beyond the hour of interruption for those 10 minutes I would be happy.

**The Speaker:** May I have the suspension for the Standing Order to go on beyond the hour of 4:30?

#### **Suspension of Standing Order 10(2)**

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the suspension of the relevant standing order to go on beyond the hour of 4:30 so that the Honourable Minister might complete his debate.

**The Speaker:** The question is that Standing Order 10(2) be suspended in order to allow the Minister of Education to conclude his debate with his remaining ten minutes of time.

Honourable Minister.

**The Speaker:** All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 10(2) suspended.**

**The Speaker:** Honourable Minister.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker, for that kind indulgence, and I also wish to thank Members of this honourable House for allowing me to conclude my debate this afternoon.

Madam Speaker, I was saying we have faithfully attended press briefings every Friday unless we are in the House or there is, again, some really pressing matter in an effort to ensure that this community is aware of what the Government is doing each and every week.

Madam Speaker, there are times—in fact, in the case of one publication, they have taken a policy decision to simply oppose the Government on every single point and to paint the Government as black as it possibly can, no matter what is the case. But so be it. That is their right just as much as it is my right to point that out.

But notwithstanding that, Madam Speaker, and as much as has been said and as much as will be said, we are very careful, in fact, we are diligent to ensure that this Government is open, it is transparent, we are accountable, not just words, but we answer questions as best we can in relation to any matter. No Government is perfect. We have made mistakes, I am sure we will make some more. But we have tried, Madam Speaker, we have tried our very best to consider carefully each and every decision that we have made.

This is a Government that believes in high ethical principles in relation to the discharge of our offices, we are jealous about that reputation, we do every we can to guard it. Whatever may be said about us, Madam Speaker, I will be content as long as it can never be said, with any justification, that this Government was dishonest, that this Government favoured

any particular interest group or any particular investor because it meant financial reward for us or any of us individually. As long as this Government can guard a reputation which is free of those sorts of issues or complaints, then I will be happy and proud to have been associated with these good folk who make up the PPM Government.

Madam Speaker, we are almost at the half-way point. Despite the detractors who say otherwise, this Government has kept the faith. This Government has held true to its philosophy. This Government has held true to its broad policy statements made in our manifesto. This Government has worked hard to ensure that the rule of law is adhered to; that human rights are respected; that due process and procedure is followed.

We have worked hard and we have succeeded thus far in ensuring good fiscal discipline and an agenda that is not just about creating concrete edifices to our respective egos, but it is aimed at developing the people of these Islands and ensuring, Madam Speaker, that each of them—from those who are capable of being aerospace engineers to those whose greatest aspiration is simply to be able to communicate, those who can run as elite athletes and those who are confined to wheelchairs—that they are all able because of the resources that this Island provides, because of the opportunities that this Island affords, to realise their aspirations and to achieve their finest potential.

Madam Speaker, that is the lofty goal ultimately of this Administration. It is the lofty goal that ought to be aspired to, I believe, by all who have the honour and the privilege to serve their people as representatives. And, Madam Speaker, I am content, I am happy, I am weary, but I continue to be fully committed to this Government, to our Manifesto, to what we seek to achieve and, ultimately, to the development of the people of these Islands, those who are with us and those yet unborn.

I thank you and Members of this honourable House for indulging me this afternoon, Madam Speaker.

Thank you.

**The Speaker:** I recognise the Honourable Leader of Government Business.

#### **Suspension of Standing Order 74(1) to carry over the work of Select Committees**

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, just before moving the adjournment I would crave your indulgence to say that the work of select committees of this House has not been completed yet, and therefore I would seek to move the suspension of Standing Order 74(1) to enable the work of the select committees from the previous session of the Legislative Assembly to be carried over to this new session.

**The Speaker:** Honourable Leader of the Opposition.

## **OBITUARY**

### **Mr Clarence Flowers, Sr, MBE**

**Hon. W. McKeeva Bush:** On a completely different note, Madam Speaker, the Islands saw the passing of a gentleman who has put his life into developing this country, Mr. Clarence Flowers, and I believe that we should all recognise that. We did not do so. It would normally be done in the morning, but, Madam Speaker, with your indulgence, I think we should observe a minute of silence for the hard work that he has done in building this country. We all recognise that he was a nation-builder in his own right, and I would ask that all of us stand and observe a minute of silence in respect of his passing and in honour of his family, with your indulgence, Madam Speaker.

**The Speaker:** May we all stand, please.

*[The House offered a moment of silence for Mr. Clarence Flowers Sr, MBE]*

**The Speaker:** Thank you. Please be seated.

The question is that Standing Order 74(1) be suspended to enable the work of select Committees from the previous session of the Legislative Assembly to be carried over to this new session. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 74(1) suspended to enable the work of Select Committees from the previous Session of the Legislative Assembly to be carried over to this new Session.**

## **ADJOURNMENT**

**The Speaker:** I will entertain a motion for the adjournment of this honourable House.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the adjournment of this honourable House until Monday morning, 7 May at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am Monday, 7 May. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 4.46 pm the House stood adjourned until 10 am,  
Monday, 7 May 2007.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**7 MAY 2007**  
**10.07 AM**  
*Third Sitting*

**The Speaker:** I will ask the Second Elected Member for the district of West Bay to say Prayers.

**PRAYERS**

**Mr. Rolston M. Anglin:** Let us all bow our heads and our hearts as we approach the Throne of Grace. Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our responsible office. All this we ask for Thy great Name's sake.*

Let us now all say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and forever more. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have apologies for absence from the Honourable Minister of Education, who is off Island on

official business, and the First Elected Member for the district of Cayman Brac and Little Cayman, who is ill.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Speaker:** I have no notice of statements by Honourable Ministers or Members of Cabinet.

**GOVERNMENT BUSINESS**

**Debate on the Throne Speech Delivered by His Excellency, Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, Delivered Friday, 27 April 2007; together with the Second Reading Debate on The Appropriation (June 2007 to July 2008) Bill, 2007 (the Budget Address), Delivered by the Financial Secretary, the Honourable Third Official Member, on Friday, 27 April 2007**

*(Continuation of debate thereon)*

**The Speaker:** Debate on the Throne Speech and the Second Reading of The Appropriation (June 2007 to July 2008) Bill, 2007 continues.

Does any other Member wish to speak?  
*[pause]* Does any other Member wish to speak?  
*[pause]*

If no other Member wishes to speak—Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

Madam Speaker, I rise in this honourable House to make my contribution to the Throne Speech and the 2007/8 Budget Address. My contribution will look at the cost of living, and then I will proceed to how the Budget affects the district of Cayman Brac and Little Cayman. But before I begin, I would like to commend His Excellency the Governor, the Honourable Financial Secretary, and the Leader of Government Business for their contributions at the State Opening.

Madam Speaker, Caymanians are a proud and hardworking people. Our forefathers and mothers built this great country that we now inherit. They modelled for us a spirit of entrepreneurship, community support, personal accomplishments and a work ethic that made Caymanian workers sought after throughout the world in the shipping industry.

We have traditionally had a system, Madam Speaker, which allows all Caymanians the opportunity to build financial security for themselves and their families. We have had an economy that basically gave each generation the opportunity to improve their quality of life through education and hard work. Caymanians prided themselves on their self-sufficiency. They worked side by side, looking after one another. These values brought economic and social stability to the Cayman Islands.

Madam Speaker, it is the responsibility of each of us today as Caymanians to demand that our heritage be honoured and preserved. We are a people of self-reliance and upward mobility and success, and we should not allow anyone to take that away from us. Christian values and respect for ourselves and others has been the foundation of this country and is what historians may note as the cornerstone of the middle class. Today the "middle class" is frequently described as the people who do not earn enough to be free of economic concern, but earn too much to get financial help and support from the Government. There are people who work for a living because they enjoy it and because they need to. Madam Speaker, I believe, as do many others, that a healthy middle class is the foundation of a healthy democracy.

A visitor to any one of our three Islands observes that we drive in our own cars, that we have DirecTV, cable TV or the newest electronics that are available on the market. We have at least one cell phone, maybe as many as three or four. We travel to the United States, call relatives overseas regularly, and all these things that we now take for granted . . . in the old days we would not have expected these luxuries. However, Madam Speaker, we must all understand that this standard of living we have all come to expect brings with it a higher cost of living.

Our dreams, Madam Speaker, are the same as those who live in other developed countries. We dream of owning our own homes and providing for our loved ones. This dream became a reality for many in the past, but as the cost of living increases this dream is becoming less and less of a reality for families in the Cayman Islands today. I am sharing today ideas to help all Caymanians live this dream, to hold Government accountable to work hard and do their part to recapture a culture of success and upward mobility through self-reliance and to give every Caymanian the tools for economic security in these challenging days.

I would pose two questions as to how we build this future Madam Speaker: Why should all Caymanians embrace the self-sufficiency of their ancestors? The answer is to ensure a future prosperity and independence for their families. It is all too easy to see the downward spiral of other countries when challenged with high costs of living and a struggling working community.

Madam Speaker, the downward cycle begins with the deterioration of personal independence and pride in good, honest hard work. The cycle is com-

pleted when most of its citizens depend solely on Government to survive. Unfortunately, Madam Speaker, once citizens relinquish their responsibility for upward mobility, they essentially are letting someone else control their destiny and their entire family's destiny. I implore all Caymanians to embrace our heritage with pride and be vigilant in safeguarding our history of social economic stability through hard work and Christian values. We must demand an environment that provides all Caymanians the tools to improve their standard of living and empower them for success.

Madam Speaker, how can Government enable a society for success and upward mobility through self-reliance and democracy? Simply, Madam Speaker, in providing an effective education system, a dependable job market and a sustainable economy, Government must ensure that its policies and programmes build nurturing communities for families.

We know a strong educational system is required, and I feel confident that the Minister of Education and our educators are focusing on this strategy as part of a long-term plan. However, Madam Speaker, in the short term we need to address the challenges of securing a robust job market and lowering the cost of living. Right now let us deal with the cost of living and two initiatives that can be implemented.

Madam Speaker, the use of the Development Bank to provide low interest, fixed-rate mortgages to Caymanians earning \$40,000 or less per year targets the families that need help to be successful. Secondly, the availability of a financial planner to help advise our people about loan consolidation, debt management and budgeting to provide upward mobility for individuals in our country.

I ask every Member in this honourable House to think back to the first loan that they got, whether it was to buy a car, a boat or to take a trip overseas. When you went to deal with that financial institution you did not scrutinise and ask them what was the interest rate on the loan you were going to get, you just asked them, 'Can I get the loan?' And, Madam Speaker, quite possibly, when you were so happy to get that loan, at the end of the day you may not have been as happy to pay back more than you really needed to if you had planned properly.

Madam Speaker, the rising cost of living—housing, energy, insurance—is nothing new to this Island; it is a global problem that we have to all think of how we can solve it together. It requires a focus on financial budgeting more than ever before because, you see, Madam Speaker, you can have 100 per cent increase in your wages or your income but if you do not curtail how you actually budget and spend your money it is still not going to change your way of life.

Financial literacy is having the knowledge and skills to make informed judgments and effective decisions about money management. Financial literacy is critical for survival in today's society. Madam Speaker, while it is important for everyone to be financially liter-

ate, it is especially important for those individuals and families that are earning the least. Learning to build personal assets is a critical factor in helping Caymanians to improve their standard of living. Financial literacy is the helping hand up and out of financial despair.

Madam Speaker, while having a job is a necessary component of financial security, a job alone is just not enough. Many families with good jobs get stuck on a path of debt rather than a path of asset building which provides a real financial security. As a Government, Madam Speaker, we can establish policies and provide educational services that help break the cycle. Financial management services should be accessible to every Caymanian free of charge. A financial planner can be made available through thinking a little bit outside of the box.

There are two entities that are now available, the Cayman Islands Investment Bureau and the Cayman Islands Development Bank. I know that there is a vacancy, a new posting, for Cayman Brac in the Investment Bureau. Just as an example, Madam Speaker, if part of that job description was that you have a phone number that you answer and people do not have to come in, they do not have to tell you who they are (because a lot of people do not really want to disclose their personal finances), but they can get advice on the phone and you can listen and then you set up the system that if they do want to come in and talk they have a reliable person that they can come in and get advice from.

Madam Speaker, I would propose a public initiative to be launched to establish these counselling services immediately, and in addition to improving financial literacy through free education and services, the cost of money and financial options available to Caymanians must be addressed and I think would be addressed through proper planning in that way.

Madam Speaker, the Cayman Islands Development Bank was founded with a mission to mobilise and provide financing for the promotion and expansion of the economic development of the Cayman Islands. What better way than to give Caymanians success and upward mobility? Over the last year they have made substantial strides and are positioned to provide affordable mortgages and small business loans for Caymanians.

I think it also provides a tool that the private commercial banks, based on their mission statement of a business for profit, could work in establishing some type of help that would be managed through the development bank, and I also would say that this initiative allows Government to focus on the families that really need this type of financial help to own their own home. And it gives a way that is across boundaries, directly affecting the people that need it most.

Madam Speaker, low interest funds build a stronger community. The largest expense that any family has is securing a home. Home ownership is also the best investment families can make toward

their financial security. Giving hardworking Caymanians access to low-income, long-term mortgaging is fundamental to empowering young Caymanians and Caymanians in the lower income bracket. It is one of the most important tools we can provide for ensuring success and upward mobility. Madam Speaker, we need to be a nation of homeowners, not a nation of home renters.

If I may, Madam Speaker, I would like to give a specific example of how the combination of lower-cost loans and professional financial advice can impact and lower the cost of living. In the global problem of the rising cost of living there is no silver bullet, there is no one answer that is going to lower the cost of living for every person. It is hard work, coming up with initiatives that point directly at giving people more spendable income and lowering the cost of living. Some initiatives will cost money and some initiatives are, again, thinking outside of the box, to be a little creative in seeing how we can provide for the success story to encourage and grow the middle class.

Madam Speaker, a very simple example. If you have a house loan for \$100,000 and you pay in these Cayman Islands 3.5 per cent above prime, and let us assume prime is 8.5 per cent, the interest is 12 per cent, or a payment of \$1,101 per month. You have a car, \$20,000. It is financed for five years but that interest rate is 6 per cent above prime. So, now you are paying 14.5 per cent and it is \$470 a month. You have a couple of credit cards as well and they pretty much have been maxed out, so you have got a plan together of where you are going to try to pay off the \$5,000 limit over four years, and that is hopefully no more than 15 per cent interest, so that is \$139 a month. So, your total that you have for this is \$1,710 per month and this is a very real scenario.

Madam Speaker, a call to a financial planner or a mentor that could help individuals talk through their budget process and consolidate their debts, would not only give them the information they need but would give the advice of how to consolidate their debt and budget themselves to not let that happen again.

A financial planner would advise an individual to consolidate his or her loans, so instead of having three loans they would have one and instead of paying an average of 14 or 15 per cent interest they would pay as low as they could possibly get, and let us hope it would be 11 or 12 per cent. But let us just say that they would negotiate lower interest rate on one loan and make their monthly payment much more manageable.

In the above example, Madam Speaker, the consolidated loan would be \$125,000, and for 20 years at 2 per cent above prime (or 10.5 interest) the payments would be \$1,248 per month. This family, or this individual, now has \$462 more in their pocket each month to save or spend as they need. Madam Speaker, that is \$5,548 more per year, and this initiative is pointed and geared directly toward the family or

individual that makes \$40,000 per year or less. This one initiative would give 11 per cent more spendable income to a family who desperately needs it.

And I say, in the way you attack the rising cost of living, if you combine this with the increases that this Government has given in the last two years that cumulatively come out to over 12 per cent, you now see a real way of 30 per cent more spendable income. Madam Speaker, it is clear to see the positive impact of this initiative and how this indeed will help us build a future.

Low interest mortgages and small business micro loans give Caymanians options for building their own financial security. Financial planners work with individuals to evaluate their options and better manage their money, thereby increasing their spendable income, cutting their cost of living and providing the way for a stronger middle class in this country.

Madam Speaker, this initiative does not require a source of funding. This initiative does not require any type of legislation. It simply uses what is already available more efficiently for families in need of a helping hand out of debt. The financial planner would educate and work with individuals and families to plan a budget and learn better money management, thus increasing their spendable income, cutting their cost of living and paving the way for a stronger middle class for this country.

Madam Speaker, it is ownership that we all have to take responsibility for. The Government has a responsibility to do what they can do and the individual has a responsibility for this as well. So, it is certainly something that we must all work together on.

Madam Speaker, I would like to take this opportunity to speak in a little more detail about the budget and the issues in Cayman Brac and Little Cayman. I would like to take a moment to congratulate a fellow Cayman Bracker, Ms. Shirley Wahler, on her new appointment as Chief Education Officer when she returns from the UK. I am confident that she will be a great Leader and resource for our education system.

Let me begin this part of my contribution on education by saying that I support the Honourable Minister and his vision for education in these Cayman Islands. After the first National Education Conference, the Minister of Education and his team set out to implement a better education system.

One of the first steps needed was to build new facilities. The new facilities were needed because of an influx of unexpected new students in the aftermath of Hurricane Ivan. Madam Speaker, I wish him all the success in these buildings in Grand Cayman and I impress upon the Minister to keep the needs, as he always does, of Cayman Brac and Little Cayman at the forefront of his thoughts.

In a recent visit to the schools of Cayman Brac and Little Cayman, the Minister witnessed firsthand the need for more wheelchair accessible classrooms and restrooms and a more coordinated main-

tenance programme. He also saw the need for special education teachers and counsellors and a new school hall for the high school which, I am pleased to say, is on its way. The Minister gave a commitment to work hard to correct these deficiencies and for that we must thank him.

I would also like to commend the Honourable Minister for the increases budgeted for student scholarships, bachelors degree from CI \$16,000 to \$20,000, masters degree from CI \$20,000 to CI 25,000, which helps to compensate for the rising costs of overseas university fees. These increases were needed and are welcomed by our students in Cayman Brac and Little Cayman, and I daresay, their parents as well.

While on this subject, Madam Speaker, I would also ask the Minister to explore the possibility of extending those scholarships to include quality accredited university degree programmes for distance learners, which allows a significant portion of the student's work to be done at home on-line. This could provide a significant savings for Cayman Brac and Little Cayman families because even going to UCCI on Grand Cayman requires housing and transportation costs for Cayman Brac and Little Cayman students. Additionally, we certainly ask the Minister to continue to think and look at the need for dormitories at UCCI and to try and offer more college courses at the high school campus in Cayman Brac.

Madam Speaker, youth and sports programmes, a master plan for what I believe will be the best sports facility in the Cayman Islands, has been developed for Cayman Brac. Work on the FIFA (Federation Internationale de Football Association) certified football field, which is the part of the first phase of the plan, is well underway and should be ready to host football teams next season. The \$1 million in the Budget for 2007/8 should begin the next phase of this plan, which is to develop the track and swimming facilities. This sports complex has been a long time coming. Madam Speaker, I am pleased to see the first phase coming to fruition.

The sports programme of Cayman Brac and Little Cayman is led by Mitchum Sanford, Ventisha Connolly and Flynn Bush, and it grows better every year and strives to help young athletes reach their potential with worldwide exposure, while at the same time preparing them for athletic scholarships and the academic success so important in today's competitive work place.

Madam Speaker, this year we had a lot of success with one athlete, Stephen Tatum, who will be attending college in the United States, and he has won a spot on the college's soccer team. Stephen has worked hard, athletically and academically, to attain this goal and his coaches and parents encouraged him every day along the way. Madam Speaker, I give a lot of credit for Stephen's success to the elite sports programme developed by Mitchum Sanford, sup-

ported by the Minister, which inspired and helped to prepare Stephen for this challenge.

The above illustration provides perfect opportunity to commend the Minister and the Government for including athletic scholarships in their scholarship programme.

Continuing to look at education in Cayman Brac and Little Cayman, our music department, (thanks to Ms. Penny and Ms. Jocelyn and others) has become more active in the community than ever before. Ms. Penny takes special interest in developing young school musicians and taking them in the community for concerts.

Madam Speaker, our debate team is respected and admired throughout the Cayman Islands as they continue to take first place in most competitions. Ms. Stacey Scott has just won the essay competition. Our junior achievement group goes from strength to strength each year with Cayman Brac and Little Cayman being well represented locally and abroad through these exceptionally bright student entrepreneurs.

Our church after-school programmes are thriving from Spot Bay to West End in making a difference in young people's lives one day at a time. The Cadet Corps is a model programme with 90 plus children being effectively led under the capable supervision of Mr. Lawrence Nelson. This programme provides much needed structure and discipline and instills in our children self-esteem while giving each of them a chance to excel. I cannot tell you, Madam Speaker, how many parents have come to me to express their satisfaction at what Mr. Nelson is doing with this programme and how it has benefitted their children's attitude regarding teamwork and personal civic responsibility.

The programmes I have just thumbnailed through show that what we are trying to do is to provide an outlet for each young person. The one that might not be the best football player might truly enjoy the Cadet Corps; or the one that may not be the best debater may truly enjoy one of the after-school programmes or church programmes. But it gives a safety net for each one of these young people to have something that they can excel in.

Overall our education system is diligently working to prepare well-rounded students through academics, the arts, athletics, and with team building skills learned through other important community youth programmes. Because of these programmes, Madam Speaker, our students have more opportunities for personal success than ever before.

These programmes are compatible with the holistic approach now becoming a reality on Cayman Brac and Little Cayman which provides academic excellence while protecting the vital need for providing healthy, structured activities for our youth. I believe that every child has God-given talents and gifts. Government's responsibility is to provide the environment to help them recognise and develop their gifts so they

have the opportunity to become all that they are destined to be, and I believe that we are doing that, Madam Speaker.

Madam Speaker, with regard to the environment, the landfills on Cayman Brac and Little Cayman have been visited by the Minister of Communications, Works and Infrastructure, and his team. Both entities were given much-needed attention and the results are evident, even in the positive report the Complaints Commissioner issued about the improvements to date. I must commend the Honourable Minister for his work in this area. I also make mention that the Minister of Communications, Works and Infrastructure has made progress on the moving of the landfill on Cayman Brac, and I compliment him on the Environmental Impact Study which is being carried out to ensure that the relocation of the landfill in Cayman Brac is in a suitable place before proceeding any further.

Madam Speaker, I am not sure what the legacy of this Minister will be, but I believe that he will be well remembered as the Minister that fixed "Malfunction Junction", and I certainly thank him for that.

*[Laughter]*

**Mr. Moses I. Kirkconnell:** Health Services, Madam Speaker, have been through turmoil this year, as in every country. The cost of health care is almost impossible to control, and whether you read a newspaper from the UK, the US or Canada, the story is the same—skyrocketing costs and the question of how to cope. Let me say, the clinic in Little Cayman and Faith Hospital in Cayman Brac are well staffed. The people offer some of the best personal healthcare that I have experienced, and I do not know whether that is fortunate or unfortunate. But I can certainly tell you that they are doing everything they can possibly do to make your visit there as comfortable and as healing as it can be.

I have confidence in the Honourable Minister responsible for Health Services Authority and believe that the Minister has our health needs at heart. The Cayman Islands health care system, Madam Speaker, is led by a good, honest, hardworking man, and because of this I believe that we must all say we see an improvement in this system through, not only his hard work, but the people that are there on a daily basis trying to make it a better place.

A special mention, Madam Speaker, is the dialysis unit at Faith Hospital and the community awareness that the Health Services Authority is showing improvements in, in business management and the community services.

Additionally, Madam Speaker, the Minister of Health announced his intention to add overseas medical benefits to the Veterans and Seamen Health Plan. On that particular subject, I would ask the Minister of Health to explore the possibility of raising the maximum benefit of the basic plan from \$30,000 to a higher ceiling because, not only veterans and sea-

men, but when Caymanians go abroad, if they have a major illness \$30,000 does not go along way in treatment.

In addition, I need to make an appeal to the Minister of Health to look into, as quickly as possible, the air ambulance situation in Little Cayman, and I believe it falls across Ministries. I must mention that it is a situation we have to all diligently work toward a solution for as quickly as possible.

Madam Speaker, I take this opportunity to congratulate the Minister responsible for tourism for his NFL quarterback challenge partnership. The cross-marketing benefits should pay dividends for stay over visitors for years to come. Additionally, the Tourism Minister's private/public partnership for initiating the New York flight shows commitment to a strategy of working with tourism properties, Department of Tourism and the community to again improve stay over visitors.

Madam Speaker, the Pedro, Botanical garden and land based initiative is a crucial part of managing cruise visitors so that the balance between cruise and stay over visitors can be such that we all benefit.

Little Cayman's tourism properties continue to run some of the highest occupancy rates in the Cayman Islands, Madam Speaker. Their purpose-built dive and fishing resorts attract a strong repeat guest market, as well as new divers coming to enjoy world famous Bloody Bay Wall. In addition, Little Cayman Research Centre (CCMI) attracts students and renowned researchers, giving the Little Cayman community interesting avenues for social diversity.

Unfortunately, Madam Speaker, I cannot give you that same report on Cayman Brac and its tourism product. It does not paint such a vibrant picture. Evidenced by the closing of the Divi Tiara Resort last year, when all was said and done, approximately 20 persons could not be absorbed into the work places. Some found work in Grand Cayman and some went home. But, Madam Speaker, until we fix the airlift problem, it will be difficult, if not impossible, to find another resort to locate on Cayman Brac.

The Honourable Minister of Tourism's commitment to Cayman Brac and Little Cayman has clearly been evidenced by the purchase of the twin otters for CAL Express, and his pledge to continue jet service is noted and appreciated by the people of Cayman Brac and Little Cayman. But later in my contribution, Madam Speaker, I will ask the Minister of Tourism for more help with Cayman Airways in securing the economic future of Cayman Brac and Little Cayman.

Madam Speaker, let me take this opportunity to thank the Leader of Government Businesses for all he does for Cayman Brac and Little Cayman, which is one of his responsibilities. I just make mention that last week the drought continued and the Minister responsible for District Administration immediately started to help the cattle raisers and the farmers how he could, whether it be water or food, and looked into

a quick initiative of how this problem can be solved. And that is just an example of how, whenever there is a problem, he does his best to deal with it as quickly as possible.

I also take this opportunity, Madam Speaker, to mention and congratulate the new District Commissioner, Mr. Ernie Scott, and the new Deputy District Commissioner, Mr. Mark Tibbetts.

Madam Speaker, the 2007/8 Budget has some very important funding for moving Cayman Brac and Little Cayman forward, while keeping our traditions and our culture in tact.

First, I quickly note the cumulative increase over the last two years in the Government pay scale of over 12 per cent. With Government being the largest employer in Cayman Brac and Little Cayman this increase was extremely important to the daily way of life in offsetting some of the rise in cost of living.

Madam Speaker, last year's budget and this 2007/8 Budget have so many urgently needed projects, and I am pleased to be able to talk about a few that have already been completed. These include a state of the art daycare centre for the youth and the young. It includes the rest home in a private/public partnership, a big portion being funded by Mr. Linton Tibbetts, which we thank him for. The size is doubled creating a cottage industry providing more jobs, and it shows a commitment to take care of the young and the old, which I think speaks volumes.

Also, the medical clinic that is attached to the Aston Rutty Centre is to be used as triage for disasters, as the Aston Rutty Centre is one of our hurricane shelters. The roadworks programme is moving toward creating ramps and a network that has the ability to connect all of the hurricane shelters onto high ground in the case of a major disaster. The agricultural grounds are gorgeous, finished and being used. The Cayman Islands Development Bank is in its start of being located in Cayman Brac with a presence there once a month.

Madam Speaker, all of these projects serve to improve the quality of life in Cayman Brac and Little Cayman to strengthen our economy.

The affordable housing programme is essential and moving forward. It has seven homes already funded through the previous budget and this 2007/8 Budget provides four additional homes. I am pleased that these homes will be started very quickly, not only because it provides construction work but also because of the families who need the houses and need ownership of these houses. Madam Speaker, this programme has a strong board of directors who have worked diligently to provide the proper structure to facilitate the process of financing, process of building these homes, ensuring that when the construction is completed the land and home can be legally turned over to the qualified purchaser.

Madam Speaker, funding in this Budget and last budget for the expansion of the District Administration building on Cayman Brac is crucial because of

the present overcrowded office conditions and, because Cayman Brackers need the professional and back-office jobs that will be located in this project expansion when completed. Government is identifying jobs right now that can be relocated to Cayman Brac, but they cannot initiate this move, Madam Speaker, until suitable government office space is available.

Cayman Brac and Little Cayman, I am pleased to say, have taken on board Mr. Colford Scott to oversee special projects, the building of ramps, the Charlotte Ramp and the Ann Tatum Ramp, and other projects. It would be remiss of me if I did not offer condolences to Mr. Scott and his family (as I mention his name) on the passing of his father. But, Madam Speaker, Mr. Scott brings years of experience and has roots in Cayman Brac. We believe we will certainly benefit from having him on board.

In Little Cayman, Madam Speaker, the District Admin road programme and the announcement of the start of the Little Cayman Airport 2008 improves the infrastructure of Little Cayman while controlling quality of life issues so important to the residents there.

The Public Works Department advertised 11 new jobs in March of this year. They are interviewing the candidates this month and the successful applicants should be at work by 1 June, I am told. These new jobs, along with the new heavy equipment, purchased by public works this year, Madam Speaker, will put the Public Works Department in a position to be fully staffed for the many services that they provide in such a good way to the communities of Cayman Brac and Little Cayman.

Madam Speaker, a quick mention of the Budget item for the moving of the MRCU (Mosquito Research Control Unit) from its present position to a new building being built on the Bluff will give them a much-needed area to better provide their services and more pleasant surroundings that they offer to Cayman Brac and Little Cayman. I would also hope that when they move from the building they are currently occupying, we will find a suitable use for that quickly.

As you can hear, Madam Speaker, this year's Budget funds several projects which are crucial. We must all work together to make these happen sooner rather than later.

And I mention the agricultural grounds. I have to give you a personal invitation to come and see them because what—I also invite the Minister responsible for Communications as well, and anybody else in this honourable House that would like to come.

*[Laughter and inaudible interjections]*

**Mr. Moses I. Kirkconnell:** There was a piece of land under the direction of the District Administration that was taken and left in its most natural state, only what trees needed to be cut out were removed. And the grounds, I believe, all who have seen this will agree that it is spectacular. It is a beautiful addition to Cayman Brac and a very functional sight to the center-

piece of our domestic tourism programme. Every year we encourage planning of specific cultural events such as museum day, the agricultural fair, fishing tournaments. These events are bringing more local people to our Island every year to enjoy Cayman Brac's nature and family tourism market.

Madam Speaker, an indicator of the Islands is judged sometimes by land sales, and I believe that in Cayman Brac and Little Cayman it is a fair comment to make, that in 2004 \$6 million worth of land was sold. In 2005 \$13 million worth of land was sold, which was a record. In 2006 \$18 million worth of land was sold, an increase of 260 per cent. These figures are a very strong indication of the interest Cayman Brac and Little Cayman have to the outside world, and I am pleased to say that much of this growth comes from Caymanians themselves purchasing land, planning to return home after working in Grand Cayman, and some just wanting to escape the busyness of Grand Cayman.

Madam Speaker, it is all a feel-good story and I believe it can continue to be a very feel-good story as we join together to face issues that have to be corrected for Cayman Brac and Little Cayman to go forward.

I believe the most important issue that I will discuss here today concerning Cayman Brac and Little Cayman is airlift, or more accurately described, the inability to get from Grand Cayman to Cayman Brac or Little Cayman and the inability to get from Cayman Brac and Little Cayman to Grand Cayman.

If I live in Grand Cayman I can drive to East End, North Side, Bodden Town, West Bay; I drive there whenever I want. A new road has been opened that I can get to West Bay faster. A new road is being built to the eastern district that I can get there more comfortably and faster. So, Madam Speaker, we have to find a better way to get from Grand Cayman to Cayman Brac and Little Cayman. With millions of dollars identified for Cayman Brac and Little Cayman, Madam Speaker, none, none, of the resulting projects will help build a balanced sustainable economy if we do not tackle the air transportation problem.

Madam Speaker, let me just say that a year and a half ago two planes were purchased, so it is certainly an issue that has been dealt with and dealt with in a very good way when the issues were discussed. And that is why I believe it is my obligation today to bring these for open discussion that we may deal with the issue and push Cayman Brac and Little Cayman forward. This obstacle to our social and economic advancement has loomed over us for years. This is not a complicated challenge; this is a simple issue that takes resolve. And we have shown commitment, and will continue to show commitment, to fix the problem.

Madam Speaker, there is an agreement from this Government to purchase service from CAL Express. In summary, it says, "CAL Express will provide service with two twin otters to and from Grand Cay-

man, Cayman Brac and Little Cayman for the well-being of Cayman Brac and Little Cayman and the economic benefit of the Cayman Islands.” Simply let me suggest that when we look at this line item, it be amended to include other aircrafts such as a Dash 8 or an ATR, or a regional jet, whichever plane meets our needs and is supported by a proper business plan and business case to bring it on-line quickly. In this way the plane can provide direct service to the United States and Cayman Brac and Little Cayman as well as inter island.

Madam Speaker, I take note of the mention made in the Governor's Throne Speech that preparation work will start on Little Cayman Airport in January 2008. This is welcome, welcome news for not only the people and businesses of Little Cayman but also the travelling public and Cayman Brac's tourist properties.

It has been explained over and over that airlift into Cayman Brac is twofold: the jet service operates four days per week and the express operates seven days per week. Madam Speaker, the express service operates the two 19-seat twin otters, not because it is the plane of choice to build Cayman Brac's tourism product, but because it is the most practical plane for landing on Little Cayman's present airstrip. With the announcement in the Governor's Throne Speech, the day has come for us to decide how to bring the new equipment on line. Quite obviously, the building of the new airport in Little Cayman will facilitate the addition of planes whether they be ATR's or dashes, the decision is that we do this quickly.

We must realise, Madam Speaker, that two years ago CAL Express was operating four roundtrip flights between Grand Cayman, Cayman Brac and Little Cayman. Today they operate an average of seven and a half round trip flights a day. Today's price is US \$132 round trip. Three years ago, before it was CAL Express, the price was US \$165 round trip. It begs the question, Madam Speaker: Do we have better air service today than we had three years ago? Absolutely we do! There is no question we have better air service. Do we have the air service we need to allow Cayman Brac to grow and prosper? Absolutely not! Not yet, but we will.

Madam Speaker, it is often said that Cayman Brac has the best infrastructure of any island its size; I agree. We have a modern airstrip, modern air terminal, a superior hospital, modern port facilities, best daycare program—

*[Inaudible interjection]*

**Mr. Moses I. Kirkconnell:** *[To an honourable Member]* No, no, no. Don't go there.

*[Laughter]*

**Mr. Moses I. Kirkconnell:** A fine home for seniors, a road system that will be worked on and made better.

*[Laughter]*

**Mr. Moses I. Kirkconnell:** Excellent communications, electricity, water, a civil service that delivers equal or better basic services than one is accustomed to in any place in the world.

Unfortunately none of this, none of this, can move our Island forward as long as we do not have the ability to move freely between these Islands. The simple fact is, Madam Speaker, if I am on Grand Cayman I have a very good feeling that when I go to the airport without a reservation I can go to Miami because Spirit, American, Cayman Airways will have a seat available. If I go to the airport wanting to go to Cayman Brac or Little Cayman there is a demand now that the flights are full, and that is a good problem. . .

**An Hon. Member:** Yeah.

**Mr. Moses I. Kirkconnell:** . . . when the flights are full. It is a good problem to have to remedy and that is what we have to do.

I never know when I am in Cayman Brac if I can get to Grand Cayman, and when coming to Cayman I never know if I can get home on the flight that I want. But I have to give credit to the people that work at CAL Express and Cayman Airways Ltd. They work extremely hard to help all get on the flights that have such demand. Until we create the ability, Madam Speaker, for businesses, tourists and locals to travel freely back and forth between the Islands to and from US gateways, Cayman Brac will continue to have a slow growth rate.

Today, Madam Speaker, I bring to this honourable house my idea to immediately source a plane to better service the needs of Cayman Brac. This plane must be able to offer direct service four times a week to the United States gateway, Miami, Fort Lauderdale being the logical choices. It must be equipped to carry the same amount of baggage as a passenger can bring on US carriers so passengers are not penalised for their dive gear and other suitcases.

Additionally, Madam Speaker, it must be able to coordinate in the schedule of CAL Express now to connect with the network of lift from Grand Cayman to the US and Europe. For years, Madam Speaker, it has been said that when the airport in Little Cayman is ready the equipment would be upgraded. Well, the airport has been announced and I will say that I believe it is timely and necessary to bring the equipment on as quickly as possible.

Madam Speaker, I spoke earlier of the importance of a strong job market to maintaining our social and economic stability in giving Caymanians what they deserve—the right to enjoy the fruits of their labour and improve their standard of living. Madam Speaker, I would like to point out that over the past couple of years we have made great progress in establishing a foundation for sustainable employment opportunities in Cayman Brac and Little Cayman. Some of these you heard referenced in the address

last week by the Leader of Government Business. These opportunities include plans to transfer Government back-office jobs to Cayman Brac; expansion of nature tourist product; focused domestic tourism campaigns; development of international sports tourism. These plans, along with other initiatives, such as the establishment of a medical school, all require airlift.

As a community we have done our part. We have taken a leadership role in working with members from across these Islands to identify the opportunities for economic and social enhancement. We have developed plans to capture these opportunities and we have attracted investors. However, we are facing the same single barrier on all initiatives—that of inadequate airlift. These investors, Madam Speaker, are all hindered by our level of isolation. Investors will not invest if their students, clients and tourists cannot get here. It is that simple.

I feel confident, Madam Speaker, my colleagues here in this honourable house, the Ministers responsible under this Budget will support my idea for this new airlift initiative for Cayman Brac and Little Cayman to begin immediately.

In closing, Madam Speaker, I address what the Honourable Financial Secretary has already reported—Government has a surplus in the Budget of \$17.5 million. We are being fiscally responsible in our borrowing and spending by meeting the debt service ratio of less than 10 per cent, actually, 6.6 per cent. We reflect a cash balance of \$90.3 million, which exceeds the amount needed for the 75-day surplus. We are addressing the infrastructural needs of this country.

I wish to extend my support for the 2007/8 Budget.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]*.

The Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I too would like to use this opportunity to make my contribution to the 2007/8 Throne Speech, the Budget Address and also the Policy Statement by the Leader of Government Business.

Madam Speaker, when I listened to the Policy Statement by the Leader of Government Business it seemed very similar to previous statements I heard for the last two Budgets of the People's Progressive Movement since they won the Election in 2005. So, I decided to look back at the 2005 Policy Statement, as well as the 2006 Policy Statement so I could be able to draw comparison as to some of the promises and commitments that were made during those years and compare them to actually what had been done, and also what we would have seen as continued promises in the 2007 Policy Statement.

Madam Speaker, I am sure we all remember, in 2005 when the People's Progressive Movement came into power, we were coming out of a major disaster, Hurricane Ivan. There was a lot of concern in the country. We were only six months beyond Hurricane Ivan and while significant recovery had been made there were a lot of concerns as to all the required needs. And I am sure everyone will remember that a lot of promises were made during the campaign.

**Hon. W. McKeever Bush:** Promises.

**Mr. Cline A. Glidden, Jr.:** There was a lot of criticism as to the state of education, problems with our health services, tourism and housing. I remember that was a very, very significant discussion during that whole debate.

Now, Madam Speaker, when I read from the 2007/8 Policy Statement made by the Leader of Government Business, "Making a Difference: Delivering Results," I see that he mentions on page one and on to page two, "**We are still reeling from the impact of the hurricane; The country appeared to be rudderless with no real direction being taken in relation to the re-building process; . . .**"

And he goes on. He says, ". . . **inflation was out of control; and real fear was being expressed by many people about the future of these beloved Islands.**"

Madam Speaker, maybe I am living in a different Island, but those are the same fears I hear being addressed today. We are still talking about inflation being out of control; about the war on the middle class; people not being able to survive. People are concerned about the future of the country when we listen to the talk shows or go to the newspaper or on the many blog sites that have now been started about Cayman.

So, when I heard the Leader of Government Business saying that things are better and a lot has been done in the last two years, and that this is the third budget, I wanted to try to be as objective as possible and decided to look back, like I said, to recall some of those promises that were made. During the campaign we heard the usual buzz words "accountability", "transparency" and "good governance". And I guess the key topic we heard was that the PPM Administration was concerned about the country's education system and if they were elected and given an opportunity they would concentrate on finding a solution on improving our education system. I can remember them promising in some of the campaign meetings that "help was on the way".

**Hon. W. McKeever Bush:** Uh-uh.

**Mr. Cline A. Glidden, Jr.:** Now, Madam Speaker, looking beyond that propaganda, the pretty speeches, all the sound bytes that we heard, and digging into the

facts a bit at what has actually been accomplished, in 2005 "Delivering on the Promises", the address delivered by the Honourable Leader of Government Business, page three, he spoke about the budget and in one of the comments he said: "**It is a budget that actually does deliver new schools and other essential resources for the education sector.**" This was the 2005/2006 document.

In that same speech on page 12 we see that there was almost \$15 million (\$14.9 million) committed for the new schools. Now, taking that into account we have to remember that the land for these schools had already been purchased, plans had been started, ground breakings had occurred—

*[Inaudible interjections]*

**Mr. Cline A. Glidden, Jr.:** And names had already been given to the schools.

The country was given—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** The Government came in 2005, talked about how terrible the school situation was, how important and how much a priority it was for the Administration, and so this Legislative Assembly approved some \$15 million because of it being such a priority.

*[Inaudible interjection from Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** In 2005 we remember having the education conference and there was a lot of hype given to that. It was a good conference, good turnout; found out all the problems that were necessary to move forward. Then in 2006 we see that the Minister came back and asked for some \$36.7 million for education again. Again, it is a priority of the PPM Administration, it is a terrible need in the country for education and it is a priority. With very little debate the House approved it and gave the Minister another \$36 million.

Now, in the 2007/8 Budget we see another \$35.5 million again being committed to education.

Madam Speaker, everyone here knows that Parliament usually approves funds that are requested for education. This Minister of Education, after the approval of this Budget, would have been given some \$85 million in three years for school capital development, \$35 in the last budget, \$37 in this one and \$15 in the one before.

Now, we are not talking about the recurring expenditure that has been going on, this is just capital development. In three years, \$85 million. Now, I am sure even the Members on the other side looking at those numbers—

**Hon. W. McKeeva Bush:** Yeah.

**Mr. Cline A. Glidden, Jr.:** —will have to question where has the \$85 million gone.

*[Inaudible interjection from the Honourable Leader of the Opposition]*

#### Point of Order

**Hon. D. Kurt Tibbetts:** Madam Speaker, on a point of order.

**The Speaker:** Honourable Leader of Government Business.

*[Inaudible interjection]*

**Hon. D. Kurt Tibbetts:** Madam Speaker, the Member for West Bay just said that the Minister of Education, over three budgets, has been given \$85 million. Now, Madam Speaker, that is indeed misleading and I will explain myself if you will allow me.

Obviously, allocation on an annual basis in a budget does not mean that the money is used.

The way the Member just explained it, he wants the public to believe that the Minister of Education has been given \$85 million and had nothing to prove for it. And it is obvious, although the allocations have been there, that it has not been \$85 million spent on the capital side of the Budget. And I really think that he needs to clarify the situation.

**The Speaker:** Honourable Third Elected Member for the district of West Bay, would you clarify that these were the allocations, unless you have proof that they were spent?

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I do not have proof that they were spent—

**The Speaker:** Okay.

**Mr. Cline A. Glidden, Jr.:** What I can say, Madam Speaker, is if education was such a priority for the PPM Administration and the Legislative Assembly has approved the money, it is now surprising to me that for some reason the money was not spent on such a thing, which was a priority and in such a bad state. Maybe the Minister or the Leader of Government Business might want to explain why it has not been spent. I will be willing to give them that time. But I would have thought that if the money was approved and committed on such a priority as education, that the Government would have been spending the money.

It was an assumption I made, Madam Speaker, so I hope that I clarified the position.

**The Speaker:** Honourable Member, I thank you for that clarification because I was getting a bit concerned that you were attacking the chair.

**Mr. Cline A. Glidden, Jr.:** No, Ma'am.

**The Speaker:** So, we have that cleared up.

Would you continue with your debate, please?  
Thank you.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Now, Madam Speaker, going back to the point made, and in fairness I mentioned objectivity, I also made a point that it will be \$85 million over three budgets. This Budget does not come into effect until July, right? But so far we are talking about \$50 million that was committed or allocated, and with this one it would be \$37 million. So, for the sake of clarity, hopefully everyone understands that point.

But having said that, Madam Speaker, even if we go to the \$50 million I know that the Minister has made the comment that he is going to give our children the best education that money can buy. I am still wondering for that \$50 million that has been committed so far, what has the country got for that money. This was an item that was a priority for the Government. It was in such a terrible state and needed so much fixing. I could never believe that that amount of money has been requested by the Minister, given to him and not been used.

**Hon. W. McKeever Bush:** Where it is?

**Mr. Cline A. Glidden, Jr.:** And if it has been used, while we all support education we still have to question whether the consultants and the education conferences that we have gotten so far are good value for the \$50 million approved and given to the Minister in the past two years.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, actually just a few days ago—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** On Thursday I got a complaint from a parent whose child came home with a headache, complaining that he had not been able to get lunch because when he got to the canteen there was no food left for the rest of the children. Apparently, this is not the first time that this has happened.

Madam Speaker, the other question on education has to be, how many new children have been enrolled in high schools in the last few years that would require us to have three new high schools coming on line at one time? We heard the Minister of Education saying that the capacity of those three schools would be around 3,000 students. Are we expecting a great population growth? Was education a real priority of this Government?

Madam Speaker, the United Democratic Party, the previous administration, had a plan for the

schools but it was as the population growth demanded. They started with the Prospect Primary School and then they purchased the land for the other schools. They phased them in so that there would not be unbearable financial strain on the resources of the country, both financially and human. But now all of a sudden we hear that we have three new high schools coming on line and they are all going to be coming on line at one time.

Now, there has been a lot of criticism about the UDP and their lack of priority for our children's education. However, when we look at what was accomplished by that government, compared to the PPM who has proclaimed education to be a priority, and if we use a statement from the Leader of Government Business in 2005 when he said: "Actions speak louder than words", we see that while the PPM has been loud with talk about education, so far they have been pretty much silent if we are measuring them by action.

If you look at the performance of the previous administration, you can say the reason was because they did not feel the country could afford the significant debt necessary to upgrade the education plan all at one time, so the Minister could only do so much. But with the PPM Minister, he has made the request to his party, convinced Cabinet, then his requests have come to the Legislative Assembly and the money has been awarded and approved for him to spend, and still nothing has been done.

What is the excuse?

Was it not really a priority?

Was it just talk and political propaganda at the expense of our kids, or was the existing system and plan not as bad as they tried to make the country believe? Does the Minister not know what was really wrong?

**Hon. W. McKeever Bush:** He knows.

**Mr. Cline A. Glidden, Jr.:** I guess, Madam Speaker, that goes without saying since we know that he has spent in the last two years a lot of money on consultants in trying to find out what was wrong and seeing if they could recommend a change to fix it. Actually, Madam Speaker, I heard a few days ago that we are officially changing the "CI". Instead of it being "Cayman Islands", it is now going to be "Consultant Island"!

*[Laughter from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** And we know how consultants work, Madam Speaker.

*[Laughter from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** If their payment depends on them finding something wrong and implementing a fix—

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** —they are going to find something that needs fixing so that they can make their money.

During the campaign the PPM gave the impression to the Caymanian people that the education system was a mess, they knew what was wrong and would fix it. Now we are seeing that once the people placed their trust in them and gave their vote, all of a sudden they did not know what, if anything, was wrong or how to fix, even when you give them the most money in history, for education.

Now, Madam Speaker, because we are getting close to the Election time again and we are hearing about three new high schools and a primary school in George Town—all ready to open at that time—I think all good thinking and reasonable Caymanian people can see this for what it is, Madam Speaker.

Three years, no schools. Even though there was a plan in place, land was bought and money in the budget, no schools. There were a lot of meetings, consultants and promises. Now, all of a sudden, 3,000 new high school places in one year and it just happen to be Election time.

We see that the scheduled date for the opening happens to be, coincidentally, May 2009.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Now what a coincidence, Madam Speaker. The money has been there, approval has been given; it could not be built. But come Election time in May 2009, all of a sudden the three schools are all going to be completed by that time.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Where are all the children coming from all of a sudden? And Madam Speaker, another concern, where are the teachers? We hear a worldwide shortage of teachers.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Where are those teachers and children going to come from?

Now, Madam Speaker, maybe, like I said, there is some population growth plans. And once again, we are hopeful because we recognise that the history will show we have supported and voted for those budgets. We have given the Minister the support. We have not been out there criticising because

we recognised that he was implementing some change in education and the system. There were some changes necessary and we wanted to give full support to the now Government. But we have survived for the last four years under the old system because by the time the new schools come on board it will be 2009, so we have survived for those four years. How is it practical, good financial management?

We all know when building anything what it can take. When you go forward and you are building three schools at one time in three different areas of the Island, you are increasing the demand. The contractor is going to be there and all of a sudden it seems that we are on a rush. Government is going to be coming to the contractors, asking him to finish these projects in time. Why could we not have just phased out some of the construction of those schools over the four-year administration of the Government? It was not a financial situation because the money was there and whatever has been requested has been given.

Anyway, Madam Speaker, like I said, when we dig and look at what has been promised and talked about, but actually see what has been achieved for the money that has been committed and approved by this Legislative Assembly, I am sure that we will all have to agree that, so far, we have not gotten \$50 million worth of improvement in our education system.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** The explanation I heard, Madam Speaker, is that while the money was committed it does not mean that the money was spent. If that is the case, then we go back to questioning, why was it not spent? I am pretty sure that whatever can be spent in the next two years will be spent, because we see that we are working on a tight timeline now heading up to Election. But again, Madam Speaker, the question has to be asked, is the country getting good value for money now or is it just an Election play for May 2009?

Madam Speaker, while I am on that topic of education, I want to thank the Minister for committing to the completion of the West Bay Library. As we know, the library's programme was put in place in the 90's by the now Leader of the Opposition, and he, rather caringly, took the position that he would start the programme in other districts, not just his district of West Bay. So, East End, North Side and Bodden Town were completed. Then in 1997 to 2000 he was not in Executive Council and could not ask the government to complete it, but when he got back in 2001, as we all know, we were borrowing money to pay recurring expenses in 2001. We were in a bad financial position having just taken over from a government that had basically left the country with no money. And so, by the time we got the finances sorted out, brought in the revenue measures—

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** —and budgeted money again for the West Bay Library and the work started, then the hurricane hit—

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** —and stopped us again. But we are thankful that the Minister has committed to completing this much needed project in the district of West Bay.

Madam Speaker, one of the other, I guess sore points . . . but when we look back at the Policy Statement of 2005, again, it made mention of the need and the disrepair of all the playing fields and sports facilities in the districts and the fact that there was money to do those repairs. I know that in some of the districts the fields have been repaired, the lights have been worked on and are now working. Sadly, Madam Speaker, the fields in West Bay, the Ed Bush field, still does not have any lights. The teams that are practicing there are practicing with generator lights. But, Madam Speaker, the Minister of Education with responsibility for sports has given the commitment that by the end of this year both the Ed Bush Playing Field and the Truman Bodden Sports Complex will be redone and the lights will be repaired. We are thankful too for that commitment.

We recognise that priorities had to be given and not all the fields could be fixed at one time. We were a bit concerned, I guess, that the district of West Bay—being the second largest district—never got completed. But we will be thankful if it is completed by the end of the year so that the people in the community can use those facilities and get back to enjoying what was there.

Madam Speaker, on that topic there was a very good sports symposium that I was invited to, put on by the Minister. I think the attendance was great, very informative, very productive symposium, and I look forward to good things coming from that. Pretty much what I heard was the same problems that have existed for years—the complaint with lack of facilities and lack of funding—but maybe this time after sitting down and talking about it we will be able to come up with a solution.

I also want to congratulate Mr. Charles Whittaker for his recent victory on the boxing match held here in Cayman. I have spoken to him and he has told me that he had meetings with the Minister of Education and Sports, and is hopeful that they will be able to have a working relationship going forward, which will give him more support from the Government.

Madam Speaker, the examples I used in education awhile ago, going back to the previous statements and the talk that was given on education (or the

promises that were made) seems to be . . . and I have all three documents here, and looking through them it seems very similar to the other topics. While I cannot go through all of them, one that comes very quickly to my attention is when it comes to the situation of affordable housing. We all know and recognise the value in building a society and allowing people to feel ownership by owning a house or a "piece of the rock", as we call it. And we will remember that there were criticisms, again, during the last campaign concerning the housing programme. Now, one thing that we have to acknowledge, Madam Speaker, is that while there may have been problems with the previous Minister's housing programme, or the previous government's housing programme, during that time some 200 people actually got homes. And while we may have criticised the type of homes, the construction, the land used, all the things we criticised, what we have to appreciate is that there was a need and something was done.

Now, after all of those criticisms, the change in administration and the Policy Statement, "Keys to our Future: Leadership, Compassion, Prudence and Vision" addressed by the Honourable Leader of Government Business on Friday, 28 April 2006 on page 10 we see that, once again, the importance of housing and affordable housing was again discussed. It says on page 9: **"We have largely cleaned up the monumental mess at the National Housing and Community Development Trust (NHCDT) left by the former administration and we are now moving forward with plans to provide quality, affordable housing for those persons in our community who find it impossible to acquire a home using the commercial banking system. The Housing Trust is actively taking the following steps to provide additional housing:**

1. **It is subdividing the land which it owns at Eastern Avenue and Fairbanks into single family house lots;**
2. **It is working with representatives of the Cayman Contractors Association in developing plans for new houses and seeking interest from reputable and qualified contractors to build houses at both of these sites;**
3. **Construction is anticipated to commence in the next couple of months, during which time the Trust will be reviewing applications from interested and needy Caymanian families who are able to service a mortgage on the basis of construction costs only as the land will be transferred for nil consideration;**
4. **Government is assisting the Trust by looking for additional land throughout the Island on which to develop similar plans."**

Now, Madam Speaker, that was in April 2006. Here we are in April 2007 and we now understand that there has been a different approach to housing.

The construction which we were hoping to have started for those very needy people in only a matter of months on the land that was there . . . it appears that we are now going to be selling that land and looking for additional land to start building homes on.

Madam Speaker, I recognise and see the logic that the Leader of Government Business has used in the cost of the land and why there can be an argument made for selling that land because of the high cost. But what we also have to recognise is that we are now going into their third budget. No one has gotten any homes yet. If it was a priority in 2005, a priority in 2006, while we recognise the practicalities of selling the land, we have to question, was this really a priority for this Government?

In 2006 we were expecting construction to start within a few months and here we are in 2007, and we have gone backwards.

Now we are saying that we are looking to find land to purchase. If we were expecting construction to start in 2006 within a few months and it has not started yet, what can the poor people expect, Madam Speaker, if it is now being acknowledged that we are going to sell the land we have and start looking for land? If we were that close in April 2006 and we still have not seen one home yet, if we are not even at the acquiring land stage yet . . .

Madam Speaker, is this another one of those things that will occur around May of 2009? Because again, when it comes to education—and now we see housing, we recognise the concern about the land, Madam Speaker.

Like I said, I recognise the point and acknowledge what the Member has made about the value of land. But on another note, we see where Government was going to be given land for value, some \$4 million, to put government housing on and they made a decision, for whatever reason, to go ahead, even with the cost of land, to not use that piece of property. There was an offer made for those . . . I see some questions and—

**The Speaker:** No, honourable Member. I think you said they were offered that for government housing.

**Mr. Cline A. Glidden, Jr.:** Sorry. I meant for government accommodation, Madam Speaker. My apologies.

So, the land was offered for government accommodations, but the Government decided that they would rather use other land to put the building on, and I am sure that there was some rationale for that decision, Madam Speaker.

Now, from the layman's perspective, they looked at it and said, '*Listen, there is \$4 million for a piece of land. All that is required is that Government builds the building on it.*' But Government had to have, I assume, some other reason for not seeing that as being a good decision to make. In the same way, Madam Speaker, while I acknowledge the need or the

possibility of selling this land, we could trade the land. For example, we have four acres of land in one area, but we have been given another five or ten acres of land in another area; it is cheaper land, but we would be allowed to build more homes. At this stage, we are selling land that we have and going out to look for land to acquire to start building on.

Madam Speaker, maybe—

*[the Hon. Leader of Government Business rose]*

**The Speaker:** Honourable Leader of Government Business.

#### Point of Elucidation

**Hon. D. Kurt Tibbetts:** Madam Speaker, if the Member would allow me. I have listened to him and he continues saying this—and he said it at least six or eight times. That is not what I said, and that is not the fact, and I would ask him if he would allow me on a point of elucidation to clarify the circumstances.

**The Speaker:** Honourable Third Elected Member for the district of West Bay, will you allow the Honourable Leader of Government Business to elucidate a point?  
Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. Because I know, and I know the Member well knows, that for the listening public, if you say it enough times they might just believe it and that is why I asked for the point of elucidation.

Madam Speaker, land has been identified.

It is not because the proceeds from the sale of the land has to be used to purchase land in order to start the homes. The land is already identified.

There is in the outer districts the search for property to build homes, but land is already identified in the district of George Town, land is identified in the district of West Bay, and there is some initial groundwork that has to be done which is being tendered as we speak, and then the construction of the homes will start.

**The Speaker:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I thank the Minister for that point of elucidation, but he did make the comment earlier on that it appeared I was repeating myself in an attempt to make people believe. While he may have the inside knowledge, and I fully appreciate that explanation, I think it is necessary for me, Madam Speaker, to read his statement.

On page 13 I will read—

**The Speaker:** Page what?

**Mr. Cline A. Glidden, Jr.:** Page 13 of his statement, it says: "**Originally, the NHDT (National Housing Development Trust) had planned to develop the four acre site on Eastern Avenue. However, the subdivision plan only allowed for 29 homes on that site. The NHDT decided to invite tenders for the purchase of the property. The highest offer received for the property was \$2.7 million. Madam Speaker, that would mean that each of the proposed 29 lots would have a value of some \$90,000, about the same value of the house to be built on it. As a result, the NHDT decided that it made more economic sense to dispose of the property and purchase a larger track of land which would allow for more lots to be created.** [And that is the logic that I understood.] **So the NHDT has been land hunting in each of the five districts in Grand Cayman. . .**"

Now, Madam Speaker, what the Leader of Government Business just said was that land had been identified.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I just want the Leader of Government Business to appreciate where I was getting my information from.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** [To an Honourable Member] I think I was.

So, it says: ". . . **in each of the five districts in Cayman, with a view to acquired suitable property on which to begin the construction of quality affordable housing.**"

So, Madam Speaker, just to be clear, not misleading and not trying to make anybody believe anything, this clearly states the land hunting was going on in each of the five districts of Grand Cayman.

**The Speaker:** Honourable Member, if you continue to read it says, "**A ten acre site in West Bay that is Crown land is being looked at with a view to building additional homes. . .**"

**Mr. Cline A. Glidden, Jr.:** Yes, ma'am, and that is what it says up there too. It says land hunting—and it says a ten acre site has been identified. It says: "**A ten acre site in West Bay that is Crown land is being looked at with a view to building additional homes in that district. Subdivision plans for Crown land in the districts of Bodden Town and North Side are being worked on and we have engaged in talks with private individuals for land acquisition for affordable homes in East End.**"

Now, once again, if we look at the five districts we see West Bay, Bodden Town, North Side and East End. Maybe I am missing something as well, but the point I made was that in the district of George Town we had land, and if we were looking at transferring the land that was there and looking at possibly a bigger

piece, that I could see. But the Leader of Government Business has clarified that a piece of land has been identified. I assume that "being identified" does not mean that we have acquired.

Oh! It is Crown land.

So the delays, Madam Speaker, will hopefully be a lot less than I first thought when I considered that we still had to go and look for the land.

Madam Speaker, I am going to move on a bit from education and housing and touch lightly on the subject of Tourism.

Madam Speaker, a few days ago we were all shocked, I am sure, to have read in the newspaper that one of the premiere cruise lines coming to the Cayman Islands will be reducing some of their stops in the Cayman Islands. And even though, according to the Minister, this was not an issue of great concern, those people—especially the people in my district, the district of West Bay—who depend on the cruise ship business, are very very concerned, because 60 stops per year at 3,000 passengers per stop, we can look at somewhere around 180,000 people. Madam Speaker, those 180,000 people not coming to Cayman, especially from a line like Royal Caribbean. I am told by other persons in the business that they are people of a higher end who spend more than some of the other lines.

Now I am not sure exactly what the Minister knows that would stop us from being concerned when we see an action like that happening. I have to question, Madam Speaker, what is going on with the relationship with the cruise lines.

I was told, Madam Speaker, that more than a year ago—I think March or April of last year—there was a proposal made by two of the lines, Royal Caribbean and Carnival together, to do the berthing facilities in George Town. Supposedly, this was a \$100 million proposal. I guess one of the things that made it attractive was that while proposals have been made in the past by the lines, some of the concern was always that if you got one line making a significant investment they were going to want control and try to monopolise the usage of the port. But when you have Carnival and Royal themselves coming together (since they have the most visits combined to the Cayman Islands) if they took away the issue with government having to worry about scheduling those visits that would lend some attractiveness because it would not be in the control of any one line.

I think it is in Mexico that Carnival basically owns one of the ports, and they say who can get shops in the ports and who can use it and when. I can understand where that was a concern, but here you have two of the larger lines coming together.

Now, we have seen just recently that those lines have made a significant investment. We have seen a big investment in Grand Turk. I think it is some \$50 million or \$80 million where one of the lines has just invested in berthing facilities. We see a significant partnership just announced with Aruba, where the

lines in conjunction with the government are doing a redevelopment of their cruise facilities. We see the lines making big investments in Roatan and more again in Mexico.

In Cayman what I have been told is that the lines made a proposal about a year ago, did not get a response until recently, and when the response came back there was some discussion that the lines also had to pick up the expense of the relocation of cargo facilities. And at that point I am told that Carnival walked away from the negotiations, because while they were committed to the \$100 million between the two, when you throw in the other expense of moving the cargo facilities, all of a sudden it became unattractive. And there were investments that were being made in other islands so they stepped away, which left Royal Caribbean.

So far, from what I have been told, Royal Caribbean has not said yes or no, but when we look at this situation, with a significant number of stops being removed from the itinerary, including Cayman, some 60 for the year, this would indicate to me that something is going wrong.

We know that the lines are building more ships. I think there is a new ship launched every 90 days. And they are looking for destinations. Supposedly, Cayman was one of their choice destinations. But to be taking 180,000 passengers somewhere else makes you question, Madam Speaker, what is the relationship with the cruise lines?

I know we had a big function here, the FCCA cruise conference, but since that time things have been pretty quiet when it comes to cruise, except this latest announcement by one of the leading lines. And the other thing that has happened, by whatever method, is that the people from my district (the district of West Bay) . . . one particular operator told me that he has five boats that he has been going out in. Usually he was getting two trips per day. He said since September of last year the most that he has used out of those five boats is one, and on one day he had it for two trips. He says he has around eight to ten buses. He used to keep the buses licensed, even though he was not using them, but this year he is not going to be able to keep them licensed.

All the local operators we have seen, we have talked to the Land and Sea Cooperative, we have heard that their numbers are being reduced. Maybe the Go East Initiative is working and instead of them going north or south off of West Bay or into the North Sound, the tourists are going east. But there is concern for such a significant drop in the operation that so many Caymanian people base their livelihood on.

Madam Speaker, we also hear much talk about Boatswain Beach and, apparently, they are not getting the numbers that were expected either.

We remember during the campaign when they were bragging about stopping the tender project in West Bay we warned them of the detrimental impact and effect that it would have on a project like Boat-

swain Beach, and that when the strategies were being developed on the last administration that was an integral part for the movement of people to and fro. It was funded by the FCCA, land had been purchased, but the government of the day, carrying through on their promises, once they got elected they stopped that project with no regard for what knock-on effects that that would have on other projects they continued. And now we hear the cries that Boatswain Beach is not getting the required numbers.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, we tried to warn them it was all part of a plan. We cannot just pull apart certain things and say, 'Yeah, we are going to keep Boatswain Beach but we are going to take away this important source that was planned as a part of it.'

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** It was going to deliver hundreds of people right into the district so that it could be used at either the Boatswain Beach or go to the Stingray City trips. It was all part of the master plan.

The money was already there. There was no need to stop that project, except because they had campaigned and they had their people in West Bay campaign that they were stopping the project. Now, not only did they stop the project, we see that the home that was on the project has been knocked down.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Now, we were just talking about housing, Madam Speaker. At least they could have taken credit for giving one house to somebody. That one was already there, which was already bought. They could have used that to give to some poor person. Maybe a little bit of remodelling if the project is no longer going to be a port or a tender facility. The land and house were bought and paid for. Why knock it down? Now, some repairs would be needed, but it would have to be cheaper to repair it and make somebody stay in there, even in the interim, than knocking it down.

Madam Speaker, there is much talk about the cruise situation in George Town. You will remember during the previous administration there was talk about moving the cargo facility into a different area. The area that was talked about at that time was East End. There were plans in place, there was talk about moving (and I heard the Leader of the Opposition mention as well) the airport, moving the cargo facility. We know the Minister of Works is doing a lot with the road works going up there, so there was talk of moving the port there because we all recognised, Madam Speaker, that to put a cruise facility with berthing for

four ships and mix it in with cargo is going to have a lot of challenges, a lot of danger.

We have seen the accidents that have occurred on the cargo port. So, putting both of them together in one location is a recipe for disaster. Now, one has to wonder, if we had the lines ready to put the money, or if the Government had the money that they could borrow to build the berthing facilities, is the hold-up because we need to find a new place to put the cargo? If that is the hold-up, what is being seen as possible solutions?

Madam Speaker, I understand that the Port Authority has recognised the need for the movement of the cargo facility, but I have not been able to hear yet if any places have been identified. I heard the Leader of the Opposition mention that there was some area down by Mr. Arthur Bodden's shop, and I guess the Government would be happy to hear of some place so that they would not have to go back and talk about putting it anywhere on the eastern side of the Island after all the criticism that was made there. But I can see the challenges of doing that and the lack of land and having to do a lot of land reclamation in the harbour. But, at least it will be interesting, Madam Speaker, two years going into the third budget to hear whether there are any plans, and if not, then the fact that we are not going to get berthing facilities and are going to continue with our tendering.

Madam Speaker, the other topic in that Ministry—which, obviously, is a concern to a lot of people, is Cayman Airways and what will be termed, I guess, as the “de-Caymanisation” of Cayman Airways. We see that even Sir Turtle almost got rolled over—

[Laughter]

**Mr. Cline A. Glidden, Jr.:** —from Cayman Airways. But, thankfully, the pressure from the public has apparently changed the PPM's mind and Sir Turtle might be spared after all.

**An Hon. Member:** Might be.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, it was amazing to me because some of the petitions that I saw going out actually came—the one that I received actually came from a staunch supporter and registered member of the Government party and it baffled me as to the fact that here their Members are out soliciting responses and soliciting support to tell the Minister not to change Sir Turtle. But I am happy to see that the pressure that has been brought to bear has achieved the purpose and Sir Turtle might not be rolled over after all.

Madam Speaker, there are many questions. I know the Leader of Government Business has questions about the new building and whether that was good value for money. I know there have been some answers given down here about the valuation.

**An Hon. Member:** You mean the Leader of Opposition.

**Mr. Cline A. Glidden, Jr.:** Sorry, the Leader of the Opposition.

Sorry.

The Leader of the Opposition has questions concerning the cost of the building and whether it was good value for money, and also as to what the consultants have cost and are costing.

Madam Speaker, we were told that we were buying the land and the building, but right now people are saying to me, ‘*We must have just bought the land*’ because the whole building had to be basically stripped. There was only a frame of a building left and construction redone on the building, so basically, we built a new building. Therefore the money that we paid, apparently was only for the land.

And then there is concern about parking. I understand that the parking lot goes right through to another development, so it is very limited parking that is available for that facility. So, while you may be able to house all the staff, there are some challenges to the parking. But hopefully, Madam Speaker, when the Leader of the Opposition's questions get answered on Cayman Airways and the cost that is there we will get some answers to those questions.

We see again that the solution for the airline seems to be getting rid of the long-term and dedicated Caymanians and replacing them with foreigners. Madam Speaker, in the newspaper we got a clarification about the new Managing Director, and there were questions concerning his involvement with a company LASV, as to exactly what his involvement was as the chief officer. I saw his statement where he said that as soon as he found out about this proposed “pump and dump” scheme he notified the SCC. But, Madam Speaker, I have seen an advertisement where it shows him, you know, praising and trying to get investors to come forward to buy into this scheme because of all of the great things that were being done by the company at which he was the CO (Chief Officer). Now, I guess we all can only assume exactly how much knowledge he had in the position of CEO (Chief Executive Officer) and whether or not what he is saying is that he knew nothing of this product he was selling, and as soon as he found out he left. But one thing we can say, Madam Speaker, is that in all the times Caymanian, Mr. Mike Adam, was CEO, there was never any question of his integrity or commitment to Cayman Airways.

[Inaudible interjection]

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I just heard the Second Elected Member for the district of Cayman Brac and Little Cayman say, that there are many concerns about these new schedules that have been proposed by the consultants.

[Inaudible interjection]

**Mr. Cline A. Glidden, Jr.:** I understand, Madam Speaker, that while we pay the consultants a lot of money, first to come up and identify what is wrong and then to do the implementation, virtually everything that is being proposed by the consultants has to be redone.

**Hon. W. McKeever Bush:** Yep!

**Mr. Cline A. Glidden, Jr.:** I am sure we are not getting a refund from those consultants, Madam Speaker, but it goes to show I understand that the changes came from within the management team which is a lot of good Caymanians that use good Caymanian common sense at a much cheaper rate than the consultants and redid the schedules.

I remember one time we were hearing that the flights—and, apparently, that came from the consultants too—showing on the system were the \$700 flights. Cayman to Miami, \$700 . . .

**Hon. W. McKeever Bush:** Oh-oh!

**Mr. Cline A. Glidden, Jr.:** . . . and the plane was less than half full. And very quickly the management team in Cayman had to say, *'Listen guys. You all come from Germany or you come from wherever, and you are getting paid a lot of money, but obviously, this is not working. So, we are going to have to eat all that money that we spent with you all to advise us and go back to our little grassroots Caymanian born common sense and redo the schedule and redo the fares.'* And, thankfully, Madam Speaker, good Caymanian common sense has prevailed and we now have decent fares again.

I heard the Second Elected Member from Cayman Brac and Little Cayman talking about the need for scheduling and maybe he is in a seat of influence and maybe the scheduling will be improved upon. But, Madam Speaker—

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** —we do see . . . and equipment. I noticed he made the point that the last time the equipment was bought to service the route he is bragging about, was two and a half years ago. I noticed in his statement he made the point that equipment was bought two and a half years ago.

**An Hon. Member:** Two years ago.

**Mr. Cline A. Glidden, Jr.:** Two years ago.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** [To the Honourable Leader of the Opposition] Okay.

So, I am sure that if we are not exactly at the anniversary of the PPM and if the equipment was bought two years ago, I guess the reason that he was a bit cagey as to that time was because it is hard for the new Government to take credit for buying those planes. But otherwise, you would have to give credit where credit is due, to the previous administration for acquiring the planes. And now hopefully the Government of the day will implement a good schedule.

*[Inaudible interjections]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, the planes were here during the time of the previous administration.

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** I think we can have an agreement that the planes were here during the time of the previous administration.

*[Inaudible interjections]*

**Mr. Cline A. Glidden, Jr.:** And the programme that was implemented at that stage . . . the Member is asking for some improvements on the programme by his current Government. Hopefully the scheduling will allow better utilisation of those aircraft which will increase the airlift to Cayman Brac and Little Cayman.

Agreed?

Thank you, Madam Speaker.

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, one thing that we have recognised, which has not been a lot of talk, and I have not gotten a chance to look at the Budget, but last budget was very interesting to see for the Ministry of Tourism. They increased spending and travel that occurred during that time—

**Hon. W. McKeever Bush:** Oh-oh!

**Mr. Cline A. Glidden, Jr.:** —because again, again, that was a big campaign issue.

The then Leader of Government Business (who was also the Minister of Tourism) was criticised for travelling too much and spending too much. In the last budget we saw that the then Minister of Tourism, who was only the Minister of Tourism, had more than doubled that spend. It will be interesting to look at the Budget this year and see—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** —whether they were able to rein that spending in and cut back on some of those

trips. But I have not gotten a chance, Madam Speaker, so I just wanted to make mention of that.

But one initiative that I am proud of, Madam Speaker, and proud to support, was the initiative just announced with the NFL partnership. We are glad that in this case we see the Minister doing something positive that hopefully will have a positive impact on our stay over tourism numbers. But we need to remind the public that this is not something new.

Thankfully, and we appreciate—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** —the Minister of Tourism is continuing some of the good things that were done before, during the time when he was the Permanent Secretary for Tourism.

*[Inaudible interjections]*

**Mr. Cline A. Glidden, Jr.:** At that stage, it was known as the “Cayman Challenge” and it was in 2004. Just for the sake of clarification, Madam Speaker, it was in 2004. It was done as the “Cayman Challenge” and that was the introduction to the NFL. That was the start of the relationship with the NFL when—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** It was 2004, Madam Speaker (just to clarify again because there seems to be some questions) which allowed some of the quarterbacks to come down and they took part in the Challenges in Cayman.

Just for the benefit of the Minister of Works, who seems to question when it was. The Third Elected Member for George Town and I were at a presentation yesterday for the private sector and even in that, when it was asked how it occurred, the presenters made the point that it was through an introduction that started in 2004 called the “Cayman Challenge” which then allowed them to progress to the next step, which was the quarterback challenge. So, that should clarify any misconception that the Minister had concerning where it started, where it got its genesis.

But once again, Madam Speaker, we are happy to see that not like in the past where it was torn down or thrown away when those good initiatives were started, just because of whom they were started by. We are glad to see that this one has been continued.

*[Inaudible interjections]*

**The Speaker:** Would honourable Members allow the Member to continue his debate, please, and address the Chair rather than across the Floor? Thank you.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, just touching a bit on all the Ministries, when we look at Communications and Works, I would be remiss not to give the Minister of Works thanks for the good work that he is completing, especially the road works. But, Madam Speaker—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** —it does appear that in this Budget I searched and I got somewhere around the \$9 million figure for roads, and I wonder when we compare some of the other expenses that we are seeing that this Minister appears to be getting his work done.

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** But for some reason the amount seems to be not as much as he would need to do all the projects that he seems to be attempting to do, and all we hear are good things—whether it is the call-in shows, whether it is the newspapers—as to all the work that is being done by this Minister. I imagine that he is a bit concerned about some of the work, or lack of money that he is getting. But if the trend continues, like what we have seen in the past, I would say to the Minister not to worry because there is a lot of money, again, in education, some \$37 million. Therefore if the trend continues and that work does not get done you will probably end up with a significant portion of that which would allow road works to get done.

We know the priority of education and have seen in the past that even though it is a priority when voted and approved in the budget, for some reason, that Minister does not seem to be able to get the work done so they transfer that money over to the Minister of Works. So, if the same thing happens again, instead of having only \$15 million, I believe, in 2005, or \$12 million this year, it is some \$37 million in the Budget for education, so there should be a lot of money that can be transferred.

But, Madam Speaker, he is doing a lot of work. I see he has another committee appointed and going forward with the landfill, both in Cayman and the challenges in Cayman Brac, as was mentioned by the Member earlier on. That is a big challenge, Madam Speaker.

For a brief time I did some travelling, some work with the Minister, and there are a lot of problems, a lot of work that is necessary in tackling that. And once again, we on this side support and commit whatever support. As with the other areas—whether they be education, housing or tourism—we are supportive and working with the Government to do whatever we can do to try to make Cayman a better place. And the landfill is one of those issues that is of great concern, Madam Speaker.

I have been reading through the Environmental Bill that was tabled by the Minister of Tourism and Environment, and was a bit surprised that I did not see any of the coalition between environment, like recycling and renewable energy and those things, as far as Environment. I am not sure if there is a disconnect between the Minister of Tourism and the Minister of Works, but it would appear to me that the Environmental Bill that is going forward to be an all-encompassing Bill trying to protect and preserve our environment should take into account some of the needs for municipal solid waste and the concerns we have with that.

Madam Speaker, a point that I have spoken on many times and I will briefly touch on, is the ICTA (Information and Communications Technology Authority).

**The Speaker:** Honourable Member, if you are going on to another area, is this a convenient point to take the luncheon break?

Honourable Leader of the Opposition?

**Hon. W. McKeeva Bush:** Madam Speaker, thank you very much for this opportunity.

Madam Speaker, I want to, through this avenue, say to all the churches, all Christians and any others who believe in what prayer can do in our lives that we need to spend some time in unison of prayer for the young people of the Islands.

Many people are on their knees praying for our youth. We gather together for Batabano, for Pirates Week and other such festivities, and we put our utmost into these events. I feel, as do others, Madam Speaker, that sometimes, even for one hour, at a venue we must come together as a country to pray, and pray only at that time for our youth.

I have asked the Youth for Christ Organisation to spearhead that prayer meeting, and they have agreed to do it. According to Mr. Gibson, people will need to help them. Through this medium, I am asking every church, not just the Ministers Association—and I repeat that, not just the Ministers Association, every church, high school and any other organization—to join the Youth for Christ when they announce to come and pray as a country for our young people.

Madam Speaker, we have seen the carnage on the road and just in our district of West Bay on Friday night there was another young person just wiped out. So many families—too many families—have been affected by this, what we see on our roads. And we know that there are many other negatives that affect our young people.

We do not have to wonder or ask for some scientific reason why this is happening. We do know, that we have a great Mediator in our Lord and Saviour, Jesus Christ, and we need to seek him and let him move in our lives.

There will be announcements as to when, where and time. Let us come and pray together in one prayer meeting for just the youth of these Islands.

Thank you very much, Madam Speaker.

**The Speaker:** Proceedings will be suspended until 2 pm.

**Proceedings suspended at 12.41 pm**

**Proceedings resumed at 2.05 pm**

**The Speaker:** Please be seated. Proceedings are resumed. Debate on the Throne Speech and the Second Reading of the Appropriation Bill.

The Third Elected Member for the district of West Bay continuing his debate.

Madam Clerk, the Member would like to know how much time he has remaining.

*[Inaudible response by the Clerk]*

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, when we took the luncheon break, I was moving on to the topic of the ICTA. While I know the ICTA has been working on the establishment in 2002 and the work that was achieved in the liberalisation of telecommunications, so far it seems like it has been pretty quiet. The latest thing we have heard is a request by Cable & Wireless to reduce the mobile determination rate, which would then lead to the reduction of mobile calls in the Cayman Islands.

Now, Madam Speaker, during the liberalisation process at the conclusion of negotiations we have gotten significant reductions in the telecommunications cost both on international calls and some of the other services that were being provided. But so far the rates for mobile calls are still very high. And since we are some three years hence the liberalisation process, we would have hoped—and it was the government's expectation of the time—that we would have had a reduction by this time in telecommunications.

Madam Speaker, just so everyone will understand, during that time there was a proposal where when rates had to be reduced they had to get the approval of the ICTA, and that was done in an attempt to stop what was considered to be predatory pricing. We had to give some of the new entrants into the market an opportunity to build up their customer base. But since we are now some three years in, we would have hoped that either we would have had agreement for reduction in rates by now or we would have had a situation possibly where the mobile rates were self-regulated.

I have told the Minister this before, and I can say that we give our support from this side for any actions necessary in achieving a continued reduction in the cost of telecommunication services. It cannot be right, Madam Speaker, when it costs me more to call

from my cell phone to your cell phone than what it costs me to call from Cayman to anywhere else, basically, in the world. So, we are looking forward to some reduction and some continued work in that area.

We are happy to see, Madam Speaker, that progress, again, is being promised on the situation regarding Caribbean Utilities' cooperation. We see that some deadlines for agreements have come out in the papers. All along we felt they were a bit ambitious, but now we see that there is a scheduled timeline worked out between the Government and CUC and we are hoping that we will see a new agreement.

We have seen a commitment from the Leader of Government Business saying that there will be no more monopolies, and we can only hope that that, in itself, is used to translate into reduced rates. The fact that we do not have a monopoly on paper, if things are not done to encourage either alternate sources of generation of power—looking at more renewable sources like wind and sun, and even in some cases waste energy—then there will have to be interests, or looking at the possibility of finding more interested parties, I guess, to compete with providing electricity. So, maybe there is a possibility of competition in the generation of electricity, but we were not intimately involved with those negotiations at an earlier stage.

I know, Madam Speaker, that there is a critical mass required to make it attractive, and the amount that the Island grows every year is not necessarily attractive enough to allow a company to make the significant investment to come in and do generation. Since the Government of the day has already allowed CUC to replace their plant that needed replacing, the question remains whether we will see anyone interested or whether, even though we do not have a monopoly by the licence agreement, it will still be a monopoly because of financial and practical implications. But we look forward to at least (finally some two years, going on three years hence) getting some sort of new agreement.

As mentioned by the Leader of Government Business in his speech, the shareholders of CUC have to be getting concerned with only having four years left on the licence agreement. Being a publicly traded company, hopefully it is in the best interests of CUC to come to an agreement and hopefully the Government will use that to its advantage to get an agreement, which will be a great benefit to the people of the Cayman Islands because, as we all know, the cost of electricity, while once again crediting CUC for giving us a very reliable and positive operation, everyone does share the concern of the high costs.

Madam Speaker, the next point that I wanted to make just briefly was on the issue of policing. We recognise that a lot, again, was said about policing and how policing and crime prevention was a priority of the Government, and how so much money was going to be allocated to policing. Actually, Madam Speaker, someone mentioned that even though there is quite a bit of a police presence in the eastern dis-

tricts, it appears that, in many instances, for whatever reason, crime seems to still not be at the levels where we would like it to be. I think it was mentioned a few mornings ago that in a space of an hour or something there were five homes that were broken into. What we see, Madam Speaker, is that just putting money—which is one of the concerns when the policy decision was espoused at great lengths as to how much money this new Government was going to give to policing—we see that just throwing money at the police does not necessarily change and make good policing policies.

In the district of West Bay we have had similar complaints where it appears that the petty crimes, the burglaries, do not seem to be getting enough attention through our community policing. It does not appear that way in some cases.

One of my constituents came to complain to me that his waverunner had been stolen and that he had gone out, and got information and gave it to the police and asked the police to go and do the investigation for him.

When they got to the yard where the waverunner was supposed to be, the police refused to go inside the yard. The individual himself had to go in and try to question the boys that had stolen the waverunner. He went and found after doing his own questioning—with the police sitting in the car. The police drove in but refused to get out. After he did his questioning and found the yard where the waverunner had been disassembled he went and asked the police officer then to go and help him collect those parts and the officer again refused to come out. So he had to do it on his own.

The feeling in the district has got to be that on those little things, whether it is burglary or whatever, that it does not make sense reporting those to the police anymore because it seems that the police are more concerned about bigger areas of concern.

Madam Speaker, I myself have had many complaints from residents concerning the police, but on the other hand I can say positively that some of the groups, like the West Bay Action Committee, that invite me to their meetings, when we have the police as guests to those meetings they seem to be generally more happy with the general police presence in the district. However, when it comes down to actually getting in and doing the community police work and getting that good feeling amongst the residents and the police officers themselves, where they feel that they can trust the officers and can tell them anything and there is a working relationship, there still seems to be quite a bit of work that is necessary on that front.

Madam Speaker, I also received a letter from a member of the special constables, and I am sure other Members did too. There was a Caymanian individual (and I will not call names) who was a special constable who is complaining about unfair treatment or unfair dismissal as a special constable, and he feels that the reason for that dismissal happens to be

because he has been vocal and outspoken concerning an incident that occurred with a previous Member of the Legislative Assembly where there are some claims of mistreatment or abuse by the police. He wrote his report and made mention—

**The Speaker:** Honourable Member, be very careful where you go because I think that is a matter before the courts.

**Mr. Cline A. Glidden, Jr.:** Thank you, Ma'am.

He made his report and since then he has been terminated or suspended as a special constable. I know that we recognise the value of having young Caymanians especially working with the Police Services and operating as special constables, and I just wanted to bring that to attention. We would like not to believe that there is any such justification. My colleague told me he had already spoken to the Commissioner of Police and has got some commitments from him for that. But since the letter was sent to me, as well as all Members of the Legislative Assembly, I just made mention of that as one of the ongoing concerns with our policing.

Madam Speaker, the last topic before I actually go into discussing a bit more on the Budget items was on the general policy of the Government.

It appears that we have gone from . . . last year it was a tax, borrow and spend, and this year we seem to have been going to just a borrowing and spend policy. Madam Speaker, the concern around the country is exactly how much we can afford to continue to borrow and not run into difficulties.

Now, I am not the accountant in the group, but I would like some explanation from the Honourable Financial Secretary. On page 309 of the 2007/8 Budget of the Annual Plan and Estimates we see financing expense, and we also see financing expense in the 2006/2007 budget, which is \$12.6 million, and I think the total repaid was some \$19 million over the period. We expect to be borrowing \$130 million in the 2007/8 Budget, but the financing expense actually decreases, even though we are proposing to borrow \$130 million. I am sure that there is some event from \$12.6 million in 2006/2007 and taking into account the borrowing, the new financing will actually be reduced to \$12.4 million. I have heard about creative accounting, Madam Speaker, and I am sure that there is some method to explain how that will occur—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** I am suggesting, Madam Speaker, that if we can only repay \$19 million and borrow \$130 [million], but our financing expenses reduce that, yes, Ma'am, that would be creative—and good creative, not bad creative. That would be a good thing to do, but it would be quite creative, in my mind, and I will be glad to see that that occurs.

Madam Speaker, the other point that I want to make is a concern with some comments that were made in 2005 when—

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I hear some explanation, so I just want to make sure that I understand. They say that we are reducing the previous one, but we are only reducing it by some \$19 million, and we are increasing it by some \$130 million. So, to me that is a significant net increase and so I would expect that the financing would be at least a small increase, not necessarily a decrease. But I am sure that, like I said, it will be explained.

But, Madam Speaker, one of the concerns, even though we are happy to see that there is no new revenue measures in this Budget, in the 2006 Policy Statement by the Leader of Government Business he states that—actually it was in the 2005 Budget Statement. He said it was ". . . **prudent because it acknowledges that the Government cannot embark on a major capital expenditure programme without raising new revenue.**" Madam Speaker, in this particular Budget we have a bigger capital development project than that year, but we have no new revenue measures. Should we take it then to mean that this one is not prudent because we have a major capital development project without new revenue measures?

Madam Speaker, this Budget that has some \$130 million in capital development borrowing talks about some \$100 million in school capital projects. We have those projects all coming on line at one time, May 2009. Now, if we use \$10 million as a recurrent cost for a high school—and these are very big and expensive schools with a lot of teachers, pools, a lot of facilities—and we say that the recurrent cost in that school is only \$10 million in each one of the schools, including teacher costs, utility costs, maintenance costs, we are looking at one hit to the recurrent expenditure of the country of some \$30 million—ten million dollars times three.

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I hear the cross-talk. Maybe I am misunderstanding these new schools.

I did not realise, Madam Speaker, we were replacing—I heard of three new high schools. I assume that these new high schools are in addition to the existing high schools that we have. Are we saying that we are doing new high schools and we are shutting down all the existing high schools? Or we are doing one in North Side, one in West Bay and . . . ?

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** A renovation to John Gray.

I did not know of our having three new Government high schools before, but now I know, according to the Minister, that we are going to have three. Whether that is replacing the one or in addition to one, we will have new ones which will have new recurrent expenditure.

If we have 3,000 students going into the new schools, the same way that we are talking about growth management or growth population numbers, maybe that new continued growth will help us pay for the recurrent expenditure.

But the concern, Madam Speaker, would be that if we have a minimum, let us say of \$10 million recurrent for the school, that comes on line all in one year, all in 2009—right at Election time—and we look at another \$30 million in recurrent, while we might not have any new revenue measures this year, what will happen? What is the plan to get this increased recurrent expenditure? Who is going to pay for that?

Public schools, I do not know that they are a break-even position. We know that the schools are heavily subsidised by what the students pay. And now we have new schools, a new primary school, all coming on line, no chance of phasing in that expenditure, no chance of saying *'Let us do \$10 million this year and next year let us prepare and get another \$10 million again.'* All at one time the schools are all coming on line, all expenditures coming on line. But, Madam Speaker, maybe again there is some creative plan or some magic formula that will get us past that scenario with the increased recurrent expenditure without having to do new revenue measures.

Madam Speaker, one thing that we are seeing when we look at the economic trend (again, on page 309) and the forecasted Budget statements, we see that the net surplus is continuing on a downward spiral. We heard the Honourable Financial Secretary say that the expenditure is less than what was in the Strategic Policy Statement. And so that is supposed to give us the feeling that it is less than what we said we were going to borrow, or less than what we said we were going to spend and that makes it good.

But, Madam Speaker, when we look and we see where in 2005/06 the net surplus was \$63 million, then in 2006/07 we see that the net surplus went down to \$25 million, and now we see in 2007/08 that the net surplus is going down to some \$17 million, it shows that what we are hearing in the public as to a downturn in the economy is also reflected when we look at the Government accounts.

*[Inaudible interjection].*

**Mr. Cline A. Glidden, Jr.:** So, Madam Speaker, we now know why there is great area of concern. We are borrowing more, the country's debt is increasing significantly and its surplus is reducing significantly. But yet, we hear talk of good, prudent, fiscal management.

Madam Speaker, my colleague will touch more on the numbers in the Budget. And since I prom-

ised to have a short debate and some questions on those few points which I touched on I recognise that you say there was a miscalculation on my time, so I have quite a bit less time than I was told. So, without going into too many more subjects and questions (I will leave them for my colleague). I look forward to the responses from the Government side.

But, Madam Speaker, in closing, I just want to remind the Members of a statement that was used in the address by the Honourable Leader of the Government in 2005/06. On page 28 of that statement, in concluding he said: **"Well, Madam Speaker, as the sayings go, words are cheap and actions speak louder than words."**

**"The Annual Plan and Estimates before the House today is proof that this Government does deliver on its promises, and we will continue to do so."** [2005 *Official Hansard Report*, page 201]

Madam Speaker, what I would say is that so far, if delivering on promises means committing the money in the budget then the Government has been speaking very loud. But if delivering on those promises is actually putting actions and saying "actions speak louder than words", then the Opposition has been deafeningly silent.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to—

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, as I follow behind my esteemed colleague, the Third Elected Member for West Bay, I just wanted to note that it was a slip of the tongue when he said that the Opposition has been deafeningly silent.

Although, Madam Speaker, the one criticism that has been levelled at us has been that we have given the Government way too much leeway and that we have seen it fit to, perhaps, not challenge in the way in which people expect an Opposition to challenge the Government.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** But, Madam Speaker, let me ensure that the House and the country understand, or remember, that shortly after the 2005 Election, we did say that as an Opposition we were not going to be the type of Opposition that existed during the previous administration.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Madam Speaker, let me first acknowledge how thankful I am to be here once again as the Budget time roles around to offer my perspective. I am thankful, Madam Speaker, to Almighty God for seeing it fit that I be here.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** I am thankful, Madam Speaker, to the good people of West Bay. I am thankful, Madam Speaker, to my family, who continue to give me that support, because one of the things that I think gets lost sometimes on the public, is the fact that, at the core of it, each of us is nothing more than another human being. And while we put ourselves on the line, as it were, at the end of the day, if it were not for us having that type of support, there would be many days when we probably would not be able to continue.

Now, Madam Speaker, my contribution—and let me start off by saying, I am not promising a short contribution!

*[Laughter]*

**The Speaker:** Just two hours.

**Mr. Rolston M. Anglin:** But my contribution is going to be divided into a number of parts.

We are first going to take a look at the state of public finances, and then at the state of the economy. Madam Speaker, we are then going to come to what I term "the war on the middle class", and Madam Speaker, we are going to cover one of those real buzzwords that seems to role off everybody's tongue these days—that is, "transparency".

We are going to take a quick look, Madam Speaker, at some of the public administrative realities that people face in this country. We are going to look at where it is that the country is heading and where, perhaps, we think it should be heading.

And last, but by no means least, Madam Speaker, we are going to take a quick look at some of the things that, perhaps, are necessary for Cayman Brac and Little Cayman, in particular, Cayman Brac.

Now, Madam Speaker, let us start off by taking a cold hard look at the state of public finances. If we cast our eye back over the last few years and look at how we budgeted, I am going to compare that to the results because if we do that I think it is a very, very interesting trend that we will see emerging.

Madam Speaker, I caveat all this by saying we have to pay particular attention to the fact that the year 2006 may not be a good indicator, because 2006 was principally driven—a lot of the economic activity was principally driven by the re-building in the wake of Hurricane Ivan, as a lot of people got the completion of their insurance settlements and a lot of people reacted to the housing market and actually took on and built projects.

In 2004, Madam Speaker, we budgeted for a surplus of some \$5.7 million.

In 2005 we budgeted for a surplus of just around \$0.5 million, pretty much a balanced budget.

In 2006 we budgeted for a very conservative \$3 million.

In 2007 we budgeted for a \$34.5 million surplus, and then we come to this year, the 2008 year end, and we are budgeting for a \$17.5 million surplus.

When we actually compare this to the estimated actuals that we see in some of these budgeted documents, we see that in 2005 the surplus would have come out at somewhere around \$25.5 million; 2006, \$77.9 million; 2007, \$27 million; and 2008, \$17.5 million. Of course that is the year that is currently being debated and therefore that projection is just that at this point—it is the Government's best guess.

What is staggering, Madam Speaker, and surprising is the astronomical growth that we have experienced in this country in the operating expenditure of Government. Madam Speaker, we have gone from 2005 year end experiencing operating expenses of somewhere around \$344.5 million; to 2006, \$385 million; 2007, \$443 million; and now this year projecting out \$481.6 million.

Madam Speaker, in the debate thus far we have heard mention of containing and controlling expenditures, and I suppose that once we were to simply say that we are controlling or containing expenditures, perhaps this could easily meet or be someone's definition of controlling expenditures. But from where we sit operating expenditures three years ago, to be at \$344.5 million, and to now be projected to be up to CI \$481.6 million, that is an absolutely staggering and astounding increase in operating expenses.

I did not support the last two budgets, and I say that because I am actually proud of that fact. Proud, Madam Speaker, because I do not believe that where this country is heading, from a fiscal standpoint, is the right direction. We do not cut our cloth to suit the circumstances in this country.

When I look around at some of the problems that we have in our society, a lot of them, Madam Speaker, are mirrored by the way in which the Government behaves. We have to understand that we may not go out and say overtly to people, '*do this*' or '*do that*'. But when the message is clearly sent out as to how it is that we administer the affairs of this country from a financial standpoint we often times will see in people's own behaviour the exact same mentality and the exact same type of behaviour.

Madam Speaker, we see a picture that is not a good one, not a healthy one. Expenditures in this country have grown in my opinion out of control; some would even say unchecked. Governments are notoriously good at finding ways to spend money and notoriously bad for finding ways to save money. Let me remind this House of one such example.

Just a few months ago we were here in this Legislative Assembly debating the Public Management Bill. I asked the Government at that time the question: We see the benefits. Who has done the cost benefit analysis though, to determine whether or not the perceived benefits were worth the cost?

I then followed up and asked the question: Is there another way that we could have potentially gone with that Bill that could have saved us some money and we could have still gotten some of the same benefits?

To remind us all, Madam Speaker, that Bill dealt with the decentralisation of the human resource function in government. It took the HR function from being a very central function to one that empowered Permanent Secretaries and Heads of Department when it related to hiring of staff. I am not going to say firing, Madam Speaker.

As I predicted at that time, everybody was going to find the new toy that they wanted, which was an HR manager. Far be it from me to try and keep anyone out of a job in this country. And I am not arguing against HR managers, but what I am arguing against is us as a Legislative Assembly continuing to do what has been done in the past, which is to look and see a system and we say, *'Oh, that is good. We are going to derive benefits'* without doing the proper cost benefits, and saying, *'Okay, for the good here is the price that we are willing to pay.'* I predicted at that time, that just in direct salaries we were going to incur at least \$1 million more in recurrent expenditure. That is just in what we are going to pay the people.

Every week you pick up the newspaper and you find at least one new advertisement for either a chief HR manager of some government ministry, department or unit, or a deputy. The salaries that you see advertised are somewhere around CI \$63,000-\$93,000. Those are the ranges that I have observed in the *Caymanian Compass*. For the assistants it is ranging somewhere around \$42,000-\$60,000 a year. Extrapolate it out and you see how many have been hired, Madam Speaker.

Yes, all of us understood that when we went down this road (in particular, I am talking about the Public Management and Finance Law) that we were going to have to hire more accountants. To get the accountability we were seeking, to get the type of information we were seeking as a legislature, we all accepted that at that time. We knew that that was going to happen and we bought in and said, *'Okay, if we want to have the detailed type of information; if we want to have the type of controls that we want over public expenditure that was the cost; that was the price.'*

Madam Speaker, when we look at what is going to be the long-term effect on public finances of just that Bill, putting and acting that into legislation, I do not think most of us are going to say that this was the way we had to go.

I remember having a discussion with a senior member in the Portfolio of the Civil Service. I asked the question as to whether or not, perhaps, we could decentralise some for the bigger areas of government and perhaps have a "beefed up" and stronger central HR function that would assist various other areas in government that perhaps did not need someone full-

time, but could install and put in place the types of practices and procedures that were needed so that we did not have to have one in every nook and cranny within the government.

Madam Speaker, let us not only look at the salaries we are going to pay them; we then have to look at pension, health cover and space, a factor that is so often overlooked when we look at these things. When we start working out the space that people have to occupy, physical space, and what space costs, Madam Speaker. Space in central George Town, real estate space, is extremely expensive. Extremely expensive. And so we know if you are going to hire a chief HR manager, the majority of them, at some point in time, are going to have their own office. They are going to have the best of everything. They are now part of the management team within a ministry or a department or a unit of government.

So, Madam Speaker, I do not believe that on the expenditure side this country is heading in the right direction. I believe, Madam Speaker, that we need to stop building up and start looking for smarter ways of doing things and, perhaps, finally get to the stage and the point that so many of us have talked about, which is to have some areas of government where we might actually start to be able to do a first run at privatising something that government does.

We have heard that talk so much in this country: *'Oh well, here are all the principles that we can espouse in regards to privatization.'* Yet here we are, 2007, and we have not had any real first case that was a big win for the government where you could say, *'Look, we have now taken this function, we have now taken this service, and we have now moved it outside of main stream government. We have incurred the savings and we have not compromised service delivery.'*

All of us agree and understand the role of government. There are many functions that will never, ever be able to be privatised. But, Madam Speaker, there are areas, many areas, where the government of the Cayman Islands does business which are right for privatisation, right for joint ventures with the private sector so that we can start to ensure that the country starts to cut that cloth to fit our needs and to fit what should be our tax profile. Government has one of the greatest monopolies in the world. In every free democratic country, government has a monopoly on the tax system.

There is no competition in the tax system. And so, because expenditures have grown from \$344.5 million in 2005 to a projected \$481.6 million in 2008, look at what has happened to the operating revenue. It has gone from \$370 million to \$499 million. Some of that, Madam Speaker, has been natural growth in government revenues. But, there has been additional taxes extracted from the economy. And what we have to remember is, yes, the Government did bring a \$20 million plus tax package. That \$20 million plus tax package, I am confident in saying, is more than \$20

million plus in this year's budget because the economy has continued to grow. And so when you look at what was \$20 million plus two years ago, that has grown now, Madam Speaker. I do not believe that we can continue to hang our hat on a balanced budget. It is either we are saying it to kid ourselves or we are saying it to kid the public.

Madam Speaker, we have a Public Management and Finance Law that requires, except for extraordinary circumstances, that we produce a balanced budget. So, as a Legislative Assembly, or as a government, nobody should get up and start thumping their chests because you have produced a balanced budget. The economy has recovered. We are out of the recovery mode from hurricane Ivan so we have to produce a balanced budget. The law says so. We passed the law that tells us we have to produce a balanced budget. Not the greatest thing in the world, in my opinion, to hang one's hat on.

Madam Speaker, when we look carefully at the state of public finances we see a lot of room for improvement. I believe, Madam Speaker, that if we could get a better grip on expenditure the Government could continue to use operating surpluses to assist in some of the lofty capital project programmes that they announced two years ago when they were elected because, to date, while they have used some, each year they have come back and acknowledged the need for massive amounts of borrowings.

You see, Madam Speaker, it is quite easy where we sit right now to use our repayment ratio and say that based on the current state and health of the economy we are well within the 10 per cent repayment ratio. That is a simple calculation, Madam Speaker, and I am not here to try to say that that calculation is wrong. I believe the calculation is right. What we have to look carefully at is in the medium term where the country is headed.

Now, Madam Speaker, if we take 2006 out of the equation—that is how fair I am going to be today to the Government. We take 2006 out of the equation, which projected a real surplus of some \$77.9 million, and so we take 2005; \$25.5 million; 2006, \$77.9 million; 2007, \$27 million; 2008, a projection of \$17.5 million. Let us take the \$77.9 million out and therefore cover our eyes and say forget about the fact that the surplus, year on year, would have decreased by 65 per cent and say that that year (because of everything that happened with Hurricane Ivan and how the economy rebounded) is not a normal year, and look at the trend going back from 2004 and then coming all the way forward to this year. Despite the fact that government revenue has gone from \$370 million to \$499 million, our projected surplus is still lower, down, Madam Speaker, some 35 per cent from last year.

Madam Speaker, let us even go back to the estimated actuals from 2002. At that time we were projecting \$313 million in revenue, \$274 million in expenses and a surplus of \$39 million. Where is it that we are heading?

How is it, Madam Speaker, that we can say we feel extremely comfortable with the way in which the fiscal affairs of this country are being managed and are heading?

I do not believe, Madam Speaker, that we are keeping a tight enough rein on expenditures. I believe, Madam Speaker, that given the earnings profile of the Cayman Islands Government, if we kept expenditure in check we would be able to fund so much more of these capital projects from the normal day-to-day operations of government.

Now, Madam Speaker, one piece of the increase was the fact that last year the Government did give the civil service a raise, but that raise certainly does not account for the staggering \$37 million increase in operating expenses this year, an increase of a staggering 9 per cent. Nine per cent is a huge increase in expenses and it is made more dramatic when you are looking at a base of some \$443.4 million. Look at the size of this country!

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** And, Madam Speaker, we are not even talking about capital expenditure, and we have to make that very, very clear.

These expenses that we are talking about have nothing to do with building schools, building roads, buying new equipment for the hospital, buying new equipment for CINICO. That is what we are borrowing for, to cover those types of expenditures—the capital expenditure—the expenditure to build things, to buy things, real hard fixed assets. This is, Madam Speaker, purely looking at the cost of doing business for the Cayman Islands government on a day-to-day basis.

Madam Speaker, I move on to the state of the economy.

I know a lot of people in this Chamber will not want to acknowledge this, but facts are facts and they are very stubborn things. When the Government took over, despite the fact that we had just suffered through the ravages of Hurricane Ivan, this economy was extremely strong and resilient, so much so, Madam Speaker, that well before the May Election the Monetary Authority was back up and running, we had cruise ship passengers back into this country, people were back to work, the clean-up efforts were well underway. So, when I listen sometimes to some of the debates from the Government Bench, there is a hidden message that seems to be there that basically is trying to paint a picture that the country was in shambles and that the country was still on its knees. That is not the case and all of us know that. So, we had a strong, resilient economy. That is one of the things that this Government inherited.

What has happened in the last 24 months? Well, Madam Speaker, if we look at tourism, I do not believe that this Government holds any real apprecia-

tion for the impact—the positive impact—that cruise tourism has on this economy.

I hear the Government hiring consultants. What the Government should do is perhaps get a refresher, and if their Economics and Statistics Office can do it—I see that they have hired some people recently, which were needed—if they can take on the project, fine. If they do not have the skill sets to do it, then perhaps they would need to get a consultant that would be of some benefit to them.

They need to start to understand that while on a busy day this central George Town is over crowded, they need to understand the impact those people have on this economy, not just the arrivals they pay at the Port Authority, not just what they go and spend in the shops, and not just what they spend on tours that are land based or going to the North Sound or going to Boatswain Beach. If they start to really understand something about the multiplier effect and something about the knock-on effect of cruise tourism, I think they would start to get a better picture of what this economy needs and what the country needs and how we need to change the way we do business in this central George Town.

Perhaps we need to stop doing what has crippled us as Caymanians, generation after generation for the last, I would have to say, three decades, which is we continue to do the same thing over and over and over and over and expect different results. We expect to not talk about, perhaps, looking long and hard at whether or not we need to get a true dirty port in this country and locate it somewhere else, somewhere outside the central business district. And that we start to say and define who we are.

Are we a player in the tourism business? If we are, what components of the tourism business are our current strengths? Where do we get our money from? Where does the economy get strength from? And build, build, Madam Speaker, build, because we can talk all we want about we need to increase air arrivals.

I want all of us to start driving around this little Island and start being realistic. There is very little about the distance that you travel from the airport to the Ritz-Carlton or to the condos a little further north on Seven Mile Beach that even resembles a high-end destination. Yet, we continue to feed that fallacy. *'Oh, we are a high-end destination.'* How is it that we are a high-end destination, Madam Speaker? We get millions of cruise ship passengers here, free advertisement. They come, they get off on our shores, yet what do they see as they walk? Any of us that drive from the West Bay area and come up get an appreciation of how many cruise ship passengers actually walk from that Royal Watler Port Terminal coming north. And you see them walking as far up as the Queen's Court. And what do they cross, Madam Speaker? They see a dilapidated Tower Building, the remnants of Hurricane Ivan. They pass the cemetery and they see something that was created a long time ago that was probably very, very nice when it was built, but

certainly not in keeping with what we advertise ourselves to be today. Before we get there we see what used to be the White Hall Building (I think it is called) next to Lobster Pot, dilapidated. We see the little building that is between Burger King and Lobster Pot, a little wooden building, dilapidated.

We do not focus, Madam Speaker, on the product Cayman. What we say is, *'Oh, we need to spend all of this money advertising,'* not sure whether or not we are going to hit the target, not quite sure because, let us face it, you pump that money out there and you do not know whether the target audience is going to see it; and if they see it whether they are going to be impressed. What we do know, is that we have \$2 million cruise ship passengers coming through these shores and therefore, for every one of them that gets off we can advertise to them and show them how good a place and how nice a place Cayman is. But, Madam Speaker, we continue to do things the same way, year after year, and expect very, very different results.

We need, in my opinion, to improve the quality of product Cayman. We need to start to focus on what we are as a little Island and try to take an independent look and produce something that is attractive that you are going to go back to.

Madam Speaker, if you are out house hunting, and you come across some property that has a "For Sale" sign up, and it is dilapidated and all run-down looking, is that the house that most people are going to choose as the one that they want for their home? More than likely not! And that is where we have gotten, Madam Speaker.

When we continue to look at the local economy we see a situation where the average man on the street, the average person in this country is finding it very, very difficult, increasingly difficult to make ends meet, increasingly difficult. The cost of living, Madam Speaker, is well out of control. Well out of control. And, Madam Speaker, we have heard a lot of sound bytes about what we are going to do.

Okay, we are addressing it.

Madam Speaker, I have come to learn that any time you hear "addressing it" that means just that. We are putting a dressing on it. We are dressing it up. But, Madam Speaker, ultimately, what is it that is going to be done? How is it that we, by passing laws, and in particular Appropriation Laws, in this country, are going to make life better for our citizens? What are we going to look at? How are we as a legislature going to look at the whole situation and say, *'Here is an area that we feel very comfortable that we can either reduce a tariff, eliminate a tariff, a tax tariff, and have those benefits be passed on and impact our people in the end?'*

You see, Madam Speaker, it is very easy to spend the money; it is easy enough to simply pass revenue measures. What is more difficult is controlling expenditure; what is more difficult is acknowledging that Government, even in an indirect tax system, can

find areas where they can pass on savings, pass on tax breaks to the residents.

Madam Speaker, there have been some ideas tossed around over the last few months, and I have heard Members of the Government Bench say that I should know better because a tax break would mean that Government needs to make the tax monies back in another area. Madam Speaker, that is not a tax break. A tax break is just as the word "break" means—a break. It ends. You will see something. When you are talking about being revenue neutral, then, yes, that means that if you reduce tariffs in one area then you have to make it up in another area.

You see, Madam Speaker, it was not until I saw this year's budget that I realised why the Government had to fight and defend their position so vigorously. I was basing those types of propositions on the fact that we had passed a budget that was projecting \$34.5 million of surpluses. I thought, like most people would have thought, that the economy would, in the short term, continue to expand therefore Government's revenue base would have expanded and that there would have been the scope and the opportunity for Government to perhaps say, instead of extracting \$34.5 million out of the economy that we would perhaps only extract \$25.5 million or \$30 million. But when I saw this year's projections and saw that the projected surplus is down to \$17.5 million, I quickly realised . . . because I am not within the machinery of Government, I did not realise that expenditures, Madam Speaker, were going to go from \$407 million projections last year to \$481 million projected this year.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** You see, Madam Speaker, ultimately, for us to get up in this Legislature and say that we have a Public Management and Finance Law that forces us to produce a balanced budget, but that budget that we produce, while compliant with that law, is not, in my opinion, geared toward assisting people where people need the greatest of assistance right now. And the greatest assistance that people need right now is a little easement on cost of living.

People's earning power is down. We all know that. Two things interact to impact people's purchasing power, Madam Speaker: their salaries and what items cost. We know that when it comes to people's earnings all of us must get the same complaint from our constituents in terms of how stagnant people's earnings have been.

**The Speaker:** Proceedings will be suspended for 30 minutes in order for me to hold a CPA executive meeting.

**Proceedings suspended at 3.15 pm**

**Proceedings resumed at 3.54 pm**

**The Speaker:** Please be seated. Proceedings are resumed. Second Elected Member for the district of West Bay continuing his debate.

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, just before taking the break we had got on to that thorny issue of cost of living. Often times other Members may hear, but perhaps the listening public does not hear some of the cross-talk that happens. I heard another Member make reference to, *'Well, he is pointing out the problems. What about the solutions?'*

**The Speaker:** We are not debating cross-talk.

**Mr. Rolston M. Anglin:** Well, Madam Speaker, you know, one thing that I have observed over the last two years is that any recommendation, any advice that the Opposition has given the Government, certainly this Member, has always—and I cannot say sometimes, Madam Speaker—always been ignored. Always!

**An Hon. Member:** Oh, come on.

**Mr. Rolston M. Anglin:** Madam Speaker, when we talk of cost of living that is a classic example. In the discourse that happened publicly, to which the Honourable Leader of Government Business and the Honourable Minister responsible for energy (the same Minister responsible for Works and Infrastructure) instead of them looking at the proposal that was put forward by myself as a Member of this House, and seeing how it could potentially benefit the public, all they said was, *'Well, if we do it then it needs to be revenue neutral'* and then came up with different scenarios as to why it cannot work. Different scenarios!

Madam Speaker, I acknowledge that an indirect tax system, when it comes to duties that are charged to businesses—because that is where they are charged to principally. Most of our consumption locally is done, that is consumption by the public, is done directly with another Cayman business. The public do not import, for example, containers full of their groceries. If that was the case then in prior years it would have been easy for governments to give tax breaks because they would know, with certainty, that if they lowered or eliminated a duty that it would get passed on to the public immediately.

A fear that all governments have had is the whole notion that if it reduced or eliminated a duty without a mechanism in place—and we do not have taxing authorities because we are an indirect tax system country—how does it ensure that the benefits reach the public? So, if an item attracted 15 per cent duty, and if government took the entire 15 per cent off, how would government be certain that that entire 15 per cent is passed on to the public in savings? And

the fear always has been that business persons would not pass it on, or if they passed it on they perhaps only passed it on in portion.

So, if a government was to eliminate a duty then the public may only see—pick a number—half the benefit and the other half could be pocketed directly by businesses. And that is a legitimate concern. Now, there are a lot of business people that bristle at that idea and quickly say, 'Oh, that is saying that all businesses are dishonest.' I do not think that that is the case, and I do not think that any government has ever taken that position. I think all governments have simply said, 'Look, unless we have a mechanism we are very, very wary of doing this because we understand that we do run the risk of the public not getting this full benefit that we intended.'

I mean, I have heard the public say, for example, that there are items which are duty free and they still cannot understand why they are so expensive. So, we have all heard those complaints. We have all experienced that type of scenario. But, Madam Speaker, when we have items that do have mechanisms built in which we can then monitor in some reasonable sense, whether or not they are being passed on, I think those are the types of items that we do need to look long and hard at and not simply dismiss them.

Madam Speaker, what has really contributed over the last few years to persons' increase in their general inability to make ends meet and persons' great reduction in their purchasing power? Well, we know energy cost, fuel costs which drives energy costs, whether it is in your house or in your car. We know that interest rates, Madam Speaker, have risen again over the last 24 months. We know that they had reached some extremely low levels about three years ago and now they have crept their way back up. Any of us who have a mortgage know that our mortgage payments have increased over the last few years.

A Member asked me on the break how long have I been here. I will say to that Member that I have been here long enough that as a Back Bencher I have moved two motions that relate to interest rates and banking in this country. Two! Both have been accepted by the House.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Both have been accepted by the House. And, Madam Speaker, you see at this point in time we cannot talk about which government—

*[Laughter]*

**Mr. Rolston M. Anglin:** Who is now the government? The PPM has been the Government for two years and done nothing!

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Is that what is biting them?

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Is that why they are irritable and seemed a little touchy on the break?

Madam Speaker, I say my record in this House I stand by. And I can tell all the Members of this House that at the end of this four-year term, if God spares our lives, I am going to hold my record up to any of their records because I know that the public knows—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** —what I stand for and what I have tried to achieve.

But, Madam Speaker, the one thing that we know has to happen, is that if there is good someone needs to pick the mantle up and do it.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** To look back and say that it was not done is a poor excuse, Madam Speaker.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Madam Speaker, if we know something would be good for the public and good for the country we have to do it. Results! Results!

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** The point, Madam Speaker, is very simple. The point is very, very simple.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** When we talk about costs, one of the real high household costs in this country is the cost of money, interest rates.

Now, I am glad that it seems as though the Honourable Leader of Government Business has taken a slightly different turn on this issue lately, because a few months ago he said that interest rates were driven by the US prime and there was very little we could do here in the Cayman Islands. Now we are hearing a different story. The story now is that we need to take a long hard look at interest rates and the cost of money.

I agree. I agree totally with the Honourable Leader of Government Business. Interest rates are not the only element in this equation—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** It is not the only element in this equation and I acknowledge that people's earn-

ings power—the amount of money that people make does contribute to this equation.

And I have heard the Minister of Education say that he is going to look at some form of minimum wage. Now, Madam Speaker, I say here we go again.

The last legislative class—and I think the one before it, and I think before it, and probably the one before it—passed motions on minimum wages in this country. The first motion that my colleague, the Third Elected Member for West Bay, moved as a new Member of this House was in 2000.

So, Madam Speaker—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** We clearly understand that there is a great need to look at that issue. We have to look at that issue. We have to.

And, Madam Speaker, we cannot get sucked into these arguments that a lot of people are going to make who do not clearly understand the whole economics of wages.

The simple argument I know that is going to come forward, Madam Speaker, is that if you increase wages that is going to increase costs to businesses, which is then going to increase costs of living, so people will wind up worse off. That is an outdated, outmoded line of argument that, in my opinion, has been one of the greatest lies ever told to people.

One has to clearly get a good picture at what happens when people get increased purchasing power—their ability to purchase drives economic activity and drives greater profits for companies and allows companies to then be able to sell products individually at a lower cost and still be able to make higher profits.

That whole economics, Madam Speaker, is not a simple one, but I know that is the argument that they are going to come out with.

And so, Madam Speaker, when we look at where we are, it is no good of us in here pointing fingers and saying, ‘*Oh, well, during the UDP this did not happen and that did not happen.*’ Madam Speaker, I did not realise that this Government measured itself based on the failures of any prior administration. I thought that what governments measured themselves on was their successes. I thought that what governments were about was looking and finding solutions to problems and getting it done.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Results!

They say that this is a progressive government. Progressive governments do not so much worry about the past. They worry about having an eye to the future and doing what is right today.

But, Madam Speaker, I know and I believe that unless we in the Opposition take a firmer ap-

proach with this Government, then none of these things are going to happen.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** And so we now understand that we need to push and we need, Madam Speaker, to give direction. Now, I know and I fear that if I say it they are not going to listen to me. So, what we are going to try and have to do in the country—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** —is to try and get some other people to perhaps say the same thing that we are saying. I think if more people start to listen carefully—and so, over the next few months that is what is needed in the country and what we are going to try to achieve. Through the talk shows, through letters to the press we are going to try for the Government to see that it is not just us that see these points and that perhaps then they would take those ideas on board.

You see, some of it I believe, Madam Speaker, is a little bit of cat and mouse. If the Government goes through with an idea that we have, it appears as though their fear is that we can then get up and say, ‘*Oh, well, you see on this day at this time, this debate or in this newspaper we said that you should have done it and you did it.*’ And so it seems as though that has been a bit of a little sticky point.

I am saying—and I am playing with the Government. You know when good ideas come, let us not have our eye so much toward the next Election—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Let us have it toward doing good for the people.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** Madam Speaker, we are not free consultants. We are simply here—

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** We are simply here—

**The Speaker:** Honourable Member, would you just give me one minute, please.

Could I ask Members to allow the Member to debate without the cross-talk? Those Members who have spoken you could have put those points forward at that time. Those that have not spoken you will have an opportunity to contradict whatever any Member has said. So that we can get on with the business of the country, please allow the Member to debate.

Thank you.

**Mr. Rolston M. Anglin:** Madam Speaker, I thank you for trying, in vain though, to protect the rights of the minority in the House.

*[Laughter and inaudible interjection]*

**Mr. Rolston M. Anglin:** And, Madam Speaker, I know what they are trying to do, you see, is to distract me so that some of these points do not come out. A lot of these points, Madam Speaker, are points that have been made already, but for some reason the Government has seen fit not to follow the good advice. Good advice, irrespective of where it comes from, Madam Speaker, should be followed. It should be followed.

Madam Speaker, my greatest fear—and I have already spoken to what I have seen on the fiscal front. I have spoken to my fear in regard to this level of borrowing and the ambitious borrowing programme that the Government announced two years ago, and is still continuing down that path. But what is most frightening has been what I see as the real erosion of what I like to call that middle class that had really started to mushroom and blossom in the Cayman Islands.

We all know, Madam Speaker, in economies and societies like ours the middle class is the key. They are the glue that holds everything together, because without a vibrant and successful middle class what you then usually have is the haves and the have-nots. You have very wide gaps between those that have some economic power and the very poor. And, Madam Speaker, we need to ensure that we work feverishly on some of these areas that we in the Opposition have spoken about.

We cannot simply allow egos to get in the way and for certain Ministers to take a view, for example, that because they said that cruise tourism has some negatives, they are going to cut off our nose to spite our face. Madam Speaker, cruise tourism and the opportunity for people to form small businesses is of utmost importance to us as we build our country. When I look at the number of people in my district alone that are small boat operators and three, four years ago they may have had a boat that held 20 people, they now have a boat that holds 40 people, they may have had a 9-seater, they now have a 28-seater.

Cruise tourism provides the opportunity for a group in this country to become entrepreneurs who otherwise would have no means—no means, Madam Speaker—to do so. No other means.

We have to make sure that we clearly understand the depth of the economic benefits of all of our industries. I am certain that the Minister of Tourism does not appreciate that. I am certain of that. I am certain, Madam Speaker, that the Minister of Tourism has taken a view based on the politics of Grand Cayman. He does not have the North Sound in his district in terms of the operations that are happening. All of the operations happen on the West Bay side, the ma-

majority of the operations. The majority of the watersports operators are West Bayers.

I do not think that anyone in the country has any issue with a Go East Initiative. I think every government should try to spread out the economic benefits. I think every government should try to ease the economic and infrastructure pressures. I think that is wise. Every government has tried to do that. Nobody has come up probably and called it a “Go East Initiative”, but everybody has recognised the need for the diversification. Everybody has recognised the need for the eastern districts to play a critical role and to try to develop different types of activities in the eastern districts than what is on Seven Mile Beach Road and West Bay. But, Madam Speaker, one cannot take that view at the detriment for what we have already built. That is unwise.

That, Madam Speaker, I believe, is the wrong path. It is the path that I see the country going in and being led in and, Madam Speaker, I say that the other Members of the People’s Progressive Movement ought to, ought to, be very open with their views. I think some of them understand, and I think a lot of them know that what the Opposition is saying is true. I think a lot of them understand a little better now why we were going to have a landing facility in West Bay near Boatswain’s Beach.

Nobody can tell me that the current Minister of Tourism did not know. He was the Permanent Secretary at the time. I went to many (at least five) FCCA meetings that that Member, the current Minister, was the Permanent Secretary. I certainly did not see cotton in his ears and I did not see his eyes covered! So, he heard and saw the same thing that I heard and saw. So, he had to know. He had to know the overall strategy that the country was being headed in, in regard to trying to ensure that we developed on-Island activities and products.

The one complaint that we had time and time again from the cruise industry was that we were unimaginative and that we did not have the types of activities to really grab people’s attention and encourage people to spend even more in the economy, even more than they currently were spending. That same Minister, he heard those same messages. He knows that! But I suppose he boxed himself in, he made campaign promises and now, begrudgingly, he is trying to go through with those campaign promises irrespective of the damage that is going to be done. And, Madam Speaker, damage has already been done in this regard.

I have nothing against the Minister of Tourism, nothing against him personally whatsoever; but I do not agree with his policies. I do not believe he is developing and moving this product, this critical leg of our economy, in the right direction.

I believe air arrivals are down for good reason, and I do not see anything that is going to fix it in the near term that is coming forth from that Minister. I do not. I believe we need to focus on what we are

good at and get better at it, and then also try to improve and do better in some of the areas where we are a little weak.

I say, Madam Speaker, that unless we start to appreciate what all the different sectors of our economy bring to the table and how they give Caymanians upward mobility, economic power, then we are going to continue to continue to wander aimlessly and people are going to be worse off and we are going to be scratching our heads wondering why we are worse off.

We need to continue to foster and encourage the work of the Investment Bureau because, Madam Speaker, the Investment Bureau is critical, in my opinion, to the development of small business, yet another means for us to maintain and enhance a vibrant middle class in this country. We need, Madam Speaker, to demand more and more vocational courses for non-standard students—that is, people that are 25 years of age and older—and try to retool and re-equip people so that they can take advantage of what is on offer in this economy. How sad it is that we see so many of our constituents out there that are bright people but their tools do not match up with what the economy needs and where we are economically.

And, Madam Speaker, at the end of the day the bottom line is, whoever is the government is the government. You see, what I believe would suit quite a few Members in honourable House, would be for us to get up here and speak as though there is no Government, there is no Opposition. There is a government. The country chose a government, now it is time to govern and do the things and be creative.

Madam Speaker, this country continues to be strangled by red tape and what I see as a lack of good sense in some of our administration of our laws.

I had an opportunity to have a local Caymanian developer walk me through what happened to him on a 13-unit townhouse project. The gentleman was doing a second phase (and I need to say this, Madam Speaker, to paint the picture). He already had one phase done and he was doing a second phase now and some of the land owners lodged complaints, some of which, I believe to any reasonable person, were frivolous, but they were complaints nonetheless. And because those complaints were in and in the system, this gentleman sought and wanted to have a means to resolve the issue.

As I understand it, there is an appeals system within planning. As I also understand it, the appeals system has been bogged down and is not getting its work done. Madam Speaker, I am not here to talk about who is chairman of what board, I am not here to talk about what the reasons are. If we have a problem we have to fix it, plain and simple.

This individual had to wind up in constructing a wall. I went by and looked and saw what the gentleman was saying. He had to put up a cement wall or fence that I think was unnecessary, hedging that was unnecessary, block up windows that was unneces-

sary. Why? Because when he tried to get resolution by having this matter dealt with by the Planning Appeals process that system was bogged down. He had to move ahead. He could not just leave his project with all of his pending sales, because remember now, when someone goes in and signs that offer contract, there is a reasonable completion date that is expected by those persons, many of whom are going to take up residence in his project. That is going to be their primary residence.

So, he had to go ahead and spend somewhere between CI \$50,000-\$60,000 to resolve what I believe any reasonable Planning Appeals body would have dispensed with. Why did he do it? He did it to get his project finished. He did it to get people into the town homes. He did it so he did not lose the sales that he had secured.

Now, Madam Speaker, \$50,000-\$60,000 is a lot of money. That is a lot of money. When the system is cluttered and is not working, that is what it costs. This is real life. This is not pretence anymore. It seems to me that there seems to be this interplay where people look at problems and say, *'Oh, well, we have this problem'* and do not understand or do not appreciate or are unwilling to appreciate and say, *'Look, in real life here is what this is doing to our people.'* Here is where this is costing our people.

What encouragement does that person now have to go on and do another project?

What encouragement does that person receive to encourage others to do the same thing?

We keep talking about: who are we developing for. Yet, when Caymanians make their full way out, take a chance, take a risk and experience these types of things, this just discourages them, Madam Speaker.

And the one thing I can say in this vein, big or small, the complaints around that whole system and that whole body—that critically important body of planning—come from big, small, you name it, in terms of the investors. And I know that all of us get the same complaints. I do not believe there is any Member in this House that has not gotten all of the same complaints.

A lady, Madam Speaker, called me and showed me her conditional approval to some plans that she had. The Central Planning Authority approved it conditional upon certain amendments. Now, the amendments were minor in nature, so one would think that if you have minor amendments once they were dispensed with, administratively, the Department could look at them, be satisfied that amendments were made and get the plans into the building control unit, the next step. But, oh, no, no, no! The requirement was that that person's plans, once those minor amendments were made, had to come back to the CPA. Had to come back to the CPA! Is it that the CPA has no confidence in the administrative arm of planning? Or, is that the CPA is being overly pedantic and wanting to be in complete control? And again, not

taking that step backwards and asking, *'How is this impacting people's lives?'*

Madam Speaker, this is not a pretence story. This is real life we are dealing with. This is our constituent, this is our people. Yes, we have to make sure that the planning code is adhered to. Yes, we have to make sure that we have a standard of building and a standard that is high in this country because we understand that for safety, sometimes you have to protect the public from themselves. Sometimes the public may not like some of the regulations and some of the requirements but, ultimately, we know that we are in a hurricane belt so we have to protect the public. But surely, Madam Speaker, there has to be a better way. There has to be a more open and transparent way.

And you know, Madam Speaker, until we get to the point where we start opening statutory board meetings to the public, we are not going to get it. All of us go to all the different little counters when we go on vacation or go shopping to the United States. And when we go to those small places and look on the public television stations we see their different bodies holding their meetings and they are aired on TV that evening.

I will never forget being in Naples, Florida, and seeing the development and control board meetings being aired from 6 to 7 pm. People that had to appear before them were there making their presentations. But you know what? You did not see any laughing up and carrying on in those meetings. You did not see any funny dealings going on at those proceedings because that camera was there and ultimately every single member of that board knew this is going to be aired, the public is going to see this.

You see, Madam Speaker, one thing that is proven about humans, if a wall is there we behave a certain way. Once that wall is not there we behave a completely different way. And it is high time that we start to get into the systems of government more transparency because, ultimately, it is going to benefit all of us and our people. The other thing it is going to do, is to make all the meetings of these statutory boards much more efficient. They are going to get down to their business and get their meetings over with. You are not going to have people making either self-interested or silly arguments because they now know the public is going to see it.

I hear what happens on a lot of these boards. All of us do too. We hear from the people that get put on those boards coming back to us, the really hard-working ones, especially the ones that are professionals that do not have much time. That is one of the major complaints they have, the board meetings take too long because—not for any legitimate reason, they just take long because people want to bog them down for whatever reason.

Transparency, Madam Speaker, this country needs it. It needs it badly because, ultimately, until we get it we are going to continue and it will be administration after administration, generation after genera-

tion. If we continue doing the same thing the same way we cannot expect any different results and that has been proven. I do not believe that any government has put any board together that they looked at it and said, *'Oh, yeah. This will be a bad board.'* I do not think any government has done that. I think every government has legitimately put together boards that they hope and feel are balanced and would do a good job.

But, Madam Speaker, we continue to hear the complaints and get the frustrations; we continue to get our constituents calling us for silly matters. I mean, what people call me about in regard to plans that get submitted to CPA is amazing, absolutely simple stuff. I still try to help. I am in the Opposition but I still try to help. That is my job. As far as I am concerned that is my job.

At the end of the day, we need to continue to foster our people and facilitate their dreams, their desires. They should not be sitting there frustrated, spending money. Remember, time is money. And so with some of these things even though they may not have to wrack up any exorbitant legal and/or architectural fees, just having to sit there and not go through with their project is costing them. And I say it is time for us to do things in a different way in this country.

Madam Speaker—

#### Moment of Interruption—4.30 pm

**The Speaker:** Honourable Member, it is the Moment of Interruption. I dare not ask if you will be concluding your debate shortly—

*[Laughter]*

**The Speaker:** You made it very clear at the beginning it was not going to be a short debate. I will entertain a motion for the adjournment of this honourable House.

I think you have approximately 30 minutes left, Second Elected Member for the district of West Bay.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the adjournment of this honourable House until Wednesday morning at 10 am, that is, Wednesday, 9 May.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am, Wednesday, 9 May. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 4.30 pm the House stood adjourned until 10 am,  
Wednesday, 9 May 2007.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**9 MAY 2007**  
**10.38 AM**  
*Fourth Sitting*

[Deputy Speaker, Hon. Cline A. Glidden Jr., in the Chair]

**The Deputy Speaker:** I will invite the Third Elected Member for George Town to grace up with Prayers.

**PRAYERS**

**Ms. Lucille D. Seymour:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Deputy Speaker:** I have received notice of the absence of the Honourable Minister of Education and

of the late arrival of the First Elected Member for the district of Cayman Brac and Little Cayman.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Deputy Speaker:** I have received no notice of statements from Ministers.

**GOVERNMENT BUSINESS**

**Debate on the Throne Speech Delivered by His Excellency Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, delivered Friday, 27 April 2007; together with the Second Reading Debate on The Appropriation (June 2007 to July 2008) Bill, 2007, the Budget Address Delivered by the Financial Secretary, the Honourable Third Official Member, on Friday, 27 April 2007**

*(Continuation of debate thereon)*

**The Deputy Speaker:** The Second Elected Member for West Bay, continuing.

**Mr. Rolston M. Anglin:** Thank you, Mr. Speaker.

Mr. Speaker, it is good that all of us have been returned safely since our break on Tuesday. I would like to continue with my contribution to this Budget Address, Throne Speech and, of course, the Strategic Policy Statement that was delivered by the Honourable Leader of Government Business.

Mr. Speaker, when we broke on Monday, I had spoken about the state of public finances. We had looked at the whole issue of the spiraling cost of government doing business and the fact that just five years ago we were projecting operating expenses of some \$291 million and here we are in 2008 seeking to vote on—and ultimately the Government has its numbers—and approve expenses of some \$481.6 million.

That is just operating expenses, Mr. Speaker. That has absolutely, positively nothing to do with the borrowing and Government spending borrowed funds. It also would not include some expenditures that may be carried out from the use of some of the special funds that Government would have.

When we look at the country and our population growth, we see that as has been said for many years in the legislature . . . in fact, I remember vividly when the now Minister of Education was in the Opposition making the point that the cost of government

doing business and, in particular, personnel costs were strangling the country. Those were the words he used back then. That cry has been heard for decades about the growth in the Civil Service, this country's appetite for services, but more to the point, as legislators our inability to contain spending and to cut costs. Mr. Speaker, I do not know how much longer the country can sustain this type of growth and expenses.

Mr. Speaker, I took a close look at the state of the local economy. We looked in broad terms at where we are as a country in respect to tourism and the impact that tourism has on the country. I did call on the Government—in particular, the Minister of Tourism—to perhaps take a fresh look at what the true economic impact of cruise tourism is to this country.

Mr. Speaker, we looked at the spiraling cost of living that is crippling Caymanians. Now more than any other time in the history of these Islands people are finding it difficult—and impossible in a lot of instances—to make ends meet. Our people are crying out for help, crying out for there to be some easement as it relates to just surviving day to day.

We know what the cost of electricity is in this country. We have seen again a rise in interest rates. There are many people whose mortgages in the last 24 months have increased between \$200-\$500 per month. We know that people's earnings have not kept pace, Mr. Speaker. We know that.

And so the point that I made was that it was time for us to take a serious look at what type of industry we were going to allow to continue in this country in regard to the lending sector. Is it time for us to perhaps allow other players to come in? Is it time for Cayman to perhaps see mortgage brokers be allowed to operate in the country?

I know there are many class 'B' banks that have said that they would use some of their capital because the view of the risk of the Cayman Islands economy and the Cayman Islands as a country is slightly different than that taken by the oligopoly that exists within the class 'A' banks, the high street banks that we have in the country.

I was glad to hear that the Honourable Leader of Government Business has changed his mind as it relates to the whole issue of interest rates because sometime ago it was reported in the press that he said that the rates were driven by the US prime, which reflects the cost of money in the Cayman Islands.

I moved two Private Member's Motions in this Legislative Assembly on this topic, and I personally do not support that line of thinking. Our interest rates and the interest rates in the United States move in correlation to US prime, yes. But I have for a long time argued that US prime as the base rate for long-term loan products perhaps is not a fair price to be allowed to be charged.

We all know (and for those of us that do not) US prime is the rate that is used to indicate short-term funding of business transactions in the United States.

And so, when you go on to the Federal Reserves website and you go onto the major websites and track the different interest rates that exist in the United States you will quickly see that 30-year fixed mortgage rates are lower than the prime rate.

We all know (and for those that do not I say it for information) that you cannot simply compare the US credit market with the Cayman Islands credit market. The United States credit market is a very sophisticated market where portfolios of loans are bought and sold. A lot of the equivalent of our class 'A' banks do not necessarily hold on to loan portfolios for very long periods of time. They are sold and they are very lucrative investment pools.

A lot of them are pools that people are able to buy into as part of their investment portfolio, and large institutions and hedge funds and mutual funds actually invest in those instruments whose underlying value is based on a mortgage pool. We understand that that type of sophistication is not in Cayman but I maintain that when you take the hardworking people that this country has produced and the fact that Cayman has proven beyond a shadow of a doubt to be a strong resilient economy . . . just look at Hurricane Ivan. No class 'A' bank collapsed after Hurricane Ivan. They are all stronger now than they have ever been, and the reports that they issue support that. Their financial reports support that. So this whole argument about how you rate and the risk profile of the Cayman Islands is one that I think is nonsense.

How can it be that the government of Cayman Islands can receive the type of credit rating it receives from Moody's, a reputable international body that rates sovereign states and small countries and municipal governments, yet you still hear the argument that our interest rates have to be artificially high because of the fact that the Cayman Islands do not form part of a larger, more sophisticated economy? Those arguments are old, they are outdated.

I give credit where credit is due. You are starting to see in the banking sector interest rates that did not exist widely five years ago. You see a lot of banks advertising prime plus one, for example. Five or six years ago those types of rates were really reserved to the select few in terms of customers. But I still think better can be done. And better needs to be done.

I think, Mr. Speaker, the ironic part of this is that the banks would probably wind up more profitable than they ever would have if they eased interest rates and allowed more people to participate in the dream that any person and any country—a developed country such as we have—dreams of: Home and property ownership. That is the dream. We do not have good public transport in Cayman, so the dream for the average person is a reliable car and a home for their children. Look at how many people are excluded from the dream simply because of the interest rate structure in this country.

Mr. Speaker, this needs to happen. This is not about politics. This is not about one side or the other. We need to work feverishly on this point.

Mr. Speaker, I am overly concerned at the announcement the Honourable Leader of Government Business recently made in regard to the government-guaranteed programme. While I think there will be benefits to come from that programme—as there was when the programme was first in place under the now Leader of the Opposition when he was the Minister responsible for housing—there still remain a lot of questions in my mind.

The old programme was good, but like most programmes it was not perfect. One of the weaknesses that was there (and I have not heard anything said that is going to address it) is the whole issue that government is going to guarantee a significant . . . and if it is like the old system it will be somewhere around 35 per cent of a mortgage.

Mr. Speaker, if Government is going to guarantee that amount, how is it that going to relate to the price of that mortgage, the interest rate charged? Certainly, Mr. Speaker, the risk of that customer to the bank is greatly reduced. If the risk is greatly reduced the price of the product—the interest rate—must be impacted. So, I am hoping to hear that those loans are going to be sub-prime loans. I am hoping that this is not going to be like the old system.

I cannot disclose these, Mr. Speaker, but in my former profession I was involved with an audit of a commercial bank who participated in that programme. And what you saw was a free ride. What I mean by that is that persons were given mortgages who ordinarily would not have qualified. That is a good thing. But their rates were ridiculous rates, like prime plus 4! So, when they defaulted here is what happened: The bank could get its guarantee and the asset was still left to be disposed of. There have been massive complaints in that regard over the years.

Mr. Speaker, I can also say that that sector of the portfolio had significantly more in terms of sheer numbers of clients who went into default on their loans than the rest of the regular portfolio. That is not surprising because it was there to assist persons who ordinarily would not qualify for a loan.

But you are not assisting them, Mr. Speaker, if you are not taking into account the very fact that the government of the Cayman Islands—who has never defaulted on any payment that I know of in its history, a government that has been rated highly by Moody's—has given you a guarantee of some 35 per cent. Thirty five per cent, Mr. Speaker, is a material number. That is no 5 per cent. Thirty five per cent is a material enough number that those customers should have access to that capital and they should have it at very favourable rates.

If we are going to do that, then we are going to help poor people in this country and give them increased access to housing; but if we are going to put a noose around their neck, which is going to be a

prime-plus loan and a government guarantee, we have done a disservice to this country, we have done a disservice to the people and we have been irresponsible.

The first programme, Mr. Speaker, was a great programme. It was a first run and it got a lot of people houses. And a lot of those people wound up keeping their houses and paying their loans off. But we have to learn as we move along that no one programme is perfect. In fact, Mr. Speaker, I doubt that the Government is going to listen to what I am saying because they have a notorious inability to hear anything that comes from the Opposition Bench. But if they were minded to listen and try to negotiate some of the points that we have made and, in particular, the points on this area, I venture to say that the next generation of politicians is going to look back on even that and say, *'Well, here is how they did it then, but it could have been done better and it could have been done slightly different.'*

So, let us not try to fool ourselves into believing that there is ever going to be a perfect system. But get a system, negotiate hard for a system that really is going to benefit us, really is going to show us as being responsible gatekeepers of the public purse and benefit the public. Let us not throw ideas out simply because they have come from the Opposition. Let us not simply try to come up with arguments and buy into frivolous arguments that the banking sector may make so that we can then come back and say: *'See? Mr. Anglin said this but here is what the bankers said. Here is all they are willing to give, so here is the reality. You see? He was wrong.'*

We have such an ability for what I call real frivolous politics that have really, really plagued us as a people. Really plagued us, Mr. Speaker.

Mr. Speaker, I spoke of (as we have seen it) the war on the middle class, the great shrinking of what most of us see as the middle class in this country and what I see as more central to the problem. When you look at the country and where we are and the cost structures, the regulatory structures that are in place in regard to people's inability to be able to do business easily and be encouraged to do business and get into business and be entrepreneurs, when we look at that it scares me because we are going to get more and more Caymanians . . . and we know that we are a conservative people as it is. We are going to have more and more Caymanians saying, *'I am not going to do this or do that'* because as they continue to hear the problems and the challenges that their neighbours faced when they tried to do something—like on a simple apartment project, a simple small business . . . you know, people just throw their hands up and say, *'Cayman is for the big establishment, it is not for us, we are not going to go for it.'*

Fifteen, 20 years ago, and even up until perhaps seven years ago, we still had a country that was . . . the economy was not, and a lot of the industries were not, quite as mature as they are now. With some

industries all you had to do was hang out your hat and say you were in business and you were going to make some money. That is just the way it was: hang your hat out, say, *'I am doing X'* and have a place of business and do some promotions and you would make money. That was a very different Cayman. A lot of industries are starting to mature, and so being that unsophisticated is not going to work anymore.

Now, Mr. Speaker, this is one point that I can give kudos (half kudos, I should say) to the banking community—half because they still charge too much interest rate to small businesses. But anyway, I give them half kudos because you do see a lot of them starting to insist on proper financial reporting, proper business planning by small businesses which, Mr. Speaker, there is a cost attached to it but what it does is make people better business people and it really makes people know what is happening in their businesses.

So, those old days where they would just give you a loan and leave you to go your merry way, because of the maturation of the economy . . . and we now have more stringent reporting requirements which actually do help people. It helps people because they become better business people and they understand deeper what is happening in their business and they are able to react better and move forward. And that must be applauded and must be encouraged. What would be good, though, is if not only the CIDB was seen as the place for small businesses but that some of the banks perhaps start some very specific programmes to target certain businesses of certain sizes in certain industries. I think, Mr. Speaker, that would be of benefit.

Mr. Speaker, 12 months ago when we were here debating the budget, I made the point that we needed to take a hard look at what we produce. While the Public Management and Finance Law has moved us forward in a positive way on many fronts, there is still a lot of work to be done.

Mr. Speaker, all mature countries and mature governments accept analysis, and accept that with proper analysis comes criticism, but can also come praise. But that fear of criticism, Mr. Speaker, I think continues to plague us when it comes to the budget and the documentation.

Mr. Speaker, we produce mounds and mounds of information. The truth is that when most people look at what we are given as our budget package, which contains the Annual Plan and Estimates, that has 335 pages; the Purchase Agreements contain 552 pages; Ownership Agreements contain 430 pages; Annual Budget Statements of Ministries and Portfolios contain 746 pages. Mr. Speaker, all of that paper. Yet a person who has a lot of time or who understands numbers and has a good feel and can navigate . . . very little analysis can be done of the budget.

Twelve months ago I said that we needed to have accompanying any budget address and any pro-

duction of a budget a proper highlights and analytic section. Proper.

Mr. Speaker, let me give a simple example. Right now the Public Management and Finance Law calls for certain hallmarks: percentage of borrowing; targets for number of days; cash in hand; and a number of useful items. But what it does not do, Mr. Speaker, is really give us . . . go down to the bottom line and say, *'Here is where revenue and expenditure is, here is the growth profile, here are the percentages that accompany that, here are the percentage increases for specific ministries'* and just have in it a small number of pages, the type of consolidated information that allows Joe Public to be able to really understand what is happening behind the numbers. That is of vital importance. That is of critical necessity.

Mr. Speaker, let me say this: it has been proven that this is not going to happen without some further action. So I can tell my colleagues that I am going to be bringing to this Legislative Assembly a private member's motion that is going to foster and create the type of transparency needed in our budgeting end product.

This is no criticism of the Honourable Financial Secretary. He has a Public Management and Finance Law and he and his budget unit produce the documents that are needed. I am thankful for them. I think the country is further ahead for them compared to where we were in 2000 when we had people being able to take borrowings and pretty them up and make them look like operating revenue and not having the type of detailed and output-driven analysis that we now have today. We have moved a long way. The Law has moved us forward.

But, Mr. Speaker, we now need to take the logical next step. We now need to really say, in very clear English and in very clear terms and in consolidated form, what I called for last year—which was basically a budget highlight package; a concise analysis and summary. A big picture of where we are compared to where we were last year would be very nice, where we are hoping to go. Not impossible. Not impossible, and I think very useful and I think showing the type of progression that we need to show. We are a sophisticated jurisdiction, but as we know for a long time the processes that we had in government were very much the old archaic system that was inherited decades ago.

I am not going to lay that at the feet of any specific individual, but at the end of the day we need to move that process forward and we need to show that we are a first-rate jurisdiction, we are a jurisdiction that is mature; we are a jurisdiction that is going to be bold enough to create and put out there the type of information that will allow people to then really think critically.

No one is ever going to agree with all government budgets and the necessity of spending in some areas. Business people look at it and they come to it from a very different mindset. There are things

that government has to do, and continue to do. So, I do not think that is going to produce any sort of backlash that anyone should fear and that anyone should look at as being a bad thing.

Mr. Speaker, let us take a close look, though at where we are as a country and where we are going.

Where we are going every year, every 12 months, is given fuel by the budgets that we approve, by the Appropriation Bills that we pass, by the borrowing packages. Big picture: We made a lot of mistakes in our development as a country, but that is hindsight and hindsight is 20/20.

A lot of the decisions that we look at now, that we will quickly call mistakes, at the time were probably very prudent decisions. We have the benefit of seeing a Cayman with 50-plus thousand people. We have the benefit of seeing a Cayman that has 2 million cruise ship passengers. We have the benefit of having six figure air arrivals in this country. We have the benefit of seeing 300-plus children graduating from school every year. Having that benefit, though and not using it is what is most disappointing at this critical juncture.

We are at the juncture, Mr. Speaker, where we see the need for improvements to some of our major infrastructure items. And so, if we are going to continue to do what we have always done and expect to get different results, I am much afraid that this administration will be proven to be a failure by history. I think that whoever sits here, stands here, 10, 15, 20 years from now in this Legislative Assembly is going to look back and have to make the same comments I am making now. The only thing that will be different is that this Government is not going to have the benefit of saying, *'Oh, well, for the times they were the right decisions'* because, Mr. Speaker, I believe that some of the decision-making is wrong for this point in our history.

Let us look at some of the major items that we have to come to grips with. We know we need a new airport, a major item to any country. Even large cities when they talk about developing the airports, that is a huge item, even much more so for a 50,000 base population. But we have a 22-mile long Island and we know all of the challenges that exist with where that current airport is. We also have the benefit of being able to look and see what happened during Hurricane Ivan. But we also have, and we should have, the ability to look and see that any way you slice or dice it, 22 miles is 22 miles.

The one thing that we can give credit to this government for is the fast tracking of the road network infrastructure. Mr. Speaker, if we see the improvements coming to the road network infrastructure . . . because that has been one of the arguments I have heard made in regard to the positioning of the airport. If you move it somewhere else, like the eastern districts, what is going to happen in regard to traffic? What is going to happen in regard to moving people? We have to think long term. We have to think about

where we are going to be 10, 15, 20 years from now. Where is the country going?

Look at the growth trends. Look at the population growth. Look at what our people are desiring and aspiring to. I do not see a generation of Caymanians that are coming by basically saying, *'Folks, we do not want to be successful. We do not want to have any opportunities in our country. We want to have clustered infrastructure that is going to restrict and inhibit good economic development.'* The cries are the opposite!

Hidden in those cries, though, is some of what I call the "spoiledness" of humanity. The spoiledness is we want all of those things, but each of us would love to be able to roll out of bed—not be disturbed by the planes, you know, but just to roll out of bed—and the airport be right across the road from our house so we can walk straight in with our suitcase packed inside a suitcase off to Miami for a shopping trip or vacation.

We know that is not a reality. We know that there is going to be political fallout any time we make bold decisions. History has proven, country after country, that bold visionary decision-making is always accompanied by controversy.

They tell me that when the port was being built they had demonstrations in this country! Can any of us imagine us getting to this level if we did not have that George Town port?

Are we in the cruise tourism business? Are we serious about it? Are we serious about true diversification of our economy and diversification of our Islands and, in particular in this instance, Grand Cayman? Do we need to think outside the box in regard to whether or not we need to have a port that is for cargo, one that is dedicated for cruise tourism and that, perhaps, we need to do what is done in so many other countries and create it?

A lot of countries do not have a natural safe harbour. When you search the Internet and see how many countries build out into the sea, into bays to create airports . . . the technology and the ability to do things. And the Minister of Infrastructure has proven this. We were so scared in the last legislative class about the cost of completing the bypass into West Bay. We were told this was going to cost, if I remember, some \$30 million or some ridiculous number like that. Yet, here we are, West Bay's traffic problems are alleviated and the Minister did it for some \$10 million or something like that.

So, let us not start getting into what the Civil Service is going to tell us is going to be the cost, because we understand that if we are going to be bold and visionary and do things and enlist the support of the private sector and engage them in meaningful ways and privatise certain things, the cost may not be quite as bad as we think.

Let us not have arguments coming up about moving the port to say that that is going to increase the cost of living. When that argument came up five years ago, or whatever it was, Mr. Speaker, I remem-

ber us doing an analysis of a typical 40-foot container coming from East End and what the cost would be if you had items like bags of rice. It was fractions of a cent when you added the cost on and divided it back down to the units. When it came to bulk items, like furniture, it came out to something like \$2 to \$3 on the item. So, let us not have those simple rudimentary analyses that have plagued us, and I believe continue to plague us even as we speak.

We need visionary and bold leadership. We must pick up a mantle and say we are going to go with it. If we know it is right, we have to go with it and the people will see the benefits in the end, Mr. Speaker. But so far the only new ideas that we have heard are increases to the cost of turtle meat. That was quickly retracted.

We have heard about changes to Sir Turtle. That has been quickly retracted, wherever that came from. That disappeared quicker than it appeared. It was a blur.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** It was not even a blur, Mr. Minister.

Mr. Speaker, when we look at education I am intrigued by everything I have seen Professor Heppell do. But being a person that can use a computer, thus far I am left to be convinced that anything I have seen thus far is going to improve the test results of our children and their ability to comprehend and learn. But let us wait and see on that one.

Mr. Speaker, I end off by a saying what is on a mug I have. I saw it on a sign that I think the Rotary Club has up because they have some [meeting] (I think it is a district governors' meeting). It is on the Esterley Tibbetts Highway. "A leader knows the way, goes the way and shows the way."

And, Mr. Speaker, many in this House would never, ever admit it, but one thing I can say is that the current Honourable Leader of the Opposition had those qualities. He had a vision for this country.

*[Inaudible interjection]*

**Mr. Rolston M. Anglin:** And, Mr. Speaker, I hear the howling from the other side.

Let us wait and see. The proof is in the pudding. Let us wait and see because God will spare most of our lives. We will see some of the results of what it is that we are doing. But more importantly, Mr. Speaker, we are going to see the results of a lot of what we are not doing.

I believe we are heading in the wrong direction.

I believe expenses are out of control.

I believe we are borrowing for the sake of borrowing when we could phase a lot of our projects in like the school system.

I believe, Mr. Speaker, that at the end of the day we need to have a re-think.

I thank you, Mr. Speaker.

**The Deputy Speaker:** Does any other Member wish to speak? *[pause]*

I recognise the Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Mr. Speaker.

I heard the Second Elected Member for West Bay ask me to agree with everything that he said. Well, we are friends, and we do share some views, but unfortunately I cannot accommodate him with that request.

Mr. Speaker (and I will do my best to continue to say "Mr. Speaker" because it is difficult when you are in the Chair temporarily and we are used to saying "Madam Speaker") if I do slip, please forgive me.

Mr. Speaker, it is my privilege to stand and offer my contribution to the Throne Speech and the Budget of 2007/2008, and also the Policy Statement. It is the third budget I have had the privilege of speaking to in my short time in the House. I would certainly like to thank my constituents and all those who put faith in my being here, and I thank Almighty God for allowing me to continue to carry out my duties to the best of my ability.

I would like to thank the Financial Secretary and his team from the Finance Unit, and also the civil servants who helped to put together the Budget for the upcoming year.

Mr. Speaker, this Budget is the largest budget that this country has had—close to \$500 million—and it calls for a lot of things to be done. I am going to start by asking that those who will be charged with the responsibility of getting things done in this Budget . . . that everyone works hard to make sure that what they have to do is done because it is easy to budget in one way, but sometimes the wheels of bureaucracy can frustrate the best of us and often times, with the best of intentions, we fall short of our goals.

This country, Mr. Speaker, at this time certainly needs a lot of action by everyone concerned to make sure that we achieve what we say we need to achieve and we take this country forward in the right direction.

It is good to know, Mr. Speaker, that we have been given the rating by Moody's Investor Service of Aaa, an Aa3, which is equivalent to exceptional and high grade ratings. These ratings are based on the Islands' macroeconomic performance, political and social developments, the state of government's finances and its debt position, and the Islands' vulnerability to external shocks.

Mr. Speaker, this speaks volumes.

I know that it is easy for the Opposition to criticise the road that they see the Government taking in terms of the plans we have and the borrowings that we have outlined that are needed to achieve our

goals. But, Mr. Speaker, a lot has been said about this. *'Oh, you are taking the country on the wrong path and you are borrowing more than you should.'* But the Opposition has to clarify in their minds which way they want us to go, because on one hand they are saying that we need to do, and we need to do fast; and on the other hand they are saying, *'Well, you do not need the money to do it.'*

Mr. Speaker, it is not unlike an individual who goes to a bank to borrow money and the bank looks at his financial position and looks at his debt service ratio. And, yes, it may be a substantial amount of money that he needs to borrow, but what is key is his ability to service that debt.

Mr. Speaker, it is clear from what the Third Official Member outlined that we have no problem servicing these proposed borrowings. In fact, borrowing, as we all know, is a necessary and legitimate financing mechanism.

We are seeking to borrow a total of \$129.8 million in the upcoming year and, Mr. Speaker, that borrowing is well within the guidelines that are laid down under the Public Management and Finance Law.

The 6.6 per cent debt service ratio is actually lower than the 7 per cent that was envisaged under the Annual Plan and Estimates. The principle that I am referring to, Mr. Speaker, concerning the way that we are allowed to borrow under the current system, requires that government's interest and other debt servicing expenses plus principal repayments of its borrowing, do not exceed 10 per cent of its revenues. In fact, Mr. Speaker, this is a very conservative definition because it takes into account both interest payments and principal repayments. As I said, the debt service ratio that has been forecast is 6.6 per cent. So, that goes to show that we are well within the guideline.

In terms of the overall Budget, Mr. Speaker, there are other principles that apply under the [Public Management and Finance] Law. I would just like to touch briefly on these, although the Third Official Member went through them in detail. But I think these need to be reinforced, especially in the mind of the listening public, because this whole issue has been one that the Government has been beaten over the head with quite a bit by local media, as well as the Opposition.

One of the guiding principles, Mr. Speaker, requires that the entire public sector's revenue exceed its expenses. The financial statements for 2007/08 indicate a net surplus of \$17.5 million. Hence you do not need to be an Einstein to figure out that it is in compliance with that principle.

Another principle requires that core government's assets exceed its liabilities. Again, the financial statements indicate a forecasted net worth of \$485.3 million as of 30 June 2008. So we are certainly in compliance with that.

Another principle requires that the existing balance of government's borrowing plus a risk weighted portion of public agency's debt that has been guaranteed by government, less the government's cash balances, should not exceed 80 per cent of central government's revenue. And this is what we refer to as the "Net Debt Ratio". The forecast Net Debt Ratio for 2007/08 is 61.5 per cent. You have to be less than 80 per cent to be in compliance, so at 61.5 per cent we are well in compliance.

Mr. Speaker, the final principle I would like to refer to requires that government's cash balances at 30 June 2008 should be equivalent to at least 75 days of expenditure in 2007/08. It is forecast that government's total cash balances at 30 June 2008 will be equivalent to 75 days of expenditure.

Mr. Speaker, I have gone through those principles, which the Third Official Member had in his presentation, just to show that there is nothing untoward or "reckless" about the budget that we have before us.

Mr. Speaker, I daresay that what we have before us is a sensible, well thought-out document. I know a lot of work has gone into it by everyone concerned, and we have done our best to ascertain exactly what can be accomplished in the year ahead.

During his debate, the Third Elected Member for West Bay referred to education. In particular, he criticised the budgeting over the last couple of years where large amounts were included in the budget but there were no schools built. Mr. Speaker, the schools have not been built, but the budgeting process is exactly that—it is an allocation, your best guesstimate of what can be spent in the coming year.

Now, there are various factors at play where either you will under spend or you will overspend depending on how things transpire. But nothing new was being done when those budgets were being created in terms of what has always been done with the budgeting process. You can only do your best to surmise and, based on your plans, ring fence what you think you are going to need for the upcoming year.

Now, I can tell you, Mr. Speaker, that we may not have physical plant at this time. In fact, ground breaking will not be until the New Year—I think it is slated for January next year. But I can tell you, Mr. Speaker, that so far the Ministry of Education has probably spent less than \$3 million, but has obtained from that \$3 million good value for money in terms of the plans and the whole vision of where we are going with our education system.

Mr. Speaker, our education system, unfortunately—and certainly in my humble opinion—is the one thing that this country has failed to really develop and has thereby failed to develop its people over the many years.

The current Minister of Education has brought a new vision to the process. Mr. Speaker, he is not trying to reinvent the wheel, but he and this Government have a clear, clear vision of where education

must be in this country's priorities—and that is at the very top.

Mr. Speaker, we have employed the services of some of the world's leading consultants on developing new schools and new systems. It has been a consultative process every step of the way. It started with a conference last year of all stakeholders involved in education in these Islands, where everyone had their input. And from that [input] a document was produced that became the roadmap for where we see education going in this country and where it needs to be.

We have determined that we need three new high schools in this country: one will be the John Gray High School, which will be rebuilt; the second one will be in Frank Sound, which has been talked about for ages and ground was even broken by the UDP Government with golden shovels; and the third high school, Mr. Speaker, will be in the district of West Bay.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** Mr. Speaker, when we took over this Government we did not find any plans for schools.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** What we found were a lot of promises which we are being accused of now, but certainly our promises are going to be delivered.

Mr. Speaker, we are also going to deliver a new primary school to the George Town district.

In his contribution, the Minister of Education outlined in detail a lot of his plans. But, Mr. Speaker, I can assure you that come 2009 . . . and it is no coincidence. I know the Opposition would like to believe that it is because of an election time, but that is just the way things worked out, Mr. Speaker. This is not about getting re-elected; this is about delivering quality education to our kids.

The time needed has been time well spent up until this point and continues to be. We must get this right, because if we are going to invest this type of money in infrastructure we cannot just build buildings for the sake of building buildings, Mr. Speaker. They have to be functional and it has to be an all-encompassing education system.

The stakeholders, all and sundry, must come on board. The kids will have to . . . well, they will be the easiest ones because they will adapt. Kids have a way of adapting to change a lot quicker than adults, but those in education, the teachers and the administrators will all in some ways have to be retooled with the way they think and act. So, all of this is a part of the ongoing process, Mr. Speaker, and this country is going to be better served and most grateful one of these days when those schools are completed.

The PPM Government has taken a lot of flak in the last couple of years. But may I remind this House and the listening public that we are not even

two years . . . we are short, I guess by a few days now, of being the governing party in this country. Mr. Speaker, no one can come into office and just start making wide sweeping changes, and by the second year in administration have all of the fixes and everything done. That is Utopia, Mr. Speaker, and that is impossible. You have to get in there. You have to figure out, first of all, what has been going on and then you have to plan and make your own way forward. So, Mr. Speaker, it is very unfair for anyone to criticise this Government for not having schools built or any other infrastructure they talk about.

There are things that can be built quickly, fairly quickly, such as roads. And we have seen the benefit that the district of West Bay is rejoicing in right now because of the road that was built, although the Leader of the Opposition claimed that we were building it for our own supporters. I am not quite sure where he got that, but I am sure he drives on it and he is very grateful for it.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** But, Mr. Speaker, it takes time to get things right and we are not a reckless lot. We believe in getting it right and moving forward at the right pace.

Mr. Speaker, our education system also involves the University College of the Cayman Islands, and since we took office (if you want something to look and see what we have done) you can look at that place and see the transformation that has taken place on that compound in terms of the number of registered students and in terms of the whole atmosphere and morale of that institution. It is, putting it mildly Mr. Speaker, a glowing success and it has been given the resources and energy that was needed to make that happen.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** Mr. Speaker, the University College was providing a valuable service to this country for some time, but what I am saying is that that University College has a renewed vigour, a fresh approach, and the results will prove what I am saying.

Mr. Speaker, other areas where we have sought to make improvements in terms of what we are delivering for education in this country are—in fact, we have budgeted for an increase in preschool assistance, up by 33 per cent, and in the area of our special education needs we are funding these from an early age, between the ages of 3, 4 and 5, and this has been increased by 150 per cent.

Again, we are showing that we are cognisant of the needs in these areas because there is no use waiting until the tree is old to try and shape it. If it is a case of a special need, that kid needs early attention. A lot of times they can turn out to be as productive as anyone else if their condition is recognised early on

and treated. Our preschools, of course, are the foundation on which all of the other schools take education onward from because they come to the primary level with a good grounding at the preschool level. Therefore, Mr. Speaker, we have increased the funding in these areas.

Another one that is very important (and I am very happy to say has happened) is the increase in funding for those kids who were doing A level studies. For a long time, Mr. Speaker, there were kids who wanted to do A levels but their parents just could not afford the A level funding, especially since the A levels are no longer offered in the government schools but they are privately taught.

Mr. Speaker, they were originally being funded at 50 per cent. I know from my own experience when my son did his A levels, even with that 50 per cent you still needed to find another \$3,000, probably \$3,500, to fund those studies. But now that has been increased to 80 per cent. I have spoken to the Minister on this and his hope is that that will eventually go to 100 per cent funding. Mr. Speaker, this is important and the results have shown the numbers doing A levels have increased dramatically because of this support.

I remember before I was elected, Mr. Speaker, speaking to the previous Minister of Education on that same issue because I had gotten a number of representations from parents about it and I was also at that time involved with it. When I said it to him, he said, '*Oh, that is a great idea. I will take it on board right away. First time I am hearing it.*' But I knew better because I knew that one of the parents who had spoken to me had already spoken to him. Funny enough (surprise, surprise) nothing was done about it. But, Mr. Speaker, it is being dealt with now and our kids are going to be much better off for it.

Mr. Speaker, another area in education that is certainly going to make a big difference to many people is the whole scholarship funding for our Bachelors and Masters Degrees. Scholarship funding in total has gone up by 50 per cent and individual sponsorships have increased by 25 per cent. If I can remember the numbers, I think the Bachelors was CI \$16,000 per annum, and that is increased to \$20,000; and the Masters Degree programme was increased from \$20,000 to \$25,000. Again, we are showing our commitment to education in this country.

Mr. Speaker, money invested in education is certainly money well spent. You may not reap the benefits right away, but down the road, when we have put the emphasis where we are putting it—in the right areas on getting our people educated—this country is going to be a country we can all be proud of, certainly a country that will be more capable of controlling its destiny.

Mr. Speaker, there have also been a number of increases in the whole area of sports scholarships and a proper agreement drawn up with our elite athletes. Again, this is an area that needed addressing.

We have a number of kids and young people out there, Mr. Speaker, who are very talented in this small island state and we need to support them.

As the Second Elected Member for Cayman Brac and Little Cayman said during his debate, one of his young men up there has earned himself a football scholarship through hard work and dedication. That is very admirable from such a small island as Cayman Brac, and I would like to pay tribute to that young man as well. I think it was young Tatum.

Mr. Speaker, another area that we are continuing to develop, and develop quickly, is the whole area of the sports facilities themselves. In the district of West Bay we have continued the building of the cricket pavilion and grounds. That will hopefully allow us to host international matches one day in Cayman.

Mr. Speaker, you see, when something good is being done, this Government does not want to tear it down.

**Hon. W. McKeever Bush:** Oh, oh.

**Mr. Osbourne V. Boddin:** We do not do that as some of those on the Opposition side have been famous for.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Boddin:** Mr. Speaker, we all remember the Master Ground Transportation Plan that we so badly need now, and we remember the hospital, and the list goes on. They were all stopped because they were not done by individuals who felt that they should have their stamp on them.

**Hon. W. McKeever Bush:** Yeah.

**Mr. Osbourne V. Boddin:** But, Mr. Speaker, this Government even accepted names that had been put on facilities, such as new schools. We did not change the name simply because another government did it. That is counter productive, Mr. Speaker. It is very counter productive. And this country does not have time and this Government does not have time for such waste of time.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Boddin:** Mr. Speaker, we are also addressing the needs of the many football fields that we have in the various districts, and one of the problems that we have had in the past . . . because Cayman suffers a lot from the dry season, the fields no matter how nice they were prepared in the end they all suffered the lack of irrigation. Or, if they did have irrigation, it was extremely costly. So, the Minister of Education and Sports is looking at using Astroturf where it can be used and having the stakeholders

give their input into his plans. I think in most cases it has met with widespread approval.

Mr. Speaker, one of the things that we can look at as well when it comes to irrigating our fields is where we can possibly use a mixture of water rather than just city water, which is extremely expensive. I know the Minister is looking at this area as well. But this country will have good football fields for our young people to get out there and play.

Mr. Speaker, you and I both played quite a bit and we know how difficult it is when you do not have a proper pitch to play on. You are running along in what looks like grass and you suddenly disappear into a hole that is well covered. Or, where it is extremely dry and dusty and you cannot . . . when someone goes in for a tackle it takes five minutes before the dust clears! In fact, we saw that recently. We were at the cup final of the, I think it was under 16 at the Annex and the field had not been wet down and, of course, it was a dry time of the year and those youngsters were playing in some very trying circumstances out there. A lot of times when you were standing on one side watching the game you could not see what was going on for the dust.

Mr. Speaker, we definitely have a need for proper facilities and it is being addressed in this Budget. A lot of the stands and lights have already been installed. Certainly the one in Bodden Town I can speak to is a nice stand, and the lights are all working and West Bay is on line. The Minister gave that assurance when he gave his debate. And also the Truman Bodden Complex is going to be shut down and completely redone.

So, Mr. Speaker, all of our sport facilities—and that includes the new track at the Truman Bodden Complex, which I am sure the athletes will very much appreciate. What they have there now is dried out and crystallised and, certainly, more a danger than an assistance at the moment.

Mr. Speaker, we are showing that we not only recognise the needs of our young people academically but, certainly, their need in the sporting arena as well. We are looking at building 25-metre swimming pools in some of the new schools and Government is looking to partner with a service club in the Bodden Town district to also put in a 25-metre pool. The goal is that we will have 25-metre pools around the Island and then the 50-metre pool that has been planned for some time will be built on the current site of the Lion's Pool.

Those involved in swimming locally, Mr. Speaker, we all know have done very well and continue to do well up until the recent CARIFTA Games in Jamaica. But if we can make that even more accessible to the masses . . . the Learn to Swim Programme in particular is crucial when you are living on an Island. All of our young people should have the benefit of being able to get into a pool and learning to swim under instruction rather than just jumping into the sea when they get the chance.

We are hoping, Mr. Speaker, that all of this will show our commitment towards our youth, our young people.

One of the things that I would like to see (and I had brief discussions with the Minister on it) is the whole idea of public tennis courts in each district. It is not in this Budget, Mr. Speaker, but I am hoping that by the next one we will be able to find the money to have tennis courts built because, again, this has been one of those areas that has just not been available to many people. Those who have done well in tennis locally have either been members of the tennis club, or they have had access to some of the private tennis courts. But it is a sport that certainly could benefit young and old. It is a wonderful sport. And I feel that at least we put the facilities there and it is up to the individuals then to take it from there.

Sometimes you find that you build things and they will sit there and not be taken advantage of, but I am sure that you do not have to build a whole bunch of these, but I think that at least one public tennis court in each district would not be asking too much. I think that the public would be most grateful.

Anything we can do to keep our young people busy and away from the ills that are out there at the moment—the drugs and all of the other social ills, Mr. Speaker—would be appreciated in this country because, unfortunately, we are losing too many these days. And if we keep them busy with sports or studies they stand less chance of getting themselves in trouble.

Mr. Speaker, I already mentioned the fact that we have built some roads, and we are continuing to build. We have the East/West arterial going in at the moment and we are all looking forward (in particular those from my neck of the woods and further east) to the day that opens and we hope it will not be too far from now. It is not good for anyone to have to spend hours on the road in the morning trying to get to work, walking into their job frustrated and already tired; or trying to get home in the evening to our kids double tired from working all day and still cannot make it.

Mr. Speaker, as I mentioned before, I know that the people in West Bay certainly are singing the praises of the bypass down there, and I am sure when this one is open in the east we will get a similar reaction.

The Minister of Communications, Works and Infrastructure is also addressing the needs in the Savannah area in terms of the gully and the flooding we have been prone to in that area. The experts working with us in this area are busy coming up with a workable plan that can be implemented soon, and this budget makes allowance for that work to continue. Again, it is not one of those things that could just be rushed and a solution found quickly. It has been an age-old problem in that area and it has to be carefully handled and professionally done.

It will cost a substantial amount of money, Mr. Speaker, but I am sure the residents of that area and

indeed the residents of the eastern districts on the whole—who have been cut off in the past when the flooding has taken place—will be most grateful when a workable solution is found.

Mr. Speaker, another area being addressed and worked on hard by this Government is the whole area of affordable housing. Now, much has been said and continues to be said about affordable housing but, again, the Minister responsible (the Leader of Government Business) has taken his time to get this right. And rather than just go and slam down houses just about anywhere, we have sought to find the best sites and the best way of making this happen. One thing any government should try to avoid is to get into the housing business, as it were. As you know, if you have a scheme where government is fully in charge of providing that housing and the public has to pay for that housing, once it is government that they have to pay, Mr. Speaker, it just does not happen. Which government is brave enough, then, to deal with them the way that a private institution would?

Mr. Speaker, there is a dire need. No doubt we have many people, especially in lower income brackets, in need of housing; and we still have people in temporary trailer homes since Hurricane Ivan that certainly can benefit from such a scheme. I think this combined with the guaranteed loan scheme is just what the doctor ordered at this time. I know things are about to roll and get going on it and, certainly, it cannot come too soon.

Earlier in his debate the Second Elected Member for West Bay was referring to the guaranteed loan scheme. He would like to see the banks give some credit for the government guarantee, that is, in terms of a break on the interest rate. Mr. Speaker, this is a view that I endorse wholeheartedly.

What the Member did not say, and which should be said, is that we have to bear in mind . . . and I will use the example of a house that costs \$100,000 and there is a 35 per cent government guarantee. Now, that is a guarantee; that is not money on the table. So, that individual—unlike an individual who is building his own home for \$100,000 who will find the \$35,000 and borrow \$65,000—under the government scheme has to borrow the full \$100,000. Therefore, the principal amount is larger and they are inherently penalised because they are borrowing a larger sum and therefore we have to work with these people and say, *'Okay, Government has guaranteed the \$35,000, but Government has not given the \$35,000.'* What can we do to work with these people so that we are not setting them up for failure?

We need the institutions in this country, Mr. Speaker (and I will come more into that later on), to come on board with us, with any government in this country, to work with us and make it easier for people to own their own home.

Too often institutions make it easy for one to buy a car or buy some toy or whatever that is really in excess of what one really needs. But when it comes to

what is really needed—and that is a roof over one's head for the security of one's family—the institutions make it as hard as they possibly can.

Mr. Speaker, the only way this system and this plan will succeed is with the help of those institutions, and I am imploring them to work with the Government, work with whatever government is in this country going forward, to ensure that our people can afford and have proper housing.

Mr. Speaker, healthcare in this country is important to us. The main role of government in any country is to provide infrastructure, security, healthcare and jobs. Therefore, healthcare is certainly a priority of this Government. Unfortunately, it is one continuous battle to get especially government healthcare and government delivery of healthcare to the point where we would like it to be. It is a battle, Mr. Speaker, and it has been a battle for a long time.

We have had the Health Services Authority of recent years. Before that we had the whole thing falling under the department or the ministry, but regardless of which course we have taken with the delivery of healthcare in these Islands we have had issues. It is not an easy area because providing modern healthcare is a challenge for even the most accomplished developed nations.

We have had issues with persons that we have hired. Even now we have an Acting CEO at the hospital. But I know the Minister. I know him well. And I know his commitment to the cause, Mr. Speaker. I know that if there is a solution to this problem it will be found because this man has worked tirelessly in this area, when he was Minister before and certainly now. I know the commitment and I know how strongly he feels about the delivery of healthcare to the country's citizens across the board, from the young to the old to the indigent.

In conjunction with this, Mr. Speaker, we have the delivery of the whole social services that we offer as a Government. This is an area that we have tried our best to streamline and continue to work hard on streamlining because, unfortunately, what is termed frequently as the "hand out mentality"—and not just one hand but two!—is continuing to prevail and, in some cases, get worse in this country.

You teach a man to fish, you cannot give him a fish every day. Otherwise, he will continue to expect it, Mr. Speaker. And the people in this country have to realise that Government has a huge burden.

As I said earlier, we have the largest budget we have ever had in this country facing us now, but Government cannot continue to just give and give and give and give. The money has to come from somewhere, Mr. Speaker, and the only place it can come from is from the citizens. And every time you try and do that there is an outcry, and rightly so—more taxes, more burden, we cannot handle any more.

If you do not want to feel that pinch then, Mr. Speaker, a lot of these people who are trying to abuse the system and take advantage of what is good out

there, need to have a conscience and they need to try and help themselves a little more.

We have budgeted for an increase in the financial assistance (\$50 a month, I think) it will go up to \$500 a month, and we had previously done the same for seamen and veterans. Mr. Speaker, these are all initiatives where this Government has tried to show our recognition and our appreciation for those who need assistance. But there is only so much, as I said before, that Government can do without having to put the burden back on the populace.

Mr. Speaker, we have people that simply expect to go to Social Services or to the Children and Family Services Unit and throw their two hands in the air and expect that they will get constant financial assistance. The policy that the department and the ministry now have is that they assess your situation—that is, the individuals who work within the department. Case officers will sit with you, go through your situation and, if it is a legitimate case, offer you three months' assistance, subject to review. Hopefully in that three months that individual will find a way to get back on his feet—that is, assistance could be in terms of school supplies and school vouchers for the kids and also food vouchers for the family and so on.

But a lot of people just wait, they use what they get and at the end of the three months they have not tried to help themselves. They are still in the same position, and they come back and they look to do it all over again. This places a huge burden on any government, Mr. Speaker, and we have to be cognisant of the results of our actions.

Mr. Speaker, this Government came into office in May of 2005. At that time we found the country being gripped by a mini crime wave, I would call it. We were having brutal murders and many incidences of harsh crime were taking place. It was as if lawlessness had hit the land.

Mr. Speaker, you look around now—and I am not saying it is perfect. It never will be because you cannot stamp out crime 100 per cent. But I can tell you that the resources that were put in this area . . . and credit must be given to the RCIP for the work that they have done. But the Cayman Islands in two years are certainly a lot safer than they were when we took office.

*[Inaudible interjection]*

**Mr. Osbourne V. Boddén:** Mr. Speaker, the Opposition continues to say that we have done nothing, but I have just outlined a number of areas that we have addressed in the short space of less than two years.

The Opposition would like the public to believe—and, of course, it is in their interest, they are the Opposition. That is their job, to discredit the Government if they can, to try and get back on this side of the House. But, Mr. Speaker, they are going to have a fight on their hands to take this Government away with the plans that we have for this country.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Boddén:** Mr. Speaker, we are putting a lot of resources into tourism.

The Second Elected Member for West Bay said in his debate that he was unsure if the Minister had cruise tourism at heart because of certain things that he has been hearing and seeing and whatever. I am sure that when the Minister of Tourism gets up to offer his contribution he will show this country and guarantee the listeners that we do understand the value of cruise tourism. And he has excellent relations with the FCCA folks and all of the member lines.

We had a very successful conference here last year, Mr. Speaker, and cruise tourism is something that we value. But we also know that it has to be managed very well, otherwise it can consume us and it can also affect stay over tourism if not properly managed.

Stay over tourism, Mr. Speaker, is crucial to this country. I want everyone to understand that this Government recognises that, because you can take one third of stay over tourists—that is, one third compared to cruise tourism—and you probably get five, six times the money multiplying through the economy from the spend that they do while they are here. So, we understand the need for stay over tourism to be beefed up.

For a long time we did not have the room stock, and we were suffering from the effects of 9/11 and everything else, the challenges of Ivan and all the other stuff. But, Mr. Speaker, stay over tourism is being worked on hard by the Ministry and Department of Tourism to get it back to pre-Ivan levels and hopefully even surpass that.

The Minister has just announced the forming of an alliance with the NFL. We are hoping that this will pay dividends. We see this being an ideal opportunity for CIREBA and their members to be getting excited about these people coming to the Island, hopefully forming partnerships with them, hopefully buying properties here. Because of the high profile nature of these individuals we see them being excellent promoters of the Cayman Islands.

We have started the work on the new airport terminal. I am not going to get into a debate as to whether it is in the right location or not. A lot of people will criticise that. But the fact remains that the Civil Aviation Authority has decided that that is where the airport is going to go. It is going to be completely redone. We will have a state of the art facility.

I saw a letter in the paper just this week where someone was complaining that our airport . . . if there is one criticism they have of the Island, everything else they felt was fine but the airport was really lacking in terms of space and organisation. Certainly, in the next couple of years we will have a state of the art

facility that will allow our visitors to have a very pleasant arrival and departure from our shores.

So, Mr. Speaker, this Government—that is often criticised by some of local media and by the Opposition as not doing anything—appears to be very busy, from my perspective, and appears to have been doing quite a bit in the past two years in the short time that we have been here.

Mr. Speaker, in all that the Minister of Tourism is doing and has on his plate, he also has been dealing with issues on the environment and recently tabled the new Bill on our environment. We recognise the need to develop this country in a sustainable way while preserving some of our natural beauty as well as our national treasures. The only way we can do that is with firm legislation being put in place to govern what one can and cannot do in terms of our natural environment. This Government, Mr. Speaker, is working in that area and not neglecting that at the expense of any other development.

We are also looking at hopefully attracting another top class hotel to these shores, the Mandarin Oriental. Hopefully (and the Minister will speak to this, I am sure) it will be built in the eastern districts, off the Queen's Highway, and that will provide another upscale, excellent addition to our tourism product. Again, that will attract the calibre of guests and visitors to our shores that we often say we want and we need.

Mr. Speaker, we are doing this because we feel that development has often been on this end and on the western end in this country. We need to attract good, sensible development in the east. The Minister has labelled this whole development of commercial activity in the eastern districts as his Go East Initiative.

Mr. Speaker, I can tell you that it is working. It may not be something that people can say, *'Oh, there is a Go East building'* but I can tell you there are a number of initiatives on the way in the east and the vision of having small bed and breakfasts and small cottage industry, craft and natural attractions are all on the move.

Again, this took time to get going, we had many forums throughout the Island and no one can criticise this Government that it is not one that takes a consultative approach. We have done very little that we have not consulted the general public on, Mr. Speaker. And we have said all along, through our press briefings and all of the other exposure that we have had, exactly what our plans are.

The Opposition sometimes says, *'Oh, there is no plan'*. Well, we have a manifesto which they have a copy of—the Little Red Book they called it—and everything that we are doing we are doing according to what we told this country we would do.

Yes, we do not have all the answers and we do not have all the fixes overnight, but we have a stated plan and we have good members working hard together to make it happen.

Mr. Speaker, another very important—

**The Deputy Speaker:** Honourable Member, if you are moving on to a new subject, would now be a convenient time to take the lunch break?

**Mr. Osbourne V. Bodden:** Yes, Mr. Speaker.

**The Deputy Speaker:** Proceedings will be suspended until 2 p.m.

**Proceedings suspended at 12.30 pm**

**Proceedings resumed at 2.20 pm**

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

The Third Elected Member for the district of Bodden Town continuing.

**Mr. Osbourne V. Bodden:** Thank you, Mr. Speaker.

Mr. Speaker, in my contribution before the lunch break I had set out to ensure that the listening public—and indeed the Members on the other side of this honourable House—understood that this Government is one that has been quite busy and is achieving and has achieved quite a lot in a short space of time.

Mr. Speaker, in this Budget we also seek to address the needs of Cayman Brac and Little Cayman and I think that anyone looking on can see just how much these islands are being supported under this Administration. They are not forgotten in any way. In fact, some people might be even a little bit jealous here in Grand Cayman for what Cayman Brac and Little Cayman are getting.

Mr. Speaker, we are addressing the issue of affordable housing. In fact, as I said, they are actually further ahead in that regard than we are here in [Grand] Cayman. Houses are actually being built . . . soon to be built, anyway.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** They are opening a branch of the Cayman Islands Development Bank (CIDB) to assist with this process as well as other initiatives.

We are looking at a small niche market for cruise tourism in Cayman Brac.

My colleague, the Second Elected Member for Cayman Brac and Little Cayman, spoke about the need of good airlift and good flight schedules. Certainly, his comments will be noted and, I am sure, acted upon because it is very important that we do have good links between us and Cayman Brac and Little Cayman in terms of flights.

There are a number of local tourism initiatives that are ongoing in the Brac and, certainly, I think it is safe to say that travel of locals seems to be on the up as far as Cayman Brac and Little Cayman are con-

cerned. We appreciate these Islands very much and enjoy what they have to offer.

Ecotourism is something that I and this Government believe is of keen importance in Cayman Brac and Little Cayman. Development there should go hand in hand with preserving as much of the natural beauty and environment as possible so that these Islands can be enjoyed by us, as well as our visitors.

We know that there is a disaster management initiative underway in terms of activity on the Bluff, and Government and many other private enterprise companies are looking at having it as a backup in the event of another disaster, God forbid.

There is a large interest in purchasing of property in the Brac and Little Cayman (but in particular the Brac), and a lot of it is by our own people which again is a very good thing—keeping our money circulating within our own economy.

The Budget caters to the new airport facility on Little Cayman, which is long overdue and which should go a long way to improving the level of air service that that island can receive, certainly increasing safety and providing some boost to the local economy.

Also, the sporting facilities in Cayman Brac are being developed. I know the Minister has been there a number of times looking at the whole initiative that was started on the Bluff under the previous administration, to developing that and giving Cayman Brac first-class sport facilities along with, eventually, a new high school.

Mr. Speaker, I have outlined those initiatives and projects so that we can see that this Government is very, very keen on developing the Islands as a whole and not one at the expense of another.

Mr. Speaker, just so that it is absolutely clear some of the capital expenditure and investments under this Budget and by this PPM Administration . . . I would just like to list some of the larger ones. There is a whole proliferation of them, but I will just list some of the larger ones for the listening audience so that people will understand where a lot of this capital expenditure and borrowing is going. This was listed in the Address given by the Honourable Third Official Member, but I would like to repeat some of this, and that is:

- \$35.5 million on three new high schools and the George Town Primary School;
- \$18 million on new government office accommodations;
- \$14.4 million for the assets of the Portfolio of Internal and External Affairs which, of course, includes the Police;
- \$1.7 million towards a headquarters for the Hazard Management Cayman Islands (which is a new name given to the old “Hurricane Committee” as we called it);
- \$13.3 million going to the Health Services Authority to enable the purchase of equipment and to cover a portion of operating losses;

- \$5.2 million to be spent on entity assets for the Ministry of Communications, Works and Infrastructure;
- \$4 million to extend the Linford Pierson Highway to Walkers Road;
- \$3.8 million for sports stadia and fields;
- \$3 million on a new Summary Court Building;
- \$3 million on road surface upgrades;
- \$3 million on a new civic centre for Bodden Town which will serve as a category ‘A’ shelter; and
- \$3 million for payment to be made for lands used in the construction of public roads.

Those are just some of the items that this Budget covers. My goal here is to show just how much is being addressed so that once and for all we can stop the nonsense about what this Government is not doing.

I would just like to recap some of our achievements to date: the clampdown on crime after we got elected; the roads that were put in to West Bay; the road under construction, East/West; the landfill needs that are being addressed in Grand Cayman and Cayman Brac. This is the first time, I think, that we have had a real effort at our solid waste problem and, Mr. Speaker, I think everyone can see that it is paying dividends. “Mount Trashmore” (as the Minister likes to call it) is certainly looking—at least the area around it—a lot better. I think that we are finally coming to grips with how to handle our waste which, for a small country, we certainly generate a lot of. I know we have a lot more strides to make on that and a lot more effort to be put out but, certainly, we have started to tackle it.

Our education system, as I said, a major restructuring. We look at what was done with the George Hicks campus and the fact that we split it into four smaller schools. I am sure that the upcoming results will bear fruit as to our accomplishments in that area. Certainly the feedback has been positive from students and teachers alike, and the whole concept is one that will be extended to new schools where they will be built in modules, and certainly managed at a very manageable level. Classrooms will be of optimum size and we will avoid having too many people in one place with organised chaos, as it was.

The new schools are all going to be in the areas that will allow parents to not have to trek everybody into George Town. It certainly should improve the quality of life when your kid can go to school a little closer to where they actually live; it should avoid some of the congestion on the roads.

Mr. Speaker, another thing that we have managed to accomplish was the break (and that was in the last budget) on stamp duty relief for first-time homeowners which was a welcome break, although we have been accused of war on the middle class by Members of the Opposition and by others.

I think what we can say is that we recognise the problem in our community, in terms of our middle

class. It is an integral part of our whole economy and we have to protect that segment. It is not easy to address some of these issues because sometimes people are reluctant to help themselves. But we as a Government will do our best to put what we can in place to assist.

Our sports facilities, when upgraded, are going to be as good as anywhere. We have had for the first time a large sports symposium where, again, as we did with education, all the stakeholders involved with sports. . . *[to an honourable Member: was not the first?]*

Okay, I understand it was not the first but anyway—

**An Hon. Member:** It was a good one.

**Mr. Osbourne V. Bodden:** It was a very good sports symposium and certainly the stakeholders came away feeling that some progress was being made and that they were being listened to and only good could come from it.

The Minister is to be commended for that action.

People forget too, in a short space of time, Mr. Speaker, that although it was started under the last administration, this PPM Government took on a host of rebuilding of homes in the various districts after Hurricane Ivan. There was a lot of money expended on this area and there are still some people, unfortunately, that have not got all of the help that they were looking for. But, Mr. Speaker, there is only so much money to go around, and we did our best to spread that amongst the needy people.

We have also, since we took over, had to rebuild a number of public facilities that were destroyed such as libraries and, of course, do not forget the schools which took a good hit from Hurricane Ivan.

So, Mr. Speaker, we had our hands full along with trying to come up with our own plans to take this country forward.

We also had the hot issue of the immigration reform and the rollover policy. I think one day history will show that we made the right decision. We certainly will not end up at the moment like the Aborigines of Australia or the Red Indians of North America. We do have a chance to make a go of it and hopefully our people will grasp that with both hands.

We also opened and completed the Boat-swain Beach facility after lengthy delays. And there are still many issues there that we have to manage. Of course, throughout all of this we have had weekly press briefings and there has been an air of openness and transparency under this Administration.

Mr. Speaker, I am very proud to be part of a Government that is working hard, that is honest and is seeking to take this country in the right direction during our term of office.

Mr. Speaker, at this time I would like to address the whole issue of the cost of living. I know it is

probably the hottest topic on the block at the moment, and rightly so, because Cayman is by no means cheap. For those on the lower end of the financial totem pole, certainly they are feeling the pinch. And we understand that, Mr. Speaker. But sometimes when we talk about the cost of living people fail to realise the cost of their own living, the cost of your living.

We talk about cost of living. But could each one of us maybe do with a little less as we did after Hurricane Ivan? Not that we want to be in that position as we were after Ivan. But can we maybe just have one cell phone instead of two? Can we maybe drive a cheaper vehicle? Can we maybe not have two satellite dishes? And the list goes on.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Bodden:** Can we have a smaller boat?

*[Laughter and inaudible interjections]*

**Mr. Osbourne V. Bodden:** I can afford what I have and I can service my debt, thank God.

Mr. Speaker, in jest, but it is serious.

**Hon. W. McKeeva Bush:** Mr. Speaker, maybe the liquor and the beer could be less.

**The Deputy Speaker:** Honourable Members, there is no space for cross-talk. Could we appreciate and respect the Member that has the Floor and allow him to speak, please?

**Mr. Osbourne V. Bodden:** Thank you, Mr. Speaker.

Anyway, Mr. Speaker, I am not saying that that is the answer to the cost of living problems that we have. What I am saying is that each one of us, who feels the pinch, sometimes we could take a look, take a step back and just ask ourselves do we really need all that we are proclaiming to have to spend money on when, indeed, maybe we could just do with a little less.

My colleague, the Second Elected Member for Cayman Brac and Little Cayman, spoke about the idea of a financial planner being available to the general populace. I think that is a very good idea. It is something that we could probably wrap into the Cayman Islands Investment Bureau or the Cayman Islands Development Bank who work closely together.

We could probably create extra facilities there for people who are on hand to be able to offer advice about personal financing. I know from experience, Mr. Speaker. I have had personal friends over the years who have found themselves in financial difficulties and sometime a group of us will sit, knock heads together and come up and help that individual. That has happened, and I am sure it happens all the time.

There are people who are just at a loss as to how to manage—and sadly so, but it is true—their own financial affairs. They get themselves in all sorts of twists with credit cards and the like and loans and whatever. Maybe if you had ready advice available at a small fee it would be something that would be utilised. I think it is a good idea and certainly one that is worth exploring. I know we have it to an extent now with small businesses through the Investment Bureau where individuals can go and get advice on start up and maintain in the business. But maybe if we took it a stage further where we actually went to personal financing, that would assist our community.

Mr. Speaker, the four culprits (as I would call them) of the cost of living to me would be bank rates; the cost of fuel in our community (which is on a worldwide high right now, I think, and still increasing); the cost of insurance for our homes and our vehicles; and, of course, by extrapolation, the effects of CUC (the power company), which in itself is dependent on fossil fuels.

Mr. Speaker, the Second Elected Member for West Bay spoke at length about the bank rates and the whole situation of financing. I have to agree with him in that I think what we need is to encourage some lending institutions to start to do business here in this country to force the rates to come in at a lower point. I would go so far as to say that maybe it is time for us to look at some antitrust legislation to avoid collusion among banks and among the fuel companies.

This is what happens, whether one wants to admit it or not. What happens now is that they basically follow one another—whatever one does they do it as a group. The only thing that can stop that, to my mind, is antitrust legislation and maybe it is time for us to look at it.

Anyone who watches CNN will see a regular add that comes on for the Lending Tree and it says "When banks compete, you win." I think that is something that we have to encourage. For too long they have stuck together and basically the only loser at the end of the day is the general public.

Insurance companies, Mr. Speaker, unfortunately the nature of the beast is such that when they take a hit they expect to recoup it in one fell swoop within a year or two. It is a worldwide problem. Unfortunately, we suffer like the rest. I do not know what we can do besides sit and talk with insurance companies. I think something needs to be done with their rates because right now people are going without insurance or, if they do take it up, they are basically taking on another mortgage and it is a heavy load to carry. All of this sends the cost of living through the roof.

What is important, Mr. Speaker, from what I am outlining, is that people need to understand when they talk about cost of living that the government does not drive the cost of living. The cost of living is predominantly driven by the private sector. Yes, government has its part to play, and we intend to do that and to ease up people where we can. Certainly, we have a

Budget that needs a lot of servicing but where Government can give breaks we will give breaks, and we have proven that already.

Mr. Speaker, we have to send a strong message to other entities out there that continue to bore a hole in people's pockets that they need to work with us to get this community back on track. Right now it is unacceptable. People are paying high costs to run their businesses, whether it is financing or whether it is fuel or whether it is insurance or whatever, and then they themselves also need to think about what they are doing because a lot of people out there are charging for services three times what they really should be charging. The get-rich-quick mentality, as I call it, has taken hold.

All in all, it is a community effort that is needed. People have to be aware of what they are doing when they are running their own businesses, when one cocoa fruit basket, they say . . . and certainly you do not have to make it all in one paycheque. Take your time and treat the community that you are a part of in a fair manner and good will still come to you and your business.

Mr. Speaker, I would now like to turn my attention to my own district of Bodden Town and some of the projects that this Government has completed as well as those that are in the works.

As I mentioned earlier when I was going through the list of capital expenditures for this budget the plans are there for a new civic centre to be built next to the Bodden Town Primary School. This civic centre will be a state of the art facility with the ability to play indoor sports as well as serve as a category 5 hurricane shelter. This will certainly be a building that the Bodden Town community will be able to make full use of as well as the eastern districts. Where it is being located we all know is high and dry, so we do not have to worry. God forbid, if water ever goes there then there will not be many of us around to worry about a budget.

The old civic centre, Mr. Speaker, I am happy to report—in fact I got a report just today, that we will be looking at probably 1 June as a construction renovation kickoff for that project. The tendering is just about complete and hopefully we will choose a contractor maybe by as early as next week. From that then we are hoping to start work there certainly by the beginning of June.

That civic centre will not be a category A shelter, it will be used . . . well, it will be a category B shelter, which means that in the event of a hurricane after it passes then it will be a shelter for individuals who need it. But they will not shelter there during a hurricane, not up to a certain—

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** —up to a category 2, I think it is.

So, that civic centre, the roof is going to be lifted and we are going to have a mezzanine level where we will be able to have a meeting room. And beneath that we will have space for offices, such as a sports office, and facilities for the play field and all of that that is in that area, and even things such as MLA offices and that type of stuff if need be.

We are also looking at bringing vehicle licensing to Bodden Town, and it will be in that general area. Whether we use that building or another one that is being constructed in that area I am unsure at this time, but I know that vehicle licensing is something that by the end of this year I would think we should have ongoing in Bodden Town. This will be a welcome relief for many who have to go to town to get their vehicles licensed at the moment. I know even I have been to West Bay to use that one on a Saturday which certainly saved me the time during the week to have worry about going and licensing a vehicle. When we can decentralise functions such as that it really helps. I hope that the one coming to Bodden Town will be used by the three eastern districts and anyone else who cares to.

We have just started the land clearing on the site of the new emergency centre on Anton Bodden Drive. I see the land being cleared as I speak. This will facilitate the police and the fire department as well as the ambulance service. This will be something that, again, is well needed and long overdue for the district of Bodden Town.

Mr. Speaker, I certainly do not mind blowing our trumpet on Bodden Town because if ever there was a neglected child, Bodden Town has been it. My colleagues will tell anyone—I am not shameful in what I ask for for Bodden Town. I will continue to push until we get Bodden Town where it needs to be.

We are in the process of procuring beach property in the centre of the district where we will be able to enlarge the public beach, the current Coe Wood Public Beach. Hopefully we will be able to buy property on either side of that, that is currently redundant. We will be able to establish a launch ramp in that area to tie into the channel that is there so that we can have access for fishermen as well as emergency services in Bodden Town that you do not have to be trying to get down to Newlands or Spotts or Frank Sound when something happens, or if you want to go catch yourself a few fish or if you just want to go boating. We certainly need that facility.

The last government made what was a joke attempt at a launch ramp. As my colleague often said, the ramp did not go all the way to the water and it was too narrow for anyone to even get in or out. So, Bodden Town has been crying out for a launch ramp for many, many years and has been promised and promised and promised. Well, I can tell my constituents that they can watch this space because a launch ramp will be built.

The land has been cleared and prepared for a new post office in the Savannah area and ground will

be breaking on that project shortly. Certainly, that area has outgrown the small, very old post office that has served that community for a long time. As I have just been reminded, the plans are indeed drawn and we are just a step away from breaking ground as I have said. So, that is coming on line for the district of Bodden Town as well. That will be a state of the art facility similar to the one that is in the centre of Bodden Town.

The other thing that we are tackling and getting ready to do is to redo the launch ramp in the Newlands area and that whole . . . not just a matter of making a ramp, but making the whole area very user friendly with cabanas, with proper paving, with facilities such as restrooms and that type of thing, and also a jetty that one can tie a boat onto when one is launching a boat.

At the moment it is difficult to launch with one person because you get out to deal with the boat, someone needs to move the vehicle. But if you have a jetty you can pull the boat off, tie it on, come back to your vehicle and move. So, we are hoping that that facility will encompass that and make it much easier for everyone to use. The conceptual drawings that I have seen are very attractive and when that is complete that will certainly enhance that area of Newlands and will be very practical for everyone.

The marine base, under the auspices of the Royal Cayman Islands Police (RCIP), will be built in the Newlands area, actually fairly close to the ramp area that I have just mentioned. That is going to be something that, again, is long overdue and very welcome because up until now all of the work that has to be done on police boats, marine craft, is all done basically out in the open—no security. And when there is a boat down everybody knows about it because they can see it.

This spot where we are proposing to build this facility will also offer easy access into the North Sound and, certainly in conjunction with the proposed purchasing of a helicopter for the RCIP, we should have our borders fairly well covered.

Another project that is coming on line and starting with this Budget is our agri-tourism project in Lower Valley and I know the Minister responsible, the Leader of Government Business, is very keen on this as he sees this as multifaceted project. It is not just a matter of a farmer's market and agricultural grounds and the agricultural office but looking to make that whole compound in Lower Valley something to be really proud of. It will be an attraction. It will be somewhere where you can take your family and enjoy a day out.

There will be aquaculture on site. There will be crafts. There will be food. There will hopefully even be sporting facilities. I know this will be talked about in more detail at a later date but, certainly, I, as one of the Members for Bodden Town, welcome our creating projects in the district that will bring people to Bodden Town and show off some of what we have to offer. It

certainly will enhance our agricultural product. And as it is called an agri-tourism project it certainly will hopefully be an attraction for our tourists and locals as well.

Mr. Speaker, I am proud to say that we completed our Bodden Town Library. As I mentioned earlier, some of the projects that Government has had to do since Hurricane Ivan, the Bodden Town Library is a very nice library, one of the nicest if I might say so. It is not being used fully up to capacity as yet; but certainly our youngsters have somewhere they can go now and get themselves a book.

The learning centre that is there, I think we are in the process of trying to get the staff to make sure that that is functional at this time. Right now I think there is just the one librarian and we are at the moment just running the regular library services. But the whole project, the landscaping made that area of Bodden Town look very nice. The facilities are wonderful and we encourage and implore the community to use the facility. Let us not just boast about having a library, please come out and use your library. The hours are very user friendly.

The Dart Park in Bodden Town in the Gun Square/Cumber Avenue area is about to be started (hoping sometime this month actually) and that is going to be different from most of the other Dart Parks in that it is going to be very (how should I put it?) nature friendly.

The whole land is not going to be cleared; it is going to be selective clearing. It is going to have places you can sit. It is going to be well lit, all of the restroom facilities and, of course, a playground for the kids. But it is going to enhance that whole area.

At the moment we have the senior centre which actually sits smack in the middle of it and, because we do not have a residential centre, we have a centre where our seniors can come and have functions and hang out, as it were, for a day and hopefully pass on their knowledge and expertise to our young people and to tourists. I see this as an added benefit.

Of course, on the weekend the National Trust opened the Mission House, and this is a fantastic project. Kudos must go to the National Trust and Mr. Boosie Arch, the builder, and all those who spear-headed this project. It is an absolutely beautiful replica of the old Mission House.

These three, all things being as it were, connected . . . I think that area is going to see an increase in traffic and we are going to have much benefit to derive as a district from having that area undergoing such a transformation.

Again, I would like to implore people to make use of these facilities. Come out and see the senior centre. It is not open at the moment all of the time, it will be in due course, but at the moment we have functions there. There is a Mother's Day function there this Saturday coming. But when you get a chance, look and see what the Committee who has worked hard has done to that old house. It is somewhat of a

museum as well as a senior centre, so come out and see it.

I know people who live right next door who have not been there who asked me what it is. So I am speaking to them now through this medium, encouraging people to come out and make use of these facilities. The Mission House is a must. It has a lot of history about it. The inside of that place is just remarkable the efforts that have been made by the families that live there and the National Trust. I am very proud to have those in our district.

Mr. Speaker, we are in the process also of purchasing extra space for our graveyards. As you know, the press carried stories on the fact that the graveyard was filling up. The Minister of Communications, Works and Infrastructure has spoken about this. Some of his views are in the long term, that of proposed stacking of graves. That will be something that will be left up to the individual's choice. Certainly, we would not want to stack anymore than two high, but that is one way of saving space.

As we know, our graveyards were traditionally built on the beach where the sand could be dug easily. Beach land is a premium and running out fast, so I do not think that in the future you will see that many more gravesites going on the beach. Where they go the ground will not be quite the same as what you are used to, so we also have to look at that.

The idea of a crematorium was mooted and, again, cremation would be a personal choice, not something that we would be forcing on anyone. But it would go a long way towards (in some way anyway) to saving space.

Mr. Speaker, just to mention the current graveyard. One of the residents of the district who knows the graveyard quite well actually found some space. So, as I speak now there are some extra graves being built on the property. But we do understand the need for extra space and it is being pursued as a matter of priority by the Ministry. I would just like to say that.

Mr. Speaker, the Bodden Town district took a hard hit from Ivan and many properties were destroyed. Many have been rebuilt. But as one drives through the community one will still see that there are many derelict properties.

The problem we have is that individuals own these properties and some of them do not see fit to repair, for whatever reason. But, certainly, what I would like to do at this time is to implore owners of property, especially because we are nearing the beginning of a new hurricane season as of 1 June. I would implore owners of property—and everybody knows I feel strongly about this. It was included in a private member's motion that I piloted successfully through this House a few weeks ago.

We need to get our properties cleaned up and those who have debris that can be shifted around easily during a storm, please, if it is an old roof or if it is whatever on property that can be apart from the four

walls try . . . even if you cannot repair the property between now and a short space of time at least get the property cleaned up. Certainly, as soon as we get the teeth that we need in the law we will be pursuing these property owners vigorously to ensure that action is taken—if not voluntarily certainly we will have to mandate it.

Mr. Speaker, I think from what I have outlined here for the district of Bodden Town, not to mention the roads that have been paved, the speed bumps that have been put in and the lighting that has been put back since Hurricane Ivan, I think the people of Bodden Town, and indeed of these Islands, will see that Bodden Town is no longer going to be the district that time forgot. It certainly will get what it has to get in terms of infrastructure.

The three representatives for the district work hand in hand and we have our MLA office opened full time to address the needs of our citizens.

The last thing I would like to touch on before I close, Mr. Speaker, is the upcoming new constitution process. I just want to say that this Government sees the need for another round of wide consultation before arriving at a constitution for this country.

I can assure the listening public that this Government will be seeking the best possible constitution for this country. We will do our best to get as much as we can get in terms of our own self-determination short of independence for this country. We want to be able to control our affairs in this country with as much ability as we can. Once we work and we go to the UK with one voice—that is, Government and Opposition—I am comfortable, I am confident that we can get the constitution that we need for these Cayman Islands.

But I am going to ask the Opposition to play their part when we are seeking a national consensus on issues. Yes, we have differed in the past, Government and Opposition, on certain things; but I feel that when we go to the UK we have to go with one voice.

There is one thing I agree with the ex-Minister of Education on. He said that same thing recently in the press where we must speak with one voice to get the best possible constitution for this country.

We have set up a Secretariat. We have Professor Jowell, who is a well-known constitutional expert, on board with us and the boat is in the water. We are plugging forward. The process is underway and it will be the first time that these Islands will have a chance to vote through a referendum process on any issues that we feel necessary to go to through that process.

So, Mr. Speaker, along the way throughout the whole process we are trying to ensure that people have their say and this Government is not going to ram anything down anyone's throat that they do not want. We took up office under that mandate and we are continuing that approach. Where possible we want the widest possible participation and input.

Mr. Speaker, we have before us a very ambitious budget. But a lot can be achieved if people work

together. I would like to ask all of the stakeholders, civil servants and everyone concerned, to play their part to ensure that we get the job done. It is not that the plans are not there, Mr. Speaker. And they are not idle promises. They are promises that have been carefully thought out, they were in our manifesto from day one and we are proceeding with the plan. I am asking everyone to help us keep the good ship Cayman on track.

This Government has been in power, as I said, just short of two years. I am very proud and I feel we have achieved a lot. Yes, there will be critics. We do not mind critics. But we certainly would ask people to offer constructive criticism when they are criticising rather than just criticising for the sake of criticising. If you have an idea, share it with us. We may not always be able to take it on board, but we will sift through and we will come up with the best solution at the end of the day.

Mr. Speaker, this Government is honest, transparent and accountable. Before this House in the near future we will have a Freedom of Information Bill that will be piloted through. This will be the first time that people will have access to information at their fingertips when requested without even giving a reason why. Can you be more open than that, Mr. Speaker? I do not think so.

Mr. Speaker, I am very proud to be a Member of a Government you can trust.

Thank you.

**The Deputy Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* Does any other Member wish—

The Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you very much, Mr. Speaker, and I am honoured to say Mr. Speaker.

Mr. Speaker, I rise to make my contribution to the Throne Speech, to the Budget debate and to the Policy Statement so passionately and eloquently said by the Leader of Government Business. But before I do that, Mr. Speaker, I would like to make a point about one of our nation builders that was buried on Sunday.

I would like to say thank you to this Government and the people of the Cayman Islands for burying Mr. Clarence Flowers in that fashion. He was buried as a private citizen with a guard of honour—almost a state funeral. And why that is particularly interesting to me is because I believe that it goes without saying that the Government and the people of the Cayman Islands appreciate what our immigrants have done for the country.

When you reflect on Mr. Flowers' life, as I have reflected (because I am in that time span of his life in the Cayman Islands) he certainly was an innovator in this country. When you really think of it he developed a factory in this country, Mr. Speaker. I

would not really like for us to just bury him in a guard of honour and say thank you; but etch his name in the annals of history because he has really contributed significantly.

Perhaps if his family were not too modest we would have heard more about his life. I hope that the historians in our country will write about him the way he really helped us, a little man from Jamaica. He came here at a little age and helped to build this fantastic country. I am so honoured that the PPM Government and the people of this country were able to honour him in that way.

I thank you for that, Mr. Speaker.

Mr. Speaker, the Leader of the Opposition spoke so eloquently the day before yesterday on the question of prayer, and I agree with him. I listened to him and I went home and looked on my computer and someone sent me a prayer. I want to read this to him. I am sorry he is not here, and I am sure he is hearing but he is not in these hallowed halls. It says this, and this is how I feel about him. This was sent to me so I would like to pass it on to him.

It says: "A powerful prayer for you. Good morning. Stars do not struggle to shine, rivers do not struggle to flow and you will not struggle to excel in life because you deserve the best. Hold on to your dream and it shall be well with you. The eyes beholding this message shall not behold evil. The hand that will send this message to others shall not labour in vain. The mouth saying Amen to this prayer shall laugh and forever remain in God's love. Your dream will not die, your plans will not fail, your destiny will not be aborted and the desire of your heart will be granted in Jesus' name. Money will know your name and address you before the end of this month. No one goes the river early in the morning and brings back dirty water. As you are up this morning may your life be clean, calm and clear like the early morning water. May the grace of the Almighty support, sustain and supply all your needs according to His riches and ruling. The will of God will never take you where the grace of God will not protect you. I see something good happening to you, something that you have been waiting to experience. Say a big Amen. And if you believe it love your God and have a wonderful day in Jesus' name."

I say that to him to say that his eloquent plea for prayer for us to change our hearts that he will not call me big nose again and he will not call me the Minister of Dance.

*[Laughter and inaudible interjections]*

**Ms. Lucille D. Seymour:** Mr. Speaker, I first of all wish to stand up and make an apology because I know I am going to say Madam to you, but you are far from that.

*[Laughter]*

**Ms. Lucille D. Seymour:** As I said, I rise to make my comments on the Throne Speech, the Honourable Third Official Member's Budget Address, and the sincerity and passion of the delivery of the Policy Statement by the Leader of Government Business.

Mr. Speaker, I believe that each of the three presentations has taken us to higher heights in our efforts to bring back good governance to the Cayman Islands and to improve the quality of life of our people.

It is hard to believe, Mr. Speaker, that just two years ago in this country things did not seem right. We also had the devastation of Hurricane Ivan. It was not that the country did not have the resources to rebuild; it was just that the leadership was not there and help was not available. Without vision and without commitment to good governance I would say, Mr. Speaker, the government at that time was almost in a state of paralysis.

The despair and despondency throughout the country was almost tangible. It was then that the PPM was swept into power in a tide of optimism and hope. In our campaign manifesto, a copy which I always carry with me, we clearly outlined the policies and programmes we would be adopting to revive trust in government and make life better for us all in the Cayman Islands.

We assured the people that the government would no longer use its power to reward its friends and punish its opponents. We promised the long suffering people of the Cayman Islands that we would be a government of inclusion and that everyone in the Cayman Islands would benefit from the wealth that we collectively create. And that is important, Mr. Speaker.

We promised them that we would recognise the contributions made by various categories of Caymanians in the past, and improve the quality of life for all those who were born in the Cayman Islands or shared some affinity to Cayman by residency or kinship. Above all, we promised that we would develop this country in a sustainable way to ensure that we pass on to our children a physical environment as pleasant as the one we inherited from those who went before us.

Mr. Speaker, this PPM Government has not disappointed the people. In a very short time we have restored hope and confidence in the people. We have released an energy that has led to the transformation of these Islands in a way that caused those who make comparisons between then and now to marvel at how much could be done in such a short period of time. Mr. Speaker, the Cayman Islands is well on the way to recovery, but it is a kind of recovery which has the capacity to take us on a higher plane of development.

Mr. Speaker, I want too to analyse the significance of this Government's policies and programmes. Then I want to share with you that dream which I have captured from my constituents.

Mr. Speaker, this is basically a conviction that a country as wealthy as the Cayman Islands could make the great leap forward in banishing the social ills

that plague us. It is simply an aspiration that government would create the conditions for the strong to survive while at the same time enabling disadvantaged groups to experience some of the happiness which most of the successful people in the Cayman Islands enjoy. Mr. Speaker, these are several key concepts which are regularly articulated by politicians across the Caribbean region and elsewhere.

The problem is that in most cases these concepts do not see the light of day, either because of dishonesty or lack of political will, or the scarcity of resources. I am not so modest, Mr. Speaker, to deny that for the first time in the history of the Cayman Islands we have the coincidence of good governance, political will and resources to make a difference in the lives of all our Caymanians.

I promised my people in 2005 that I would be their eyes and ears in high places and that I would use my last breath to defend their interests. I am therefore delighted to report that this Government through its Cabinet Ministers and Backbenchers has faithfully pursued interests of the people of the Cayman Islands. Mr. Speaker, I start by commending our political leaders for the fiscal responsibility they have shown in every single budget presented to this House.

As the Third Official Member, the Honourable Financial Secretary, so eloquently explained, the function of the Budget is to set out the financial discipline with which Government would be conducting business during the next year and to indicate the direction in which the Government would be taking the country.

Mr. Speaker, the Budget clearly satisfies the stated principles of responsible financial management. In simple layman's terms, we are living within our means. Even though this Government in keeping with its manifesto pledges has embarked on a far reaching programme of physical and social reconstruction, it is doing so within the constraints of prudent financial management. This Budget is a bold approach to addressing the challenges that this nation will face in the foreseeable future.

His Excellency the Governor rightly warned us of the creeping and unstoppable process of globalisation. There are basically two responses to globalisation: one, we bury our heads in the sand and hope that somehow it will pass us by; the other is to equip our people with the knowledge, the skills and the confidence to compete with the best in the world on what we hope will be a level playing field.

Mr. Speaker, our Government has taken the wise step to invest heavily in creating the conditions for sustainable economic growth and empowering our people through education, training and plain old fashioned care. My colleagues have spoken at length about the individual things that have occurred, and I need not repeat that.

This Budget is very supportive of the twin pillars of economy. It continues to create the conditions for tourism and financial services to thrive. In keeping with its commitment to foster a free market economy it

avoids the punitive measures that some misguided jurisdictions inflict on big businesses. On the contrary, it assists investors in making the Cayman Islands a location of choice.

Mr. Speaker, naturally a significant portion of the Budget is devoted to capital projects. Indeed, there are 20 major projects provided for in the Budget and rightly so. The first thing this Government had to do was to repair where possible, and to build new structures to replace those destroyed or damaged by Hurricane Ivan.

The next step was to anticipate future needs and to provide the necessary facilities. The third requirement was to create an infrastructure to facilitate communication in this rapidly developing society, hence the repairs to existing structures, the replacement of the George Town Primary School, the Building of three new high schools and the construction of a new administrative building.

In addition, heavy investment and a network of roads and other land based infrastructures, as well as the highway in cyberspace and its related technology, featured prominently in the Budget. But in keeping with its political philosophy this Government has kept the social agenda at the top of the priority list and invested heavily in the people of the Cayman Islands. This Budget confirms that this Government considers its people to be its greatest asset. As such it has made provision for everyone to access some form of healthcare regardless of income.

Plans have been made to implement a new governance model and a consistent management structure for the Health Services Authority. In addition, Mr. Speaker, in a very wise move this Public Health Department has been placed under central government.

Mr. Speaker, let me take this opportunity to remind this honourable House that part of this Government's philosophy is to put greater emphasis on prevention rather than cure. It is for this reason that a national sports policy is being considered and sporting organisations like the Cayman Islands netball association are being restructured to make sports part of healthy lifestyles.

With respect to education, a systematic attempt is being made to reform the entire education system. Following a major consultation in September 2005, the Minister of Education has been working overtime to satisfy the express needs of the people. He is therefore in the process of revising the curriculum so that more children realise their potential at school.

Over and above this is a master plan to assist Caymanians to access education from the cradle to the grave. I was particularly impressed by the provision of \$400 per month to help parents access pre-school education for their children. Mr. Speaker, this facet of education will determine the end result of our future generation.

This is a knowledge based economy. Although this facet is in the hands of the private enterprise it is incumbent on the Government to monitor it carefully and with vigilance for high standards.

Mr. Speaker, this support sends a clear message that this Government is mindful of the burdens that working mothers have to bear in raising their children and is willing to bring relief to them. It also ensures that future generations of Caymanians will get a head start in acquiring education from an early age. We cannot over emphasise this aspect of our education process. We certainly cannot over emphasise. And all of us here today on the Opposition and the Government have made a point of it at some point in time.

Mr. Speaker, I also know that this Budget will bring added assistance to 'A' level students, offer more local and overseas scholarships, provide sports scholarships and apprenticeships for different gifted young people, offer business development training, establish a civil service college with the University College of the Cayman Islands and create learning centres in various communities.

Please note, Mr. Speaker, that it is not only what is provided to empower our people that is spectacular, but how the decisions are made is also important. Only a government that cares for its people could have identified these needs and move so swiftly to respond to them so positively. I therefore commend this Government for keeping the channels of communication with the people open and listening and responding to their needs.

The weekly press conferences, the district constituency national meetings and the home visit by the people's representatives have served to keep this PPM Government in tune with the people. That is so essential when a government keeps in tune with its people, Mr. Speaker.

This Government has also broken new ground in housing. Keeping in mind the vital role that decent housing plays in the education of children and the positive effect that good housing can have on the productivity of workers, careful attention has been paid to meeting this need.

That National Housing and Development Trust has been cleaned up and the government guaranteed home mortgage scheme has been strengthened to provide quality accommodation at affordable price.

Mr. Speaker, crime and punishment have remained high on the agenda of the Budget. It is absolutely essential that both Caymanians and visitors feel safe in these Islands. Strengthening the Royal Cayman Islands Police Force is one method of demonstrating zero tolerance of crime. Neighbourhood and community policing will be a key factor in improving police public relations and the culture of silence. Yes, the culture of silence will decrease and information on criminal activity will be more forthcoming. I applaud the police for placing heavy emphasis on neighbour-

hood policing and urge them to use it as a strong medium to diminish crime.

I also commend the Honourable Minister of Human Services for the decision to rebuild a separate custodial and rehabilitation facility for our young offenders. This should considerably reduce the incident of recidivism among young people in the Cayman Islands.

Mr. Speaker, I notice with great satisfaction that this Government has learned from the mistakes in the past. In September of 2004 this country got a rude awakening when Mother Nature wreaked havoc on these Islands. Within hours the material progress we had made over decades was undone. With hindsight we know that the damage could have been mitigated if we were properly prepared.

I now assure Caymanians that even though it is impossible to prevent natural disasters, we are now in a better position to protect ourselves from hurricanes and other threats to respond quickly and recover from such eventualities. I have great expectations of the new department that was just developed to manage disasters and also the Caribbean Catastrophic Risk Insurance facility which was introduced this year and will provide the Cayman Islands with a parametric insurance policy which will provide Government with quick access to cash in the aftermath of a hurricane or earthquake. The payout will be based on the intensity of the storm in the case of hurricane and the magnitude of the earthquake.

Mr. Speaker, I also want to bring your attention to the systematic way that environmental preservation has been interwoven into the work of all Ministries, from Tourism to Communications, Works, Health, Education and Planning. The message is clear that a pleasant environment is not only essential for our primary industry but also for enhancing the quality of life for our people. And we cannot stop the praise that we give to the Honourable Minister of Infrastructure who has introduced a waste management committee who will look at the disposal of various categories of waste in our country with a view to establishing a very high-tech facility to reduce the waste in our country and to see if it can help with energy in the Islands.

I strongly endorse the policy of inclusion practiced by this Government, Mr. Speaker. We need to defy geography and custom and embrace the people of Cayman Brac and Little Cayman in the movement towards a higher standard of living and a better quality of life. And much has been said by the Second Elected Member of Cayman Brac and Little Cayman and the other speakers. I have a special love for Cayman Brac. I taught there for many years. I found them to be exceptionally gifted people and it is so true because they own most of the businesses in Grand Cayman.

In the new Cayman, Mr. Speaker, no one will be left behind. I note with satisfaction the placement of this item in the Portfolio of the Leader of Government

Business and commitments to the cause of uplifting Cayman Brac and Little Cayman.

The Budget is also responsive to the unending quest of our people for greater responsibility in the management of their affairs. Here again, everybody has spoken about this, Mr. Speaker. I therefore applaud the establishment of a constitutional review secretariat to consult regularly with the people and to help draw a constitution that will satisfy this need sometime in the future.

Let me say that there is something in this Budget for every Caymanian from the top to the bottom. There is an increase in benefits for indigent seamen and those who receive other financial assistance as well, Mr. Speaker. But in keeping with my pledge to the people of George Town and indeed the Cayman Islands, I crave your indulgence to draw attention to four areas which were referred to in the Budget but which will need greater focus and more robust response.

One is the need to single out the women of the Cayman Islands and give them recognition for the part they played in the past, the role they are currently playing and the part they can play in taking the Cayman Islands up the ladder of development.

It is a well-known fact that when men were forced to go to sea for long periods to earn a decent living women kept the home fires burning in domestic and public places. Not only did they have to hold the whole family together but they also had to keep public services going, Mr. Speaker. Multitasking is therefore not a new concept in the Cayman Islands. All women have been doing it for decades. They literally held the society together.

I also believe that in modern society where it is the norm for women to go out to work and where their children are subjected to insidious cultural penetration through the mass media, the stress on single mothers in particular is becoming unbearable. I am convinced that if we are to raise children who are to compete in the global marketplace we must look carefully at how they are being reared. Even though modern men are aware of the need to share the burden of child rearing, old habits die hard. The mother is still the first teacher and the primary moulder of the character of the child.

I believe that we must start the process of supporting mothers by publicly recognising the role they have played and continue to play in the Caymanian society. I shall return to this issue, Mr. Speaker, at a later point. But suffice it to say now that women hold the key to the future of the Cayman Islands and as such they should be empowered to use the key wisely.

The other point, Mr. Speaker, is the need for strong and vibrant communities to act as a buffer and indeed a safety net to prevent citizens from falling through the cracks into poverty and isolation. It is a well known social fact that where there is poverty and weak family structures, communities take up the

strain. We know it from bitter experience in the Cayman Islands. Communities kept us together during the periods of poverty, the seafaring days of old and as recently as September 2004 when Hurricane Ivan reminded us of the function of the community. I therefore would like to see this Government devoting more and more resources to the strengthening of communities across the country—and the country means across the three Islands.

I note with satisfaction that a community development unit will be established with trained community development officers. I note too that George Town is a place that will experience many diverse situations as it is bigger and more populated and as a consequence will require more than one community officer.

Mr. Speaker, let us go a step further and establish and equip community centres with multiple facilities to meet the varied needs of our people. I repeat, let us go a step further and establish and equip community centres with multiple facilities to meet the varied needs of our people.

I would also like to see these community centres become the place where local government is cultivated so that people could be empowered to solve problems at the level at which they arise.

The fourth area I would like to see addressed more vigorously and generously is that of culture, Mr. Speaker. It is culture that holds communities together. Culture binds us as well as protects the people from the hostile assault of other cultures. It is self-evident that the reason why our young people fall victim so easily to cultural penetration is because they have no viable culture to protect them. This threat will intensify more and more as globalisation proceeds.

Unless we pay attention to preserving our culture, Mr. Speaker, we run the risk of being swept away by other more dominant cultures which by definition will place us at a disadvantage in our country.

Finally, Mr. Speaker, I want to draw attention to the role of the private sector in the Cayman Islands. Our policy is to assist the private sector in creating wealth and contributing to the development of the Cayman Islands.

Mr. Speaker, we have devoted considerable amounts of resources to creating the conditions for a business to flourish in this country. In return all we need is for the business community to become good corporate citizens and reciprocate in the ways that would help us achieve our social goals. That is all we are asking for. I am appealing to the private sector to further get on board and help to produce the educated, skilled, enterprising and law abiding citizens needed to improve the quality of life in the Cayman Islands.

Mr. Speaker, the private sector is a net beneficiary of the investment that government makes in education and the training of our people. All that is being asked is for a business community to form a partnership with government to ensure that care and

protection is offered to our children and young people as they prepare for the world of work. There are many ways they can do so, for example, sponsoring some of the community initiatives I mentioned above. Two that readily come to mind where they could help with are the preschools and what is dear to my heart, recreation and sports for all.

Mr. Speaker, in conclusion I want to congratulate the Leader of Government Business on a statesman-like presentation. I want to thank our Cabinet Ministers for their depth of sincerity and their civil servants for their careful stewardship of the nation's financial resources and for clearly outlining the direction the Government will be taking this country.

I also want to assure the public that at last we have a Government we can trust and to tell them their future is in good hands and they can bank on me to continue to play my part as a tireless watchdog defending their interests.

Mr. Speaker, I also want to thank, at this time, the general public in the names of the NGO associations, the service clubs that have contributed heavily to the social agenda in this country. At times in this House we really do not say thanks to them, but I certainly would like to do that today. Millions of volunteer hours are spent by people who labour voluntarily to ensure that our children are given a chance to survive.

I want to say, especially to the NGOs, the churches, the service clubs—particularly to the service clubs, Mr. Speaker, in particular, the male service clubs—thank you for the part that you have played in nurturing males in our society.

I happened to work with some males that have gone through those service clubs and I am telling you, whatever they are doing they must continue but they must have a broader base to capture more. I am very proud that there are entities in this society not driven by government such as service clubs—the Lions, the Leos, the Rotary, all of those that have taken young males very early in life and have moulded [them].

I am not patronizing anyone here, as the Second Elected Member would like to say with his facetious smile on his face, but I am here saying this from the bottom of my heart because I experience on a daily basis what service clubs have done for the males in this country. I cannot speak too much about the females—although both the First Elected Member for Cayman Brac and Little Cayman and I have been members of the Business and Professional Women's Club. But I am sure that when we come to the part of putting women on the same plane as we have our male counterparts we will see the equality and the balance of the contribution that the Business and Professional Women's Club has made in this country. But I will speak about that at a later date, Mr. Speaker.

Mr. Speaker, I have come to the end of my contribution and it certainly was a pleasure for me to do this. It was also taxing in a way. I had such an arsenal of information at my fingertips. The difficulty was

putting it into the length of time that I have to speak. This Government must be congratulated immensely on all they have done in just . . . today, Wednesday. Tomorrow is the 11<sup>th</sup>, but today the 10<sup>th</sup> it will be two years.

A lot has been done and, you know, Mr. Speaker, I have been on this earth a long time and I have been in a lot of places in my time. I know that the smiles will come from the various quarters but we all know that the PPM Government has certainly done a lot.

**Hon. W. McKeeva Bush:** Oh, yeah.

**Ms. Lucille D. Seymour:** Mr. Speaker, I have certainly done a lot to—and to make the Opposition's life so comfortable—

*[Inaudible interjection]*

**Ms. Lucille D. Seymour:** —that they can fish and drive around—

*[Inaudible interjection from the Honourable Leader of the Opposition and laughter]*

**Ms. Lucille D. Seymour:** I like when the Leader of the Opposition smiles, you know. It means that he is quite contented—

**Hon. W. McKeeva Bush:** Yeah.

**Ms. Lucille D. Seymour:** —with what is happening.

*[Inaudible interjection from the Honourable Leader of the Opposition]*

**Ms. Lucille D. Seymour:** Thank you very much and this is my contribution to the Budget and to His Excellency's Throne Speech.

*[Inaudible interjection from the Honourable Leader of the Opposition and laughter]*

**The Deputy Speaker:** Does any other Member wish to speak?

*[Inaudible interjection]*

**The Deputy Speaker:** The Fourth Elected Member for the district of George Town.

*[pause]*

**The Deputy Speaker:** We will suspend proceedings for 15 minutes and return at 4.10.

**Proceedings suspended at 3.55 pm**

**Proceedings resumed at 4.20 pm**

**The Deputy Speaker:** Please be seated. Proceedings are resumed. The Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you very much, Mr. Speaker. I too am grateful for the opportunity to offer my few words to the debate on the Budget, the Policy Statement and the Throne Speech.

Mr. Speaker, our esteemed Leader of Government Business at the early stages of his presentation said—and I would like to simply read from what he presented. He said: “**I readily confess that it was a tough time to take up office** [I am reading from page 2 second paragraph] **but I hasten to add, with considerable pride, that the team in which the electorate reposed their trust in May 2005 has been and continues to be up to the challenge.**

“**Indeed, Madam Speaker, many people, particularly visitors to these Islands, have described the transformation of these Islands over the past 23 months as nothing short of amazing. Lest I am misunderstood, I am not attempting to say that we have fixed every problem or that single-handedly, my administration is responsible for the tremendous recovery these Islands have enjoyed. I would never be so presumptuous, Madam Speaker!**

“**But what I am certain of and what many people have said to us is that the ethics, vision, initiatives and environment that this government has brought to administering the affairs of this country have renewed public trust, inspired investor confidence and engendered optimism among our people.**”

*[Inaudible interjection]*

**Mr. W. Alfonso Wright:** “**For this government, Madam Speaker, openness, honesty, transparency and accountability are not just fine sounding words; they are imperatives, imbedded deeply in our philosophy of governance. In consequence, Madam Speaker, not only is the full recovery of these Islands now almost complete, but there are unprecedented levels of new development and a strong and vibrant economy.**” [2007/8 *Official Hansard Report* page 17-18]

I thought that I should repeat that. It was well said and it is the absolute truth, Mr. Speaker.

This country, Mr. Speaker, is at the stage where information about the operations of the Government is so readily accessible that most people, including the media, are having great difficulty dealing with it. Never before in the history of the Cayman Islands has there been a government that has been so honest, so forthcoming, so accessible with information—whatever the public wants. And, Mr. Speaker, one of the most important things here is the public does not have to ask for it anymore, we deliver it on a weekly basis.

Now, we continue to hear comments to the contrary from the Opposition, that there is little or no transparency in the Government, that we are not forthcoming with information—

*[Inaudible interjection]*

**Mr. W. Alfonso Wright:** —and, Mr. Speaker, it could be because of the culture and how the government operated prior to this Administration, things like transparency, openness, the freedom of information were all foreign.

I am happy to say, Mr. Speaker, that I am extremely proud to be a member of this PPM Government and even more so today when I have sat here and listened to all of the contributions over the last few days, but in particular today when my colleagues—the Third Elected Member for the district of Bodden Town, the Third Elected Member for the district of George Town and, Mr. Speaker, the Second Elected Member for the district of Cayman Brac and Little Cayman—made their contributions—contributions that were extremely meaningful. They were well balanced. All together they touched on just about every facet of the operations of our Government.

With this kind of representation, Mr. Speaker, this country is a whole lot better off. The PPM Government has made many promises. Members of the Opposition continue to remind us of that, but we really do not need that. We have a good track record. We have already delivered on many of our promises; that is evident for everyone to see. And many of them that may not come to fruition yet, evidence is there again, Mr. Speaker, that they are in the pipeline.

The PPM Government, Mr. Speaker, has tackled the difficult issues head on. We did not take office without a plan. We hit the ground running. We knew the things that needed to be done, the things that needed to be tackled in the country. We have heard talk today about the high level of crime that we were experiencing and we tackled that head on.

Mr. Speaker, for years we have been talking as a country about the problems that we have been experiencing with education. Now, another issue that we tackled the moment we came into office—immigration. Another topical issue: public service reform; housing issues; planning reform. All of these issues are things that most governments would probably want to leave until the last part of their term for mileage during election time, but we saw the need for things to happen in this country immediately. We had no intention of playing politics with much-needed infrastructure and policies that this country has been longing for and we tackled them head on.

We are extremely proud of the manifesto that we put together and we live up to that every single day. Anybody can follow that manifesto and see the things that we talked about during the election campaign and see what we are doing now and you can follow that page by page.

Our manifesto—

### Hour of Interruption—4.30 pm

**The Deputy Speaker:** Honourable Member, we have reached the Hour of Interruption.

I have been given notice and I recognise the First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Mr. Speaker.

Mr. Speaker, if I could beg your indulgence for a moment to get the podium from across the Floor.

[pause]

## RAISING OF PUBLIC MATTER FOR WHICH THE GOVERNMENT HAS RESPONSIBILITY

*Standing Order 11(6)*

### <sup>1</sup>Appointment of the Temporary First Official Member

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Mr. Speaker.

Mr. Speaker, in accordance with Standing Order 11(6), I wish to thank you for the right of bringing this matter of urgency to Members of Parliament, my colleagues and the general public.

Mr. Speaker, I believe that I can safely say that each Member of this Legislative Assembly fully believes in the doctrine of separation of powers and the rule of law. It is indeed a most fundamental pillar of our Westminster form of democracy. So, Mr. Speaker, we must continue to do everything in our power to ensure and, indeed, preserve the said principle.

Therefore, Mr. Speaker, I have great difficulty in reconciling and ascertaining what role, if any, that this important doctrine of separation of powers played in the recent appointment of the Temporary First Official Member whose tenure I believe is hoped to run until 18 May of this year. Separation of powers is the most important for checks and balances between the Judiciary, the Executive and the Legislative. It is an ancient yet indispensable principle to the powers of liberty and to the rule of law.

Mr. Speaker, in fact, the separation of powers is practically universally accepted that the doctrine and the combination of any two or three of the powers—that is, Legislative, Executive or Judicial—in the same hands constitutes tyranny.

The fusion and/or confusion of powers, Mr. Speaker, in such concentration as we have before us

today, makes parliament and the people subject to the arbitrary and capricious will of the Government. And, Mr. Speaker, it is a condition which, manifestly, is contrary to the rule of law and the separation of powers, in my respectful opinion. The said concentration of powers and functions can only be seen as a moral threat to liberty and to the right of the individual.

There has to be a prohibition against overlap of personnel in the departments, whether it is administratively, executively, legislatively, and to some extent, quasi judicial, as is the case in the capacity of the present holder also wearing the cap under section 3 of the Elections Law as the Supervisor of Elections.

Mr. Speaker, I am not, in any form or fashion, questioning the power to appoint because I am fully cognisant that by virtue of section 10(1)(a) of the [Cayman Islands] (Constitution) Order 1972, and section 9(5) of the Public Service Management Law the Governor has an absolute discretionary power to appoint a temporary member of the Cabinet, just like the Governor has the said power to appoint a senior public officer to be the Supervisor of Elections under section 3 of the Elections Law.

Traditionally, Mr. Speaker, as best as memory holds, the Temporary First Official Member has always come from within the Portfolio of Internal and External Affairs, and to the best of my knowledge, none of them were answerable or, indeed, had direct contact or day-to-day contact with the political arm of Government, much less as, in this particular instance, the Leader of Government Business.

But then, Mr. Speaker, the appointment also, I respectfully submit, flies fully in the face of this doctrine of separation of powers because the present holder is multifaceted and very good at what he does. Also, Mr. Speaker, by having the trial role, in particular of the Supervisor of Elections, this is not just any senior public officer—this is a senior officer with administrative, executive, legislative and quasi judicial function.

This cannot, therefore, be right, Mr. Speaker, and I believe that the Government—based on what they heralded even as recent as in the last speaker with their sincere desire to be open, to be transparent, to be accountable, to be a sunshine government—would agree that a grave constitutional error has been made, whether directly or indirectly. I would therefore respectfully implore and beg the Honourable Leader of Government Business to ask His Excellency the Governor for an audience with him to exercise his discretion under section 11 of the Constitution regarding the appointment of the Temporary First Official Member.

I therefore consider this to be a matter of urgency and would respectfully ask that they would seek to address and rectify this matter before parliament convenes tomorrow morning.

Out of an abundance of caution, Mr. Speaker, let me say that this constitutional concern has absolutely nothing to do with the current post holder. I have

<sup>1</sup> Reply from HE the Governor (as read by Hon. Deputy Speaker) at page 120

always had, and I continue to have, the utmost regard for this senior civil servant. I have had the opportunity to work very closely with him, and I have nothing but excellent conclusions to make about his performance.

It is a concern I raise, Mr. Speaker, solely on the basis of a constitutional matter, that we do not find ourselves setting a precedent in this Chamber, a precedent which will not only affect Members of the Opposition but Members of the Government because never before have I seen a Permanent Secretary being transferred into this position.

It is not fair to the post holder, Mr. Speaker, because when one looks at the Elections Law, he serves in a quasi judicial position . . .

I see some movement on the other side.

From my research I found one occasion for one day.

Normally, it comes from within the Internal and External Affairs, so I find it very, very concerning, and I have great difficulty reconciling what role the separation of powers and the rule of law played in this appointment.

Again, Mr. Speaker, I am not saying it was done intentionally, but I would ask for legal counsel to look at this constitutional matter and rectify it accordingly.

I thank you and honourable Members of the House for your indulgence.

**The Deputy Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Mr. Speaker, just before I call for the adjournment, the fact that the First Elected Member for Cayman Brac and Little Cayman has raised the issue . . . I certainly cannot answer her on what her requests have been simply because the appointment was made by the Honourable Acting Governor.

If there are constitutional matters to be considered, I am sure the legal advisor to the Governor, who is the Honourable Attorney General (the Honourable Second Official Member) will take the matter up.

I can only say, Mr. Speaker, as I understand it, the person who usually acts as the First Official Member in situations such as what obtains presently is the senior Chief Officer within the government ranks, the most senior of the Chief Officers, who is the body sitting in the seat in this Legislative Assembly today.

The facts are, Mr. Speaker, that the Deputy Chief Secretary is on vacation. The honourable Chief Secretary (and I have to use those terms for us to have a clear understanding) has had to act as Governor because His Excellency the Governor has had to leave for home suddenly because his father was very ill. In fact, unfortunately, his father has passed away.

We had, at that point in time, the Acting Deputy Chief Secretary being appointed (this was before His Excellency left) who is the Chief Immigration Offi-

cer. Now, if the Acting Deputy Chief Secretary were to take up the post of Acting Chief Secretary, the fact that the Chief Secretary has to be acting for the Governor, then if it were not the person who is sitting there now it would have been the Chief Immigration Officer, as I understand it, listening to what the First Elected Member for Cayman Brac and Little Cayman has said.

She has made her points.

I am with certainty that the Honourable Second Official Member has listened very carefully. And she has asked for me to seek audience with His Excellency the Governor. I do not need to do that, Sir. The Second Official Member . . . they can decide. It has not been an appointment made by us. They will have to make that decision.

As I understand it, this is not the first time the Temporary Acting First Official Member who is here now holding all of the same positions that were mentioned in the lady Member's dissertation has acted; this is the first time it has been questioned. So, we will see.

**Hon. D. Kurt Tibbetts:** May I call for the adjournment, Sir?

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** I beg to move the adjournment of this honourable Legislative Assembly until 10 o'clock tomorrow morning.

**The Deputy Speaker:** The question is that the House do now adjourn until 10 am, 10 May. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**At 4.44 pm the House stood adjourned until 10 am, Thursday, 10 May.**

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**10 MAY 2007**  
**11.01 AM**  
*Fifth Sitting*

[Hon. Cline A. Glidden, Jr., Deputy Speaker, in the Chair]

**The Deputy Speaker:** I invite the Fourth Elected Member for the district of West Bay to grace us with Prayers.

**PRAYERS**

**Capt. A. Eugene Ebanks:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee to so direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Deputy Speaker:** I have been given notice of apologies for the late arrival of the Second Elected Member for West Bay and also for the absence of the Leader of the Opposition.

**Reply from His Excellency the Acting Governor re  
Adjournment Motion raised at the Fourth Sitting  
held Wednesday 9 May 2007**

**The Deputy Speaker:** Honourable Members, we are all aware that there was an issue raised yesterday on the adjournment concerning the validity of the appointment of the Honourable First Official Member. I have been given a statement from His Excellency the Acting Governor which clarifies the position and the constitutional appointment that was made under the direction of the Governor concerning the First Official Member and I will now read that statement.

**Ms. Juliana Y. O'Connor-Connolly:** Mr. Speaker, may I address the Chair?

**The Deputy Speaker:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you very much, Mr. Speaker.

Mr. Speaker, let me preface my comments with the fact that notice is inadequately short for this new ridiculous and unprecedented state of affairs that we have before us this morning.

I was saddened by the concern that we had to bring to the Floor yesterday, Mr. Speaker, but I am even more dismayed, even more concerned this morning at the threat to democracy which we see playing out on the stage of Caymanian politics here today.

I can say that I wish to congratulate the Leader of Government Business for taking a hands-off approach on this (and by implication his corresponding Members on the Backbench and Cabinet) procedure that is being done this morning. I have not heard yet (and I wait to hear) whether Members have been bound by a collective responsibility in this decision in procedure. But I would wish to remind your good self, Mr. Speaker, that this is the Legislative Assembly. It is not the Government Administration Building; neither does it fall within the confines of the Governor's office; neither does it fall within the confines of Cabinet.

Mr. Speaker, we are debating the Throne Speech, so I do not have to do very much to impress upon Members three knocks [the Member knocks three times] that happen at that very door there when

His Excellency the Governor wishes to come in. He has to invite himself, Mr. Speaker, into the hallowed Chamber of Parliament.

Mr. Speaker, I should not be totally surprised or dismayed because when one looks at *The Office of Speaker in the Parliaments of Commonwealth*, by Philip Laundy, one will see (and I beg your permission to refer) when the office of Speaker was in its genesis, indeed when it was in its inception, the British Parliament, indeed the sacred Westminster Government that we so cherish here in the Cayman Islands, had the same problems of interference by the Executive into Parliament. Mr. Speaker, it took many, many Speakers. It said it was becoming recognised [and I quote] from page 38 “. . . **that no man can be expected to serve two masters and that the Common’s representative had to be independent of the Court** [which was the Kings Court at the time synonymous to the Governor here in our jurisdiction] **if he was to fulfill his functions effectively.**”

Mr. Speaker, it is my respectful, humble and most sincere position that the proper person to do this is one of the Official Members of Government as it is not a political issue; that the Chair should be given much more respect than to be drawn into this erroneous matter. I believe it is a matter of national concern.

I have taken the courageous step, probably political suicide in the estimation of some of my colleagues even in this Chamber . . . but, Mr. Speaker, I have had the temerity, the courage, the wisdom, the knowledge and understanding to raise this issue which not only affects me as an Opposition Member but the Members on the other side and future parliamentarians to come. It would be a grave day in our parliamentary history if this procedure is carried on.

I beg of you, Mr. Speaker, to be as the final Speaker in the House of Commons who stood up to the King and made a name for himself and set democracy on its right pillars and do the right thing and pass it where it should be—in the lap of the First, Second or Third Official Member; or invite His Excellency the Governor to come and knock three more times and deliver his own statement.

May it please you, Mr. Speaker.

**The Deputy Speaker:** Honourable Member, I appreciate the respect with which that statement was made.

In my judgment and in my duties as Presiding Officer, I have to satisfy myself that the individual who was sworn in and took office had authority to do so. The statement which I am about to read is simply a statement to say that, constitutionally, that was correctly done. As to whether your concerns are addressed regarding potential conflicts or other problems that may exist, I am reading this statement and I have satisfied myself that, constitutionally, the appointment was made.

I think you yourself made that acknowledgment yesterday that you were not questioning the

constitutional right of the Governor to make such appointment and I, as Presiding Officer, just had to satisfy myself. Since it was raised on the Floor, I felt it appropriate to read the documentation that was sent which just satisfies the requirement as to whether the appointment was constitutionally correct or not.

Once it is constitutionally correct and we have no challenge to that aspect, the decision as to whether the individual will continue to sit or not is one that is outside of my remit; I have no control over that appointment. So, the statement that I am about to read from the Governor just clarifies where it is constitutionally correct for the appointment to have been made to that individual.

**Ms. Juliana Y. O’Connor-Connolly:** Mr. Speaker, I respect your ruling but I would beg your indulgence to ask two short questions.

**The Deputy Speaker:** Sure.

**Ms. Juliana Y. O’Connor-Connolly:** Firstly, did you yourself, in your capacity as Speaker, request a response from His Excellency the Governor?

Secondly, is the only way you can satisfy yourself by you yourself reading it? Or could the same be done by someone else in parliament reading it?

I thank you for your indulgence.

**The Deputy Speaker:** The short answer to that is that no, I did not request it; but I can say that an explanation was expected prior to the start of the meeting today.

The second question is that no, I would be quite satisfied if any other Member or any other Official Member wanted to read it. I just feel that it is necessary before we start the House (since the question was asked), that the information is read so the general public will have the benefit of knowing that it is constitutionally correct, the appointment that was made.

So, in the absence of any other Member wanting to do that, I will read that on behalf of the honourable House.

[pause]

**The Deputy Speaker:** The date is “10 May 2007” and the subject is “**Appointment of Hon. Temporary First Official Member.**”

**“I have been made aware of the concerns raised by the Hon. First Elected Member for Cayman Brac and Little Cayman as it relates to the temporary acting appointment of the Hon. First Official Member of Cabinet, and Ex-Officio, of the Legislative Assembly.**

**“I am told that the concerns have to do with whether the appointment contravenes the constitutional doctrine of Separation of Powers**

because the Hon. Temporary First Official Member is also the substantive office holder of the Supervisor of Elections and also a Chief Officer in a Ministry of Government.

**“I have consulted the Hon. Attorney General who has advised me that the appointment of the Hon. Kearney Gomez to act as Chief Secretary and therefore Temporary First Official Member of the Cabinet and Ex-Officio Member of the Legislative Assembly is not in contravention of the Constitution; is not in contravention of the Elections Law; is not in contravention of the Public Service Management Law; and is not in contravention of the Separation of Powers.**

**“Finally, I have been advised that there is nothing in the Constitution that disqualifies Mr. Gomez from being so appointed.**

**“In the circumstances there is no basis for the revocation of the appointment of the current Temporary First Official Member.”**

And it is signed His Excellency the Acting Governor.

Madam Clerk.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Deputy Speaker:** I have received no notice—

**Ms. Juliana Y. O’Connor-Connolly:** Mr. Speaker, could we have a copy of the statement circulated, please? Thank you.

**The Deputy Speaker:** Sure.

I have received no notice of statements from Members.

## GOVERNMENT BUSINESS

**Debate on the Throne Speech delivered by His Excellency, Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, together with Second Reading debate on The Appropriation (June 2007 to July 2008) Bill 2007 (The Budget Address), delivered by the Financial Secretary, the Honourable Third Official Member, on Friday 27 April 2007**

*(Continuation of debate thereon)*

**The Deputy Speaker:** The Fourth Elected Member for the district of George Town, continuing.

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker. Good morning.

Mr. Speaker, yesterday afternoon at the Hour of Interruption we had the question raised about the validity of the appointment of the Temporary First Offi-

cial Member to sit in this honourable House. We have since had some additional exchanges this morning. The First Elected Member for the district of Cayman Brac and Little Cayman has since asked that the statement that was read by the Speaker this morning be circulated. I am wondering, Mr. Speaker, whether or not I could also ask that the statement made by the First Elected Member for Cayman Brac and Little Cayman yesterday afternoon, if that could also be circulated because I believe that people will probably be expected to say something about this and so we have both sides of the coin. I believe that is a reasonable request.

**The Deputy Speaker:** Honourable Member, I am sure the *Hansard* will be available for that, but I would hope that since we are debating the Throne Speech and Appropriation Bill and the Policy Statement, and that was a matter raised on the adjournment, in terms of relevance, I am hoping that we will not use up too much of our allocated time on that issue.

That was a matter that was raised on the adjournment of the House and the debate that is now occurring is a debate on the Throne Speech, the Appropriation Bill and the Policy Statement. I know that that is a very wide ranging ambit and we can usually bring whatever Members so choose to discuss within that range. But I just want to remind Members of the issue of relevance on that specific topic since it was raised on the adjournment and not raised during the debate.

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker.

The topic of constitutional modernisation has also been raised in the Throne Speech by His Excellency the Governor, and also in the Policy Statement by the Leader of Government Business. So I believe that there is some room, albeit we do not have to spend our entire time debating the issue, but I do beg the Chair’s indulgence in allowing some leeway in some form of debate on the topic.

I will, at the same time, Mr. Speaker, make my few comments in the early part of my delivery this morning and move on to other things but I will quickly say this: I am extremely uncomfortable—I am a young politician, a young Member of Parliament and this is one of the first instances in my short time here that I have really felt uncomfortable. [I am] really trying to grapple with the idea of exactly what we are here about. [Are] we are here to discuss the business of the people? Or are we here to set ourselves up to be experts on just about everything except what we are here to do, what we have been elected to do, Mr. Speaker.

I find it extremely uncomfortable that the right of a senior civil servant, a well respected civil servant in this –

**Ms. Juliana Y. O’Connor-Connolly:** Mr. Speaker, on a question of procedure, Sir.

**The Deputy Speaker:** Honourable Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Mr. Speaker, I wonder if you could guide me and perhaps other Members of the House as to procedure when an issue has been raised, an answer has been given—in particular from the Chair—and the reopening of such an issue in parliament.

**The Deputy Speaker:** Honourable Member, just this quickly: as far as the matter before parliament we have sought and received and have a conclusion to that particular matter. As I mentioned earlier on we are debating the Throne Speech, the Appropriation Bill and the Policy Statement and I did mention to the Member that we, all being Members, know that there is some leeway.

That particular item is not open for discussion or debate.

If the Member (and I am assuming and giving him the benefit) is incorporating that, as he mentioned, as a part of constitutional modernisation or constitutional review, or the need or concern of questions of powers and appointments as a part of the constitutional review, then he is within the ambit of this debate.

I am assuming, having given that warning earlier, that the Member is heading in that direction. But in terms of the situation that occurred yesterday and the response this morning, there is no room or provision for that debate to be continued.

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker, and as I said, my few remarks would be just that few remarks.

But I have to wonder, Mr. Speaker, why we talk about one entity interfering with the other. As part of constitutional modernisation we must be careful on both ends that we do not have the Civil Service interfering in the Legislative Assembly on the administrative end, but we must also be very mindful that we do not allow the Legislative Assembly matters to interfere with what happens on the Civil Service end.

That is the point that I would like to make very quickly, if I can be allowed to finish this time, Mr. Speaker.

I was about to say that I was extremely uncomfortable with the way a senior civil servant, a well respected civil servant, and one of our longest [serving] civil servants who has earned the right to be Temporary First Official Member, that that right has been challenged in this Legislative Assembly which was within the realms of our constitution. Mr. Speaker, we have to be extremely careful when we do or say things in this House.

History has a way of catching up with us, Mr. Speaker. On 18 March 1998 [Mr. Kearney Gomez]

acted in this House as Temporary First Official Member.

On 5 March 1999, Mr. Kearney Gomez acted as Temporary First Official Member in this Legislative Assembly.

On 7 May 2004, Mr. Kearney Gomez acted as Temporary First Official Member and, at the time, Mr. Speaker, he was the Permanent Secretary in a Ministry where the First Elected Member for Cayman Brac and Little Cayman was the Minister.

Mr. Speaker, if it is wrong now it should have been wrong then, and the Member was more in a position at that point to bring it to the attention of this honourable House.

My humble opinion is that this is an upstaging matter. What we should be doing, the very Christian thing to do if this is thought a problem . . . we must all strive towards peace by working in harmony in this House. And I believe that the best action that should have been taken with this matter, Mr. Speaker, was for the Member, or anybody else who thought it a problem, to have said something to somebody rather than to bring this on the Floor of the House and embarrass this senior civil servant and, for that matter, Mr. Speaker, put fear into other senior civil servants at the same time. This—

#### Point of Elucidation

**Ms. Juliana Y. O'Connor-Connolly:** Mr. Speaker, on a point of elucidation, with the Member's consent, please.

**The Deputy Speaker:** Honourable First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Mr. Speaker, never mind the fact that the matter has been reopened after you said no, Sir, but I wish to put on record that I spoke to you; I spoke to the Honourable Attorney General; I spoke to Members on this side of the House verbally and through written expression, Mr. Speaker. So, it is misleading for the Member to get up and say that I just pounced it on the Floor of the House. That was not the position.

**The Deputy Speaker:** Honourable Members, obviously . . . I guess today is my day of—

**Hon. Samuel W. Bulgin:** Mr. Speaker, with your leave —

**The Deputy Speaker:** I just wanted to make the point, Members . . . and, obviously, trying to as much as possible give the leeway that is required, but I will ask the Members, specifically the Fourth Elected Member for George Town to . . . while I recognise the wide remit that is allowed in this debate, we want to

ensure that we are not seen as reopening a debate which requires back and forth and responses by both sides.

The Member has his right to debate, and I know he is attempting to tie that into the constitutional need for modernisation, and I asked the Member to do that.

I recognise the Second Official Member, hopefully on a point of further clarification.

**Hon. Samuel W. Bulgin:** Thank you, Mr. Speaker.

Mr. Speaker, the Honourable Member is correct. She drew my attention to the issue. I just think for the completeness of the record it would be good for the honourable Member to say exactly what transpired between us so that we have a complete record, failing which, at an appropriate time I will seek your leave to explain to this House. I will clarify what transpired between us.

Thank you.

**The Deputy Speaker:** Honourable Member, with the risk of reopening an issue that has been ruled to be completed, I would not want us in the middle of the Member's debate to enter there. But recognising the concerns that were there, I do recognise the request for completeness.

The Fourth Elected Member for the district of George Town continuing.

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker. I will shift gears.

I will, in leaving the subject, simply challenge the First Elected Member for the district of Cayman Brac and Little Cayman, who brought the request, while I understand everything that she is trying to do and she says that she has in no way intended to challenge the Member personally, I think it has caused in everybody's mind some embarrassment. I think, at the end of the day I would challenge her to issue some form of apology to the Temporary First Official Member.

*[Pause]*

**Mr. W. Alfonso Wright:** Mr. Speaker, yesterday afternoon we had gotten into talking about the accomplishments and the plans of the PPM Government and I read from the Policy Statement made by the Honourable Leader of Government Business where he was taking credit for many of the accomplishments of the PPM and also made it quite clear that he was also being mindful and mentioning the contributions of others, including the previous government and governments before that, that some of the things that they had done had contributed to the present state of affairs where things are again moving in the right direction.

I wanted to say that, Mr. Speaker, because it is often said—and it has been said a few times in

here—that the PPM Government is claiming victories on many projects that were started by the previous administration. Members either did not listen intently enough to what the Leader of Government Business said—because he did go to extremes, I believe, to make that point—that he was grateful and wanted to make mention of the things that have happened that assisted the PPM to where we are right now.

I had decided to speak about tackling the difficult issues, the issues that some governments, Mr. Speaker, leave for the latter part of their administration so that it becomes very topical during election time.

We jumped into this thing, Mr. Speaker, and we tackled roads. Roads have been a contentious issue in this country for a long time, and I guess it is one of those things that will always be used by government or opposition to gain political mileage. But we jumped in head-on and we have solved many problems, we have paved many miles of roadways in this country. I daresay, Mr. Speaker, that the amount of traffic-calming devices we have put in in residential areas is probably in the miles if we lined them up end to end. And this is a regular request from residents, residential areas.

This Government has responded, and the NRA has been extremely helpful in facilitating these requests. I want to go on record expressing our gratitude as the PPM Government, but especially as Backbench MLAs, Mr. Speaker, because they have been working with all of us, including Members of the Opposition, in filling these requests.

Streetlights is another area that we continue to work on. Many of the streetlights were taken out by Hurricane Ivan and are gradually being reinstalled, as well as many new subdivisions are rapidly developing. At the same time, we are working very closely with the NRA in getting the necessary streetlights in many areas. One of the most important things with streetlights, Mr. Speaker as you know, is that they help in the reduction of crime.

So while it is of some cost to the Government it is, I believe, a lot more beneficial in that our residents are more at peace and we do not have to deal with arrests and the court proceedings and everything else, and in some cases injuries, by people breaking into people's homes and harming people and so on. So we have paid a tremendous amount of attention to simple areas like that that have made a very big difference.

Mr. Speaker, we have been wondering if sometime in the future we can look at this street lighting issue in a little different light in that developers will be able to take on some of this responsibility as part of their strata to alleviate some of this expense to central government. So, we want to put them on notice that we are considering asking for some assistance in those areas.

Mr. Speaker, schools have always been talked about, and I would just like to say that I am ex-

tremely grateful for the enthusiastic approach that the Minister of Education has taken with the subject of Education.

We have taken on from the campaign process that education would be the priority of the PPM Government. We have lived up to that, Mr. Speaker. But I think what has confused a tremendous amount of people is the way that we have gone about it. Yes, we have talked about the physical structures, actually building more schools. But, Mr. Speaker, times continue to change.

The way children learn is a lot of different than the way it happened in years gone by. We have to become more innovative. We have to find different ways of reaching them. So, we have to determine, we have to keep up with how they learn. We have to make provisions for that. We have to make sure that our teachers are ready for that. We have to understand and be prepared to change the environment as we think necessary to match the way that our kids are developing.

You simply do not go about putting down four walls and dividing it up and sticking 20, 30 kids in there with a teacher and a blackboard with the addition of air conditioning and all that kind of stuff to make the rooms a little bit more comfortable is not the way that we go about providing education anymore. We must be able to get the expertise that we need, we must be smart enough to understand that if we do not personally have that expertise we must be smart enough to go and find it.

We have done that.

The process of building schools the way our detractors are looking at it . . . because we have promised and we have put some \$85 million in the Budget and we do not have a school built yet, Mr. Speaker. We see that as people not understanding or not coming to terms with our methods, with the way that we have gone about this so that when we end up with our end product, when we finally build the schools, when we have the classrooms completed, it encompasses the new way of thinking.

It is going to be different, I assure you, Mr. Speaker. It is not going to be the traditional stuff that we have always seen. We have stepped out of the box here, and I believe in the end our country and our kids are going to benefit tremendously from this new approach. So, I beg our people, our detractors—Members of the Opposition—to try a little harder to understand that we are not just spinning wheels and that the schools are coming. But the schools are going to be built right.

What we do not want to do, Mr. Speaker, is put up our four walls, divide them up and a year or two from now we have to do things completely over again because we did not take this into consideration, we did not take that into consideration. That is not the idea here. No one benefits from that, least of all the kids.

Immigration is another issue, Mr. Speaker, that we have tackled head on. Again, another issue that has always been contentious. You please some and you displease some because many times the way that people look at immigration issues is how it affects them personally. You know the old thing, *'We do not need any more people from this jurisdiction. Just let me get mine and then we can cut it off.'*

We have had to go beyond that and understand that what we do with matters of immigration must be for the benefit of the majority. Many times people have said: *'Oh you are destroying my business. I cannot function without this particular person.'* I have said in here before, Mr. Speaker, of the person who says: *'I have had this helper for 15 years. My kids have grown up with her. She is their second mother. They would be devastated if she has to leave me.'* And when it comes time where you cannot get a work permit for her any more and she has to get PR or she gets status, that person who may be earning \$400 a month as a live-in helper, because she is now Caymanian, has the right to get a higher paying job. And we cannot deprive her of that.

So, that same individual who your kids could not do without is going to leave you and look a better life for herself—and you cannot stop her.

We have just not looked at it from that point of view. These people have to look a better life for themselves as well. We cannot expect to keep them for the rest of their lives. It is good for them to earn a living working for us, or whoever else it is, for \$400 or \$500 a month. But they have families too. So, we have to get out of that mentality, get out of that culture of believing that helpers and gardeners and workers of whatever nature are people that we cannot simply do without. We have to get back, Mr. Speaker, to how we used to do it years ago where we took pride in and made it a part of our existence to develop people. We have to be more patient with our Caymanian workers.

I have said it in here before, and I will keep repeating it, Mr. Speaker, that I know of many individuals who have worked for Caymanian companies for years, and they are by no means perfect. These are individuals who will work doggone hard four or five, sometimes six days a week. But come the weekend that individual is going to find a way to do his own thing. He is going to find a way to let his hair down and that might include a little bit too much to drink and on Monday morning that individual might show up for work a little bit late or he might not show up for work at all, but the individual that he works for understands that person.

At times what would happen, Mr. Speaker, is that the caring attitude that we had in Cayman back then is that that employer would go to that person's home and look for him and take him out. *'You had your fun. You got to get to work now. You might suffer with your headache but that is not my problem, you*

*have work to do.*' And that is the kind of attention that we used to have with our Caymanian people.

But we have lost that ability, we have lost that desire, and because of the work permit issue we simply say to Caymanians now, *'Look, if you do not work I am going to get a work permit and replace you.'* So, those individuals who were borderline that we would spend time on developing, who became loyal after all this attention was paid to them and understood that these employers cared about them, these are people who remained with companies for 20, 30, some 40 years. But it was not without problems. We have lost that ability to do that kind of thing with our own people.

The work permit issue, Mr. Speaker, continues to be a lot of problems for us. More and more I see people coming to look for me to help them find jobs. At the same time we are continuing to issue record amounts of work permits. Mr. Speaker, there must be some connection with the amount of work permits that are issued in this country and the amount of people that are applying for welfare. We need to think about that. The more work permits we issue, the numbers that go to the Department of Children and Family Services for help are also increasing. So, we have to take maybe some sort of scientific look at this whole thing and work in unison with our labour department to make sure that we put some efforts into honing our Caymanian people to take their rightful places and be able to earn themselves a living and not have to depend on the Government too much.

We continually speak about the cost of living. Before I go there, Mr. Speaker, I believe I should mention (and I am sure it is happening with you as well) that the people that are coming to see us now about jobs are people who have recently been given status, people who are new Caymanians. I will say this to you, they understand a lot better, they are able to explain to you exactly what happens in the workplace with work permit holders because they just left that area themselves. So, they can sit down and explain to you what employers do and how they treat people.

The many incidents that are still ongoing with some employers in this country, the way they convolute how they treat some of their employees, how they get by the granting of work permits, how they make work permit holders pay for the work permits, how they collect fees from these employees on a weekly or monthly basis . . . they get a work permit for them, they make them pay for it. Once they are finished paying for it then they in turn have to pay a percentage to the work permit holder out of every paycheque they receive.

All of this, Mr. Speaker, is illegal in our country. But it is still ongoing, and these individuals are getting these jobs over our Caymanians who need the jobs because they cannot do the same things with the Caymanian people because they will not get any commissions from a Caymanian to whom they give a job.

I understand that the Immigration Department is overwhelmed. I know that we are working diligently with additional staffing for the Department of Immigration to help alleviate some of these problems, but we need to keep our eyes open, our ears close to the ground to do what we can to assist. This is a serious matter.

Mr. Speaker, we constantly hear from the Opposition, again our detractors, about this Government only making promises. And on a regular basis, Mr. Speaker, we hear of the Government not doing this and the Government not doing that. But the many things that have been accomplished by this Government we hardly ever hear anybody talk about.

As a country I guess I can understand that that is the way life is, Mr. Speaker, but are we not grateful for the amount of new roads that we have? Is that not an accomplishment of the Government?

Are we not grateful for the low crime rate that we have?

We take these things that are good for granted, and we think that it just happens. Regardless of what the Government does, the mentality is that you must always do more. I am okay with that, but I also expect that you get credit for what you have done. Do not simply ignore the good things that the Government has done in your haste to criticise and to demand more.

Mr. Speaker, the plans, the talk about schools have put so many people at ease. We have had so many negative utterances about what has gone on in the school system for years. Now, for the most part people are saying that they have hope, that they understand that things are happening with our schools. But we still find time to criticise the fact that we have not put up one building yet, not taking into consideration the amount of effort, the amount of man hours, the amount of money that has been spent on getting us to the point that we are at, including two major education conferences.

So, Mr. Speaker, I am begging that we take time to look at things the Government has done. We have made serious reductions in stamp duties paid by first-time Caymanian homeowners that has helped a tremendous amount of people. But those things do not make it to the talk shows or the newspapers. If they do it is at a glance and it is gone.

We mention that we are considering re-branding Cayman Airways Ltd and somebody says, *'Well, I hope they are not going to get rid of Sir Turtle'* and that takes on a completely new life. Government did not say it was getting rid of Sir Turtle.

But we seem to take pleasure in repeating the negative things that we hear. And I believe that as a nation we need to step away from that because this cannot make you feel good. You cannot go to bed and have a good night's rest with all of these negative things inside of you. We need to become more positive and look for things that are right, look for things that are good and expound on that and repeat that to

our neighbours and our kids and everybody else and stop looking for things that are so negative. That eats away inside of us.

Things are happening in this country, Mr. Speaker. The PPM Government is doing a good job. I understand the role of the Opposition, but I believe that it is our responsibility to try to put our people at ease and find constructive ways. If the Government is not doing something that it is supposed to do, of course criticise; but let us have some constructive criticism and, Mr. Speaker, offer some alternatives.

There are many things that are going on in this country. I can only say that there is none as blind as he who will not see, because they are there. They are there for all of us to see.

I find, Mr. Speaker, that the Leader of the Opposition still has great difficulty accepting his position and his role. It is clear to me that the Leader of the Opposition has great difficulty not being in charge of everything and everybody, telling everybody what to do and when not to do it. I think many times he forgets his place and tries to, as they would say, run things in this House of Parliament. We need for the Opposition as well to play their part to understand that the country also depends on good leadership from them.

Every time he gets the chance, the Leader of the Opposition repeats that the PPM is developing wrong policies. Whatever we do, that is not the way you should do it. Our immigration policy, that was not the way he intended it. But he cannot say what the right policy should be, and if you want to say that, *'Oh, as the Opposition we cannot tell you what to do, then you are going to go and do it!'* But as Opposition you are the Government in waiting.

You must have alternatives. You must understand, Mr. Speaker, that the reason the PPM Government is here now is because it offered alternatives. So, it makes no sense in slowing down progress by ranting and raving about what we are not doing right without giving the people an alternative as to what should be done. I can tell you that the people are sick and tired of the way, in particular, the Leader of the Opposition keeps addressing this public. They are fed up.

He continues to hint at these policies that we should be employing, and I can only say, Mr. Speaker, that maybe the Leader of the Opposition simply does not get it. Maybe he just does not understand what it really takes to run a country. And every time he gets an opportunity . . . and I will say this, Mr. Speaker. While I should not wish good things for the Opposition I believe that politicians are supposed to set examples. They must be people that you want to listen to. When you hear them speak, you must get something that you can walk away with; you must feel inspired whether they are Government or Opposition. The public deserves better when we make public utterances and people should not have to hang their heads and say, *'Oh, God. Not again.'*

I am reminded, Mr. Speaker, of the presentation that was made by the Leader of the Opposition at a recent Chamber of Commerce luncheon, when the Leader of Government Business made a stellar presentation based on what he thought was happening in this country, and was also in conformity with what the Chamber had requested. I cannot explain to you how disappointed I was that day when the Leader of the Opposition got up and it was clear what his presentation was going to be about.

[It was] a perfect opportunity for a leader of our country to do our country proud. And it appears to me that the Leader of the Opposition really, unless he has a prepared text, has difficulty stepping up to the plate and dealing with the subject matter at hand. If it is up to him to pull what is needed from deep down inside that he does not have it, that it is not there. So, unless something is prepared for him it is difficult for him to deliver.

I believe that this country deserves better, and I call upon the Opposition to reconsider their position on their leadership because the country deserves a good Opposition.

It matters not to me, Mr. Speaker (and I say this in all sincerity), who the individuals are that run this country, but they must be capable, they must have the country at heart, they must know what they are doing. I believe that we are shortchanging our public in this country if we sit and accept mediocrity to simply prevail over the long term.

I challenge the UDP—or, for that matter, any other group out there who thinks that they have something to offer—to please do so because we are wanting right now.

Mr. Speaker, investor confidence in this country. . . it has been a long time since it is as high as it is. I will say, Mr. Speaker, that yes, there may be some people, some individuals who have chosen not to do business in this country in recent times. And I would say that many of them maybe came here expecting to find that they could do business in a certain way, because word gets out that you can do certain things in the Cayman Islands. To their amazement when they came here since May 2005 they found a different system. Many of those individuals may have decided that *'This is not the place for me'* and decided to go elsewhere.

I believe that there are those who have contact with these individuals who will use that to scare the public into saying that we are running away investors. But the entire story is not known. And if these people find Cayman unwelcoming, then so be it. The Cayman Islands is not for everyone.

We must understand that we welcome legitimate business, legitimate investors into this country to do business. We do so at all times. We welcome them with open arms. But the PPM Government will not entertain individuals who expect to come here and set up shop and rape this country of its natural wonderful

environment or way of life and reap the profits, destroy the country. When they have gotten what they want they are gone. We cannot continue to entertain those types of individuals. Whatever happens in this country, Mr. Speaker, must be to the benefit of the people of the Cayman Islands understanding full well that investors must be allowed a reasonable return on their money.

You do not want people to come here and lose money. We expect them to make a profit. We want them—we need them—to make a profit; but this country must not be a vehicle that they use and discard when they are through with it. So, if we are scaring off that type of investor then I believe that we have accomplished a lot. We must ensure that our people benefit from these companies.

We want legitimate investors to come and invest with us. We want them to become a part of us. There are many of them out there, Mr. Speaker, and a lot of times there are many of them waiting for the right opportunity to come and do business with us. It has been a long time, Mr. Speaker, since we have had so many inquiries, so many requests, so many people coming in looking at what we are doing in this country, wanting to do business here with us. It shows the mood of our people. It is being expressed. Many of them even do not realise what has happened to them.

People continue to say that it feels like a burden has been lifted off their shoulders ever since the Election in May 2005. We have done our best to maintain that. Many times, some of our own people who may become a little wayward and want things to go their way . . . because in every walk of life, in every country there are individuals who are extremely selfish and believe that only their company or only they should make a profit, should be able to do business. Well, we have some of them here too.

A lot of times some of these people will take the opportunity to say, *'Boy this is not a good government'* because of this and because of that, simply because they cannot do things the way they have always done it. We do have Caymanian companies and Caymanian individuals who take advantage of their own people. This is a little bit more difficult to deal with, but even that we are trying to stamp out.

The PPM Government, Mr. Speaker, takes great pride in making sure that we do what we can to protect our current investors and our people while continuing to build and improve on our already well-established business sector. This PPM Government will not be bought, Mr. Speaker.

It does my heart good and bodes well for the country when individuals of all walks of life repeatedly express their relief that there is not even a whiff of corruption in the air. Mr. Speaker, that was the buzz word for quite a few years in this country.

We talk about investor confidence. A lot of people come to the Cayman Islands for the wrong reasons, because they think they can do business in a

certain way. And the legitimate business people, they also hear about this just like the unscrupulous ones can hear that Cayman is a good place to do business. This same message is also heard by the legitimate investors.

Legitimate investors will stay away from jurisdictions that they know are carrying on questionable business. So, our job was to try and turn that around for people to understand that Cayman is a good place; Cayman is a great place to do business. And I think that we have accomplished that.

There are many people out there who were questioning whether or not they wanted to do business in the Cayman Islands and a lot of them have since contacted us and are now setting up business or have already done so. Mr. Speaker, there are no talks of special favours or questionable deals going on, where somebody got this or that contract and not sure how it happened. The rumours were flying left, right and centre. Mr. Speaker, there is none of that happening in this country now.

Some of us may not have even realised that it has gone away because, like I say, the good things that happen we simply take for granted.

So, we are scaring away investors? We might be. But I am saying that the ones that we are scaring away I think the majority of them need to go somewhere else.

There are times that things will go wrong and we may send the wrong impression to some legitimate business people, but that is the cost of doing business sometimes. Now, I do not encourage that and I do not think that anybody would set out to do that deliberately, but I believe that it will happen occasionally when wires will get crossed up and we may scare away somebody that was a good investor.

Mr. Speaker, the country is relaxed and I can feel it. Everybody can feel what is happening in the Cayman Islands right now.

Mr. Speaker, our people do not have to wonder what Ministers are up to when they travel overseas anymore. This was a concern—and I am not saying that it was all of our past Ministers, Mr. Speaker, but there were many times. There were some of our Ministers who we sat and we worried—what was happening? What were we going to hear? The people are extremely grateful and they tell us every day.

I know that there are many people who did not support the PPM who feel the same way and they want to tell us, Mr. Speaker, but they have some difficulty expressing that to us. But we understand.

We want our people to know, Mr. Speaker, that we appreciate their trust and their support. They can rest assured that we will never take them for granted, we will never, never disappoint them. We want our people to know, Mr. Speaker, that they have elected a Government they can trust.

Mr. Speaker, the PPM is a credible Government. We have gone to great lengths to make sure

that our Budget will benefit the country. That shows fiscal responsibility. We have every confidence in the report, the Budget, as presented by the Financial Secretary.

We have heard a lot of talk about the size of the Budget and I understand that there are concerns everybody would have because the Budget continues to get larger. But is that not expected? We are a country that is progressing. We continue to demand more for our government.

I think that we also need to understand that so many things had been left undone for so long in this country that, it is to be expected, that in order to catch up and put things right that you are going to see large increases in your budget. I believe that if we take our time to sit down and figure all of these things out, Mr. Speaker, that we will understand why we may have had a little bit larger than usual increase in our Budget. We know what has to be done with schools.

We know what we started to do with roads.

We understand what has to happen with government accommodations for government offices.

So, is it that difficult to understand why the Budget must be a lot bigger than it was in previous years?

Now, there will come a time, I am sure, when things will level off. But as for now we have to spend more money to get the things that we need. The thing is, Mr. Speaker, that if we do not do it now it is going to continue to get worse. So, at some point in time somebody has to have the courage to take that step and go out on a limb a little and do what has to be done before it gets any worse.

After all of the talk, Mr. Speaker, of the amount of money that the Government is set up to borrow and the amount of money that is in our Budget, we are still within the expected Debt Service Ratio. For 2007/08 our Debt Service Ratio will be 6.6 per cent; we are allowed 10 per cent. So, I have to ask, what is all the fuss about? What is all the fuss about, Mr. Speaker?

We continue to make the point, Mr. Speaker, about the reduction in the Net Surplus, and we also continue to hear the Leader of the Opposition speak about the \$80-plus million that was left as surplus at the end of his term.

Mr. Speaker, I have to question the wisdom of that when we have been neglecting our schools; we have been neglecting our government accommodations; we have been neglecting what needed to be done with roads; we have been neglecting what needed to be done with our port; we have been neglecting what needed to be done with our airports; sports facilities. I have great difficulty understanding why we think it is right to brag about leaving \$80-plus million in the Budget when our country has been lacking so many things.

Did we not see this?

Did we not understand that we needed to build schools?

Did we not understand that we needed to build roads?

What was the point—what is the sense of having money in the bank and you starve to death? How responsible is that?

How do we run a country that way?

Yes, do not get me wrong, we need to make sure that we are comfortable with our reserves and we cannot spend every single penny, but good Lord, Mr. Speaker, we need to understand that this bragging about this \$80-plus million that was left for the Government . . . we did what we should have done with it! Yes, we are thankful but we are putting it to use.

I am extremely grateful to the Financial Secretary and his staff for the amount of work that they continue to do for this country. These people work extremely hard. Their challenges are great, and I commend them, as well as the entire Civil Service. We must continue to show them our appreciation. Nothing works without the Civil Service.

Mr. Speaker, we have our challenges and the Health Services Authority is one of those challenges that we have. I will not dwell on issues inherited from the last administration. We will not play politics with the health of our nation. The Minister and his staff are very able and are well on the way to dealing with this rather delicate issue.

I need to say that we also need to understand that this is not something that we can apply a quick fix to. We tried that a few times and it has just not worked. It is evident to all of us that we need a completely fresh approach, a long-term solution with what has to happen at the Health Services Authority.

We see that, again, the PPM Government has allocated \$13.3 million in this Budget to deal with issues at the Health Services Authority. I will say that this should go a very long way to alleviating some of the issues that we have there, and we look forward to the new model for healthcare delivery to be implemented in January of 2008.

Many of us, Mr. Speaker, need to take the management of our health much more seriously and stop putting ourselves in the position of having to visit the doctor so often. Now, this might seem a kind of in-your-face attitude, but I believe that we should take on the management of our bodies a little bit more seriously than we do. We need to be mindful of how we eat; how we exercise, if we exercise at all; how we sleep. We need to understand that there is a certain way to do all of these things that keeps us a bit healthier.

I know nobody likes to go to the doctor . . . well, maybe there are some of us that do. But we need to pay more attention to our bodies and make sure that we do not use the doctor [more] often [than] we have to. Really, we continue to be careless with our diets. We pay little attention to our weight. And I

am speaking to myself here as well, Mr. Speaker. We do not seem to be able to resist the cigarettes. Without exception we should all make a concerted effort to improve our personal health.

I want to say that I applaud our Minister of Sports for setting an excellent example, Mr. Speaker, by establishing and maintaining a vigorous exercise programme. We should all make an effort to find something that works for us and try to stick with it. I say this, legislators and the country at large, with no pun intended.

I want us to be a little bit more mindful . . . and I know that what I am saying are things that each and every one must think about probably every day and we just lack the commitment, the ability to take that first step to start doing something about it. I want to encourage everybody to think about that seriously and try to make us a healthier nation.

The Minister of Health has also recommended a \$50 increase, Mr. Speaker, to the \$450 being paid to those who receive permanent financial assistance from the Government. I am sure that Finance Committee will approve that. I do not see any reason why not.

Again, we also need to make sure that we pay some more attention, Mr. Speaker, to the prevalence of diabetes and high blood pressure, and I think that many of these things are diet related, but they continue to plague our citizens and become a tremendous strain on the healthcare services and on the expenses of our individual families and, indeed, the Government. So, it is to the benefit of everybody to make an effort to improve their health and their lifestyles. Too many young people, too many old people are suffering with especially diabetes and blood pressure problems.

I also would like to encourage our Government, Mr. Speaker, to take a look at strengthening laws to protect our children, especially girls, from predators. This is one problem in our country that I do not think is highlighted enough. It is something that is continually swept under the carpet. It is one of the things that people do not like to talk about. It is, I believe in most cases, embarrassing to families and many times we do not say anything because we want to protect the kids.

But what we end up doing a lot of times, Mr. Speaker, by not making things public or by not dealing with it—and maybe that is a part of the law that we need to work on as well; that we can offer more protection but we make sure that people are encouraged to come forward with these things. When we know of cases of defilement or statutory rape or whatever it is that happens in our community and we do not do anything about it, when we know about that one incident we simply allow and encourage the perpetrator to do it to somebody else and the cycle goes on and on. I believe that it is time that we take a stand and do something about this.

Mr. Speaker, this is something that happens frequently, a lot more frequently than we want to ad-

mit, especially among families where especially men are put in positions of extreme trust and they take advantage of little girls, of kids who they are expected to protect. It happens more with girls, Mr. Speaker, but let us not fool ourselves. It is happening with our boy children as well and it is not only males who are doing it. They are abused by females as well.

I want to see us make a concerted effort to do something about this because families, people you believe you can leave your kids with—even though we always talk about this “village raising of children” and while that is not as prevalent as it used to be there are still many occasions where we do depend on family members to look after our kids. I want us to think seriously about doing something, about strengthening those laws where we can investigate at the first hint that something may be going on, that we do not leave it up to families to report things.

If somebody reports something suspicious we need to give the police the investigative powers to go in and investigate, to look at it immediately. We are destroying many of our kids by ignoring this problem. So, I am begging us all to have an open mind on this issue and to see if we can make a difference with it.

The cost of living, Mr. Speaker, is another topical issue. We are plagued by the high cost of electricity, fuel, property insurance and interest rates and we have a lot of talks about these four big problems that we have in this country.

Mr. Speaker, while I know that the Opposition and some of its diehard supporters may try to make the general public believe that these are all products that have been caused by this PPM Government—nothing could really be further from the truth. None of these four factors mentioned have been triggered by this Government.

Mr. Speaker, being the Government, though, I will admit that it is our responsibility to explore ways to bring down the cost of goods and services that creates hardship for our people. I take that responsibility. That is our job. We have been doing just that. Again, this is one of the areas where, because of negotiations and meetings that you have on a regular basis, you cannot simply go to the public every time you have a discussion with one of these entities to report what you have done, and people get the impression that you are not doing anything. So, I understand and accept that there will be some criticism in those areas.

Results of these efforts, again, Mr. Speaker, may not be evident to everybody right now, but I want them to rest assured that they are ongoing.

We have been extremely careful in our deliberations, Mr. Speaker. Quick fixes, as most people expect, could easily result in additional cost or bigger problems in other areas if we do not get it just right. We simply cannot jump in and do things and not think it through and it end up hurting our people more than it did in the first instance.

While the Government is exploring ways to alleviate some of these problems, I would like to appeal

to these organisations, these companies, these conglomerates to work with us too. It must be evident that the people in this country are hurting because of the profits that they are making. We know they are making profits.

I do have to agree with the expressions of the Second Elected Member for West Bay in his deliberations that they should understand that if they back off of interest rates that you cause people to do more. If interest rates are lower people will be encouraged to build more homes; they will be encouraged to expand their businesses or start new businesses so your volume increases and I think that is good business practice. But they seem to be pushing the Government and its people to the limit to when their backs are against the wall and you have to bring legislation to get some relief for your people.

Now, yes, some of these places sponsor things in the community, they assist with this and they assist with that, and we label them as good corporate citizens. For what? For giving \$20,000, \$30,000 back to the community every year, when they can easily back off of their profit margins and assist the entire country, make life easier for every single citizen?

This \$20,000 or \$30,000 or \$40,000 or even \$100,000 that they contribute to sporting events and so on touches a few people; but they have the ability to affect the lives of every single citizen in this country by simply stepping off and saying, *'We do not need to make all this profit this year, let us spread this out and assist our people a little bit more.'* Why create the acrimony and make our people suffer if we are such great corporate citizens? This befuddles me. I am not sure that I understand.

But rest assured that your Government is working on it. Mr. Speaker, I want to let the people know that we are working on it.

What I hope these people are not expecting is that at the eleventh hour when the Government has spent time and money working out a new system after you refuse to negotiate or to help us, that when the time comes that they are all of a sudden going to say, *'Okay, we will do this so you do not need to go ahead with what you are doing.'* I hope that is not a tactic they are going to use on us.

While I am not threatening anybody I want to say to them that we need to do this the right way and start working with us, start doing something about helping our country out.

Now, Mr. Speaker, at the same time we as citizens can do a whole lot to assist ourselves. And while I do not want to walk into anybody's home and tell them how they should live their lives I see it everyday so I am exposed to it. The majority of us do not budget, and we take a lot of things for granted.

The point brought by the Second Elected Member for Cayman Brac and Little Cayman is one that we should explore, that we should try to develop and that is financial counseling. I believe that that

needs to be a permanent fixture in our communities because it is evident that we have problems with that, Mr. Speaker, and it is difficult for people to simply switch off and all of a sudden become good money managers. They are going to need assistance and it is going to be something that we have to maintain with them, we have to keep at them for years and years until they get it right. Then when the families, when the parents get it right, it passes down to the children.

Right now what we are doing is of no assistance to the kids because the kids in most cases are the bigger part of the problem because of the things that they want, the things that they require, and we try to satisfy that by buying the Nikes and the iPods and the designer jeans because they want to be like everybody else or they want to be like the kids who can afford it. I believe that we need to start doing that within our own homes, Mr. Speaker.

I have been exposed to individuals, Mr. Speaker, to individuals who come to me for help to pay a light bill or their phone bill. But they drive up in a car that is two or three months old—a brand new car. And I am not saying that at times circumstances might not have dictated that you did not make a major sacrifice to get that brand new car, but I still have to question the way that you think you can live your life if you cannot pay your light bill but you are paying on a \$500 or \$600 loan on a car that is a lot more than you needed.

The cell phones . . . Mr. Speaker, I have had people come to me for spending money to go on vacations. We do not have our priorities worked out at all. We do not understand what we need from what we want, and we need to make an effort to do something about that.

We have people who complain about the price of gasoline but, Mr. Speaker, these individuals complain about the prices at the pump but they make unnecessary trips in their vehicles all day long, rather than car pooling, rather than planning their trips so they only make one trip a day rather than three or four trips a day. We just do not sit down and work things out like that, and we have to do that if we are going to be able to get more mileage from our few dollars.

Mr. Speaker, I am going to give one example and I am hoping that by the end of this we will be at the luncheon break.

Look at the liberalisation of telephone companies. What was the purpose of the liberalisation of telephone companies? So that we could get cheaper rates.

Did rates go down? Somewhat, but rates did go down.

Now, is there anyone who can tell me of anybody who pays less for telephone bills today than they did before liberalisation?

**An hon. Member:** No!

**Mr. W. Alfonso Wright:** What the telephone companies did was drop base rates and they offered us more options. So, what we took off of the base rates we added on and in most instances we added on more in options than were reduced for base rates. So, we ended up paying more money.

The point is, has liberalisation really helped? Are we blaming the telephone companies? We cannot blame the telephone companies, we have to blame ourselves because we want to have the call waiting; we want to have the messages; we want to have the call forwarding. We believe that we cannot live without all of these options when a telephone, in most cases for most low income individuals especially, should only be used to make and receive calls. And we can get by with that.

We got by with it for a long time before the cell phones and all these little options came in. So, there definitely is a problem with us as individuals and we need to deal with the budgeting aspect.

**The Deputy Speaker:** Honourable Member, if this is a convenient time I will take the luncheon suspension and we will return at 2.30.

#### Proceedings suspended at 12.43 pm

#### Proceedings resumed at 2.41 pm

**The Deputy Speaker:** Please be seated. Proceedings are resumed. The Fourth Elected Member for the district of George Town continuing.

Just to make sure, you have 22 minutes remaining.

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker. It feels as if I have only been speaking for about 22 minutes. I have been picking up a few pointers from the Second Elected Member for West Bay—

*[Inaudible interjection]*

**Mr. W. Alfonso Wright:** —as to how to prolong my time up here.

Mr. Speaker, we were talking about budgeting and cost of living at the time of the lunch break and I just wanted to briefly continue by imploring our people to stop depending on other entities—including the government—to control the way that they live and take matters into their own hands in ways that they do have some control immediately, that is, to look at their own spending habits and understand that it is okay to get by on the essential things and that we do not have to have the things that our neighbours have.

If our neighbours can possibly (in most instances) afford it, we may not be able to. And it is not an embarrassment. It is not shame if you are unable to. We have to make sacrifices at times and we have to get our kids through school, we have to make sure that our homes are in order. But the luxuries, Mr.

Speaker, are things that we all know that we can do without, although at times we feel as if we do not want to.

At times, Mr. Speaker, families found themselves in positions where they could afford a few luxuries, and maybe times change a little bit, somebody is not working anymore or there have been some unexpected expenses and disposable income is not like it used to be. We find it difficult to adjust and do without some of those things that we have been enjoying over the last few years or months. We just need to get back to that and understand that it is okay to do without it.

There are simple things we can do, Mr. Speaker. The way we use our air conditioners in our homes or even in our cars, a lot of money can be saved by putting timers on water heaters and things like that that we take for granted. We just do not even think about doing little things like that that take a little bit of time, a little bit of effort but can save us a lot of money.

Many of us nowadays, Mr. Speaker, have accepted this thing of employing landscaping companies or gardeners to take care of our homes when we are still able to push a lawnmower. That also offers us a good source of exercise. Things like that that I believe even in times of plenty when you do have the disposable income there is nothing wrong with doing that if you can find the time. So, I just want to offer those few words of advice and ask people to take the time to look at some of those things or other ways they can make their life a little more easier right now, while the Government does what it can to help in reducing some of the other things that families have no control over.

Mr. Speaker, we have had a tremendous amount of criticism in recent time about the amount of consultants that we have been using. I just want to reiterate that it is important when you become involved in politics and you run for office and you are elected, while you may in your own right be trained in some discipline or the other, you do not necessarily expect that your Minister of Works, for instance, will have a degree in engineering or your Minister of Tourism will have a degree in tourism and so on. Life does not just happen that way. So, do not expect all of these people who are Ministers and people of great responsibility in politics to be experts on areas that they have responsibility for. Politics just does not work that way.

But you do expect them to be smart enough to understand that they do not have the expertise and that they should not attempt to do things on their own that they do not have this expertise in. It is a prudent government, a wise government, a wise minister who seeks the advice that he needs rather than trying to do something and mess it up.

What goes wrong with this thing about consultants, Mr. Speaker, is when the consultants give us results that we do not want and we shelve the reports, we do not make them available to the public because

it did not say what we wanted it to say. I think that that is one of the reasons for the negative feelings whenever the public in general hears about consultants. A lot of the people who are opposed or who are making noise about the number of consultants that the PPM Government has employed are people who have been involved with consultants and receive reports and have done nothing about them and believe that maybe that is the same thing this PPM Government is going to do. We made a commitment to that from the very beginning that we were going to make the public aware, if we believed that there was a need for a consultant on any topic, when the report came in, the people paid for it the people must have it. They must know what the report says and the Government goes at doing its business accordingly.

We have issues in this country, Mr. Speaker. We have talked about the issues we have had with schools. We understand that the grades were dropping; we were having discipline problems in the schools. As simple as it may seem, Mr. Speaker, at the end of the day, the simple thought, the notion of taking the George Hicks High School, one main campus of over 1,000 children and breaking it into four schools of manageable size made a tremendous amount of difference. Now, a simple idea; but we did not have the idea. So, until we employed the consultant to look at our system who knew that? As simple as it was, we just did not know. Obviously, governments before us did not know because they did not do it. Now that we have done it, we see that it works.

It proves that consultants can be a very necessary tool for anybody or any government, once you use the information the right way. Now, that has paid off for us. It has paid off for this Government; it has paid off for our country; our children are doing a whole lot better; the teachers are a whole lot happier, they are more at ease. Now, Mr. Speaker, what is wrong with us seeking the advice of consultants if we have proven that it works?

We have issues in sports. We have problems with our football association. It is not what it used to be. Something is definitely wrong. We are not developing our young people in the sport of football like we used to. Something is wrong. We are not doing too bad with basketball. Swimming is excelling, it is doing exceptionally well. It has done so for many years. We have another problem with track and field.

At primary school level, Mr. Speaker, we see great, great talent at our primary school level. We see kids all the time who we can see the making of greatness in all of them; that, yes, these kids can go places. By the time they reach middle school level . . . some of them are still with it, most of them are gone. By the time they reach high school level, Mr. Speaker, we can find but few. So, there is something wrong with the system. It is not working.

What is wrong with the Government bringing in consultants to look at our sporting programme? We

would not do it if it was working, so why criticise the Government because they brought in consultants to look at the sporting programme?

Mr. Speaker, I believe that we ought to take our time and understand what we are doing and simply stop repeating things that we hear others say—the talk about consultants and *this is the Government of this consultant*, and that is all we are doing.

You know what? I have no apologies for the many times that we have asked for advice. I will have great difficulty with my Government if we continue to ask for advice and pay consultants and do not use their advice and shelve it. I would have great difficulty with that myself, but that is not the case.

We have for eons complained, Mr. Speaker, about subsidies that we have to continually pay to Cayman Airways. We want to fix it. We need to fix it. Every government comes in and says they are going to do something about Cayman Airways.

So, we take a different approach. We employ some consultants. They come up with a plan and all of a sudden [it is] *why do we need to go and get experts to tell us how to run Cayman Airways? We have enough people in Cayman who . . .* If we had people here who could do the job at Cayman Airways would we not have resolved the problem? We would not be at this stage with Cayman Airways.

So, why say in one breath *you must do something about Cayman Airways, you must cut down on the subsidy*; and then, when [we] make the effort to do something about it, you then criticise that effort? We have to stop playing politics with things that are important in this country and come together and do the things that are necessary to make it better for everyone.

So, let us ease up on the criticism with the consultants. I understand that people want to know how their money is being spent. I have no problem with any of that. But do not criticise just because you hear somebody else say so (somebody else that you might hold in higher regard) [and] you feel that you ought to repeat what they said.

We need consultants. We need to applaud our Government for having that insight, for having the tenacity to go outside and say, *'Look, we need some help here.'* And that is what we have done. Because at the end of our first term we must be able to prove that we made a difference, that we improved the lives of people in this country and that we are well on our way.

Mr. Speaker, we are in the second week of May and already there is a little weather disturbance out there. Hurricane season will soon be upon us. I just want to take this opportunity to say to the country let us not be caught when the hurricane season finally rolls around, as if we did not know what happens every June. We talk about budgeting and the high cost of living and everything else. Let us as a country begin to prepare for the hurricane season now and

start putting a few dollars aside, start buying a few things from now so that when a hurricane finally approaches you do not have to make this mad dash to find a few dollars to put a few things in your home—things like plywood that you think you need to buy, because if you do not buy it now and you have to rush to the store, if you get there a little bit late all the cheaper plywood is gone so you are forced to buy the more expensive stuff because you did not plan, you did not prepare for that.

Mr. Speaker, apparently I only have a few minutes left. There are a few other things that I wanted to say and I have not yet reached them. There is one thing that is extremely important to me that I would like to say before I am through.

I believe that the time has come for us in this country to seriously consider setting up an organ donor programme. As I mentioned before, we have an extremely high level of diabetes in this country that, in many instances, has devastated the lives of many of our people. Many times (not just for diabetes but a lot of other reasons) many of our citizens die simply because we are not on a proper donor programme.

There are many, many ways of harvesting organs or of being a part of a programme that would assist us whether we link up with another country or some of our neighbours somewhere that we share organs with and that kind of information so that if there was a stigma attached to us using donated organs from people in this country (because we may know who that person is) we could have some kind of connection with somebody else—where we get theirs and they get ours, kind of thing.

But I believe that the time has come to shift gears in this country and understand that there is life after death, that even in death some people can help other people live. There are many instances in this country where we have had perfect opportunities to harvest good organs.

I know that it is a bit of a morbid subject and a lot of people do not like to think about doing that to some of their loved ones. But, on the other hand, it is always a welcoming thought when your loved one needs something that you can get that from somebody else and it needs to work both ways. We need to get by that and begin to put a programme in place.

I mention it now and I will take it further with my Government, but I do believe that it is time that we make some efforts to set up such a programme.

I just want to finish off, Mr. Speaker, by saying that I want the population to bear in mind the things that I said, especially about budgeting and taking control of their lives. Make every effort to continue to prepare for the hurricane season. I hope that we do not have any problems this year.

I would like to leave a little saying that I learned when I used to work over at British American for a few years as my closing remarks:

*One ship sails east, the other sails west  
By the self-same winds that blow.*

*Tis the set of the sail and not the gale  
That decides the way they go.  
Thank you.*

**The Deputy Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] Does any—

The Honourable Minister of Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure at this point in our tenure—that is, the PPM Government—to rise and make my contribution to what is the third budget under this Government.

Mr. Speaker, I know that there is never life without opposition. I know, after being in this honourable House six years, that there is no existence without opposition. That is one of the purposes of the Opposition. I have been there and I respect the role of the Opposition. I know that it is extremely undemocratic to truncate the Opposition because just as sure as you are in Government, there is the high likelihood that you will become Opposition; and, likewise, just as sure as you are in Opposition there is a high likelihood that you will become the Government.

However, I have listened with interest to some of the debate from the Opposition Bench and I am a little concerned as to how, where, and when the Opposition got their argument.

This is the house of politics. This is the house of debate. And it is about debate and counter debate. Sometimes it becomes acrimonious, something we do not necessarily like to get into, but sometimes it is a necessary evil.

I was commenting to my colleagues a few days ago that, by and large, this debate has been one of the best I have heard in this honourable House since being here. But, certainly, there will always be reasons to reply and I would be remiss in my responsibilities in not replying to some of that which the Opposition has said. But, Mr. Speaker, I also want to go on and let the people know in this country what has transpired in the PPM over the last year and certainly what they can expect from the coming year with this Government. And there is much to report.

I will not spend too much of my precious time replying to much of the stuff the Opposition has said. The Opposition will always have its say, and we respect that. But, Mr. Speaker, there is much to report about what will happen in the next year. I believe the public is more interested in their lot—not in our lot—and what I will try to do particularly with my Ministry that I have constitutional responsibility for.

Mr. Speaker, I would like to thank the people of East End again publicly for allowing me the privilege to come to this honourable House because I have said many times that my journey into George Town begins in East End. If it is not those that I am responsible for and to, then I will never be responsible

to the rest of this country. I have a responsibility to all of the country, and I will show that I have lived up to that responsibility and I have kept a promise that I made in the General Election, Sir.

Mr. Speaker, I would like to just touch briefly on some of the things the Leader of the Opposition addressed in his contribution to the debate to clear the air just in case people get the wrong impression.

Mr. Speaker, I heard the Leader of the Opposition talk about how we need to change the cargo dock from here in George Town. Mr. Speaker, this was discussed some time ago, I think sometime in 2002/2003. At that time I kept my mouth closed because I, first of all, had to feel what the people of East End felt about a whole change, a whole paradigm shift with a dock going in East End.

At that time I went to East End and I tried to canvass the district, which I understood from them they did not want any dock in East End. As the duly elected representative, I made a commitment to the people of East End that no dock would come. I would be the first to lie down in front of the first bulldozer that came there. To this date I have had no reason to believe that they had changed their position on that. Therefore I have no reason to change mine. I will stand by that until they tell me, as long as I am their duly elected representative. Until they tell me no, that they have changed their minds, then I will stick with what I was last instructed to do. So, we can rest assured that during my tenure there will not be any dock in East End. We will find other methods of doing it and if we really have to find other methods then we will deal with that.

I heard the Leader of the Opposition also talk about the creation of alternative revenue methods, diversification, just in case something happens, and that which we depend on—finance and tourism—falls. Unfortunately, he is not here today, but I just wonder if there is something brewing in the air because the only other one that I have heard about is gambling. Maybe that is why so many of us make those trips to the Bahamas and the Turks.

I wonder if we see that as our saving grace. I trust not. But this PPM Government is also looking into that.

One of the other areas that he talked about to ease the burden on the country, particularly with energy costs, was renewable energy. Mr. Speaker, while I agree with the Leader of the Opposition on that particular issue, I can assure this country that this Government—and my Ministry in particular—has been looking at all those alternatives also. But we do know and we must recognise the difficulties in establishing some of these things, like solar energy. It takes a lot of land mass to do it.

Wind power is very economical, but I recently had discussions with a gentleman but, you know, it changes the whole landscape. Those of us who have never been to California to see the wind farm there,

we see it on TV often. These are windmills with blades 300 feet in diameter. That changes your whole landscape. But it is a good source. There is large capital investment for the beginning, but we also have to be very careful how we go into it.

Mr. Speaker, I know the Second Elected Member for West Bay spoke about the PPM borrowing large amounts of money. I do not know his definition of large amounts of money, but I do know this PPM Government has made a commitment to the infrastructure of this country which, I might add, has been somewhat neglected or forgotten, maybe is the right word, for many years. It has fallen in our laps to ensure that we do catch up.

Mr. Speaker, I will touch on that touchup I have had to do in my Ministry over the last two years.

Yes, Mr. speaker, this country will borrow quite a bit of money in this upcoming year. But we borrow the money to provide the needs for this country at this time—the schools, the roads, and the likes, the government buildings. Successive government have talked about the need to build government accommodations, the need to build schools.

The most recent former Minister of Education . . . remember, Mr. Speaker, we have not had too many of those, you know. They have served long periods of time in this honourable House, the Ministers of Education, over the years.

The most recent [former] Minister of Education started the ball rolling during his tenure for two new high schools, so obviously he saw the need to rebuild and do something about the infrastructure of Education. Therefore, we are following on. The only difference is that we are going to build an additional one—that is, to rebuild the John Gray High School.

The George Town School has been in a total state of disrepair for a long time and during this tenure we hope to rebuild that also—that is, the primary school.

It should have been done 10, 20 years ago.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** And you know, Mr. Speaker, the Third Elected Member for West Bay also spoke about the cost on these schools.

I do not see it from his perspective because, you know, we cannot extrapolate based on one, two, three when we have to disseminate those teachers. And besides that, we also have to look at new 21<sup>st</sup> Century systems that make it more efficient to run these buildings, and energy management systems and the likes and the likes and the likes. So, I would not venture out and extrapolate based on lines in that manner.

Mr. Speaker, the Opposition talked about the reserves they have left. Well, yes, but we are using that same reserve, the buying power, the borrowing power of that same reserve to better the lot of our

country. And that is basically what it is. Any prudent government would do that, and at the same time ensure that the government is financially capable of meeting their financial obligations under the Public Finance and Management Law. We also built on those reserves to ensure that we could do this at this time.

Mr. Speaker, we have kept the faith. Yes. The Leader of Government Business (that this party is ably led by) told us that. He told this country that we have kept the faith.

Our "Little Red Book" is an ever present political bible of this party, Mr. Speaker, and this is the platform from which we won nine seats, and ended up with ten. This Little Red Book is the political bible of the PPM.

Mr. Speaker, much is being done. We are an open book. All we need do is check our records. Crime is on the down. We made promises that we were going to address crime and it has been addressed. Within the next few months this country will have its very own helicopter for the interdiction of crime.

Mr. Speaker, I came to this honourable House in November 2000 and from my very first (I do not want to say the first but close to the first) debate, I started calling for a helicopter in this country. And I did not hear it, but someone told me that there was someone on the radio show talking about, you know, the cost of this helicopter. Mr. Speaker, I said then and I will say again, while I am concerned about value for money in this country, particularly now in the position of Minister, I believe any cost we incur for a helicopter, if it saves one life, if it stops one pound of ganja from coming into this country to destroy another life, then I believe we have paid for it. I honestly believe that and I will stand by that until someone changes my mind, gives me a different perspective on it.

Mr. Speaker, this PPM Government is creating a coastguard for interdiction whether it is drugs or illegal immigrants or whatever the case may be, firearms. Mr. Speaker, we are building an entire base for those people. We are building in Bodden Town, again, a base for the special branch and for the emergency services, the fire and ambulance services.

Mr. Speaker, these are promises we made to this country that we are keeping because if their lives are better off then it was for naught that we are here. And I promised the people of this country that I would not be for naught. I am going to do what I promise. I recently said to the staff I the Ministry that we need more daylight hours and one of the ladies said, 'Well, Minister, you would still fill it up so it does not make any difference.' So, we have kept a promise and there is much to do.

We are halfway through the first four years (almost, in a few days) and, Mr. Speaker, I am looking forward for the next half because that is when we are

really going to get down and put our backs to the wheel.

Mr. Speaker, tourism figures are up. Of course, the Minister of Tourism will deal with that, but I thought it was necessary for me to mention it. I am only touching on a few.

Mr. Speaker, we made the people a promise that we were going to support the modernisation of the Constitution and we have created a secretariat that is very busy developing the programmes for this. We all agree that there is a need for a constitutional modernisation. The previous government derailed it for whatever reason. I could not think for them, but we are committed to getting it on the road and educating the public and moving forward with a modernised Constitution so that we do not get ourselves in a position where we do not recognise and respect the role of an independent and impartial civil service.

Mr. Speaker, we heard talks of the encroachment on the separation of powers. We have heard much talk about that in recent times. Certainly, if there is any encroachment on the separation of powers this PPM Government did not support it, nor did we condone it. If it is happening now, it was happening for a long time and not only in these two years.

There are others in this honourable House and outside this honourable House who have been here much longer than for two years as a government, who made their necessary practices at that time. It was good then, but it is never good for the sitting government if it is recognised. And we try to correct our ills.

Like the late Ms. Annie Bodden, who was also a Member of this honourable House, said *only a fool and a dead man do not change their minds*. I guess there are not any dead people and there are not any fools here, so people are entitled to change their positions and their minds.

But, Mr. Speaker, when people start talking about encroaching on the democratic process and the separation of powers, they need to come out and start supporting the modernisation of the Constitution to avoid that. If we do not want those three Official Members in here, we need to stand up and talk about it. But everybody is afraid of that, Sir.

Mr. Speaker, people are afraid of that.

We can stand and be counted, but we shy away from that. We do not want to face it.

I believe the former Minister of Education talks about that in his book, *The Cayman Islands in Transition [The Politics, History, and Sociology of a Changing Society]*. Mr. Speaker, we need to stop politicising these things and just cuss these things outright and not be afraid of it. But no, we want every opportunity we see that there may be, in my opinion, an encroachment to jump up and blame the current government. And this has happened forever. This has happened over and over and over. I have followed politics all my life and I have heard it. I have seen it. But people have to stop doing that.

If you want to talk about independence get up and talk about it! Then there will be no encroachment whatsoever on the separation of powers because the only persons who will be here will be the duly elected representatives of the people and the power will be absolute for the people of this country. But no, we like to shy away from that and then think we are going to get political mileage.

We talk nice about these people, about their positions, but then try to get political mileage and think that it just goes over everybody's head. People need to stop that. They need to stop it. It is disingenuous.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** And it is hypocritical too.

Every one of us needs to, first of all, look at ourselves.

Anyway, Mr. Speaker, I have so much to report. I am not going to put out any report cards because they can get graded, eh? And I know what happened with the last one that I graded. I threw one big 'F' on that in red.

But you know, Mr. Speaker, one of the things that I enjoy about politics is that criticism is good. I have learned more from my critics than I have learned from those who agree with me, because if you agree with me that means I already knew that; but if you disagree with me then I must be learning something from you, Sir. So, I welcome criticism. I welcome it because it gives me the opportunity to think, where did I go wrong?

Mr. Speaker, I would like to start on the subjects that I am constitutionally responsible for by starting on the topical one. Well, I guess they are all topical but I would like to commence by starting on the Department of Environmental Health.

Mr. Speaker, when I took office—which was in the wake of Hurricane Ivan—this country had a serious problem because we were collecting the waste that was created from Hurricane Ivan. I set out to rid this country of all that rubbish. I had completed one task on 11 May and then we were going at the other one.

*[Laughter]*

**Hon. V. Arden McLean:** Mr. Speaker, we started a programme of reorganising the landfills, not only here in Grand Cayman but also Cayman Brac and Little Cayman. I can report that we are now at that point that that is very much underway.

As I speak, Mr. Speaker, the Department of Environmental Health is organising to get equipment sent to Cayman Brac and Little Cayman. Just today, Mr. Speaker, I had a meeting with the subcommittee of the committee that I have set up to look at it, and it is the committee to look at the management of solid waste in the Cayman Islands.

Mr. Speaker, this is a very important aspect of this country and we can no longer turn a blind eye to it. We have established a committee comprising of myself as Chairman, the Permanent Secretary, the Director of the Department of Environmental Health, and the Assistant Director of the Solid Waste, Mr. Sean McGinn. My personal assistant is the Secretary to that committee, which is Ms. Lisa Welcome; a Cabinet representative, Ms. Christina Rowlandson; PPM Members of the Legislative Assembly, Mr. Alfonso Wright, Ms. Lucille Seymour and Mr. Moses Kirkconnell; and Opposition Member, Mr. Rolston Anglin.

Mr. Speaker, it is called the Solid Waste Strategic Management Committee and some of the responsibilities that it has are:

- Research and reviewing;
- Compiling and updating the waste disposal options;
- Review committee's report which was done in 2003;
- Making recommendations with regard to the most suitable long-term solid waste management strategies and procedures as they relate to waste to energy;
- Waste reduction, reuse and recycling;
- Developing a timeline for the implementation of the strategy;
- Initiating talks with potential energy purchasing consumers;
- Initiate and review any necessary feasibility studies.

Now, Mr. Speaker, this committee has been working, we have just set up a subcommittee to deal with educating the public and there is much to be done. Mr. Alfonso Wright is the Chairman of that and it includes the Permanent Secretary, Mr. Sean McGinn, and the public relations lady from the Department of Environmental Health, Ms. Christina Rowlandson. Their job is to come up with initiatives on educating the public on these things.

We have met with the Chamber of Commerce. We have met with some of the other stakeholders. We are looking at the reduction of glass in the country. Within a few days, Mr. Speaker, I am taking that entire committee to the NAWTEC (North American Waste-to-Energy Conference) in Florida in order for us to get a better understanding of what we are dealing with and make some contacts.

Waste in this country, Mr. Speaker, is more than anyplace else in the Caribbean. Fifty thousand people, and we are up to 460 tons of waste in Grand Cayman per day. But it shows how we live in this country, Sir. It really shows the economy. It is a reflection of the sophistication of this country. In Cayman Brac we are just about 6 tons per day, and in Little Cayman we are just under 1 ton per day.

We have traveled to Cayman Brac. We have spent time in Cayman Brac, all the members. We have spent time in Little Cayman and met with all the stakeholders. These honourable members of this committee have given up their weekends to do this. They are very committed to it. They have made numerous suggestions, particularly the Second Elected Member for West Bay.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** He is a very active member and he is never late, I must report to you, Mr. Speaker, to the meetings.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** Mr. Speaker, prior to the creation of that committee, last year when I came to Finance Committee I asked for some millions of dollars (I do not remember the exact amount now) to reorganise the landfill and buy equipment for all three Islands and also monies for consultants to do an assessment on the Cayman Brac landfill, an impact assessment on putting the landfill on the Bluff, the 100 acres of land that the previous Minister responsible for Cayman Brac (the now First Elected Member for Cayman Brac) bought.

As we speak, Mr. Speaker, that is ongoing. We had some problems with Cayman Brac when I came in, Mr. Speaker, and I can report that those problems have now been alleviated, if not totally removed.

Mr. Speaker, we have extreme difficulties in Cayman Brac and Little Cayman when it comes to equipment. We cannot borrow. We cannot loan. We cannot buy. Therefore, I decide to go and buy our own. Just today I saw emails going between the Department of Vehicle Services and the Department of Environmental Health and the Chief Financial Officer. All equipment is here.

We have an air curtain burner for Cayman Brac and Little Cayman. The decision was made to now burn all the waste in Little Cayman.

In Cayman Brac we needed a bulldozer fitted out with all the necessary attachments for landfill. That bulldozer is on Island and is getting ready to be shipped to Cayman Brac.

The air curtain burner for Little Cayman has been on Island for a few weeks. The reason we have not sent it up, we were waiting on another piece of equipment, a Bobcat on tracks which we are going to use around the landfill and that arrived this week, I believe. So, we are poised now to send all of this equipment to Little Cayman and Cayman Brac.

I changed the whole way of collection in Cayman Brac. We bought new trucks. We bought a new rail loading truck. We also bought a grab truck. All the businesses up there now, we are encouraging them to go to the bins which will make it that much easier for

the collection thereof. Mr. Speaker, I am very proud of what that Department and the Ministry have achieved thus far in the Solid Waste Disposal Department.

Now, Mr. Speaker, in this upcoming Budget we are going to continue to reorganise the landfill here in Grand Cayman.

Mr. Speaker, the other thing that I think we need to know . . . since they said we did not keep our promises, this is an update on those promises also. Last year we announced that we were going to put out to tender the removal of all the trash, the scrap metal and derelict vehicles that we had stored at the dump.

Mr. Speaker, when I came into office the Government had a contract with the Cuban Government to take some of these old vehicles out of our country. Not one had gone.

Then they wanted to renew the contract about a year after I was in office and I said no. If I could not get rid of it then I have to get rid of it now and I do not have any use for derelict vehicles, nor do I have any use for scrap metal. Send it out for tender. And then it creates a controversy. But, you know, we all know how that went.

The media around here are . . . in particular that one you know . . . anyway, we will address him when we get to him, whoever he is.

I am glad to say, Mr. Speaker, after all that controversy over \$1.25 million the Government bought a bailer. Of course, when we gave the contract, which we would be getting \$1.25 million for all this scrap, I think people got the wrong impression that we were paying out. We are getting that. We had no use for the bailer then, except when we had other stuff coming in. One bailer is on the Island and part of the contract was that any equipment on the Island the people who won the contract would have to use. Therefore, Mr. Speaker, we offered our bailer to the gentleman and we are getting \$190 per hour for our bailer. So, besides the \$1.25 million . . .

I hope nobody thought they were getting it for free. Those are public funds and therefore the public has to be paid.

Mr. Speaker, I can report that to date approximately 5,000 metric tons of that same stuff that caused so much controversy has left this country—that is, two ship loads. We figure we will have somewhere around 50, 60 ship loads out of here. No . . . 30 or 40, I think it is, Sir. Pardon me.

The 5,000 metric tons includes: 10,000 batteries; 4,000 cars; 900 tons of scrap; and five 40-foot containers of bail cardboard. That is what that is made up of, Mr. Speaker. Anyone who tells me that I have not and this PPM has not been keeping its promise has got his head buried in the sand. I hope those media houses hear what I just said. Let us see how much controversy they can create out of that one.

The next ship, Mr. Speaker, is due in about three weeks' time. Again, we will have around 2,500 metric tons that will go out on that.

Mr. Speaker, the next initiative that I would like to take up is that, traditionally, we have buried or disposed of our loved one's body remains on the beach, the reason being we had no backhoe to dig in those days so we dug with shovels in sand. We are fast running out of land space. I therefore would like to hear from the people of this country whether or not they are going to support double stacking for burials—only two.

Of course, it means we are going to have to still do the single ones, but it is anticipated that if we were to do 50 per cent of what we have now, the reserves we have now, it could increase the land use for some 20 to 25 years on our cemeteries.

Mr. Speaker, it is not something new, it is done all over the world. It is just that traditionally we have had a little concern about it. But I believe it would bode well if two loved ones, one on top of the other . . . I personally do not see anything wrong with it, but of course I need to hear from the public.

The other thing, Mr. Speaker, is that over the years as I recall, cremation was taboo in this country. But say what you want (and anyone can say what they want), we have over 100 nationalities in this country. It must be, I believe, set out as a choice for disposal. Many of us in the Cayman Islands choose cremation. But the families have to send the bodies overseas. In Cayman I do not propose that the Government get into the business, but certainly someone in the private sector could do it. But we need to ensure that it is a legal method of disposal of the human remains. I would like to hear what the public has to say on that one.

Mr. Speaker, I would like to now touch on roads, as I can see my time is fast eroding.

Mr. Speaker, the roads are one of the major areas that I have responsibility for. I can tell you it has not been an easy one, but I rather enjoy doing it. I can report now that the Esterley Tibbetts Highway is almost finished. In the next Budget we have some money to just complete it because we have to raise it through the area which we use the geotextile on.

Those of us who drive on it to and from West Bay will realise that it is being paved now, and by the end of June all of the paving should be done, that which we can do at this time. The majority of the curbing has been put in. That is what is holding up some of the paving now. As soon as that is done—we are also doing the landscaping at the same time because I believe it is time we made driving a pleasant experience in our country. We are going to properly landscape the median as well, something that does not need a lot of maintenance like maybe little Christmas palms, or something of that nature, with grass. People will have a pleasant drive out of West Bay.

Mr. Speaker, the other road that needs mentioning is . . . I told the people of West Bay that I had put my political career somewhat on the line by going there and doing that, but I had a responsibility to the

country, not only to the people of East End but also to the county.

But I also made the people of East End a promise that I was going to do the East/West Arterial to ensure that they did not have traffic woes either.

Mr. Speaker, I can report that the East/West Arterial is progressing much faster than we anticipated, Sir, so much so that I will be here in the next couple of days for some money to finish it. If the House so wishes at that time then I will receive that money and get it finished. It is not that it is overspent, Sir, it is just that we did not anticipate that we were going to be going so fast. And it is way ahead of schedule so that is the reason why.

Mr. Speaker, we are now from Newlands all the way down to just shy of Red Bay Plaza. Now, I can tell the people of the eastern districts that we are having some difficulties with the Red Bay Plaza and its removal. I have done everything possible to get it resolved. Now it is time to get it resolved, and I am going to get it resolved. I have bent over backwards since November. And everybody feels like bend over backwards means weakness. No, it is not.

Mr. Speaker, in this Budget coming up we have monies to complete the Linford Pierson Highway. That is going to be another one that gives us a little bit of controversy because, according to the conservationist, it goes through a jungle.

I am prepared to be a conservationist myself. I enjoy the trees and the birds and the bees. But I am prepared also to let us remove that which is indigenous and see if we can put to the sides whatever we would be damaging (if we are damaging anything). But we have to get that road because it does not make sense for us to build a nice road from East End and the eastern districts and from West Bay and deposit them on one little roundabout at the end of Linford Pierson High Way. That just does not make sense, Mr. Speaker.

As a matter of fact, Mr. Speaker, it has started already. We are tracking it out now to see exactly where we have to go. But no one should get excited that we are going to go in there before anything really happens, before we talk to these people.

Mr. Speaker, I have in this Budget monies to do traffic calming projects. One of the things that we have is, for instance, up at the airport post office. I do not know if that is traffic calming or traffic congestion, or creates bottlenecks or whatever, but we have to build a roundabout there. We have to put three lanes out along there for pedestrians and sidewalks and the likes. These are all projects that need to be done right in the middle of George Town.

In this Budget we also have monies to pave North Side and East End because those are the last main roads remaining in this country that need paving. The problem we are having is that the water infrastructure was not in place. The water is going now and we can pave some of North Side, so we will try to

pave down to Grape Tree Point from the gas station in short order, then on Queen's Highway we also have to do that.

Mr. Speaker, I know your good self and my other colleagues are always concerned about all your own constituencies, and so am I. But I have had much representation from the Members of Parliament and your good self about roads within your individual constituencies. Mr. Speaker, I have responded and there is money in this Budget to fix roads. In particular, major roads to be fixed are . . . this is within the districts: the Belford Estates Road. Mr. Harvey Stevenson is now putting down a bed and breakfast and we need to pave that road.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** Hell and Watercourse Roads, which I think are causing more problems in this country . . . I would venture to say that that is the most dangerous piece of road in this country, particularly now where we are having all the tourists going through there. It is a very dangerous place. We were having some little delays on it, Mr. Speaker, but rest assured we are going to widen that and fix it up nice so that we can have the residents there driving safely and walking safely through that area because of the big buses.

The buses are getting longer and wider and taller, and the roads remain the same narrow roads. Not only the buses.

In George Town, Mr. Speaker, as we speak the National Roads Authority (NRA) is trying to . . . Shedden Road and Eastern Avenue. And I know, Mr. Speaker, we have had much said about that and I beg the public's patience on it. We were waiting until the Water Authority finished the road and they are now finished.

I think at this juncture, Mr. Speaker, I should pause to say thanks to the Flowers. Those three young men—Frank, Richard and Clarence Jr.—gave up part of their land at the block factory in order for us to put three lanes right there, a turning lane onto Eastern Avenue.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** Mr. Speaker, those three young men . . . well, younger in age than me. They gotta be older than me, man—

*[Inaudible interjection]*

**Hon. V. Arden McLean:** Those three men are a reflection of their late father that they put to rest last Sunday. Mr. Flowers continues, even in his passing, to make contribution to his adopted country.

Mr. Speaker, maybe, just maybe, through his three sons and his two grandchildren and their wives—that is, the sons' wives—and his wife, maybe

Mr. Speaker, those who are coming to join us will take a leaf out of this man's book.

**Some Hon. Members:** Hear, hear!

**Hon. V. Arden McLean:** I sat there, Mr. Speaker, at the thanksgiving service for the late Clarence Flowers, Sr.—a young man with no direction from Jamaica at 13 years of age, coming to this country as a yard boy, cleaning bush for the Merrens, and tending cow and milking cows and cutting grass for cows, coming from Jamaica. Mr. Speaker, the gentleman built an empire out of nothing.

**An Hon. Member:** Hear, hear!

**Hon. V. Arden McLean:** An empire that this country can be proud of.

And you know what he was? An immigrant.

That is what you do when you are trying to integrate.

But you know his first task before he got his idea to do business was to serve this country in the war. That is contributing to your country and integration. Mr. Speaker, today I am as proud of Mr. Flowers as if he was my father because were it not for him the job that I have today, as Minister responsible for Works and Infrastructure, would not be so easy, because as we look around this country it was his initiatives that you can see. Ninety per cent of the buildings in this country were touched by that gentleman. He had a vision and he fulfilled that vision, albeit in his adopted country. Today his sons are carrying on that legacy.

Mr. Speaker, right on Shedden Road they are giving up hundreds of thousands of dollars worth of land just to ensure that the traffic flows properly. That is what being Caymanian means. That is what being integrated in this society means to me.

Nobody knew that Mr. Flowers was a Jamaican. All my life I did not know that until I was a grown man. He changed my fingerprints, I am convinced of that with the blocks that he made and my father had to go and pick them up. I tore every finger end off my fingers.

*[Laughter]*

**Hon. V. Arden McLean:** But it was a contribution to this country, Mr. Speaker, and today, on behalf of this country, I thank him for his contribution and I continue to thank his three sons.

Even as we speak we are putting the road right through their property over by the new government accommodation building too. And they understand progress. We only need look at the buildings that through his own initiative and direction of his children . . . up until the week before he passed away. I am very proud of those three young men and his grandson, Frankie Jr. the director, and his young

granddaughter as well, Dara Flowers: pleasant people who know nothing but what it is to be a Caymanian.

Mr. Speaker, in George Town we have proposals for over \$1 million to do the paving. I promised the people of this country that I would revitalise George Town. I am going to do that with the help of God, the NRA, the Ministry and all the staff. But I must warn the general public and the people of the country that there will be some inconveniences like the waterfront. We need to change some of the pipeline there, that old clay pipe. We need to do that and it will be done at night, so I would ask that people have some patience with us.

It does not make sense for me to pave it and then six months later we cut it up. I will make them proud that they waited; it will be worth their wait. We have to do Albert Panton Street as well, but that is not going to stop us from commencing the paving of George Town.

I would warn all those who park behind the clock here. Mr. Speaker, we are going to change that too, between that and the Town Hall. You know, I have this little soft spot in my heart for the town halls in this country, and we are going to beautify that with removable bollards so that when you are having functions you can remove them. But we are going to stop parking there. That is going to be a sacred spot in the middle of George Town—no man's land.

Mr. Speaker, I am proposing a lot of monies to do guardrails around the country. We have to put some in Savannah, some still along the East End Road that need to be done and Breakers and South Sound. We are still recovering from the damages/ravages of Hurricane Ivan and it takes a little while. We keep our fingers crossed that this hurricane season will not be very active.

Mr. Speaker, one of the things we did recently was we purchased a vacuum truck. Instead of blowing out drains we are now vacuuming them out and taking the dirt away, so the public will see this truck around in the neighbourhoods and hopefully that will alleviate some of the problems we are having with the flooding in the road.

Mr. Speaker, another area that I am very excited about is that of the Department of Vehicle Licensing. We know what that has been. We all know. It is a testament to the staff for them to have worked there for so long under such trying conditions. It is rough. We have three offices right now: the Walkers Road office; the one right in the middle of town; and the one in West Bay.

There is so much going on in that area. We are in the process of decentralising the Vehicle Licensing Services. We are proposing to move the Vehicle Licensing this year . . . well, it should be finished November 2008, but commencing this year up to by the Lion's Centre—that is, between Baptist Church and the other apartments there. That is, the two offices in town will be there.

Mr. Speaker, by July of this year, hopefully during July of this year, we will see the opening of an office on the eastern end of the Island in Pease Bay to allow for the licensing of vehicles in Bodden Town, North Side and East End. It does not make sense to put one in each district, you do not have the volume. So there is a building going down right next to Chester's now and Pease Bay and we are going to be renting an officer there the same way we had one in West Bay.

Mr. Speaker, that is not the end of the initiatives. In this Budget we have monies to change the whole computer system to be able for the general public to do their renewals online. We are trying to remove people from the offices. More than that, all of the garages by July of this year, I think it is, will be inspecting vehicles. There are a number of garages who have shown an interest. We are hoping that we can cut the inspections from the government down by some 50 per cent.

We will not be inspecting heavy equipment at the government or any of the inspection sites. Heavy equipment will be inspected by appointment only because all heavy equipment operators have some compound someplace, so we will go out and inspect them there.

One of the biggest problems we are having is that the big, heavy equipment is coming in and cluttering up the inspection areas, particularly in George Town, and we need to move away from that. We are only going to be inspecting domestic passenger vehicles, nothing commercial. You are going to have to . . . and it is getting to that point. The computer department is quite progressed in the new computer programme for that department.

Mr. Speaker, there was some controversy over the businesses having to produce their Certificate of Good Standing. Well, people must understand why that is. We have had in this country people coming in and putting up business of whatever and we do not know if it is in good standing. We know the person in front of us is in good standing, but it is not in his name.

If you come in to license a vehicle in your name as an individual you have to produce your driver's licence. You have to produce proof of who you are and where you get it from and what have you, so why not if a company comes in to put it in their name? That is all it is.

And once we have the first one and you get the number, when you go to renew it we will check because we are tying that system in with the Registry. They can go on and check to see if it is in good standing. If a company is not in good standing, why would we licence a vehicle in it? Who is liable if something happens, if someone driving that vehicle kills someone? God forbid. Who is responsible? Do you not think it is the responsibility of government to ensure that the liability is in the correct place? If we are not

certain of that, if we do not confirm that, here is what is going to happen. If something happens government must assume all liabilities, and that is not the purpose. We are not trying to give people a hard time, Mr. Speaker. All we are trying to do is to ensure that everybody is protected.

Mr. Speaker, I must pause here to talk about some new staff members in my Ministry: Mr. Perry Powell, who was the Deputy Director of Licensing and he has been promoted to Deputy Chief Officer. Whoop! Gone right up! Doing a good job, Mr. Speaker, a very good job.

And then we just engaged the services of Mr. Troy Jacob. Good young man. Doing good. Doing good, Mr. Speaker, doing good. They are spearheading all of this.

Mr. Speaker, I also made an announcement of the initiatives on road safety under the Roads Law, the implementation of the new driver's licence, the graduated driver's licence and some of the areas that we need to amend the law.

The roads in this country, the operation of vehicles is the most unsafe I have seen in a long time. Mr. Speaker, we have met with all the stakeholders. That includes MattSafe.

We sat down with them and asked them for input. I have met with the police, the NRA. I have met with all the importers of vehicles, all and sundry in that arena, that is, the used cars, the what-have-you, those who are licensed to import, operating a business. All of the franchise holders, all of those I had in one meeting. I also met with all the insurance brokers and I have asked them to give us input on some of these initiatives.

Mr. Speaker, some of the areas that will be looked at: tinting and modification and importation of vehicles. Some of the vehicles we get in this country do not even have a safe cage for passengers.

There are outdated traffic fines. Mr. Speaker, some people complain that we are going to increase the cost of living. Well, if you do not break the law you do not get charged. I have never heard of that being related to cost of living in my life. That is simple. If you do not drive fast you will not get charged.

And I know all West Bay you running from East End. You will reach eventually.

Speeding fines. Mr. Speaker, we are looking . . . and I am not saying this is what is going to happen. These are the initiatives we are looking at: the immediate and automatic disqualification of a driver's licence for excessive speeding, something along the points system, because the computer system that I spoke of earlier is going to be shared with all of those different departments as well—the police and the courts. We have to coordinate this and make it more efficient, and a more pleasant place for those people to work in. Efficiency and effectiveness must be the order of the day.

The graduated driver's licence programme: I announced that by 1 July we hope to have that in place.

Mr. Speaker, I am not trying to make it more difficult to people, contrary to some of the things I have heard. We are trying to make it more efficient and to do that there will necessarily be some changes. Change does not mean the end of the world. Give it a chance and let us see and we can ensure that we make it more efficient for the future.

Mr. Speaker, you know right now people drive, they do not care. We just built the road there across from AL Thompson. We put in the signs, Mr. Speaker, and they still go across the road. We tried to force them to go down to the roundabout and come back and they still go straight across the road. My fear is that they are going to kill innocent people. They are going to injure innocent people. Why is it that we have some people in this country who refuse to follow the law and then when they get themselves in trouble they start crying to the politician? *Tell them don't come look for me now!*

They need to slow down!

They need to slow down. It is absolutely necessary that these people slow down.

Mr. Speaker, the other area that I would like to touch on now—and I am really brushing over these but I hope I have highlighted some of the salient points and some of the major things that this Ministry that I am responsible for is hoping to get achieved in this year. The Opposition does not need to worry. I am going to spend the money that they gave me! And we are all going to spend the money that they gave us, because the Third Elected Member for West Bay continued to pounce on that. But he will be convinced later on too.

Mr. Speaker, the Recreational Parks and Cemeteries Unit, which was a brainchild of mine and supported by the PPM, is coming together. We are bringing it together. We have, I do not know, quite a bit of equipment that arrived this week, things like backhoes and trucks and vacuum sweepers for George Town for the night. I made the promise, now this is fulfilling those promises that I made in the little red political bible. This is fulfilling those promises that I made. And I made a promise that I was going to beautify George Town. That is what we are going to do.

I made a promise that from my perspective that I was going to support the PPM position. We talked about families.

[pause]

**Hon. V. Arden McLean:** One of the things we talked about was families, Mr. Speaker, and providing programmes and facilities where the entire family can enjoy meaningful activities together, where seniors can pass on skills, knowledge and aspects of Caymanian culture to our youth. This is what the Parks Unit is about, Mr. Speaker, where families get together in

these parks. I describe them as little oases in the middle of deserts. I want the families to be attracted to those at four or five o'clock in the evening when they come home. That is what we must do. If it is such a pleasant place that the children want to go, it will grab the parents and the parents have to go into it and they will spend more time with their children.

Mr. Speaker, the ramps—and I must apologise to the boating public in George Town. Yesterday we had an opportunity that we could not afford to miss at the Lobster Pot ramp. It has been like that since Hurricane Ivan and we were trying to get it dug out and you have to build ramps out and come back. A barge was right there where they excavated on it. We engaged them and it is now four or five feet. As soon as the turbidity is settled a little bit we will open it back up. But we only had one day to notify the public and of course everybody is up in arms, so I do apologise for that, Mr. Speaker, but we could not give up that opportunity.

It is easier for them to suffer for one or two days and have it for two years without having to disturb it than to leave it for two years and notify them and lose that opportunity that we had recently, Sir. So, I do apologise but hopefully by Friday we will have it back open and I think we have taken out some nine or ten loads of material out of there.

The others throughout the Island are going to be done. We are in the process now of getting a blanket Coastal Works Licence from the Ministry in order that we can maintain these ramps. I know, Mr. Speaker, your constituents are crying about the little one as you turn out from North West Point Road. We have to do some work there. But it is under Water Works and as soon as we can get the Coastal Works Licence to do it we will be getting on to do that, Sir.

So, you can report that to your good people. Mr. Speaker, one other area that we are working on in West Bay as well is the Garvin Road. We just sent that down; we are going to gazette that road.

I made a promise to someone on the radio (I do not even know the gentleman's name) Mr. Speaker, that I would have it done within the month. Well, to hook up the electricity would be a month but what happened was that this thing was built without any planning permission when I found out. Therefore, again, I must apologise to that gentleman as well. I hope he is listening to this sometime when it is re-broadcast.

We had some difficulties with getting it done, but I can assure you that it is being done for your constituents, Sir.

Mr. Speaker, we have amalgamated all of those staff. Some were this way and that way and hither and thither from and wherever. We had parks under education and some under public works, ramps under public works and jetties under port authority. It was all over the place. Now it is one focal point in order that we can do that.

Mr. Speaker, I must report that I also made the decision that the National Trust should be given a peppercorn lease to occupy the building at the Dart Park, and they now occupy that. But I must also report, Mr. Speaker, that under this unit too, Ms. Olive Miller—another person who has come here and made her contribution, with her Pink Ladies—is going to occupy one other section of the other building, part of the other building in order for them to have their little offices where they can do their crafts and the likes.

That is what these parks should be for, Mr. Speaker, responsible people being there and those who are contributing to society being able to use them. We cannot commercialise them.

Mr. Speaker, that is the other area I would like to touch on. People must not expect these things to be commercialised. We cannot tie boats up there and conduct commercial businesses from them on these docks and that is what has been happening. That is not the intent. It is load and unload in order that all and sundry can have proper access to them.

Mr. Speaker, I would like to touch now on the post office area.

*[pause]*

**Hon. V. Arden McLean:** Mr. Speaker, on the postal area I know recently we had a little hiccup with the mail. Thank God it arrived. Unfortunately it took a little longer than it should.

*[Inaudible interjection]*

**Hon. V. Arden McLean:** Mr. Speaker, the thing was, though, that it was not the fault of the postal system here.

Recently the Postal Service received a gold award for their courier service. This is the second year they have done that. That speaks volumes for this country. All those major countries, even the US, were down number 50-odd and they spend so much money on their postal system. The staff must be commended in that regard, Mr. Speaker.

Mr. Speaker, on the postal side much is being done. We have a new post office starting on 1 June for Savannah. At long last the people of Savannah . . . that little post office at Savannah, the people working in there have to come outside to change their minds!

*[Laughter]*

**Hon. V. Arden McLean:** And it is the fastest growing district in the country.

*[Laughter and inaudible interjection]*

**Hon. V. Arden McLean:** So, we now have a little over 4,000 square foot building that is going just next to the school which will provide somewhere between

2,000 and 2,500 boxes for the Savannah area, with expansion capabilities up to 4,000.

The contract has been awarded. I think it is Island Builders—I do not even know who that is—and their construction is going to commence on 1 June with completion anticipated 30 January, another promise that the Members for Bodden Town made the people in Savannah when they were campaigning, and we are delivering. It is called *'you bowl and I will bat'*.

*[Laughter and inaudible interjection]*

**Hon. V. Arden McLean:** Mr. Speaker . . .

#### **Hour of Interruption—4.30 pm**

**The Deputy Speaker:** Honourable Member, I am just checking if you are moving on to another topic. We have reached the hour of adjournment.

**Hon. V. Arden McLean:** Mr. Speaker—

**The Deputy Speaker:** Go ahead. You can go ahead, carry on if you are going to be finishing up on post offices.

**Hon. V. Arden McLean:** Okay, I will just finish up on post offices and get a crack at it tomorrow. Thank you, Mr. Speaker.

Mr. Speaker, under post offices, we are going to be changing the boxes at the APO momentarily, in the next year. Many residents have complained . . . and these boxes, as I understand it from the Post master General were boxes that were . . . somehow they got ordered and the ones out of Canada are more durable. But these were not and what have you. They have deteriorated quite a bit so we are going to change all those boxes.

One of the things that makes me real happy is that now the people from the eastern districts, particularly East End (my constituency) can pay their bills at the post office—electricity bills, telephone bills, get their pay-as-you-go phone and the likes. The post office recently put in a point of sales system to allow us to be able to do that and they will be introducing it throughout the country at the post offices.

Mr. Speaker I promised the people of this country that I was going to make the post office a viable entity. We have engaged a spot at the Royal Watler Cruise Terminal and we are going to be setting up a philatelic bureau there. And those ladies at the post office are excited about this, and they are going to be doing cups and ties of the Cayman Islands, and stamps and what have you. I suspect, Mr. Speaker, that we will get quite a bit of revenue in through that avenue. Why not? Everybody else is going on Royal Watler Cruise Terminal. The post office can go too.

Mr. Speaker, the other area that I wanted to touch on regarding the post office is a new initiative

that has now started with the post office. We are going to be power washing our post offices, particularly the one in George Town where all that motorised traffic is around and it traps the exhaust underneath the porch and it turns the building black. So, we are going to be on a regular basis cleaning up the post office.

I know the two Ministers for Bodden Town have requested that we put some little kiosk up at Breakers because the postal system there is not as robust as we would like. It has never been, it was just an outpost really, so we may be looking at putting some kiosks up for the boxes at Breakers as well.

Mr. Speaker, the post office is doing well. We introduced the postal code a year and a half ago maybe. Less than a year after we introduced it we were seeing 50 per cent of all mail addressed using postal codes. That is commendable. Contrary to some of the little hiccups we had at the beginning about it not fitting in to the Internet and the likes, it is working extremely well for the post office. All reports are that it has made it more efficient for them to do their sorting and to do their work.

## **ADJOURNMENT**

**Hon. V. Arden McLean:** Mr. Speaker, I am very thankful for the post office and there are a number of areas that I would like to go on to tomorrow. Therefore, I will now move the adjournment of this honourable House until 10 am tomorrow morning.

**The Deputy Speaker:** The question is that this House do now adjourn until 10 am, 11 May 2007. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**At 4.36 pm the House stood adjourned until 10 am, Friday, 11 May 2007.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**11 MAY 2007**  
**10.28 AM**  
*Sixth Sitting*

[Hon. Cline A. Glidden, Jr., Deputy Speaker in the Chair]

**The Deputy Speaker:** I will invite the Third Elected Member for the district of Bodden Town to grace us with Prayers.

**PRAYERS**

**Mr. Osbourne V. Bodden:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.30 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Deputy Speaker:** I have received apologies for the late arrival of the Honourable Second Official Member responsible for the Portfolio of Legal Affairs.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Deputy Speaker:** I have received no notice of statements.

**GOVERNMENT BUSINESS**

**Debate on the Throne Speech delivered by His Excellency, Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, delivered Friday, 27 April 2007 together with the Second Reading debate on The Appropriation (June 2007 to July 2008) Bill 2007 (The Budget Address), delivered by the Financial Secretary, the Honourable Third Official Member, on Friday, 27 April 2007**

*(Continuation of debate thereon)*

**The Deputy Speaker:** The Honourable Minister responsible for the Ministry of Communications, Works and Infrastructure continuing.

Honourable Minister, you have 28 minutes remaining.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker.

Mr. Speaker, the time seems to fly in this honourable House, but there are a couple of things that I would like to go on to. I know there will be some that I will not touch on with regard to my constitutional responsibilities, but certainly we have Finance Committee and at that time the public will be informed of the others.

Mr. Speaker, when we adjourned yesterday I think I was on the area of Water Authority and Post Office. This morning I would just like to briefly update the public on a couple of things that I omitted yesterday. One of those is that in Bodden Town we have been experiencing some difficulties with cemetery space, and I am pleased to inform the people of Bodden Town that help is on the way.

In this Budget I am proposing \$1 million for the development of a new cemetery in Bodden Town. Also in this Budget, I have proposals to build a ramp

right in the middle of Bodden Town, which has been needed for quite some time within that district because they have to travel outside of the district to launch their boats, the fishermen in particular, which is usually East End, North Side, or at the Frank Sound ramp. So, that should be welcome news for them.

Mr. Speaker, I would also like at this time to give an update to you and your colleagues from West Bay on the Gavin Road project. My understanding this morning is that everything else is now ready to go but because the water is not there we need the water company to do it and that seems to have a schedule for about a month. So, my understanding is we do not want to put the electricity on until we get that because if we open it then we will not have the facilities for flushing the different toilets and the likes.

Mr. Speaker, there is one other thing I want to touch on before I go on to my constituency. A few months ago the "Number One" from Cayman Brac called me and he inquired as to when I was going to get additional radio stations in Cayman Brac and he particularly mentioned the DMS, the 104 and 106, which he thought was good music and he could listen to that. So, I am pleased to inform the "Number One" from Cayman Brac that after contacting DMS they are in the process of installing those two radio stations for broadcast in Cayman Brac. I am sure he will be happy about that!

Mr. Speaker, I would like now to touch briefly on my constituency. There are a number of things that need to be done in the constituency of East End, but I can report that the restoration process following Ivan is almost completed. We are hoping that within the next couple of weeks all of the restoration will have been completed in the district of East End. We have a few homes with minor stuff to be completed and, as I speak, we are working on those. I am very glad for that. People are now back in their homes and as comfortable, or more so, than before the hurricane.

Again, I will publicly thank IAMCO and Mrs. Susan Olde for their intervention in the district of East End. She continues to support the people of East End. We are eternally grateful to her because I am sure without her assistance we would not have been as far as we are today.

Mr. Speaker, a number of things in this coming year are planned for the district of East End. I would like to again thank another private individual, Mr. Arek Joseph, for assisting me with the blowholes project. We are trying to put a landing there for people to enjoy the blowholes much better than it was before. Notices are currently out to the surrounding land owners. And I would like to thank Mr. Gilbert McLean, the former Minister of Works whose land the blowholes are situated on. He has agreed to allow Government to build this platform there and it is quite an interesting little platform. There will be three pods that can be used for picture spots and the likes, and steps down.

Last but not least, as soon as the planning approval has been received, McAlpine is going to do it

for free. So, Mr. Speaker, we will see a new area for people to enjoy the blowholes in that district. We know it is a national icon and we need to ensure that it is developed in a safe and efficient manner and people can enjoy that area of this country.

Mr. Speaker, there are a number of roads that I have proposed for the district of East End and they are at different stages of completion. We need to extend the John McLean Drive downwards to High Rock Road. We are now looking at gazetting that road which will open up some of those lands behind there for development. Hopefully more people will move into East End and East Enders who are currently outside of the district will go back, including myself.

Speaking about farm roads now: There is a road we need to Winters Land. Most of us will know what that is. We can use [it] for ecotourism in that district and it will be built in conjunction with the Go East Initiative. We are in the process of gazetting that as well.

And there is a road into the savannah in East End where it will terminate fairly close to the salinas. Mr. Speaker, the salinas area in East End is one of the most beautiful spots in this country and it is not enjoyed by the people of this country. You will never know that you are in the Cayman Islands when you go into the salinas in East End. There are some 400 or 500 acres of salinas in the middle of the country that are, by and large, secluded. It is unreachable really. I do not propose going into the salinas with a road because we need to preserve its natural beauty, but certainly for people to be able to get close thereto.

Mr. Speaker, I hear the Fourth Elected Member for West Bay [asking] if we are going to need passports to get there.

**Mr. W. Alfonso Wright:** From George Town.

**Hon. V. Arden McLean:** From George Town. Of course. This is new territory, this is the last paradise in this country—

*[Inaudible interjection]*

**Hon. V. Arden McLean:** —so we are going to control all of those legislators from George Town and their travels therein.

Mr. Speaker, another one that is fast approaching is the Learning Centre. I believe I was the first legislator to build a learning centre in East End. It was lost in Hurricane Ivan. We lost tens of thousands of dollars there, computers and equipment and the like. We have decided now to build that next to the Civic Centre and I must thank Mr. Bill Bissell. He has offered to do the drawings and there is a little gentleman there, **Alex Mayner** (I think his name is), an architect who is doing the drawings. I think he is from Cayman Brac: brilliant little fellow. I am thankful for these young Caymanians who show such potential. Mr. Speaker, he is quite an intelligent and brilliant little

guy—not little guy, young man, you know, younger than I am. Mr. Speaker, I contacted him recently and he said that within the next two weeks we should have the drawings.

There are a number of people in the community who have offered to provide us with the material. Again, the Flowers' brothers have offered all the blocks for this building, Mr. Al Thompson has offered to do the trusses, Mr. Bob Watler has offered to do the roof, Mr. Dan Scott has offered to buy the windows and Mrs. Susan Olde is very much involved in it. The Bank of Austria has already paid for half of the computers, and hopefully we can get this project done shortly—an outlet for our children in the district. We need something . . . and I will touch on that briefly as well. I am also building a room on that for the Red Cross to store their emergency stores for the district of East End.

So, I am hoping to put all of that together momentarily. I think it leads quite well into what transpired recently in East End with the young children—the five-year-old and the 11-year-old—that the press has reported on. Mr. Speaker, these things are going to happen. I am concerned about it certainly, and to that end I am going to meet with the Minister of Education and the Minister of Family Services to see if we can start back the after-school programme with the churches in East End because it was so costly for those churches to put it on.

I believe that is one crux of the matter—that is not the end all for any social problems that we have where we have to intervene. A majority of the problem in any social problem in this country, or any country for that matter, is parenting and taking care of our children and ensuring that we know where they are. But a number of my people in East End have the difficulty of having to travel all the way into George Town to work and by the time they get home in the evening there are no other programmes for the kids to go to and it will perpetuate itself into something else. I believe it is the responsibility of Government to assist in this regard. If we save one life we have prevented one child from going in the wrong direction.

There is nothing wrong with the parents, it is just that they have to work and we need to have programmes in that district and I am going to work towards that.

I sympathise, particularly with the parents of the little victim but I do not believe, Mr. Speaker—while I am not downplaying it—I do not believe that it was done with any real malicious intent on the part of the child. The child is a good kid, you know, it is just that sometimes these things happen and we need to be cognisant of these things happening and we need to try and put some systems in place and that is what I am going to work on.

Mr. Speaker, as the Leader said in his address, we are actively pursuing land for affordable homes in the district of East End. One of the biggest problems we will have there is that people do not nec-

essarily like to give up too much of that land. It has stayed within families forever and ever and I applaud people who think that way. At least we will continue to have Caymanian ownership in their properties.

The other thing, Mr. Speaker, is one of the big concerns of the people of East End was down at the lower end of the bay—I hear the Fourth Elected Member for George Town say *Low'r-end-a-bay.*, He grew up there so he is from East End too and that is what we call *Low'r-end-a-bay.* But as we speak, the sheet piling is on the way. And this is the Hurricane Ivan Restoration Coastal Protection, the programme that was started right after Hurricane Ivan. The sheet piling for that, that is 1,800 feet of road that needs to be protected in that district because East End was totally cut off from the rest of the world, the rest of the country as well after Hurricane Ivan.

We had to build roads to get back into East End, and we are also going to look at the one at Clarinder Beach where we put up a wall already. What was left over from the cemetery in East End is going to be used down at Clarinder Beach where, again, we had to build roads to get into East End. Thankfully at that time I had commandeered a load and went there and built some and then other people came out as well and were building it. Some of the guys in East End had also commandeered and were trying to get into town. So, Mr. Speaker, it is very important that we get those walls in place to hopefully prevent a reoccurrence of the ravages of Hurricane Ivan.

The Bodden Town Cemetery. We are looking at putting a retaining wall there and we are also looking at the purchasing of the land behind there but if that is not feasible we are still going to have to put a wall there to protect that. And we are looking at other lands in Bodden Town as well.

Mr. Speaker, I spoke about guardrails. East End still needs a lot of guardrails to prevent motorists from driving off those cliffs there. Within Breakers and all on that eastern coast need guardrails. I am just thankful that nothing has happened thus far.

Mr. Speaker, the water is progressing well. The Queen's Highway is the last area in East End from the Royal Reef Hotel around to the Queen's Monument. They are working on it. The Water Authority has two crews, one going towards Rum Point and Cayman Kai and the other coming from North Side along Queen's Highway in the direction of East End. I mentioned earlier in my debate that we will be paving those roads as soon as this water is in place. It is expected that we will finish those sometime in the middle of next year and then we will pave the roads.

There is also the water to Cayman Brac that we need to put in, and it is on the north side across all the way up to—right now up to the Bluff Road is the first phase of that. Mr. Speaker, hopefully we will get that in within the next fiscal year also.

Mr. Speaker, one of the other areas in East End is the Mandarin. I know it has been long in coming but I believe all of the different little problems have

been resolved now and it appears like they will start the construction of the Mandarin [Hotel] at Barefoot Beach by the end of this year.

Mr. Speaker, there is much to be done. There is much to be done. I have, and I know the Members have—the entire PPM has worked unrelentingly to ensure that this country moves forward. Like any government coming into power, you will find there needs to be some continuity. We have, by and large, demonstrated that.

We did not say that everything UDP did was bad, but our job is to enhance whatever they did and to do more. The people of this country understand that we are a new government, a very young government, but we are doing well. Our record speaks for itself. We have looked at the necessities of this country and we are addressing those, Sir.

Mr. Speaker, prior to my going into office, in the last 20 years prior to 2005, five miles of new roads had been built in this country. In two years we are coming up on seven miles of new roads and we are not finished yet.

Mr. Speaker, that is what is expected of us. We have worked very hard to ensure that the priorities for this country are in the right place. We know that the cost of living is high in this country and we are doing something about it. On Tuesday I will be meeting—Cabinet will be meeting with Caribbean Utilities Company, Ltd. (CUC) under negotiations that have been going on since last year. Mr. Speaker, this has not been an easy road, and prior to your party leaving office, you were intimately involved with it and you know the difficulties.

But, Mr. Speaker, I have said in this honourable House before: I had two employers prior to this one, and there is no evidence to suggest that I was not loyal to them when I was employed by them. Therefore there is no reason for anyone to believe that I will not be loyal to my employer now. I have a vested interest in my employer now—the people of this country, not only of East End. My first responsibility is to the people of East End but as a Minister my first responsibility is to my country. And CUC must understand that. CUC must understand that. And it is time to cut through the chase. It is time to deal with this.

I am not prepared to be beating around the bush any longer. We need to move ahead with this. All I can hear is, *'Why does Government not take off duties?'* Sure we can look at that. No government has ever looked at it. We can look at it. Of course we can look at it. But, Mr. Speaker, we must also understand that we all have a corporate responsibility to keep up the country that we operate in and I expect no less from CUC.

I have met with the government negotiating team, last Tuesday Cabinet in its entirety, and they understand, Cabinet understands the intricate details of those negotiations now. They understand what is causing the impasse. Now CUC needs to come to the

table and give us their side of the story and then Cabinet will make a decision. But I am not prepared any longer to let it be drawn out. It now has to stop. I have paid enough money to consultants as much as the Opposition complains about them. I have paid sufficient money now out of the public funds to get a resolution and I want a resolution soon, good, bad or indifferent. We are going to bring it to its natural conclusion one way or the other.

Mr. Speaker, I am going to leave that for a little while because I still do not want to prejudice these negotiations. But this delay, delay, delay, delay—something else? You resolve that and then it is something else? No, let us stop now. That is stopped.

Mr. Speaker, again, that was one of the things that the UDP started as well but by contract it was required to be started then. You know, other things that I have done since being here, for instance, the Esterley Tibbetts Highway. I came in here like a little young, upstart Minister and the PPM made a decision that in the interest of the people of West Bay. They said, *'Minister McLean, go and do the road'* when we got there only to find out that the developers in that area were told that it would be 10 to 15 years before that road was going to be built. I had to live through all of that, Mr. Speaker, and it is not finished yet. I am a year and a half down the road and it is still not finished. It has been an uphill battle to get these things done.

I am doing the same thing right now with the East/West Arterial. People by and large in this country expect the government to provide them with everything and to take it all from Government.

Mr. Speaker, in closing let me say to the people of this country that this PPM Government understands and we are working in their interest. This is not about us, this is about this country. And I know they have heard that many times from many governments, but this is different.

Mr. Speaker, I spoke of the rebirth of the "Phoenix" here right after Hurricane Ivan (that is the Egyptian mythical bird), rising from ashes. To my country I say that we are still rising. We have done well but we are still rising from the ashes. Nothing is going to stop that. I liken that rise in the continuation of the rise of this country to that calypsonian who said *"nothing is going to stop this reggae jam"*. We are going to do it and we have thus far done it on our own and we have the desire, we have the staying power. The PPM Government operates as one team. The PPM Government will deliver. The PPM Government has kept its promises.

Yes, Mr. Speaker, there will always be delays between proposals and actual delivery. We will always have that. I had my troubles with that since being in here with the road in West Bay. Promise: you start the development, but something in the way delays that. But at the end of the day this country can trust that Little Red Book. We are going to keep the promises. We are going to build other schools. We are going to

change the direction education has been going in over all these years. We are going to tackle the cost of living with the banks and the fuel companies and CUC and the insurance companies. They are all an integral part of the cost of doing business in this country. We certainly do not want to interfere with free enterprise, but free enterprise must understand that it too has a responsibility for the continuation of this country.

Tourism, the costs to tourists coming to this country, we have to address it all. Mr. Speaker, housing, we need to ensure our people have a house. It might be small but there needs to be shelter over our people's head. We need to do that and I promise you that this Government, this PPM Government is going to deliver on that. Father and Mother may have, but blessed is the child that has his own.

Thank you, Mr. Speaker.

**An Hon. Member:** Very good.

*[Inaudible interjection]*

**The Deputy Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* This is the last call. Does any other Member wish to speak?

The Honourable Minister of Tourism.

**Hon. Charles E. Clifford:** Thank you very much, Mr. Speaker, and before beginning my debate I want to wish the People's Progressive Movement a Happy Birthday.

**Some Hon. Members:** Aye.

**Hon. Charles E. Clifford:** Mr. Speaker, today is in fact two years since this Government was elected to political office in this country, and I think it is important that I point that out, because from as far back as October 2006 I heard the Leader of the Opposition and the Third Elected Member for the district of West Bay on the talk show saying that the PPM Government had been in power for two years and that nothing had been done. That was September 2006. But I think the Budget which we have presented certainly demonstrates that this Government has made significant progress in the last two years and we have addressed the critical issues with respect to programmes and infrastructural needs that have been neglected for decades—not just by the previous administration, but for decades.

Mr. Speaker, there is very little point, in my view, in any government that has the wherewithal to secure the necessary funding, to create the infrastructure and the programmes that are needed in the country for them to simply be content with bragging about surpluses and savings to the detriment of their people. It makes no sense.

Having said that, I am going to go into the Budget and programmes in more detail. But clearly,

notwithstanding the significant capital development programme that this Government has embarked upon, we still come to this House with a balanced Budget, with a surplus and in compliance with all of the principles of responsible financial management.

Mr. Speaker, I want to at the outset thank the staff in the Budget and Management Unit and all of the civil servants for their efforts and input into the presentation of this Budget and the Throne Speech. In particular, I would like to thank the staff in my Ministry, the Chief Officer and all of the staff in the Ministry and the departments of the Ministry for their diligence and commitment to this process.

Mr. Speaker, I also wish to thank my constituents, the constituents of the electoral district of Bodden Town, for allowing me to be in this House as one of their three representatives. It is a responsibility that I take seriously. The many commitments and promises which this Government and this Minister have made to the people of the country, and in particular to the people of Bodden Town, we are committed to those promises and we fully intend to deliver on them.

Mr. Speaker, I am going to essentially divide my debate on the Throne Speech delivered by His Excellency the Governor, the Budget Address delivered by the Third Official Member and the Policy Statement delivered by the Leader of Government Business respectively on 27 April. I am going to divide the debate into four parts.

I am going to spend a little time in the first part, Mr. Speaker, on the economic conditions in the country and the high level issues with respect to the Budget, and I am then going to move into the second part into subjects for which I hold constitutional responsibility. The third part of my debate will be specific to projects within my own constituency, the constituency of Bodden Town, and the fourth part of my debate will deal with non-ministerial subjects—that is, subjects for which I do not hold constitutional responsibility, subjects such as constitutional modernisation, immigration policy, law enforcement and the cost of living.

Mr. Speaker, as a general comment, again from the outset the Opposition has criticised the Budget and the programmes that have been put in place by this Government. On a number of occasions during the debate from the Opposition thus far there have been several misleading statements, and as I go through my debate I am going to point them out, I am going to highlight them and I am going to rebut them.

Mr. Speaker, whenever you see an Opposition taking this position—when an Opposition cannot find anything that is genuine in terms of any legitimate criticism of the Government's policy and programmes and that they have to be creative with respect to those programmes and, essentially, make misleading statements—that is an indication that the Government is doing a good job.

Mr. Speaker, the presentation of the Budget and the Budget Address by the Honourable Third Offi-

cial Member highlighted a number of things which we as a country ought to be proud of. We look at the economic outlook as presented in the Budget and we also look at the assessment by Moody's which has certainly been referenced while a number of Members of the House were debating the Budget. We see that Moody's has raised the ratings for the Cayman Islands to Aaa and Aa3, which are equivalent to exceptional and high ratings. This is commendable, Mr. Speaker, and it is certainly very significant that we should highlight this.

The ratings are based on the Islands' macro-economic performance, political and social developments, the state of the Government's finances and its debt position, and the Islands' vulnerability to external shocks. The Third Official Member indicated as well in his address that these exceptional and high grade ratings placed the Cayman Islands on par with the UK, the USA and Canada.

The ratings in the 2006 Moody's report provide an independent verification, not only of the Government's ability and willingness to meet its debt obligations, but they also indicate that the Islands' macro-economic fundamentals are solid.

So, Mr. Speaker, if we start off on that basis and we look at those ratings it is certainly something that the Government, the people of this country and that the Opposition should be proud of and we should all be proud as Caymanians, irrespective of what side of the House we sit on, to brag about this particular assessment and ratings by this credible international organisation.

But, Mr. Speaker, we appreciate that this is the House of politics and there are going to be political statements. That is inevitable. But we must be responsible with those political statements and we must call a spade a spade. The Opposition should commend the Government when they see the Government doing a good job. An Opposition in any democracy is critically important because it provides one of the checks and balances on the government's activities, and so any government should expect criticism from the Opposition but it should be legitimate.

Mr. Speaker, the Budget which this Government has produced, the financial statements indicate a forecast net surplus of \$17.5 million in the 07/08 financial year. And again, this is an indication that we are in compliance with the principles of financial management. It is certainly one of the principles that we have satisfied. As the Honourable Third Official Member demonstrated in his address, we have satisfied all of the principles of responsible financial management.

Mr. Speaker, we have produced a budget that contains no new revenue measures. The Budget indicates a net worth of some \$485.3 million, and that is arrived at by looking at the difference between the total assets of \$990 million and by subtracting the total liabilities from that of \$504.7 million. It gives you a net worth of \$485.3 million. So, it is a good position for the Government to be in—for any government to be in.

Mr. Speaker, the borrowing programme of the Government has been the subject of much discussion, particularly again from the Opposition, and much criticism. But as I have said before, this Government makes no apologies for its borrowing programme because the borrowing programme is to provide key infrastructural projects and programmes that, as I said earlier, have been neglected for decades. And yes, some work has been done on things like schools and roads.

But I do not know who the individuals who are opposing this particular capital development programme think they are fooling when we talk about the need to build additional roads so that our people do not have to sit in traffic for an hour, an hour and 15 minutes every morning, and so that we do not have to wonder come September 2007, 2008, 2009 whether we are going to have sufficient room in our schools for our children. How can we sit here as a government and simply say to ourselves, *'Well, let us just wait until then and see what is going to happen.'*

We know what the numbers are. We know. We know from the trends, we know from the projections, and it would be highly irresponsible of us to sit back as some have done in the past and wait until the crisis hits and then try to do something about it and then in July each year be sending off rush orders all over the world trying to get portable classrooms to put our children in. That is not the way to run a country, that is irresponsible, and this Government has embarked on a programme to change all of that.

Yes, it is going to cost money but it is to the benefit of our people and we make no apologies for that, because we have demonstrated in this Budget that we have the wherewithal to repay the debt. In addition to that, our revenues have traditionally been much better than we have forecasted. So, the extent to which we have to borrow and the extent to which we have indicated we would have to borrow in this Budget to fund the Capital Development programme, it is likely that when we are standing here this time next year we are going to be saying again that we did not have to draw down the amount of money that we expected to—not because the work has not been done but because the revenues were better than we expected.

Mr. Speaker, the public debt situation is one I wish to highlight because, again, this is a situation that has certainly been misrepresented to the public. I heard the Leader of the Opposition on the talk show recently. I heard the Third Elected Member for West Bay on the talk show recently. And I also heard one of the talk show hosts, Mr. Elio Solomon, talking about how the Government's public debt was nearing \$1 billion. I do not know whether they did some type of research on the Internet and made a mistake with the country that they entered in the search engine, but nothing could be further from the truth.

The Financial Secretary has provided the public debt situation to this country, it is included in the

Budget Address, the figures are included in the Budget, the figures were available to the Leader of the Opposition and to all Members of this House, and yet they would go out to make these representations which clearly are inaccurate.

Mr. Speaker, to clarify, the Third Official Member, in his Budget Address, provided information with respect to the public debt and I will just read quickly from a part of his presentation. He said: **“The outstanding balance on central Government Public Debt was \$173.8 million at 30th June 2006. In the 10-month period from 1st July 2006 to today, borrowings of \$10 million have been made by Government whilst \$13.6 million of debt-principal repayment has occurred. Therefore as at 27th April 2007, [and that was the day that the Budget was presented], central Government Public Debt stands at \$170.2 million.”** Now, Mr. Speaker, is that close to \$1 billion?

But, Mr. Speaker, let us take it a little bit further. Let us go beyond that to look at what it is going to be projected to be because, yes, it is going to increase because, yes, there are going to be some additional borrowings.

The Third Official Member went on in his Budget Address to say: **“As shown in the Annual Plan and Estimates for 2007/8, the Balance Sheet therein indicates that as at 30th June 2008, the balance of the Government’s outstanding debt is forecast to be \$295.7 million which is 3% below the \$305.8 million that was stated in the 2007/8 SPS [Strategic Policy Statement].”**

And so, Mr. Speaker, again, even when you take this projected public debt situation at 30 June 2008, it is nowhere near the \$1 billion that the Leader of the Opposition and other Opposition Members have been talking about publicly.

Mr. Speaker, the Principles of Responsible Financial Management have all been satisfied and complied with—and I am not going to go through all of these figures that the Honourable Third Official Member has already covered. He went through them from principle 1 right through to principle 5 and demonstrated that we are in compliance with all of them. The only one that I will spend just a minute or so on is the last one which is with respect to the cash balances—that is the fifth principle.

I just wanted to mention this because despite the significant Capital Development Programme that we have embarked on, that is necessary, and despite the surplus we talk about of \$17.5 million, we still show forecasted, Mr. Speaker, cash balances will be \$90.3 million at 30 June 2008. I would certainly like to point out to the Leader of the Opposition that this is slightly higher than what he said we inherited as a Government when we came into office.

Mr. Speaker, I do not know that I need to go any further into the details of the Budget because when we get into Finance Committee we are going to deal with those detailed issues. But I wanted to touch

on the higher level stuff and to demonstrate that all that was said by the Opposition needed to be rebutted because it did not fairly present the facts.

Mr. Speaker, I want to move on now to the subjects for which I hold constitutional responsibility and I am going to take some time to go through this because, again, with respect to the subjects that I am responsible for there were a number of statements that were made that need to be addressed, statements by the Opposition and by some of their supporters that need to be addressed. Otherwise, the public may get the wrong impression.

So, the Ministry of Tourism, Environment, Investment and Commerce and its agencies will continue to work individually and collectively to enhance the economic development of the Cayman Islands by strengthening the management of the Islands’ natural resources and executing strategies aimed at growing tourism and investment. The Ministry will continue to support the implementation of the revised five-year National Tourism Management Policy, as well as introduce legislation governing Sunday music and dancing, public transport and national conservation.

The reform of public transport will continue as we work to increase the regulatory capacity of the Public Transport Unit, and we will continue to encourage strategic public and private sector collaborations, particularly with tourism and the commerce sectors.

Mr. Speaker, during the debate on the Budget the Leader of the Opposition and the Second and Third Elected Members for the district of West Bay were extremely critical of the tourism sector and of my Ministry and of me personally as Minister of Tourism. I am not going to waste the time to go through . . . I should say at this point that I was not actually here, I was not present in House, I was on official travel when the Leader of the Opposition and the Second Elected Member for West Bay were debating the Budget. I was also away for the first part of the debate by the Third Elected Member. Sorry, I was away for debates by the Leader of the Opposition and also the Second Elected Member for West Bay; I was here for part of the debate by the Third Elected Member for West Bay.

On a number of occasions during debate—and I have looked at the *Hansard* reports but I am not going to spend a great deal of time quoting from them, I am just simply going to make general references with respect to most of them. But they are very critical of the tourism sector. In particular, the Leader of the Opposition seemed to be somewhat confused because at one point he was talking about tourism being the worst that it has ever been and then later on he was talking about the Minister is taking credit for the increase in arrival numbers because he was comparing them to Hurricane Ivan numbers and all sorts of things. He was back and forth seemingly in a state of confusion during his debate.

But, Mr. Speaker, to be quite frank with you, I am really tired of the Opposition and some of their

supporters misrepresenting the facts with respect to tourism and trying to create the picture that tourism is not doing well and that the numbers are decreasing. So, I am going to crave your indulgence, Mr. Speaker, because I want to spend a little time and I want to take my time on this so that we can present the facts. And I am going to table this document when I am finished as well.

I want to start, first of all, with the tourist air arrivals by year from the year 2000 up until the present. Mr. Speaker, air arrivals in the year 2000 were 354,087. In 2001—and this was the year of the terrorist attacks in the US, 11 September they occurred—at the end of that year the numbers dropped to 334,071 visitors by air. In 2002 the numbers dropped further to 302,797. And, yes, I am going to acknowledge that there was still some reluctance on the part of people to travel in 2002 because of the terrorist attacks in 2001.

In 2003, Mr. Speaker, the numbers dropped further to 293,517 arrivals by air. That is the year that you would have expected to see some recovery, but the numbers dropped further. In 2004—and we had another event, as we all know, Hurricane Ivan in September 2004—the numbers dropped further to 259,929 air arrivals.

Now, Mr. Speaker, I am going to just pause here to say that prior to the hurricane in September 2004, we did, in fact, see that there were some slight increases—numbers were beginning to come up. But overall, at the end of that year, the numbers were down over 2003. We had the hurricane in 2004; 2005 was a recovery year and towards the third and fourth quarter of that year we began to see that our room stock was coming back online. In 2005 total air arrivals stood at 167,801. So, that, again, Mr. Speaker, remember, was a recovery year.

In 2006 air arrivals stood at 267,257, an increase of 59.3 per cent over 2005. It is important to note, Mr. Speaker (and, as I said, I am going to table this) that every month in 2006 posted increases over the same months in 2005.

Let us look at the situation in 2007, thus far, Mr. Speaker. We see that in January 2006 we had 20,163 air arrivals; in January 2007 we had 23,726; in February 2006 we had 25,004 air arrivals; in February 2007 we had 27,947 air arrivals; in March 2006 we had 31,493 air arrivals; and in March 2007 we had 35,146 air arrivals.

So, from January 2006 up until March 2007 we have seen consistent increases every month. That tells me that tourism is certainly recovering, that it is doing well, and that we are approaching full recovery following Hurricane Ivan.

Now, Mr. Speaker, I just want to look in a little bit more detail at the month of March. If we look at the month of March, the air arrivals have increased from our primary market, the USA. It has increased by 13.4 per cent. From the European market it has increased by 13 per cent, from the Canadian market it has in-

creased by 9.2 per cent, and from other countries other than those that I have just mentioned it has increased by 18.4 per cent. So, overall, air arrivals in the month of March are up 13.3 per cent.

Mr. Speaker, much was also said about the European market and the fact that this Government was not focusing on that and that there was so much potential in the European market and in the Asian market. Well, Mr. Speaker, just let me quote the statistics for air arrivals from the European market. And this is no coincidence because this Government, unlike the previous administration, has increased the marketing budget for the European region by \$750,000 last year. We have seen the results of that, Mr. Speaker, because air arrivals from Europe in 2006 increased by 31.5 per cent. And while I am on that, I should also say that air arrivals from Canada in 2006 increased by 42.3 per cent.

So, Mr. Speaker, I want to table the statistics for air arrivals from the year 2000 to the present because—

**The Deputy Speaker:** So ordered, Honourable Member.

**Hon. Charles E. Clifford:** Thank you, Mr. Speaker.

I think there has been, really, too much talk about the numbers declining, and this is all in the face of evidence that clearly indicates the opposite.

Mr. Speaker, you know, my good friend, the Second Elected Member for West Bay is a certified public accountant, and I know that he understood these figures. I am not suggesting that the others did not, but I know that he, in particular, understood these figures. And for him to take these figures and come to this honourable House and tell the people of this country that tourism is declining is downright irresponsible.

Let us not forget, we have some very, very hardworking people in the Department of Tourism; we have some very, very hardworking people in the hotels; in the restaurants; at the rental car companies - you name it, businesses that are connected either directly or indirectly to the tourism industry. And, Mr. Speaker, I do not mind him being critical of me, but when he does that, and when the Opposition presents information that is not correct, it really is an offence to those individuals that work so hard to make this all happen.

So, I am going to leave that part of it for now, Mr. Speaker, the statistics, and I hope that I do not hear any similar utterances coming from the Opposition or any of their supporters following this with respect to the numbers, because I will say again, that these numbers that have been presented are on the Department of Tourism's website. Unlike in the past, they do not have to come to me as Minister for approval. They are posted on the website as soon as they are known and they are not disputed. They are not disputed by the private sector—perhaps other

than I saw my good friend from North Side, Mr. Bo Miller suggesting that we may still be counting returning residents. But I want to assure Bo Miller that that is not the case. I can assure him that he can come anytime he wishes to look at the information that essentially supports these numbers. We do not have any problem with that. But again, that too, in my view, is a reckless statement and I will say no more about that other than that.

Mr. Speaker, in the last two years the Department of Tourism and Cayman Airways have developed a strong, smart and strategic partnership. This allows the destination as a whole to benefit from the increased intellectual capabilities of both organisations, and it also allows the destination to benefit from the combined support for similar and frequently complemented business objectives.

Mr. Speaker, perhaps the greatest interest here in Cayman is the fact that while the marketing benefits of the partnership are incredible, so too are the opportunities to sell packages to NFL fans whose dream vacation may very well be a week in the Cayman Islands, with the opportunity to see the NFL Quarterback Challenge. Again, I want to make reference to this matter because this is another issue that came up during the debate where the Opposition—and the Leader of the Opposition in particular said that, you know, this was something that he did, he secured the NFL Quarterback Challenge.

Again, I am not going to read from the *Hansards* but I did review them. I was Permanent Secretary at the time, Mr. Speaker, and I am very familiar with what actually occurred.

The NFL Quarterback Challenge has never before been held outside of a US territory. The Cayman Islands in 2004 promoted something called the Cayman Challenge, which involved players from the NFL. And that was certainly, in my view, a good move, although I do not know that we necessarily got the best value for money at that point. But I think that it was a good move, and I will acknowledge that it was the beginning of the relationship with the NFL.

As I said, I was very much involved in that but, you know, for the Leader of the Opposition to stand up in this House and say that he did the NFL Challenge and that this is not the first time, is misleading. It is not correct, and it is simply not true.

Mr. Speaker, I am sorry he is not here today because . . . I am going to do it anyway. I am going to challenge him to produce to this country the NFL agreement, the agreement for the NFL Quarterback Challenge that he claimed he started.

And I want to point out some important facts here with respect to this because I have done a comparison of the two—that is, the NFL Quarterback Challenge verses the Cayman Challenge.

The Cayman Challenge, as I said, Mr. Speaker, was done in 2004. It was developed and produced by the NFL and by Chowder, Inc. It was essentially to achieve the marketing objectives of both

groups and for the NFL, they wanted to give their players an opportunity to be seen in environments other than on the playing field, and for the Cayman Islands to use the entertainment as a platform to showcase the offerings that we had in Cayman. That is the Cayman Challenge, so that was a one-off opportunity.

The NFL Quarterback Challenge, Mr. Speaker, is a 17-year franchise event for the NFL, designed to engage fans and promote the sport and its players beyond the traditional football season. As such, it has a built-in fan base who look forward to watching and, indeed, traveling to the event to participate in it.

With respect to the sponsorship, Mr. Speaker, the Cayman Challenge was supported by the NFL, by the Cayman Islands Department of Tourism and by local Cayman sponsors. The NFL Quarterback Challenge on the other hand, is supported not just by the NFL but by the NFL PLAYERS INC—that is, the Players Association; the Quarterback Greats, the Alumni Association, DirecTV, EA Sports, Video Gaming Company Madden and others.

With respect to the broadcast, Mr. Speaker, the Cayman Challenge was contracted to run five times on the NFL Network. In comparison to that, the NFL Quarterback Challenge (which is going to be filmed, as I said, here) is contracted to run a minimum of five times on ESPN and a minimum of five times on the NFL Network with a number of re-airings which we estimate will be about 20 in total, so about 20 in total on each.

The partnership arrangement, as I indicated with the Cayman Challenge, was a six-month partnership to bring some of the NFL players here. The Quarterback Challenge, on the other hand, is a three-year partnership with a commitment to create marketing programmes throughout the course of the three years, not just around the filming of the event here which will take place on 19 May, next week.

As far as investment is concerned, Mr. Speaker, the Cayman Challenge—the Government had to make an investment, and remember this was a six-month arrangement. The Government had to make an investment of \$600,000, plus pick up the tab for the hospitality events and in addition they were required to buy advertising on the NFL Network in the amount of \$175,000. So, that cost us a total of US \$775,000 for a six-month partnership.

Compare that to the NFL Quarterback Challenge, Mr. Speaker, it involves a three-year commitment and partnership between the Cayman Islands and the NFL, which is renewable. It involves a US \$700,000 investment in year 1, plus a 10 per cent increase on that in the subsequent two years. There is no requirement for the Cayman Islands to buy additional media on the NFL channel. And so, Mr. Speaker, I think when you make the comparisons between the two you immediately realise the significant value involved in the NFL Quarterback Challenge.

Apart from that, Mr. Speaker, the NFL has a database of millions of people and we will have the ability to do direct marketing to their fan base. Now, we probably cannot afford to do direct marketing for the millions of people that they have in their fan base and in their data base, but we certainly know where our visitors are coming from. We do the research on that, we can track it right down to the zip code, and so we know the areas that we need to focus on. So, we can be very selective with those groups of individuals in the database with the millions of people, and we can do direct marketing to those individuals. We can do some tag-ons to some of the things that the NFL will be doing, and there is tremendous value in that.

When you look at the airtime alone, Mr. Speaker, when they film that event here on 19 May and that runs on the NFL and ESPN over and over again, if we were to try to buy that kind of TV time, that type of exposure we simply could not afford it. That is the bottom line.

Mr. Speaker, the other area I want to touch on under Tourism is the initiative called the Customer Service Excellence Programme. There have actually been a number of names for this programme and there is a group of public and private sector individuals putting together a logo and a branding for that particular initiative. I wanted speak about it and to say that it is designed to raise the level of service delivery within the tourism industry so that it exceeds that which is expected by the guests and residents.

Research conducted by Deloitte in the summer of 2005 indicated that most of our guests get good service most of the time, but it also indicated that many visitors experienced bad customer service during their visits, resulting in the perception that the Cayman Islands does not offer value for money.

The initiative kicked off in February 2006 at the "Getting From Good to Great" service excellence workshop. Since then we have seen the completion of the first round of the "Train the Trainer Certificate" programme, where 20 individuals from the tourism sector were trained to facilitate customer service workshops to employers and employees within the industry.

As well, Mr. Speaker, in September and October 2006, 10 customer service target standards were developed for the public transport sector and over 200 public transport members participated in and graduated from the "Ambassador of Hospitality Customer Service" programme.

During the next four months the Department of Tourism will organise a series of focus groups with employers and employees from the tourism industry and various government agencies. These focus groups, Mr. Speaker, will determine the inspection criteria that will be used to conduct the baseline assessments. In addition, the industry and government agencies will participate in the selection and creation of the logo and tag line that will brand this programme going forward as I indicated earlier.

Furthermore, the Department of Tourism will create a public relations campaign to promote the awareness of the programme with the focus being "Tourism as Everyone's Business in the Cayman Islands".

Mr. Speaker, I want to move on now to talk about the Apprenticeship Training Programme. The Tourism Apprenticeship Training Programme is competency based learning for occupational skills for the tourism industry of the Cayman Islands. It provides structured hands-on learning while on the job, with related classroom instruction and workshops that lead to certification. Perhaps most importantly, it sets standards for journeymen and master status in the tourism and hospitality sector.

It will benefit high school seniors desiring careers in tourism, recent high school graduates looking for a career in tourism and incumbent workers in tourism trying to advance their career. This programme is one which will, without a doubt, put tourism careers within the grasp of many Caymanians and it will once again make tourism the industry of choice to work in the Cayman Islands.

Mr. Speaker, this programme—and I had a presentation on it, I guess, about two months ago now by the committee which was established to oversee it and we expect to see the first students through the door with respect to that programme in September of this year. So, we are very, very proud about that. We think that it is going to fill a gap that has existed for many years, and it will put employees in the position where they will be able to get certification with respect to several different areas of the tourism sector. We also believe that by so doing, they will be in a better position to negotiate things like employment conditions and salaries, et cetera.

I want to take a moment here to sincerely thank the members of the committee for their hard work. They comprise of both representatives from the public and private sector; there is at least one Member of the Legislative Assembly, the Third Elected Member for George Town, Ms. Lucille Seymour, who is on the Committee. I sincerely want to thank all of them and to thank the private sector for their commitment to this programme because it is going to have to be jointly funded by the government and the private sector.

I say that, Mr. Speaker, because the Government is going to have to fund the academic side of it where they will have to do some of the theory at the University College or at the International College of the Cayman Islands. Then the employment section, where they will actually be getting the practical experience, will be provided by the private sector and they will then be employed by them as part-time employees. So, that is where the joint funding comes in and I am very much appreciative for that and I commend the private sector for their commitment to that programme.

Mr. Speaker, I want to move on now to a programme called the Cayman Islands Environmental Project for the Tourism Sector (CEPTS) which is a public/private sector partnership for improved environmental performance in the Cayman Islands tourism sector. The multi-phased project expected to get underway in August is a joint effort between the Department of Tourism and the Department of Environment.

Phase I of the programme is aimed at conducting environmental audits and establishing environmental management systems for the tourism accommodation sector. It will also involve guiding interested properties through the Green Globe or similar certification and exploring the possibilities of destination certification for Little Cayman.

The pilot properties chosen for this project are the Southern Cross Club, Little Cayman Beach Resort, Pirates Point Resort, the Brac Reef Resort, Cobalt Coast, Compass Point and Sunshine Suites.

Phase II will include the review of the existing development control and site design regulations with a view to incorporating environmental policies for the tourism sector, as well as a pilot EMS project for tourism attractions and developing a work plan for destination certification for Little Cayman.

Later phases will include establishing EMS in other tourism-related sectors and businesses such as restaurants, tour operators and water sports operators. This project, Mr. Speaker, is in an effort to promote sustainable tourism through best practices.

And I want to say at this point, Mr. Speaker, that we are also very proud to announce that the 9<sup>th</sup> Annual Sustainable Tourism Conference (STC9) will take place this month on 21 May to 25 May at the Westin Casuarina Resort and Spa in the Cayman Islands. This annual event is part of the information, dissemination and regional awareness component of the Caribbean Tourism Organisations Strategy for sustainable tourism development in the region.

The overall motto for this year's conference is "Keeping the Right Balance: Health and Wellness, Communities, Environments and Economies". This seeks to reflect the fact that the sustainability of the tourism sector in the Caribbean depends on our ability to maintain the good health of our environments—that is, our social environments, our cultural environments, our financial environments and our physical environments.

As a regional forum for information exchange on national, regional and international sustainable tourism initiatives, the Sustainable Tourism Conference provides the opportunity for industry stakeholders to learn from the past, build on the present and plan for the future.

The conference, Mr. Speaker, is much smaller than the FCCA conference. We expect to attract approximately 150 regional and international delegates comprising of, perhaps, some ministers of tourism; certainly directors of tourism; hotel and accommodation operators; nature based and ecotourism opera-

tors; destination managers; tourism associations; destination guides; academics, students and individuals interested in sustainability.

When I appeared recently on the Youth Flex Talk Show, I mentioned this to the students who were interviewing me, and I was pleasantly surprised—perhaps I should not have been so, but I was very, very surprised at the level of interest that these students had in this Sustainable Tourism Conference.

They requested of me on the show that we make sure to involve our students in the conference. Mr. Speaker, I said to them then that I would ensure that that happened., I told them that we had involved their students in the components of the FCCA conference that we could, and that we would certainly do the same for this conference. I have instructed the Department of Tourism to make sure that that happens and they have been planning for that.

So, I am very, very grateful that some of our students in Cayman will have the opportunity to participate in that conference and give us their views on the environments and how we should go about creating a sustainable tourism sector for the Cayman Islands.

Mr. Speaker, we have made many mistakes in the past and no one is going to stand here and be overly critical about those mistakes because I think the country was in a position where it was essentially starving for development, it was starving for progress and we took just about everything that came through the door. That came with consequences and we know that today. We believe that the destination has matured with respect to development, with respect to tourism, and with respect to financial services, so that we know we can be more careful going forward with respect to how we plan our development to make sure that everything we do in Cayman is sustainable and that the benefits that will flow from all of these key economic sectors are going to continue to flow to future generations.

Mr. Speaker, I am going to speak briefly now on Boatswain's Beach and I want to say that Boatswain's Beach is, without a doubt, a very nice attraction. It is a first-class attraction and as far as attractions go, the country should be proud of the product that we have created at Boatswain's Beach.

Mr. Speaker, having said that, Boatswain's Beach comes with its own set of challenges and I know that reference was made to this during the debate as well. I know that the Third Elected Member for the district of West Bay indicated that he heard we were having problems at Boatswain's Beach with the number of visitors and essentially said, *you know, we told them so because the West Bay Cruise Dock was an integral part of that project and we told them that it could not work without that.*

Mr. Speaker, when that statement was made sometime ago by the Leader of the Opposition, I responded to it because I know that there was certainly no part in the business plan for Boatswain's Beach

that indicated that you needed to have a cruise dock in West Bay. So, I challenged him then to show me in the business plan where a cruise dock in West Bay was required in order to make that project work. Of course, he was not able to do that because it does not exist in the business plan.

Now, Mr. Speaker, in response to the comment by the Third Elected Member for West Bay, that they told us so that it could not work without the dock in West Bay, just let me say that the problems with respect to Boatswain's Beach do not flow from the number of visitors. The number of visitors is where we expected it to be. The number of visitors is not very far off what the business plan indicated. In fact, I think it is either on par with or perhaps it may have slightly exceeded what the business plan indicated.

The major problem with Boatswain's Beach at this point in time flows from a number of things, not the least of which is the fact that the project was delayed for a number of reasons, including Hurricane Ivan, and the fact that large numbers of staff were recruited before they were actually needed which also created additional expenditure that was unnecessary.

But a lot of the fundamental assumptions in the business plan, Mr. Speaker, were incorrect. For instance, and perhaps this is the most significant one, the business plan assumed that every adult coming through the door would pay \$60 a head per person, and every child coming through the door would pay \$30.

Mr. Speaker, we know today that that was not practical. We know that that was not achievable, certainly not from day one. We may reach that point someday, but it certainly was not realistic from day one. So, the Board of Directors, in conjunction with the management, has had to create a new pricing structure where there are three different tiers of tours offered at Boatswain's Beach.

But, Mr. Speaker, if you consider just that one point, yes, you are getting the right number of visitors, you are getting what you expected and let me say this: that is happening too and facilitated by the Esterley Tibbetts Bypass that this Government put in place because it has reduced the congestion on the West Bay Road. That is no longer an issue.

So, getting the people to Boatswain's Beach is not an issue. And I do not have to get into all of the issues that the cruise lines raised when we started talking about the West Bay Dock and how it was going to be a logistical nightmare to get people from the ship to the tender port and then to another tender port in West Bay because they explained to us that they could not take them straight from the ship to that port and there were all sorts of issues. So, I do not need to get into that, but the numbers are not the problem.

If you just take that one issue, the fact that you cannot get \$60 for every adult and you cannot get \$30 for every child coming through the door, you immediately understand the impact that has on the revenues for Boatswain's Beach. It is very, very sig-

nificant, Mr. Speaker. However, this Government is committed to trying to make that project work.

You know, Mr. Speaker, the country is aware that we have had to come back to this House to get additional funding to get it opened. We have had to come back to get additional guarantees to keep it operational. And the situation is not a good one. The Board of Directors has been tasked with the responsibility of reviewing the financials to make sure that they are completely accurate, they have been tasked with reviewing the organisational structure and the management structure to make sure that we have the right skills in the right places so that we can move forward with a business plan that is sustainable.

The Government is not going to simply abandon the project, Mr. Speaker. I can give the employees of Boatswain's Beach and the citizens of this country the assurance that this Government is going to give Boatswain's Beach every opportunity to become a viable entity. What we are not going to do is to simply accept that this is another agency that we will continue to subsidise indefinitely. Yes, we understand we are going to have to do that for the short term, perhaps even for the medium term. But we must be very, very clear on where we are going with this project. The Board of Directors and the management team have been working diligently to achieve the objectives that have been set recently by the Government to ensure that that happens.

I am not going to say any more about Boatswain's Beach at this point, Mr. Speaker, because as I indicated there are challenges with the project and some of those challenges will be coming to Finance Committee when we meet later on. We will go into more detail at that point.

Mr. Speaker, can I just have an indication of how much time I have left?

**The Deputy Speaker:** From my calculation, Honourable Minister, you have gone one hour, so you have an hour left.

**Hon. Charles E. Clifford:** Thank you.

Mr. Speaker, just to touch really briefly on the Tourism Attractions Board. The Tourism Attractions Board continues to position itself so that it can take advantage of the Go East initiative and the opportunities that that is going to provide. They are also going to maximise the opportunities from doing events at Pedro St. James and creating additional cultural offerings there for visitors and for our residents. And we have seen improvements already and we have also seen—and this is important—we have also seen a significant increase, a notable increase in cruise visitors the Botanic Park. You know, Mr. Speaker, and other Members of this House know, that for a very long time we said let us just forget about the Botanic Park with respect to cruise visitors because it is simply too far for them to go. We have proven that that is wrong. And when we get berthing facilities (and I am

going to come to that later on) they will have even more time on shore to make that journey to Botanic Park, and further out to East End and North Side.

Mr. Speaker, the Botanic Park nursery has done a number of very good things. They are growing some indigenous plants. The programme that they have at the nursery has resulted in the growth of some 5,000 indigenous trees and 20,000 native species of plants. Mr. Speaker, I am going to truncate some of what I had to say about this because I have a lot of other things to address and I realise I have gone over an hour already.

But I want to talk now about Cayman Airways. Again, Mr. Speaker, this is a subject that certainly featured very heavily in the debate and there was much talk about consultants and Sir Turtle and where we were with the restructuring and all sorts of things. I am going to come to that.

What I want to say, Mr. Speaker, is that the airline has faced many challenges, one of which is, as you know, our aging fleet which costs more and more money to operate and to maintain. It is certainly for this reason that one of the airline's short-term goals is to modernise and standardise its fleet of Boeing 737-300 aircraft.

Mr. Speaker, the programme to standardise the 737-300 will be enhanced by the delivery in the first quarter of 2008 of the third Boeing 737-300 aircraft. We are certainly on the road to accomplishing this goal and I understand that negotiations were concluded last month for this aircraft. You will also be aware that just recently we retired the first of our 737-200 aircraft. That is the one that was labelled VPCAL. That was the oldest in our fleet and it served us for 12 years.

The level of investment that a company the size of Cayman Airways would have to make in that aircraft to make that feasible simply did not make sense. So, the aircraft has actually gone into an inventory. It is available for sale because there are perhaps other companies that are structured differently that may see the investment that is going to be necessary in that plane to allow it to continue to fly. They may see that investment as justified. The second option, Mr. Speaker, as you also know, is to sell the parts from that aircraft, but we will see which way we go with that.

So, the third 300 aircraft is coming into the fleet in 2008, probably in January or February. The second 200, which is labelled VPCKX (another Boeing 737-200) will be retired in January 2008, and at that point, Mr. Speaker, Cayman Airways will essentially end up with three 737-300 aircrafts and one 737-200 aircraft that will service the Cayman Brac route and will also provide cargo service.

I should say at this point as well, Mr. Speaker, that we are looking at alternatives to that as well, particularly with respect to cargo because it is very likely that cargo can be outsourced much more economically. I think that we have seen the signs of

that and we will continue to explore that and make a decision on that shortly.

Mr. Speaker, again, there was talk in the House from the Opposition that they should take credit for the two Twin Otters that we operate to Cayman Brac because they had essentially bought these aircrafts.

Mr. Speaker, people listening to this debate might take the view that those are really trivial matters, but they are important because, again, here is a misleading statement by the Opposition that they bought the two Twin Otters for the Cayman Brac and Little Cayman route.

Mr. Speaker, we know what the true story is: Cayman Brac and Little Cayman had two Twin Otters that were servicing it which were leased. The leasing company made a call on the aircrafts. They would not give us an option to renew the leases and they did it at the last minute. This Government had to take a decision—to ensure that there was no interruption to air service to Cayman Brac and Little Cayman—to purchase two Twin Otters.

Mr. Speaker, we went all over the place because those aircraft are in high demand. We went all over the globe trying to find Twin Otters. We could not find any to lease. We could find two which I believe came out of China, and they were not available for lease, they were only available for sale. Well, luckily and to our benefit, they were in much better condition than the two aircrafts that we had leased from Ken Borek. The air conditioning system was in much better condition, the interior was in much better condition. Generally speaking, the aircrafts were in better condition.

So, Mr. Speaker, we purchased them. This Government did not hesitate. We purchased the planes for Cayman Brac and Little Cayman. And on 23 June 2006 we had a christening ceremony at the Gerard Smith International Airport in Cayman Brac. Both planes arrived on the tarmac. We did the traditional christening. The First Elected Member for Cayman Brac and Little Cayman was present at that christening, so I know that she knows better. I am not saying that she was the one that said it, but if there was any doubt in the minds of the other Members of the Opposition, she could have certainly put them straight on that because the aircrafts were purchased under this Administration.

Mr. Speaker, the Cayman Airways' conversion to the new airline system, Sabre, in 2006, was a successful and bold move forward towards another goal of the airline in which we improve our focus on customer service and commitment. The new global distribution system provides enhanced distribution services to the airline and technology solutions for the travel industry which will result in greater possibilities and conveniences for the customer.

In the near future, Mr. Speaker, passengers will have the capability of pre-selecting their seats. They will have the ability to review their Sir Turtle

awards account online, redeem rewards online and request refunds and exchanges on the website just to name but a few.

Mr. Speaker, in this service-oriented business the interaction between our employees and our customers is paramount. For this reason, Cayman Airways Ltd has joined forces with the Cayman Islands Department of Tourism and the Freeman Group and this is in relation to the Customer Service Excellence Programme I spoke about earlier. They have joined forces with DoT and the Freeman Group to be one of the first companies to undertake the first-rate customer service training offered by the Group who provide a fully integrated and comprehensive approach to establishing, implementing and maintaining international service standards.

So, Mr. Speaker, I want to pause here to say that this is not the usual ad hoc customer service programme that we had in place for years. This is a sustained programme that is measurable, that is tangible and that can be audited. And so, people will be certified to a certain level and there will be checks and balances along the way to make sure that they maintain those standards. There is an audit in place so that when employees are doing exceptionally well they can be rewarded and when they are not doing so well they can be encouraged and counselled to correct their activities so that they maintain those high customer service levels.

Mr. Speaker, the opening up of the communication channels between our customers and their employees on both sides of the equation will benefit from open, honest and frequent face-to-face communication on a daily basis. These communication channels will be facilitated by the launch of a Travel Agency Advisory Board and a Frequent Flyer Advisory Board where our customers will have the opportunity to contribute to the future direction of the airline and to offer comments for improved customer service.

Additionally, we will provide the necessary resources which will allow customers to provide us with feedback as easily as possible such as, as I indicated, customer service things such as performance cards onboard the aircraft.

Cayman Airways, Mr. Speaker, wants to know how we are doing and what we can do to make the travel experience more enjoyable for our customers. The Airline wishes to establish—and this is an issue that is certainly near and dear to my heart—succession planning, promotions on merit and instill the doctrine of accountability and foster improved communications within the company.

Mr. Speaker, part of this restructuring programme is to identify those individuals, either in or below middle management, that have the potential to excel and to begin to groom them for future promotion under a proper succession plan. Never before has Cayman Airways had such a plan. In fact, the Government itself has failed miserably with respect to

succession planning, but we are doing something about that now.

Mr. Speaker, Cayman Airways feels that these will be achieved by implementing performance planning and review programmes containing specific tasks to be accomplished, holding employees accountable to the agreed performance plan and by creating a job description for every position. Additionally, Cayman Airways plans to better identify, track and train those employees who have the desire and skill to be promoted. As I indicated, this will all be within the context of a proper succession plan.

Improved corporate internal communications have been encouraged by an open-door policy on communication which includes, Mr. Speaker, frequent visits by the leadership team to break rooms, ticket counters, hangars, crew rooms, et cetera. Weekly news updates on the accomplishments and activities throughout the company, as well as the leadership team's involvement in the department activities is being implemented.

Now, Mr. Speaker, much has been said about Cayman Airways by the Leader of the Opposition and by the Second and Third Elected Members for West Bay—many critical comments, Mr. Speaker. I look, for instance, at the *Hansard* with respect to the contribution by the Leader of the Opposition where he talks about he does not know why we are going to New York because we have tried that before and it has failed and American Airlines have tried it and so has Continental Airlines and they have failed. Again, a number of misleading statements: Continental Airlines is certainly still in the New York market. They have been operating that for a number of years out of the Newark Airport.

Now, Mr. Speaker, let me say this. The Leader of the Opposition says he does not know why we are going there because he does not think it is going to work. I do not really know exactly why it did not work in the past because I was not intimately involved in it then when Cayman Airways did it. What I do know now is that travel patterns have changed; I know that a significant portion of our visitors come out of the Tri-State area; I know that for the first time perhaps in launching a route the private sector in this country has come onboard—in fact, they have encouraged it more than anyone else—they have encouraged it, they have endorsed it and they have agreed to package part of their inventory with it.

And what that means is that when we do our advertising programmes in the Tri-State area in New York and the surrounding States, when we advertise the Cayman Islands it will have a tag-on and it will say “Fly Cayman Airways Non-Stop to Grand Cayman” and a call-to-action number where you can call to book your reservations or you can go on a website to book your reservations.

Mr. Speaker, never before has the relationship between Cayman Airways and the Department of Tourism been this strong where Cayman Airways is

able to leverage the marketing dollars that the Department of Tourism has in all of their gateways to their benefit and to the benefit of the destination.

Now, let me say this, and I cannot say too much more about it at this point but we are going in because the Leader of the Opposition was very critical on the point that we are going in the summer. Let me say this, Mr. Speaker, we understand that there are some markets in the US that are summer markets, such as the Houston market, and we know that the strongest performance in the New York market is in the winter season. We understand that. But we are going in during the summer for several reasons.

Mr. Speaker, there has been a significant amount of local traffic between Grand Cayman and New York and this service is being designed and marketed not just for the tourism sector but for the financial services sector as well.

Mr. Speaker, there is a significant amount of business between New York and Cayman. New York and Cayman are both major international business centres, and so it is being marketed to the business sector as well. The idea behind going in from the summer is that you take advantage of the local market and the financial services market, and of course the tourism market. But you begin to build awareness in that market going into the winter season, which is your high season, so that you do not wait until November to go into New York and all of a sudden it is a new entity and you do not get the sort of bang for the buck that you get when you start your marketing programme a lot earlier.

So, those are the reasons why we are beginning in the summer and those are the reasons why we are launching the Inaugural Flight on 23 June this year into JFK. I want to thank the private sector for their support for their partnership with this venture. I also want to thank the team at Cayman Airways and at the Department of Tourism for all of the hard work that they put into this.

Let me say this, Mr. Speaker, this was not my decision, okay, although I had to endorse it, because I do not pretend to be an airline expert. I have people working in my agencies that have that expertise and I rely on their information, I rely on their advice unless it is something that is obviously out of whack that I will question. But they are the technical people and I trust them with their information and with their advice.

This is very unlike in the past where the then Minister would decide, *'Boston is where we should be going because that is a nice city'* irrespective of the information. I do not operate that way, Mr. Speaker. I do not. And let me tell you, when the Leader of the Opposition talks about going into the New York market in summer and how that is a mistake, tell him to explain to this country why he went into Boston in December 2005, three months after the hurricane when there were no hotel rooms on the Island. Why would he do that? Mr. Speaker, people are not stupid, you know.

So, he goes into Boston when there are no hotel rooms to pick who up? Who was in Boston that we were going to get? The handful of hotel rooms we had on this Island were being occupied by recovery workers and by workers from the financial services industry whose residences had been destroyed by the hurricane. Where were we going to put people even if they came? They were not going to get on board the plane if they could not get a reservation at a hotel. So, that is a four-hour flight, Mr. Speaker, a very expensive flight! We lost millions of dollars on it! And he is going to sit there and criticise me for announcing service to New York in June? He gotta be joking!

[Laughter]

**Hon. Charles E. Clifford:** Mr. Speaker, again, we pulled out of Boston and we pulled out of Fort Lauderdale because—let us look at Fort Lauderdale. And let me acknowledge at this point that I was a director on the board when we launched service to Fort Lauderdale, but I was only one director and I respected the views of the other directors at the time I believe the First Elected Member for Cayman Brac and Little Cayman was also on the board at that time. But I gave my views, Mr. Speaker, because I did not think it was sensible for us to go to Fort Lauderdale. Let us just look at it.

It is an airport that is ten minutes away from Miami which, essentially, is our bread and butter. Miami is our bread and butter. So, we are going into Fort Lauderdale, ten minutes away from Miami, a half an hour drive from Miami for what? We are running 50 per cent load factor and we are going into a gateway ten minutes away to compete with who? We were competing with ourselves on the Miami market. We were taking the Miami traffic, Mr. Speaker, and splitting it in two between Miami and Fort Lauderdale. Again we lost money, so it made no sense and that is what part of all of this restructuring is about, to make sensible decisions based on the available data that we have.

Mr. Speaker, you know, it is important too that in criticising the Government, and me in particular, for these decisions that the Leader of the Opposition—and, in fact, the other Members of the Opposition—should certainly understand that it is not just me they are criticising but it is all the technical people that work in these agencies that produce these recommendations that Ministers act on, that we either approve or do not approve or approve with adjustments. So, they need to remember that.

Now, Mr. Speaker, let me speak briefly about Sammy's Airport Inn, and this is the subject of several parliamentary questions so I am not going to get into the detail of that. We have purchased Sammy's Airport Inn and we are in the process of converting that into office space. There were all sorts of questions and statements made about it was a nasty project and where were we going to get parking from and we

should have just simply added another floor on the existing administration building.

Mr. Speaker, this building, when it is finished, is going to be dedicated to the employees, present and past employees, of Cayman Airways because for the first time, certainly for the first time in their recent history, Cayman Airways is going to have a proper headquarters where all of their staff will work under one roof in proper conditions. And we know what those employees have had to endure since Hurricane Ivan, in cramped conditions, in seven, eight, I think it is up to nine different locations.

Unacceptable, Mr. Speaker! And this Minister makes no apologies for taking the decision to acquire that property. It is in close proximity to the Airport and it simply makes sense to do it.

Now, let me address parking because that apparently was an issue. What we have done . . . the Opposition recommended we simply put another floor on the Admin Building. Of course, that would not have created enough office space for everyone so we would have still had to rent probably four or five spaces. So that—

*[Inaudible interjection]*

**Hon. Charles E. Clifford:** [To an honourable Member] Sorry?

*[Inaudible interjection]*

**Hon. Charles E. Clifford:** And we would have still had the parking problems because we do not have enough parking at that location now for the number of people they had working there then, much less if we added 50 per cent more on top of that.

So, we have done the sensible thing, Mr. Speaker. We have taken that Administration Building, we have gone to the Airports Authority and we have said, *'Listen, you all have a piece of property adjacent to Sammy's Inn and we want to essentially swap that building for this piece of property so we can have the parking, and whatever the difference is in the value we will work that out between the two agencies.* So, parking, unlike most buildings in Cayman, is not going to be a problem at Sammy's Airport Inn.

Mr. Speaker, I look forward to June when we officially open Cayman Airways' new headquarters. I will be standing there along with the Board of Directors and the employees of Cayman Airways and I am sure they will be proud as we will be—as the Opposition should be—that they finally have a home that they can be proud of and that they can operate efficiently from. The team effort that we see coming out of that body of employees at Cayman Airways will be enhanced by this new headquarters.

And so, Mr. Speaker, I will not say anymore about all of the negative things that have been said about it. What I do know is they are going to have to

swallow those words when that place is opened and I will just leave it at that.

Mr. Speaker, now would be a convenient time—it is 12.30?

**The Deputy Speaker:** Honourable Members, we will now take the luncheon suspension and return at 2.30.

### Proceedings suspended at 12.30 pm

### Proceedings resumed at 2.45 pm

**The Deputy Speaker:** Please be seated. Proceedings are resumed. The Honourable Minister of Tourism continuing.

Honourable Minister, you have 36 minutes left.

**Hon. Charles E. Clifford:** Thank you very much, Mr. Speaker.

Mr. Speaker, when we took the luncheon break I was speaking on the subject of Cayman Airways and I had just concluded my remarks on the Sammy's Airport Inn project.

Mr. Speaker, during the debate there were also a number of criticisms levelled with respect to the Government getting rid of Caymanians in the airline and hiring non-Caymanians. I wanted to again clarify that situation and to put it right because, again, that was a misleading statement because if you look at the management team at Cayman Airways it consists of I think it is five executives in total and three of those five are Caymanian.

Let me start from the top, from the CEO. The CEO, as we all know now, is Mr. Patrick Strasburger and Patrick is from the USA. The Vice President of Commercial, who is also responsible for marketing, is Mr. John Wrightington, who is also from the US. The other three executives, Mr. Speaker, are: Mr. Fabian Whorms, who is the Vice President for Maintenance and Engineering; Mr. Kris Bergstrom, who is the Vice President for Flight Operation; and Mr. Paul Tibbetts, the Vice President for Finance, all three Caymanians.

So, I wanted to set that situation right because the Opposition, in their debate on the Budget, left the impression that we had gotten rid of all of the Caymanians in the management team and that there were no Caymanians left in the management team.

Mr. Speaker, there were also many comments with respect to the Sir Turtle logo, and I had to call into one of the local talk shows recently to put that matter right as well because I know that much was said about the Government planning to remove Sir Turtle from the tail and removing it as a logo for the national flag carrier when, in fact, no such statement had been made.

Mr. Speaker, what was said was that part of this restructuring exercise at Cayman Airways was that the airline would in the process be re-branded, and I had to explain on the radio and I want to do so

again here in this honourable House in the event that others may not have heard what I had to say about it on the radio.

Re-branding involves a lot more than a logo and a tag line. In fact, as I said, branding and re-branding, essentially the last thing you do in an exercise like that is to look at the logo and the tag line, because branding has much more to do with other components of the company that you are dealing with. It has to do with your brand promise - what you promise to deliver your customers; what you are telling your customers they can hold you accountable for; it has to do with your corporate culture; it has to do with your attitude towards your customers and towards the business and towards your job; and it has to do with the way you serve your customers; and the type of customer service culture that you embrace within the company. So, all of those components go into branding.

One of the last things you look at is the tag line and the logo. However, Mr. Speaker, I recognise that most people—at least people who are not familiar with marketing or perhaps who may not have had training in marketing or in branding—when you use the word “brand” or “branding”, they immediately think about the logo and the tag line. So, when that was mentioned during the discussions and within the context of restructuring the airline, many people immediately went to the Sir Turtle logo and the tag line and of course that took on its own life supported by the Opposition, of course. I know that there are many Members on the Opposition Bench that understand the concept of branding and that understand that that was not what was being said.

So, Mr. Speaker, yes, we have not completed that project, we are still in the midst of the re-branding project and yes it might involve looking at the colour scheme and proposing alternatives. But as I said during one of the PPM's National Council Meetings recently, we are not going to go down that road unless we put whatever proposals come forward out for public comment and consultation.

We understand that there are many Caymanians who are attached to the Sir Turtle logo and we understand that there are people who think otherwise, so there are opinions on both sides of the fence. We will look at it. Perhaps there will be some adjustments as we go into this process to the Sir Turtle, perhaps not. We have not gotten to that point yet. But just to give a few examples because it seems to be in some quarters a foreign concept. If you think about companies like Deloitte, Pepsi, KFC and if you think about the airline business—British Airways, Continental, Spirit and closer to home, Island Air—look at all of those companies, they have all re-branded. Some of them have changed their logo, some have made slight adjustments to it, but there is more to re-branding, as I said, than just that.

You know, Mr. Speaker, I understand how these stories can take on a life of their own, but it is

important to us that we set the record straight and that we say what the facts are. So, at this point there has been no decision, there has been no statement made that we are going to change Sir Turtle, but we are going through the exercise of branding and whether we come to that point remains to be seen.

But certainly, any company that makes a significant change in the way they do business, any company that restructures, is usually going to end that process with some type of visible symbol that represents that change. It does not necessarily mean you are going to change the logo, it could mean something else, but there is going to be some visible change that will represent that restructuring. We will wait to see and we will take public input on that.

The other thing I wanted to say, Mr. Speaker, to close off my remarks on Cayman Airways is that the Second Elected Member for Cayman Brac and Little Cayman has made representations to me as Minister, and to the Government, with respect to looking at the equipment for Cayman Brac and Little Cayman and doing a cost-benefit analysis on a large aircraft such as an ATR or a Dash 8 which would provide about 50 seats into that market and to see whether in doing that cost benefit analysis, whether at the end of the day it is going to essentially provide better value for money, better airlifting to Cayman Brac and Little Cayman and essentially better service for the residents of that Island and for tourists who wish to go there.

We will talk about that in more detail during Finance Committee, but clearly the representation has been made by the Second Elected Member for Cayman Brac and Little Cayman and it is something that we will ask the Board and the Management Team to look at and to report back on.

Mr. Speaker, I want to turn quickly now . . . and I am going to, as I said earlier, have to truncate some of my remarks with respect to my ministerial subjects because there are some other matters I need to deal with and I am not going to have enough time.

On the Port Authority of the Cayman Islands I want to specifically mention cruise tourism and berthing facilities because I also note from the *Hansard* that during his debate on the Budget, the Third Elected Member for the district of West Bay had quite a bit to say about this. In fact, he indicated that the relationship with the cruise lines, and with Royal Caribbean in particular, was not a good one, and that the negotiations with respect to berthing facilities really had not gone anywhere and that, I think Carnival Cruise Lines is what he had indicated had withdrawn from the deal.

Now let me say this, first of all, Mr. Speaker, I mentioned some time ago that we were involved in discussions with two parties to develop berthing facilities in Cayman. I said at that time that we had agreed with those two parties that we would maintain confidentiality with respect to the identity of those parties until such time as we had come to an agreement with them.

I intend to honour that, Mr. Speaker, and people can speculate about who the two parties are. I will say at this point is that the two parties that we began negotiations with with respect to berthing are still involved. Neither of the two has withdrawn. We still have that relationship with them. The negotiations are going to come to a conclusion shortly and, in fact, next week Wednesday there is a meeting with both of those parties. So, neither of the two has withdrawn.

As far as the Government approaching one of the cruise lines to assist with the development of the cargo facilities, Mr. Speaker, there is no truth to that. There is not truth to the statement that one of the parties has withdrawn from the negotiations with respect to berthing. I am going to simply just leave that there but go on and talk about the numbers and the fact that Royal Caribbean has indicated that they are going to be redeploying some of their ships to other ports.

Mr. Speaker, I know that the Leader of the Opposition in particular is familiar with this and he knows the truth. He knows that it is not unusual for cruise lines to redeploy their smaller ships. Remember now, smaller is relative because the ships are getting bigger and bigger all the time. But it is not unusual for them to redeploy their ships to other ports in other parts of the world to develop those ports. That is how Cayman was developed, that is how the Western Caribbean Itinerary was developed, by smaller ships coming here first. When they do that they do it because they are bringing new ships into their inventory, bigger and more sophisticated ships, and those are the ships that they are bringing here.

Mr. Speaker, the largest cruise ship in the world, Freedom of the Seas, which is a Royal Caribbean ship, is on the Western Caribbean Itinerary and makes a stop in Grand Cayman every week—160,000 tons, gross tonnage, the largest cruise ship in the world. So, the Freedom of the Seas (they call it the Freedom Class) is essentially a new class in the cruise line business.

Mr. Speaker, Liberty of the Seas (the same size as the Freedom, so in the Freedom class) will make her inaugural cruise out of Miami on Monday next week, 14 May. She too will be coming to Cayman on the Western Caribbean itinerary.

Mr. Speaker, you know, it is somewhat surprising that that statement would have been made because we are taking some ships out and bringing others in, and I know that the Opposition is aware of that and I just say to them that that statement should have been made in the debate as well.

As far as our relationship with Royal Caribbean is concerned, I do not have any concerns about that. In fact, they have invited me as they have invited all other ministers in the Caribbean to a preview of the Liberty of the Seas in Miami next week, and I will be going to that, Mr. Speaker, because I also have meetings lined up with some other people in Miami during that time. I wanted to underscore that point, that there are no issues there with respect to that relationship.

Mr. Speaker, just to speak briefly on the Cayman Islands Airport Authority, we announced back in January this year that the redevelopment of the Owen Roberts International Airport was about to commence and so it did in January this year.

The first phase of the project had to include the relocation of the staff parking lot because the existing parking lot is going to have to be used for part of the new terminal and also partly for staging for the construction area. So, the first thing that had to be done was the relocation of that parking and also the relocation of all of the utilities and redesign of the road network in front of the terminal building. So, that is ongoing now.

I am going to skip over some of this as quickly as I can because we did a press conference on this and I announced it and we went through all the various phases. That is public knowledge and I do not think I need to go over that again. The project is going to be completed in phases. The second phase will start at the end of this year, it will involve an expansion of the departure area, the ticketing counters; it will involve a new arrivals hall to the east of the existing customs area; and it will involve the construction of a new domestic terminal behind the ticketing area.

Phase III will involve the construction of the new international departure hall and concession areas and the installation of some jet bridges. Phase IV will involve renovations and upgrades to the existing terminal building itself. So, it is all in the works, Mr. Speaker.

I know that much had been said as well in relation to that and the fact that the airport should be going in at some other part of the Island. But, Mr. Speaker, again advice was taken from Civil Aviation Authority and the Cayman Islands Airports Authority and we are convinced that the right thing to do and where we are going to get the most value for money is essentially by redeveloping the airport where it is currently.

There is a much larger airport master redevelopment plan that involves the relocation of the general aviation facilities further to the east as well. So, all of that is in the works and that is not actually in this first part of the redevelopment project, although—and I must say in relation to general aviation—we are looking at fast tracking as well so that may very well begin a lot quicker than we anticipate simply because there is a significant demand for it and we believe that given the demand that we have seen that project can easily be self-sustaining.

Mr. Speaker, the airport is being redeveloped to facilitate up to 1.25 million passengers per year, and this is an increase of 60 per cent on what we currently have. So, I do not have the actual square footage information with me, but my recollection is that the terminal is going to increase from somewhere in the region of what it is now, which is about 60,000-65,000 square feet, up to 180,000 square feet. That is going to be the end result.

Mr. Speaker, there was a recent letter in the newspaper with respect to the airport development and the individual who wrote the letter stated that I had stated as Minister that the airport redevelopment was not a priority. I am not saying this to criticise that person, but I simply wanted to enlighten the individual who wrote the letter to say that I am not sure where that information came from but the information is wrong and I just want to assure her that not only have we put the Airport Redevelopment Project on the priority list but the project has actually commenced.

Mr. Speaker, I also had some statements to make on the Department of Environment and the Investment Bureau. I gave extensive remarks recently on the Department of Environment and their activities at our Chamber of Commerce luncheon and I know that that was reported on extensively in the press. So, I will skip that for now other than to remind the public that the National Conservation Bill was tabled some-time ago as a discussion draft and we have allowed 60 days for public consultation and feedback.

I want to encourage the public once again to ensure that they get their feedback in with respect to that Bill, because if we do not receive any feedback we are going to assume that everyone is in agreement with it and the debate on the Green Bill will commence in September this year.

Mr. Speaker, just to touch very briefly on the Investment Bureau: Again much was said during the debate from the Opposition that we were not doing anything for small businesses. I think anyone that reads the newspaper will know that . . . I do not think there has ever been a time before in this country that we have placed so much focus on small businesses. We have had conferences; we have invited experts; we have had the Go East initiative forums; we went into the district with more detail forums; we have provided the opportunity for individuals who wish to enter into businesses to come into the Investment Bureau so that the Bureau can assist them with preparing business plans and developing a sustainable business plan which will then trigger the next move which is to the Development Bank to receive funding to develop that business.

Mr. Speaker, we have had extensive publicity and promotions on that, so I do not think I need to go into that in anymore detail.

The Cayman Islands Development Bank, Mr. Speaker, has certainly been doing an excellent job. They have seen asset growth of 164 per cent as at the December 2006, this is since June 2004. Between June 2004 and December 2006 there has been a growth of 164 per cent. The Loan Portfolio has grown by 169 per cent over the same period. They have created—and this should have been in place from the beginning, Mr. Speaker, but it was not—they have created lending and operational policies.

I do not have to tell you, Mr. Speaker, that any bank that starts up without those types of policies in place is not starting on a very good footing. We have

them in place now, this Government has put them in place, and the Bank is well on its way to becoming a truly sustainable development bank.

Mr. Speaker, ultimately, the Bank must become independent of the Government and without the need for any subsidy so that is certainly the objective. I wanted to just say very briefly before I close off on the Development Bank that as far as the cost of living is concerned, we believe that the Development Bank can play a significant role in that while we have the commercial banks essentially set up as a cartel – because that is how they operate they do joint statements with respect to interest rates even with respect to opening and closing hours. So, that is what we are up against with commercial banks.

However, we believe that the Development Bank can begin to address that issue by offering more competitive rates. But I want to issue a warning here, Mr. Speaker, because a development bank and a central bank are two different things. A central bank essentially is going to be an entity that in any country would essentially dictate interest rates. Perhaps one of these days the Development Bank will have to transition to that or perhaps there is a completely different entity that will be established, but we do not know that yet. I am only saying we should not expect a development bank to carry out the role of a central bank. It is two different operations and we need to make that distinction.

Just to close off on my Ministerial subjects, Mr. Speaker, I want to thank the Permanent Secretary in my Ministry, Mrs. Gloria McField-Nixon, and all of the staff members in the Ministry and all of our agencies. The very hard work that they have done over the last year, I certainly thank them on behalf of my elected colleagues and, perhaps more importantly, on behalf of the country for the very significant contribution which they have made to the Cayman Islands.

Mr. Speaker, I am going to move on now to some district projects very quickly because I know my colleague, the Third Elected Member for Bodden Town, dealt with some of these and I do have some national issues I want to deal with.

I want to thank the Minister of Infrastructure for his hard work and significant progress on the East/West Arterial. It is going to provide significant relief for the residents of the eastern districts of Bodden Town, East End and North Side and we, quite frankly, cannot wait for that to be finalised and open.

**An Hon. Member:** Hear, hear!

**Hon. Charles E. Clifford:** And to thank the National Roads Authority as well for the very hard work that they have done over the last several months on that.

Mr. Speaker, this is sort of digressing a bit to the Esterley Tibbetts Road, but I wanted to say thanks to the Minister as well for putting that road in, the extension to the Esterley Tibbetts Highway that has taken us down to the Indies Suites, because it was

important for the people of West Bay, and also for the tourism industry, that we do that. We knew the significant congestion that was occurring on the Seven Mile Beach corridor and that simply was not in the best interest of the tourism industry or the economy or to the people of West Bay.

I want to underscore what my colleague said about that earlier, because he and I [were the persons who] went down to the West Bay/Seven Mile Beach area to meet with the landowners, and the developers of the Ritz-Carlton and spoke to them about this road.

And the truth of the matter is, Mr. Speaker, the reason why we had a delay putting that bridge through the Ritz-Carlton was because the Ritz-Carlton had been told that they did not have to worry about that road for ten years. For ten years, Mr. Speaker, they were told they did not have to worry about it, for the next ten years they did not have to worry about it!

Mr. Speaker, I am not going to say any more about that. I will leave that to the people of this country and particularly to the people of West Bay to decide who may have told them that.

Mr. Speaker, getting back to the district projects for Bodden Town. We are very pleased that work on the old Civic Centre has started. We have actually stripped it down and the contract is about to be awarded for the Civic Centre to be rebuilt, and my colleague has gone over that and indicated how we are going to essentially create double the square footage using the same footprint by creating a second floor.

I thank the Minister of Infrastructure also for his work and his Ministry's work on the Savannah Post Office which is going to start on 1 June. The contract has been awarded and it is going to add 2,000-2,500 additional post office boxes in the Savannah area, which is the fastest growing area on the Island. It is being designed in such a way that we can easily add an additional 2,000 boxes should the demand warrant that in the future.

Breakers is going to get a postal kiosk. We promised that during our campaign and that is going to happen in the next financial year, the one that begins 1 July, or perhaps sooner.

The additional Public Beach is being acquired by the Coe-Wood Public Beach in Bodden Town to expand that facility to facilitate the Go East Initiative. We are also going to put a launching ramp on that piece of property which will be directly on shore from the channel in that area.

The Dart Park is about to commence development in the Gun Square area. We have heard about the Emergency Services Centre for the Bodden Town district and this is why we have not built the Fire Station, because we realise that there was a need for much more than that. We needed to enhance the Police facilities; we needed to provide the Fire Service facilities; but we also needed to provide facilities for medical emergency responses. So, all of that is going there. In fact, the new domestic fire service headquarters will be in that facility because we are going to be

splitting the fire service into two agencies as it is in most countries where you have the aerodrome service at the airport and the domestic service operated differently.

We have paved a number of roads in the Pease Bay area, we have paved the roads in Cumber Avenue and Gun Square and we have paved a number of roads in the Newlands community and we are going to continue with that programme into the next financial year.

*[Inaudible interjection]*

**Hon. Charles E. Clifford:** The—and in Spotts Newlands as well.

We have installed speed bumps and street lighting throughout the district. The Frank Sound High School is going to start in the first quarter of next year and that is going to cater to the students in the eastern districts. And of course, the marine base station is going to be positioned in Newlands and the plans are significantly advanced for that project.

Mr. Speaker, I want to move on now to the national subjects that I wanted to speak on, and I am going to start first on constitutional modernisation. This Government has embarked upon this very significant and important project for the country and there has been much talk about the delay with this and why we have not made more progress.

Mr. Speaker, let me say this, we could have quite easily gone to the UK and said, *'Sure, we want the Leader of Government Business to be called the Premier or the Chief Minister and yes we want single member constituencies and we want this and we want that.'* Mr. Speaker, Cayman and Caymanians have always been leaders and we have always taken the lead in the region. There is no reason for us to simply satisfy ourselves with what other territories have been offered. We want more. We want a more modern Constitution.

We have a very extensive public education campaign that we are going to have to embark on, but I want to say this. That campaign is going to have to be designed and the public—the Caymanians and the residents—are going to have to tell us what they want during this consultation period within the context, not just of the relationship between the Cayman Islands and the United Kingdom but bearing in mind the relationship between the United Kingdom and the European Union.

While the UK may not want to believe it, Mr. Speaker, the truth of the matter is, the United Kingdom is no longer as sovereign a nation as it once was because of its relationship and connection with the European Union. Caymanians need to understand the implications of all of that in defining our new relationship with the United Kingdom.

There is going to be a referendum, Mr. Speaker, that will provide the mandate for this Government to go to the United Kingdom to negotiate and

we certainly encourage the public to participate in that and there will be much more said about that in the near future.

But one thing I want to say is that no one on this side of this House has promoted the concept of independence and I know that the Opposition has accused us of that. We know that we have economic independence, we have had that for a number of years, but no one has said that anyone on this side of the House wants political independence. Yes, that might come with time, and yes, the new Constitution will probably have to be structured in such a way that it allows for that at some point in the future, but the people must tell us that, Mr. Speaker. The people must give us that mandate if we are to go down that road.

Let us not forget what happened the last time we had this constitutional review when it was abandoned and the previous government brought a completely new and different constitutional position to this House than was contained in the Constitutional Commissioners Report. Remember what happened, Mr. Speaker? There was a rebellion by two of the Ministers because they knew nothing about it (or so they said) and there it died a natural death.

Mr. Speaker, connected to that is the whole issue of the Elections Law and we know we need to make changes to the Elections Law. There was an extensive study done under the previous administration (or while they were in office I should say) by the Elections Office. Things such as mobile voting were suggested in that report. That is an important thing because we know what happens in some districts with postal ballots and we know how they can be manipulated and we want to bring an end to that. There is nothing wrong with postal ballots for individuals who are overseas, but we must bring mobile voting into this country to stop the corruption that has gone on in the past with respect to postal ballots—

**An Hon. Member:** Hear, hear!

**Hon. Charles E. Clifford:** —in some districts—and in one in particular. And I remember because I used to be police officer in that district.

Mr. Speaker, I know I am running short on time but I want to touch very quickly on a couple of other matters because I am going to have to skip over some of them.

The Public Management and Finance Law and the Public Service Management Law are in urgent need of review. This Government is going to have to look at them because what is happening, Mr. Speaker, is that civil servants—and this is not their fault because they are simply complying with the Law—are caught up 70 per cent of their time reporting on things, 30 per cent of the time is being used for doing real projects and real work. That makes no sense, Mr. Speaker. That makes absolutely no sense.

*[Inaudible interjection]*

**Hon. Charles E. Clifford:** And we must all share the blame for that. The previous government passed the Public Management and Finance Law, we passed the Public Service Management Law, and they both need to be reviewed and they both need to be reviewed urgently.

**Some Hon. Members:** Hear, hear! Hear, hear! Hear, hear!

**Hon. Charles E. Clifford:** On “Immigration”, Mr. Speaker, I am just going to say very quickly, I want to thank Mr. Ritch for his service on the Immigration Board. He did a tremendous job. Mrs. Sophia Harris is doing a tremendous job on the Business Staffing Board, and Mr. Anthony Scott and all of the other members are doing great jobs with their Immigration boards.

I just wanted to mention the “Rollover policy” quickly because my colleagues are well aware of my position with respect to the Rollover Policy. I support it, I understand the reasons why it is absolutely necessary; but as I said during my debate in this House on that Bill, it is absolutely imperative that that Policy apply to the Public Service.

Mr. Speaker, I have raised it with the Governor since that time and I am going to raise it again because there has been too much foot-dragging on that.

The Governor is quick to remind us that he is responsible for the Civil Service. I do not mind that, but the Rollover Policy must apply to the Civil Service or it makes no sense for this country.

The Civil Service is the largest employer with, I think, about 4,000 employees at this point, and to have that large group on an Island this size where the expatriate civil servants are not subject to a rollover policy is nonsensical, Mr. Speaker.

*[Inaudible interjections]*

**An Hon. Member:** [Inaudible] we want to get back in Cabinet!

*[Laughter and inaudible interjections]*

**Hon. Charles E. Clifford:** Mr. Speaker, I wanted to say very quickly that I congratulate Mr. Charles Whittaker on his recent win at the Lions Centre and I was very pleased that he could accompany me recently to the De La Hoya and Mayweather fight in Las Vegas.

*[Inaudible interjection]*

**Hon. Charles E. Clifford:** We had the opportunity to meet with Goossen Tutor Promotions with respect to Charles’ further development as a professional boxer

and they have also put a proposal on the table for an annual boxing event in the Cayman Islands starting in 2008 that will be televised either on Showtime or HBO, and we have to work through that now to make sure there is sufficient value in that for the investment that we will have to make. I congratulate Charles and I look forward, in conjunction with my colleague, the Minister of Sports, to working with him so that we can promote this Caymanian boxing — at the same time, leverage that and promote the whole concept of sports tourism.

Freedom of Information, freedom of the press, all of that, Mr. Speaker, you know, I am amazed because when I see some of the reports in *Cayman Net News* I am just totally amazed that a newspaper that can be critical of the Government every single day, consistently, nothing good to say, would not even give this Government a headline or an editorial that will say, well, at least we are operating in an environment now where we can speak freely, we truly have freedom of the press and we do not have to worry about the Cabinet passing or making a decision and instructing the entire Public Service to boycott us and to try to shut us down.

*[Laughter and inaudible interjection]*

**Hon. Charles E. Clifford:** Mr. Speaker, at least we could have an editorial that says that and that thanks us for that but no.

That is fine. I think the day is going to come in this country that the press itself is going to have to take the whole issue of regulation, self-regulation, seriously.

Mr. Speaker, just to touch quickly on consultants because a lot was said about that and then I am going to wrap up.

The UDP and the current Opposition has been very critical about this Government hiring consultants. Mr. Speaker, yes, we have hired consultants. We have hired consultants where we think we need them. But let me tell you the difference. This is an open Government, this is a transparent Government. We hold weekly press briefings (that has never been done before in this country) and so we tell the country every time we hire a consultant. We tell them why we are hiring a consultant. It is not that we are hiring more than the UDP hired, it is just that the UDP Government did not tell them when they were hiring the consultants.

*[Laughter]*

**Hon. Charles E. Clifford:** So, all governments do that, Mr. Speaker. Sometimes we need expertise in different areas and we have to do that. It is not unusual and it is not irregular. It is really nothing different from in the past.

Mr. Speaker, I realise that I am testing your patience now because I think my time is just about up.

*[Inaudible interjection and laughter]*

**Hon. V. Arden McLean:** Yeah, man. You're just up, man.

**Hon. Charles E. Clifford:** Mr. Speaker, I just want to again—I apologise, I had to skip over some things, but I —

*[Laughter]*

**Hon. Charles E. Clifford:** Mr. Speaker, I want to thank the Civil Service again. There was a reference to this earlier in one of the debates by the Opposition. We gave them a cost of living increase last year, and we make no apologies for that. They deserved it, it was justified and we did it.

But more specific to my Ministry I want to welcome some new employees in the Ministry and that is Mr. Samuel Rose who has been recently recruited as the Deputy Chief Officer, Permanent Secretary responsible for the Environment and for Administrative and Budget Matters; Mrs. Dawn McLean responsible for—she is the HR Manager; and Mrs. Andrea Fa'amoe who is the Communications Manager in the Ministry. I want to welcome them to the Ministry and to say how proud we are that they have been able to join us.

Mr. Speaker, in conclusion the Government, today is our birthday as I indicated at the beginning and we ought to have a birthday party actually, but we are kind of busy to do that, but certainly to say Happy Birthday again to the PPM Government. We have done a lot in the two years despite all that has been said about it. We are proud of our accomplishments. We have a very clear plan for this country. We have a very clear budget in place, a very transparent budget that will allow us to achieve our objectives.

Mr. Speaker, I thank you for filling in as Speaker in the last couple of days. I think you have done an excellent job.

**Some Hon. Members:** Hear, hear!

**Hon. Charles E. Clifford:** And, finally, I thank once again my constituents, the people of Bodden Town, for electing me to this high Office and to tell them again that I take this responsibility very seriously, and I and this Government will not let them down.

I thank you, Mr. Speaker.

**Hon. V. Arden McLean:** Good job, man.

*[Inaudible interjections]*

**The Deputy Speaker:** Honourable Members, it is my understanding that it is the intention of the House to adjourn until Monday morning, so at this time I will ask

the Honourable Minister of Education for the motion for the adjournment.

## **ADJOURNMENT**

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Mr. Speaker.

Mr. Speaker, I beg to move the adjournment of this honourable House until Monday, 14 May at 10 am.

**The Deputy Speaker:** The question is that this honourable House do now adjourn until Monday, 14 May. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**At 3.25 pm the House stood adjourned until Monday, 14 May 2007 at 10 am.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**14 MAY 2007**  
**10.28 AM**  
*Seventh Sitting*

[Hon. Cline A. Glidden, Jr., Deputy Speaker, in the Chair]

**The Deputy Speaker:** I will invite the First Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

**PRAYERS**

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Mr. Speaker. Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us now all say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and forever more. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.31 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Deputy Speaker:** I have been given notice of apologies for absence for the Honourable Minister of Tourism, who is on official Government business from 14-16 May; and the Third Elected Member for Bodden Town, who is off Island with his mother for medical reasons.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Deputy Speaker:** I have no notice of statements by Ministers.

**GOVERNMENT BUSINESS**

**Debate on the Throne Speech delivered by His Excellency, Mr. Stuart D.M. Jack, CVO, Governor of the Cayman Islands, delivered Friday, 27 April 2007; together with the Second Reading debate on The Appropriation (June 2007 to July 2008) Bill, 2007 (The Budget Address), delivered by the Financial Secretary, the Honourable Third Official Member, on Friday, 27 April 2007**

*(Continuation of debate thereon)*

**The Deputy Speaker:** Does any Member wish to speak?

The First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you very much indeed, Mr. Speaker.

Mr. Speaker, permit me first to express my most sincere gratitude to my constituents, the people of Cayman Brac and Little Cayman, for their continued high level of confidence, favour and trust in the three successful Elections. I wish to thank them for their sincere prayers. As always, I hold strongly to the belief, Mr. Speaker, that commitment is a very fundamental element in one's performance, therefore I have always strived to be a woman of ingenuity, commitment, loyalty and trust.

Mr. Speaker, I wish to say up front that having spent in excess of perhaps two days and almost all night in preparation for my speech as it relates to the Budget Address and the Policy Statement that was delivered by the Honourable Leader of Government Business, this morning I found myself having a very

different change of approach as I was doing my usual daily devotion.

Mr. Speaker, I have decided not to refer to those notes, not because I feel that they were not well rehearsed or not relevant, but having always, since age 11, been a Christian first and foremost before politician, lawyer, teacher, mother or anything else, I know when I am receiving the correct direction. This morning, perhaps to the dismay, disappointment to some, I am going to follow my gut feeling which has never led me astray.

So, with that platform, Mr. Speaker, I wish to seek your indulgence, and that of my honourable colleagues, to refer briefly to several verses of Scripture. We do not hear it often so I trust I will not overindulge to set that as a background for my comments as they relate, in particular, to the policy for these Islands in these times and particular juncture that we now find ourselves. And also, in conclusion, to incorporate such a policy into our budgetary provisions and hopefully with a concluding remark.

Mr. Speaker, I was led first—and I believe I was led—to put particular attention in Colossians 3. I read, Mr. Speaker:

**“If ye then be risen with Christ, seek those things which are above, where Christ sitteth on the right hand of God.**

**Set your affection on things above, not on things on the earth.**

**For we are dead, and your life is hid with Christ in God.**

**When Christ, who is our life, shall appear, then shall ye also appear with him in glory.**

**Mortify therefore your members which are upon the earth; fornication, uncleanness, inordinate affection, evil concupiscence, and covetousness, which is idolatry:**

**For which things' sake the wrath of God cometh on the children of disobedience:**

**In the which ye also walked some time, when ye lived in them.**

**But now ye also put off all these things; anger, wrath, malice, blasphemy, filthy communication out of your mouth.**

**Lie not one to another, seeing that ye have put off the old man with his deeds;**

**And have put on the new man, which is renewed in knowledge after the image of him that created him:**

**Where there is neither Greek nor Jew, circumcision nor uncircumcision, . . . but Christ is all, and in all.**

**Put on therefore, as the elect of God, holy and beloved, bowels of mercy, kindness, humbleness of mind, meekness, longsuffering;**

**Forbearing one another, forgiving one another, if any man have a quarrel against any: even as Christ forgave you, so also do ye.**

**And above all these things put on charity, which is the bond of perfectness.**

**And let the peace of God rule in your hearts, to the which also ye are called in one body; and be thankful.**

**Let the word of Christ dwell in you richly in all wisdom; teaching and admonishing one another in psalms and hymns and spiritual songs, singing with the grace in your hearts to the Lord.**

**And whatsoever ye do in word or deed, do all in the name of the Lord Jesus, giving thanks to God and the Father by him.**

**Wives, submit yourselves to your own husbands, as it is fit in the Lord.**

**Husbands, love your wives, and be not bitter against them.**

**Children, obey your parents in all things: for this is well pleasing unto the Lord.**

**Fathers, provoke not your children to anger, lest they be discouraged.**

**Servants, obey in all things your masters according to the flesh; not with eyeservice, as menpleasers; but in singleness of heart, fearing God;**

**And whatsoever ye do, do it heartily, as to the Lord, and not unto men;**

**Knowing that of the Lord ye shall receive the reward of the inheritance: for ye serve the Lord Christ.**

**But he that doeth wrong shall receive the wrong for which he hath done: and there is no respect of persons.**

**Masters, give unto your servants that which is just and equal; knowing that ye also have a Master in heaven.**

**Continue in prayer, and watch in the same with thanksgiving;**

**Withal praying also for us, that God would open to us a door of utterance, to speak the mystery of Christ, for which I am also in my bonds:**

**That I may make it manifest, as I ought to speak.**

**Walk in wisdom towards them that are without, redeeming the time. Let your speech be alway with grace, seasoned with salt, that ye may know how ye ought to answer every man.”**

And finally in that regard, Mr. Speaker:

**“Children, obey your parents in the Lord: for this is right.**

**Honour thy father and mother; which is the first commandment with promise;**

**That it may be well with thee, and thou mayest live long on the earth.**

**And, ye fathers, provoke not your children to wrath: but bring them up in the nurture and admonition of the Lord.**

**Servants, be obedient to them that are your masters according to the flesh, with fear and trembling, in singleness of your heart, as unto Christ;**

**Not with eyeservice, as menpleasers; but as servants of Christ, doing the will of God from**

**the heart; With good will doing service, as to the Lord, and not to men:**

**Knowing that whatsoever good thing that any man doeth, the same shall he receive whether he be bond or free.**

**And, ye masters, do the same things unto them, forbearing threatening: knowing that your Master also is in heaven; neither is there respect of persons with him.**

**Finally, my brethren, be strong in the Lord, and in the power of his might.**

**Put on the whole armour of God, that ye may be able to stand against the wiles of the devil.**

**For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.**

**Wherefore take unto you the whole armour of God, that ye may be able to withstand in the evil day, and having done all, to stand.**

**Stand therefore, having your loins girt with truth, and having on the breastplate of righteousness;**

**And your feet shod with the preparation of the gospel of peace;**

**Above all, taking the shield of faith, wherewith ye shall be able to quench all the fiery darts of the wicked.**

**And take the helmet of salvation, and the sword of the Spirit, which is the word of God:**

**Praying always with all prayer and supplication in the Spirit, and watching thereunto with all perseverance and supplication for all saints;**

**And for me, that utterance may be given unto me, that I may open my mouth boldly, to make known the mystery of the gospel,**

**For which I am an ambassador in bonds: that therein I may speak boldly, as I ought to speak.”**

Now, Mr. Speaker, I realise that that traverses quite a bit from what is tradition in Parliament. But after all, Mr. Speaker, these Islands are founded upon the sea. We come from a very, very strong Christian heritage, which I have no apology to make to any. I believe it has been the central cord of our success in these Cayman Islands. I believe also, Mr. Speaker, that the Lord raises up whom he wishes to lead at appointed times. Mr. Speaker, I am told, certainly in the King James Bible which I read, that we are to pray for those in authority. And make no mistake, Mr. Speaker, there is absolutely not one day in my life that I fail to pray at least one time, but oft times many more times, for every single Member in this Parliament despite what the politics are.

You see, Mr. Speaker, there is a greater calling than just being a pure politician for the sake of being a politician. I believe, Mr. Speaker, that if our Cayman Islands are going to truly succeed, irrespective of how many millions of dollars we put in the budget, it is going to take all 15 of us Elected Mem-

bers in this House coming from a strong Christian background.

Am I saying, Mr. Speaker, that I expect every Member to get up and have a testimony. It is a utopia; it is a desire that I surely would have. I live in the real world, Mr. Speaker, and one thing I do know as a true born Caymanian, there is not one Member in this House who has not been exposed to the Godly principles in this Island, which have made us what we are today. It is those principles, Mr. Speaker, that allow us to be transparent, bold and confident, and to be able to stand up and say as Paul, “. . . I am not ashamed of the gospel of Christ, for it is the power of God unto salvation . . . .”

Mr. Speaker, in the interest of prosperity, this Government and other governments have somewhat sat complacently along the wayside, seeing that it is not an innate character of the Caymanian to be aggressive, and have allowed outside cultures to dilute the very foundation of what has made us Caymanians, that foundation being a Godly foundation.

Mr. Speaker, if we are courageous enough in this time of prosperity, we who serve God realise that God, God Almighty himself, has brought these Cayman Islands to where we are today. We have merely been pawns, as it were. We have been conduits that have been utilised who have been prepared to submit to His will to bring this country where it is.

So, Mr. Speaker, when the Minister's Association wishes to come once a year into Parliament, our Parliament, I consider it a privilege, an honour to entertain them into this Chamber so that prayers can be lifted up collectively and in a unified manner on behalf of our nation. So, Mr. Speaker, I would say in that regard, that it would be a sad day when attempts are made to stop that.

I am not in a position, as I stand before you this morning, Mr. Speaker, to put evidence before you, save to say that I have been approached by two Ministers who have indicated that they would not be allowed to come this year. I have no reason to disbelieve that, but I truly trust that we would never see the day. What I can say, Mr. Speaker, when I was Speaker, there was a move afoot by the House Committee at the time for prayers not to be made in the Chamber. At that particular time, I, as Speaker, overrode the decision and allowed them to come in.

I say that right up front so that future Speakers with better access, perhaps, would be able to say whether or not the National Day of Prayer could be held here, because I believe that it is a good thing which has been started. I understand the concerns of some Members who spoke, certainly when I was Speaker, of not wanting it to be here. But these are the Cayman Islands and we as Parliamentarians must set the tone for our people; that being one area. I hope that if time permits I will be able to go into some other areas.

Mr. Speaker, I believe that the Honourable Minister of Education, in his move to reform educa-

tion, it is a good move. It does not mean that I concur with every single thing that has been done, because if that was the case, I would be merely an extension cord. If we both agreed on everything one of us (by tautological reasoning or otherwise) would become redundant and there would be no reason for two to be here. So, there are deviations in our policy, in our ideology as we approach different aspects that the Government is responsible for. But I would ask as they look at the curriculum that they take a strong look at prayer in our schools.

Now, I know, Mr. Speaker, that on the surface it will be easy for the response to come that there is nothing against prayer in our schools. But I can tell you, Mr. Speaker, having come from a teaching background myself and having had two students (one completed the Cayman Islands education system and a young daughter still in the high school system) that it is done on a personal basis depending on who is the homeroom teacher. I believe there must be consistency if we are going to say we are a Christian nation and believe that prayer should be in a school. We need to be man and woman, every one of us in the Government, and stand together on these national issues and say there is going to be prayer in the school.

Mr. Speaker, those who are seeking human rights in the different areas, they are not ashamed to stand up for their rights. And Caymanians, although we are not aggressive by nature, we are being forced into an aggressive mode to stand for what we believe or we are going to fall for everything. Mr. Speaker, that then takes me on to what we are now calling our "cultural experiences".

Now, I have never, ever been a party woman so I do not suppose I would be called Minister of Partying or whatever. But, Mr. Speaker, neither have I been a Christian who has hid my head in the sand with ostrich syndrome. Perhaps even as Jesus was accused of being a winebibber, I have been accused of that. You see, Mr. Speaker, I am one of those Christians who has no hesitation whatsoever to walk down to our local pub (which is known as Bussie's)—not to drink, not to do drugs, not to dance, but on more than one occasion just to eat, just to check things out to see what my young people are doing, many times to the ridicule of my own church board and church members.

But why do I take the risk? Because when you show every member of the community that you have love, compassion and respect, in their time of need when the bottle, the drug, or the bar-room comrades cannot console them, they will turn to those of us who herald ourselves as ambassadors of Christ for help. So, therefore, Mr. Speaker, they have no hesitation in coming to my house at any hour of the day or night to ask for prayer for a child, for prayer for that husband who has gone on the wrong path, or to ask for prayer for things generally because they know that I get down to the grassroots where they are.

Do I do it, Mr. Speaker, so that I can come today and pat my back? No, far be from it. I do it because they are my people. I plan to live the rest of my life on Cayman Brac, to work on Grand Cayman, and as God gives me the privilege, to continue to visit Little Cayman. I do not have another citizenship. As a matter of fact, Mr. Speaker, I have chosen not even to apply for the British passport. I am so proud of being a Caymanian I have taken it to that extent. I planned to do even as Ruth, to be buried on the Brac. So, I have a vested interest in what happens with every single constituent on the Brac and that is why I took the time, long though it be, to read about one of the attributes of the Master that we, as Cayman Islanders, say we serve, where it says, "**neither is there respect of persons with him.**"

Is that an easy characteristic, Mr. Speaker, as we formulate our policies and as we do our budget? It is not because in all political arenas there will be lobbying going on. And it is not difficult to understand why those that cry the loudest, those that have the greatest financial resources sometimes are heard over what I refer to as: overheard over the strangers, overheard over the orphans and, finally, overheard over the widows.

Mr. Speaker, I take my hat off to the Honourable Minister responsible for what I used to know as Social Services, the Honourable Minister of Health. I have had the privilege to work with him on Cabinet where the guards are let down and you see the true soul being borne out. So, I can understand when he formulates his policy that there will be a concern in his heart which is emanating from the love that he has for his God, our God. So, I feel confident that he and others on the Government Bench, and my colleagues, when they see some of the things that are happening in our country have to have cause for concern.

The cultural experience, the most recent one, Mr. Speaker, comes to mind and I will just limit it to within my own constituency because I chose not to attend the one in this Grand Cayman Island, but that of Brachanal. Now, let me say, Mr. Speaker, straight up front, I fully support cultural events being organised, being sponsored, being funded—especially on Cayman Brac—to encourage, to be a catalyst, to be an incentive for domestic tourism.

It gave me great pleasure to attend as a bystander, to see the support, the cooperation from one of the steel band mass groups from Grand Cayman—a bunch of youths led by an elderly middle-aged gentleman—coming to the Brac, uniting as big sisters and little sisters, sharing their techniques, their skills in the steel band area. But, in my opinion, what I found to be most disgraceful was the attire—or lack thereof.

Mr. Speaker, when I stood up there I almost went into cardiac arrest to see the age of these little girls, in particular, with almost—a G-string would be a conservative way of expressing what they had on!

*[Inaudible interjection]*

**Ms. Juliana Y. O'Connor-Connolly:** Let me make it clear that it was not the steel band members who were not properly dressed; it was the participants within the parade itself.

Mr. Speaker, I know I will have those who will come up and say, *'Oh, you cannot legislate morality.'* We should not have to legislate it. It should be innate in us. We should have the decency that when we come in public we do not allow our young girls in particular to be dressed like this. Then, Mr. Speaker, to see the way that they were actually "dancing" in the streets! If there was a parade marshal who had to rate it, it would have been triple 'X' rated. And I am not exaggerating.

There is a website that goes up on the Brac party surfers and Brac surfers. Look on that on Monday morning. If you do not have a clue what is happening to our youth go online on a Monday morning. It is the hottest media that is in Cayman right now. And when you can look and see, *'That is my neighbour. That is my relative,' that is a child who we are looking forward to be a future leader.*

Mr. Speaker, we can no longer remain silent. Somebody has to be willing to stand up and be bold enough—whether it means losing the Election or not—and speak about these issues in our country. Why are they so important? If we do not teach our young girls to respect themselves and our young boys to respect our young girls what is going to happen to them when they reach the age of majority, Mr. Speaker?

*[Inaudible interjection]*

**Ms. Juliana Y. O'Connor-Connolly:** Are we going to build more prisons? Are we going to build more court houses? Are we going to get more counsellors? Are we going to build more hospitals to attend to the AIDS victims and the sexually transmitted disease victims? Are we going to get more facilities to deal with the number—the growing number—of young alcoholics in my constituency, Mr. Speaker? Where is the money going to come from, because without ado that will transform into a current expenditure.

We may get away with it, Mr. Speaker, at the genesis of the recognition of these social ills in our community, by building elaborate infrastructures. We can only build so many before we have to put the necessary human resources to man these buildings, and we do not have direct taxation and I do not believe that it is the desire of our people to have direct taxation. But we have to get the money to pay for it somewhere, and if we do not try to prevent and help to alleviate what is happening in our social realm in our community, to do some positive social engineering in our country, where are we going to end up?

We see on the international media, Mr. Speaker, and it seems to be coming to Cayman as well, where children are afraid to go to high school because they may be shot, they may be killed in some

other methodology. Do we want that to happen to our beloved Cayman Islands? I do not think, Mr. Speaker, there is one Member, one Minister, one Official Member in this Parliament that wants that to happen. Well, if we do not want that to happen, I challenge us that now is the time. It is not too late but we cannot afford to lose another generation to these social ills, Mr. Speaker.

Mr. Speaker, a large amount of this Budget is going into the building of three high schools on Grand Cayman. Now, I am not going to waste any time saying whether we need three high schools or we do not need three high schools, neither am I going to get into petty politics and say, *'Oh, well, Cayman is getting three high schools so Cayman Brac or Little Cayman need a high school.'* I have no time for that in this deliberation today, Mr. Speaker, because for us to get our children in all three Islands on the cutting edge of technology, leading in regional and global education, it is going to take a three-pronged approach.

Yes, we will need first-class infrastructure from an educational perspective. We will need to look at the curriculum, as I understand is being done. But we cannot forget the tri-party relationship of the student, the teachers and the parent. And I believe, Mr. Speaker, that is where all administrations have a deficit balance.

If we want to ensure that we do not find a legacy with a deficit when it comes to the end of our tenure here in this Parliament, then we must make sure that our policies which we have placed in this Budget, and the supporting funding for those policies, address not just one or two areas, but all three in the relevant and equal proportionality that is required at this point in time of our nation building.

Mr. Speaker, we have had, through coercion, to remove corporal punishment from our school, through, as I recall, an order in Council in the United Kingdom, where our constitutional masters in the United Kingdom—without full and proper consultation with the Islanders in Cayman and other overseas territories—told us we had to take the strap out of the school. It even went further to the social realm of homes. This is another area, I might add, which is free of cost that we need to look at when we look at our Constitution reform and modernisation.

Mr. Speaker, I remember being a teacher back in the early 80s (81, 82, 83) and I could see the beginning of this policy being formulated. I particularly remember being in the John Gray High School when the principal came and asked if I could take a couple of the chaps. In this particular instance the chaps were from East End and a foreign teacher was having difficulty relating to them because the students were having problems understanding the dialect of the teacher. The children in were in Set 4, 5 and 6. I had six of them who were brought across to me.

That particular foreign teacher made it quite clear that he did not have any time to deal with these foolish Caymanian children. Now, Mr. Speaker, I real-

ised from the time I saw those young chaps that they were some troublemakers in the group. I realised that they came from troubled, broken homes in the district of East End. I knew it because I frequented East End quite often and I knew their families and their backgrounds.

Mr. Speaker, had I not been a caring Caymanian teacher I could have said I already have 30 plus in my homeroom and I have no more space for these children. But no, Mr. Speaker, I saw them as the future of our country because we are only as strong in this country as our weakest child. So, I made space for them in my classroom. There were children who never had lunch sometimes and I would dig into my wallet and get them lunch, Mr. Speaker.

I remember teaching physical education for double classes and recognised that a large amount of the children could not read. They could not even write properly, Mr. Speaker. So, I spoke to the principal at the time and asked if I could take the first period of my physical education classes and teach them literacy so that they could learn, they could read and have a chance of success in this country. It was not difficult to persuade the principal—who was also a Caymanian principal. And what did I do? I taught them physical education, but I used my basic training in English language and literature to teach them to read and write, but still learn about physical education with one period remaining.

I found at the time that there was a curriculum where netball was one of the focus sports at the time when I returned. And the girls—of course I was the first woman P.E. teacher to come back to them. When I looked at the resources, we had to play netball, Mr. Speaker, with footballs and I made complaints about it. Nothing happened. The only other sport with a focus was track and field.

Now, Mr. Speaker, if you are from the Caribbean and you have 6<sup>th</sup> Form students, the first thing that goes to your mind, especially if you are from the Cayman Islands, is that when those girls reach 6th Form hormones kick in. Appearance becomes important. They do not want to run two miles, one mile, not even 100 yards in the boiling hot Cayman sun and be excited about P.E. So, what did I have to do, Mr. Speaker? Fight! And I mean fight, because the Caymanian teachers were outnumbered in the staff room and probably still are. It was to the point where we knew where we had to sit, and that is not that very long ago.

I remember one of the teachers (who, thankfully is no longer a teacher but is still on Island, and sometimes I see her in the supermarket). The very first day I turned up as a new Caymanian teacher full of new ideas on how I was going to change the education system, she told me quite impolitely, *'That is my seat. You cannot sit there. I have been sitting there for 'X' amount of years'*. This is in Cayman, Mr. Speaker. These are some of the social ills that I speak

to that need to be corrected, that buildings alone cannot correct, Mr. Speaker.

And yes, we are not to have divisive policies but my greatest responsibility—indeed, the greatest responsibility of all of my colleagues in here—is to our Caymanians, first and foremost.

Mr. Speaker, in order to ensure that my girls and boys were able to get the benefit that comes from sports and physical education, as this Budget tries to do with the different allocations for sports, I decided to go (in what was then called the Islay Connolly Hall) get out some music—and remember I am still a Christian—and teach those girls aerobics when aerobics was a foreign word in this country. So, they got the exercise. They loved it! And they were able to get to a situation where we had to get more assistance in the P.E. classes because, all of a sudden, everybody wanted to come to P.E. class. Is that because I was a teacher, Mr. Speaker? No, but because I knew that these were my Caymanian students. In that point in time they were given to me for me to mould and to make into good, productive citizens who would continue to carry on the legacy that our foremothers and forefathers built for us to enjoy today.

So, Mr. Speaker, when we plan, formulate our policies and take time to ensure that we do what we really believe is best for these Islands, not only what the majority says—and yes, that is important; that is democratic—but we must take it one step further. Let us look at the motives of the majority. Let us break it down to see whether the majority are our Caymanian people that are speaking. If it is a general, national policy that would affect their lives, and if it is the students or education that we are dealing with, do as I concurred with the Honourable Minister of Education, hold the symposium, speak to all of the important stakeholders and then move on to get the policy. Let it be a living document, Mr. Speaker, one that is reviewed as frequently as possible to ensure that no child is left behind.

Mr. Speaker, the other area that causes me some concern is the policy whereby—certainly on the Brac, and again, I speak because I am more familiar with that territory—the children come home in the afternoons time after time with no books. If they do bring a book or books home they are on lease. They have to handle it almost more sacred than the Holy Writ itself. They cannot mark it; they cannot highlight it; they cannot make notes in its margin. Mr. Speaker, even worse—especially in the primary schools because I have a little niece that I have taken under my wing and I know what is happening in particular in one of the primary schools—they will come home with a couple of sheets, no reference from where this sheet has come from and no instructions as to how to do the homework. I have to tell you the honest truth, Mr. Speaker, there are times when I cannot understand it myself because methods have changed.

What is so difficult about taking some time to give instructions? We have money for everything else,

Mr. Speaker. I believe that the government (hopefully it is this one) needs to look at that policy. In fairness to them, Mr. Speaker, I know it was not this Government that started that policy, it was started before. But regardless of who started it, we need to get away, from, *'Why did you not do it?'* or *'Why did this government not do it?'* or *'It is not me.'* While we are playing these pretty little political games our children are suffering, our adolescents are suffering, and our people are suffering. That may not be a direct consequence of our failure or our inability to get the things done, Mr. Speaker, but it is a direct result of what is happening in this country.

Mr. Speaker, I believe that it is early enough in this year for the persons who are the movers and shakers of education, the administration ambit in this country, to know how many books are needed, what books are needed and put the order in now. I would ask and I beg the Leader of Government Business if he would convey it to his honourable colleague, the Minister responsible for Education, to galvanise the Cabinet and his Backbenchers, and I am sure I can speak for my colleagues here. If it is not already in the Budget, make provision (Mr. Speaker, through you, as I debate to the Leader of Government Business and his Government) to ensure that come next semester every child certainly in the public system that we are directly responsible for have access, absolute access, to the textbooks that they need to learn from, especially in the mathematics, science and reading that will benefit them tremendously as they move on in their educational journey.

Mr. Speaker, in my constituency we probably have just over 200 students in our high school system. We probably have under 200 again, much under 200, in our primary school system. I realise that the numbers are bigger in Grand Cayman. But there is not one Member in this Parliament who would not vote to an education request, and I believe in a few days we will see that when we are going to be asked to vote almost \$85 million plus for education, not to count the other educational indirect entries.

So, let us not delay any further, Mr. Speaker. Come September let us make sure that our students have books to take home. And if they want to resell them as done in the United States, a used book for a cheaper price, that is fine, but give them the privilege of learning everything they can grasp from that book so that they and their parents can have a working partnership when they go home. The parents can read the examples and see the instructions. In a way, Mr. Speaker, we may be indirectly retooling and re-educating our parents who perhaps did not have the opportunity that our children now have.

Mr. Speaker, I will not spend any more time on that issue because I really am confident that despite the politics, my colleagues on the other side will see the common sense in this. Forget about who will get praised or whatever for this issue, and just do the right thing because it is not just for my constituency, it

is for all six of the constituencies. It is for all of us when we enter our golden age, if we are so privileged, to look back and say we did all that we could have done to ensure that our Caymanian boys and girls were so equipped that they, like our seamen of old, can sail the wild seas of globalisation and come up standing heads and shoulders above the rest of the world.

Recently I heard one of my colleagues, debate and say that Caymanians have never really been good at being followers; we have always liked to lead the way and set the trend. And there is nothing wrong with that. Let us continue in that vein and I believe at the end of the day we can sit in our hammocks and enjoy the trade wind breeze and see a legacy in transition being passed on knowing full well, being fully cognizant, that we have passed on the torch—be it educationally or socially or spiritually—that has so equipped the next generation whereby we will have no problem cheering them in as they go through their transition stage, if we are blessed with longevity of life.

Mr. Speaker, I believe also that if we are to make an inroad; if we are to make a difference in our country, which I firmly believe we all love dearly, we will all try to do what we think is best in our own way to make it a better place than we found it.

I was reading recently, Mr. Speaker, as I was going through the Budget and doing some research in preparation for a contribution, and I came across something that really stuck in my mind. As I was reading one of the many books about leadership, the different characteristics, the traits, the pros, the cons, et cetera, it said that as we enter the game of politics we can almost relate it to that of a campground.

The conclusion of those precepts was simply this: we can spend a lot of time, we can spend a lot of resources to ensure that we build the biggest campfire ever so that it can be seen throughout the entire Cayman Islands. Perhaps it can burn the longest ever. That is good. That is important, the writer said. Of course, I am putting it in the Cayman context for the avoidance of doubt. But what will really be important when the last fire light is seen: Did we clean up the campground? Did we leave that campground in a better state than we found it? And just as important, or perhaps more importantly, did we leave the knowledge, the wherewithal, the resources for the next set of campers to come and build an even brighter and bigger campfire? Those are profound words, Mr. Speaker.

It would do all of us good, as simple as it sounds, that as we approach each policy and strategy; as we come together in concerted unified effort to put budgets together, to put policy statements together, to ask ourselves the questions: Are we just building bigger campfires? Are we just striving and endeavouring to get a bigger, brighter light? Or, are we also going for the bonus to leave the legacy where those that follow behind us will not only have the knowledge of how to build a campfire, have the ability

to find the best place to build a campfire, but will be able to enjoy the campfire and will have that optimism, that trust, that loyalty, that bonding element that they would want the next generation to come and do even better than them?

O, Mr. Speaker, what a glorious day when we approach our policies from such a simple yet worthy perspective.

Mr. Speaker, we also need through role modelling respect for ourselves to show our young people in this country what we want the Cayman of the future to be. Now, Mr. Speaker, this is left to each individual Member, indeed to each individual Minister. What I can say, Mr. Speaker, when God gave me the privilege to become a Minister and my children too in Grand Cayman were at the Catholic school. My son, in fact, was at the Catholic school, very good school, expensive as a single mother, a great sacrifice to ensure that he had the best education.

But you know, Mr. Speaker, I thought about it as I visited the different schools as Minister of Sports at that particular time. I could not help but think—*'Juliana, what a hypocrite you are. You are encouraging your teachers as you talk to them.'* This was sports in particular, not across the board, as I was not the Minister of Education—*'You know, this is a good school, we have to make it first class, we have to make it world class, and yet, they can look across the fence and see your child in Catholic school?'*

Mr. Speaker, it was perhaps one of the most difficult decisions in my life, but I took the decision to go across the Education Department and register my son in the middle school who, thank God, successfully completed middle school and high school in the top 20 as an honour student.

I did not have any guarantee that that was going to be the final analysis, but what I did know was that if I was going to get up here or on a political platform and say *'I support my schools, my government schools'* or *'I support my teachers'* and yet I had my child in a private school, it was not going to take a genius to figure out that there was a disconnect between my intellectual capacity and what I felt. And that is what I did, Mr. Speaker.

Does every Member have to do that? No, they can decide themselves. But what I am saying, Mr. Speaker, is that sometimes we have to go that extra mile to prove and show that what we really, really believe is what we really mean.

Mr. Speaker, that brings me then to the issue of whether or not government should be supporting our private schools. Mr. Speaker, the private schools play a very pivotal, a very fundamental, a very significant role in the development of education anywhere and there is no difference in the Cayman Islands. I have no difficulty supporting our private schools, but charity begins at home, Mr. Speaker. We must ensure that our government schools have everything that they need infrastructural wise, teacher wise, financial and otherwise.

**An Hon. Member:** Hear, hear!

**Ms. Juliana Y. O'Connor-Connolly:** And then we must look, while still on the plateau of priorities from an educational perspective, how can we then improve our private schools to ensure that there are no children left behind. But, Mr. Speaker, we cannot just support blindly.

I have had the privilege of seeing what happens in at least two private schools on this Island. As a matter of fact, Mr. Speaker, I can vividly remember one PTA meeting at a private school (which name I will not disclose for obvious reasons) and there was a particular foreign legal mind who had a student at that particular school, saying to the PTA that their firm would contribute—at that time we were trying to get a school hall and looking at a better football facility for the particular school—CI \$20,000 if they raised the school fee so that you would have a better calibre of students attending the school. Now, Mr. Speaker, of course, thankfully, we had some people on the executive of the committee who, although money was very tight and it was a very attractive amount, they did not go for that because it is discrimination in the most ludicrous of forms.

We know that our Caymanian parents struggle, especially now in recent years when the cost of living has gone through the roof, Mr. Speaker. They struggle to make ends meet. And if you are living in Cayman now and you are not struggling, God bless you because it is a struggle. As Caymanians, Mr. Speaker, we are proud. We do not like to come out and talk about how we did not have money to pay the light bill this month or we did not have money to pay the mortgage, or we had to steal from Peter to pay Paul. But it is happening in all six electoral districts in this country. Can we blame one government for it, Mr. Speaker? That makes absolutely no sense. But what we should have is a legitimate expectation that whoever is in the government at the time when this hits our nation, that they will do everything in their power to ensure that ease comes to the persons who are suffering most.

And, Mr. Speaker, my colleague from West Bay, the Second Elected Member, gave a very eloquent speech about the eradication and/or the erosion of the middle class. I do not have to flirt with the temptation of tedious repetition and recall those very strong points that he made, but we must face it, the middle class in the Cayman Islands—and certainly on Cayman Brac and Little Cayman, where the middle class had just begun to open its petals, as it were, not even yet ready to enjoy the full sunshine of the promises, the optimism and the hope, they had to re-curl back up in almost a state where if you had a political agricultural visitor they would have to add some fertilizer or some spray to get the vitality back. Mr. Speaker, we must get all hands on deck because our people are suffering. I commend the Honourable Minister of Health and the support, I imagine, he must have got-

ten from his colleagues, for the inception of the poverty study.

I can say that persons within the constituency of Cayman Brac—although not in the numbers that I and others (that is Ministers and government itself) would like to see—are coming out to the little yard meetings and expressing with some hesitancy, but nonetheless expressing. Mr. Speaker, let me just clarify where there is hesitancy because everyone knows Brackers speak their minds. Whether it is to our detriment or benefit, we speak our minds. The hesitancy, Mr. Speaker, is because I come from a constituency which is an aging constituency. It is one where the economics is not as flamboyant as that of Grand Cayman. And people do not bite off the hand (maybe one particular person who is frequent to our talk shows) but you do not normally, as a Bracker, bite off your hand to spite your face.

So, they have a respect for the government, especially the Social Services Department who, for the most part, are the ones who are carrying out these surveys, and they understand that their bread and butter come from this. So, you know, they reverence them to an extent and they appreciate the efforts of past governments and the present government to ensure that they have a fairly decent standard of well-being. But at the same time, Mr. Speaker, it has not kept up with the cost of living.

I know that my detractors—and I am sure there are going to be several after I sit down today, perhaps not necessarily in this House but in the wider forum—will say that Cayman Brackers, Caymanians generally speaking, need to strive to be more self-reliant. I agree, Mr. Speaker. I agree with the Japanese proverb that we need to teach our people to fish rather than just give them the fish, fish, fish. But, it cannot happen overnight! It has to be done on a graduated basis and, you know, habits are hard to break.

If that is going to be the bold position that any Member of Government, or government on the whole, makes: that you need to be more self-reliant, you need to help yourself, what is happening to your children, why are your children not helping . . . Mr. Speaker, the cost of living is so high in Cayman Brac and Little Cayman, and I am sure, as I have heard other Members speak, on Grand Cayman as well, that the children cannot afford to help their parents for the majority of cases. Sometimes it is vice versa.

We on Cayman Brac have had a social structure where we have enjoyed, for the most part, the advantages of the extended family. You will see on Cayman Brac, as you have perhaps seen in some areas in George Town, East End and North Side, more than other districts, where there is a little plot of property with a little extension springing on as the children themselves reach the age of majority and are able to build on a little bedroom or a little bathroom, or what have you. Or, maybe they may have somehow reached a more independent financial status and they

are able to build a little house, so they are given just a little piece of land, perhaps sometimes not even big enough to be subdivided or partitioned off but so that they can get their little property and enhance their sense of self-worth.

But what we see happening now, Mr. Speaker—certainly in my constituency—is that we have gone through a number of generations and those generations have enhanced the educational capabilities. They have come into an era of Cayman where you no longer have the caboose or look the iron wood, or what have you, or move or wave the mosquitoes, but you have gone into a very instantaneous type of immediate gratification. They want things now so they are not content very much more with staying at home with mother and father until they are 40 or 50, as has been the case for a very long time, and still to a limited extent within my constituency.

They want, Mr. Speaker, to be able to be the beneficiaries of our excellent education system that governments have striven to provide, enhance, and improve upon with each successive minister. You see, Mr. speaker, I am not going to get into that temptation of making the general conclusion that no minister of education, save and except this present one, has done anything. That is not going to help our children.

The present Honourable Minister of Education, I believe in his own mind, is doing everything he thinks that will improve and reform the system. But, Mr. Speaker, to reform and to improve you cannot start from subzero. You have to have something to start with, and that something was put in place by the Honourable Benson Ebanks, Honourable Truman Bodden and their respective cabinets and whoever else was in charge of education, Honourable Roy Bodden, at the material times. We as Caymanians must do whatever we can to remove ourselves from the intellectual bondage of the crab-in-the-box mentality.

There is absolutely nothing wrong with praising another Caymanian—even when that Caymanian is on a different side of the House. If what that person is doing will benefit the majority of our people, we need to get on board and see how we can row, we can propel and we can energise this good ship Cayman to the best possible, safest, tranquil harbour that it can find.

Mr. Speaker, we are not just here by chance. We, perhaps more than any other government, have a high expectancy in our respective communities. Why is that? When we formulate our strategies; when we formulate our policies; when we match that with what we feel is sufficient financial provisions, our constituencies are looking at us. Not only are they saying that perhaps we are one of the youngest Parliaments ever in the history of this country, with some of the youngest leaders both Government and Opposition ever in the history of this country, but I believe that they are expecting us to be among the most educated leaders

in this country because we have had afforded to us opportunities that other parliamentarians and persons in our community, except for one or two of the elite in years gone by, had. So, the onus on us to perform is extremely high. That is why I feel so passionate about the need for us to change the way we do politics in this House, in our constituencies, and in our country, as well as on the international front.

Mr. Speaker, I believe that was brought home to me most vividly when I had the privilege of attending a regional CPA meeting in the Eastern Caribbean some three, four years ago. Two countries in particular—Barbados and Jamaica—and those of us who go to CPA meetings know that neither of those two countries have any restrictions whatsoever when it comes to articulating themselves and making their aspirations, their needs and their desires made known at the respective forums.

What that really impressed me, Mr. Speaker, was that although they in their home Parliaments came from Government Bench and Opposition Bench, when they arrived in the jurisdiction of choice for the regional CPA meetings the only thing I saw—and I am sure that other delegates saw—was that they were Barbadian or they were Jamaican. But when it came to the poor Caymanian you saw Government Benchers and you saw Opposition. Mr. Speaker, this need not be and this is going to be our downfall. It does not matter whether we have a budget in the zillions of dollars, there are some issues that we must take off our political blinders and hindrances and stand up and say, *'We are Caymanian on this particular point.'* Will we always be right when we do that? Perhaps not. We are not glorified yet, we are still in a working process. But it is going to take a whole attitudinal, metamorphic change in our country, in our culture, if we are going to make an impact when we pass on the legacy and the torch after our political tenure in this country.

Mr. Speaker, oft times while I was at the seminar I looked and I would see them sharing resources, sharing secretaries, sharing telephones, sharing notes and, yes, even sharing drinks, because they were there to represent their country. And sometimes I thought that perhaps these countries have gone through struggles, whether it is economic or political or what have you—religious in some of the Middle East areas when we go to the general CPA—that serves as a catalyst, as a bonding agent. We as Caymanians should not allow ourselves as we endeavour to nation build to wait until we have some national disaster to bring us together as Caymanians. I would respectfully submit that if Hurricane Ivan, whether it was a Category 3 or a Category 5, could not have what I would term a level of sustainable bonding or unity in our country, we have a serious social problem.

I recall, Mr. Speaker, being one of the first to come in on an aircraft from the Brac and in utter disbelief going up and down the streets which was not an easy task in itself. I remember going into West Bay.

People did not remember then that they were Jamaican or Honduran or Canadian or Caymanian. I saw people on the West Bay Street and because of just coming from the Brac I had some supplies in my car. I had not seen them before and I certainly have not seen them after, but it was that human compassion that there was another human being in need that I reached in, stopped and shared, and shared, and shared, to the point that when I got home I had to call back to replenish my supplies.

Mr. Speaker, it is going to take that compassion, that level of cognisance as parliamentarians and leaders and states people, and that desire to bring our people together to nation build, to fight off globalisation, to fight off the vision within our country, to fight off crime, to fight off drugs and to be the best citizens that we can be.

Mr. Speaker, no government can do it alone. Certainly under the Westminster style of adversarial politics where to the winner go all the spoils, the Opposition certainly cannot do it on its own, and that is why I decided this morning that it was time for a different style of politics. I decided, as I read my devotions, that there comes a time when whether you are an Elijah, a Moses, a Ruth or an Esther, we have to say to ourselves individually and collectively, *'If I perish, I perish.'*

I realise, Mr. Speaker, that breaking out from the comfort zone; breaking out from the traditional style of politics is a bold step. I also realise that I have opened myself to criticism from within and from without. But what matters most to this Elected Member for Cayman Brac and Little Cayman, is that when I decide to step down voluntarily from politics or if the good people of Cayman Brac and Little Cayman make a decision to replace me with someone better, and if I can get time to do some of the things I like, such as fish, farm and do my church work, then I want to lay down in my bed on the Bluff in Cayman Brac at night, knowing full well that I have strived to leave a legacy for the next one coming to fill my place; that they can be proud to be a politician and a representative from Cayman Brac or whatever district; that they can be proud, Mr. Speaker, to be a Caymanian.

Mr. Speaker, we have accomplished so much in this country, all of the governments put together. They have made mistakes, every government. And so will this Government. But our mistakes should be utilised to make us better persons so that we can see the hurdles, we can see the reefs, we can see the hindrances afar off, and we can steer clear the good ship Cayman to ensure that we survive.

Mr. Speaker, I learnt from an early age that not everything that shines is gold, nor everyone that smiles is genuine. We as Caymanians have been blessed with good common sense, many with a sense of discernment, of intuition, of integrity, loyalty and honesty. We are coming from a maritime heritage where our seamen who had no nautical institutions were able to sail the high seas of the land. They may

have perhaps gone there in the lowest stratification of the labour force. They may have painted; they may have scraped the decks; they may have mopped; they may have been messmen, but lo and behold, that innate Caymanian characteristic of wanting to better ourselves to make sure that our children and our grandchildren had a better legacy caused them to make the necessary sacrifices so that they became renowned throughout the entire world. In fact, they became sought after.

Do we have less of a burden on us in this generation, Mr. Speaker? God forbid.

Mr. Speaker, we have more tools; we have more resources. The biggest Budget ever to be passed in this country's history will be passed in a few days' time. When it is passed at the end of the financial year can we look back on reflection and say, *'We have improved the elderly to our satisfaction; we have improved the handicapped to our satisfaction; we have reduced crime to our satisfaction; we have augmented our educational system to our satisfaction; we have allowed our Caymanians to grow and mature and be proud of their motto, of their pledge, of their national song, their national flower, to be proud of the simple fact that they are Caymanian?'* If we can achieve just some of these, Mr. Speaker, we would have been well on our way to creating, to formulating, to establishing, to entrenching the legacy that will take us forward as we nation build.

Mr. Speaker, we have been thrown, perhaps through the catalyst of the White Paper back in 1999, into many, many different areas that force to take us as Caymanian people outside of our comfort zone. There are some provisions in our Budget that we have been forced, as it were, to make to be able to keep up with the international fiscal policies that are handed down by our dear Mother in the UK. Some of them, I daresay, we have been forced with over the years as the fiscal matters arose on the international forum. And I would daresay, without fear of contradiction or favour, that the Cayman Islands more than once have been put on the taxation alter of the European court in order for there to be harmonisation within Europe itself in which we in the Cayman Islands have no direct say. But, Mr. Speaker, we cannot do very much about it unless we decide to go independent and no one, as far as I know (if any, very little) want to take us down that road. But we must prepare our children ourselves for what will come from the outside.

We can only hold on for so long, Mr. Speaker, to these external forces, therefore we must do everything we can do to ensure that when they throw these things through statutory instruments or other constitutional reform methods that we as Caymanians are tooled and equipped to survive, because who is going to come to our aid, who is going to help us? We saw the situation we were in because of Ivan, and thank God for America and the American citizens. I say thank God for America and her citizens who were the

first and the most generous to come to our aid. That should teach us a lesson.

I remember going, as a part of the delegation, Mr. Speaker, to beg—to beg, something that Caymanians are not very comfortable doing—our Mother United Kingdom for assistance when we were flat on our backs and in dire need of assistance, and the Minister responsible at that time in the UK just about laughed in our face and said, *'Cayman is the fifth largest financial centre. You guys have money. You can take care of yourselves.'* Now, Mr. Speaker, even the Good Book says that if your child asks for something, will you give him a rock?

Mr. Speaker, we need to look at this White Paper Partnership Agreement and ensure when we sit down (whoever the negotiating team is now for these international matters) that we make the United Kingdom understand that partnership, certainly from the English perspective, is a two-way street. How can you have a partnership with just one person? I cannot comprehend it. You cannot say that we want to create a partnership with the Cayman Islands (and I use us as opposed to the other overseas territories) and yet when you attend the meetings in the UK you are told that you have to do this or you are told that you have to do that. Of course, it is the diplomatic caveat. We do not have a timetable. We are not forcing you to do it. You can do it yourselves. And then you go to the European community and you concur that all of the countries except Bermuda would have to do 'X', 'Y' and 'Z'.

Mr. Speaker, we in the Cayman Islands now are too educated for those types of diplomatic games to be played and for us to sit down and just take it. We as negotiators, whether it is the government side, by ourselves, or whether it is a combination of the government and the backbenchers, must make sure if we want to get consultants that this is certainly a good area for consultancy. But at the end of the day, look at what they say, see why they are saying it, what their motives are and galvanise your Caymanian people to make sure that whatever decisions are coming, number one, they are fully aware of it, not just told about it. Break it down to our people like 'A', 'B', 'C'. Let them know that if you go here these are the consequences. If you do not move, these are the consequences and realise that inevitably we will be almost as the old man with the leprosy outside the old Judaeen gate. He said, If I stay here I perish; if I go inside I perish, and if I retreat I perish.

There will come times with the globalisation that is upon us, the fiscal expectations from Europe and the Mother Country, that we will find ourselves, no matter where we move, because of the shifting of the so-called level playing field, the shifting of the goal post, Cayman will have to stand after doing everything, as I read this morning, Mr. Speaker. To stand! And if we looked at the other verse, Mr. Speaker, it goes on even after saying it. I am sure if Paul was saying that in this day he would be called for tedious

repetition because he said, “**and having done all, to stand**”, and immediately after that he said, “**Stand therefore**”. And I give the same unsolicited advice this morning to the Government: Stand, and after doing all, stand therefore.

Mr. Speaker, what I mean by ‘after’ is when we know that we have done our very best whether it is domestically or internationally. As Caymanians we need to stand. Is it any type of stand? No, Mr. Speaker. When I say “stand therefore”, I mean you stand with your back against a wall or something that is formidable, that is not easily shaken, and even when you shake your foundation will not shake, that you cannot be easily overrun, that you stand up for what you believe and you be prepared, you be researched, you be equipped, you be retooled to fight these things that will come.

Mr. Speaker, I believe that not only can we be prepared to have such a firm stand by improving; by augmenting our education system; by dealing with our social ills, but we can also be much more prepared by determining and committing within our own individual selves as parliamentarians, so that I am not just going to do what is popular or what is politically correct, but I am going to line up my life and morality with what is expected from the Christian values.

Mr. Speaker, if that was the case there would be no more campaigns about honesty, trust and transparency because you would live it, talk it, breathe it and walk it. It would become a common denominator that would bind these hallowed Chambers together as we sit across. Yes, we would take different stances on issues; that is why you call it debate. We would have healthy and constructive criticism. But at the end of the day it would open up an intellectual basket so that our constituencies, our Caymanian people, our residents would be able to look and say: *‘These are the pros. These are the cons. Now I can, from a very positive, analytical, informed position, make the best decision possible.’*

Why am I harping on this, Mr. Speaker? We are about to engage in the most serious debates and exercises that any country can get into. That is, constitutional modernisation. Mr. Speaker, by its very nature it is pretty boring, and that is coming from a legal background. You really have to like big words like monotony, some boring terms to take your time to wade through it because the average man, the average woman, the average boy and girl, nine times out of ten will have a degree of difficulty in fully understanding it. Yes, they can read the English of it, they are literate.

I heard this morning on a talk show there was a discussion about the percentage of literacy, some say it is 98 per cent, some say it is 70 per cent. Whatever it is, a majority of the Caymanians can read and write, thank God. But with the Constitution, as in most legal documents, you have to go beyond what you read. It requires a lot of cross-referencing because lawyers—and I am guilty of it, I suppose, as anyone—

take great pride, or maybe because it is traditional training, of using as many words as possible to say sometimes as little as possible when we attempt to draft legislation. But the Constitution is so important to us, Mr. Speaker, that once completed, if completed, will affect every single person in this country. It will change our way of life if it is “modernised”.

Especially, Mr. Speaker, if we are going to go down the way of the non-British politics more to the American type of politics with the mode of the referendum, it is even more important, first of all, to explain to our people not only what the referendum is (the mode or the methodology of carrying out the referendum) but what will be the effect of the referendum. We should be up front, every one of us, with our constituents. We should explain to them whether it is going to be the position that the referendum is going to be persuasive or whether the referendum is going to be binding.

Now, this is of utmost importance because we can get everybody all excited and hyped up that we are introducing and making financial provision in the Budget for a referendum. We are going to be committed to what we promised about a referendum, and we are going to have a referendum. We may even take the superficial or surface approach and say, *‘Well, a referendum puts the power back in the hands of the people where we want you to tell us as politicians and parliamentarians what you believe.’*

But, Mr. Speaker, if we leave it there it would be one of the biggest disappointments to our people if that was the final picture that is painted. We have to go beyond that, Mr. Speaker, and tell our people that the Government believes in the referendum. We are funding it, which I do not think we had any problem doing so far in this Budget. But the Government must say to the country that when we do the referendum, whether it is in the Constitution or whatever it is, the referendum is going to be binding or it is going to be persuasive. I would hope, I would hope, that it is the Government’s position that the referendum on the Constitution is going to be a binding referendum.

What I mean by that, Mr. Speaker, is that once the referendum is done, which is going to be a challenge in itself because we are dealing with constitution of complex issues, but I give the benefit of the doubt to the Government in drafting it, simply enough that all of the constituents can understand all of the issues and come up, hopefully, with good answers, that the Government will follow what the people say. Because, Mr. Speaker, if it is just going to be a referendum that is persuasive, which means the Government will go through all of the form, have everything done in order, transparent, efficient, effective, affordable, all of those good terms, and then at the end of the day only look at the results of the referendum for guidance or for direction in how to make up the final analysis.

Mr. Speaker, I am spending some time on this aspect because, as most people know, I love to take

notes and I take fairly accurate and good notes. This issue has come up before. In my humble estimation, it was not cemented when the question was posed in London at the constitutional talks. There was a lot of dancing around it—I am trying to be as conservative as I can with my comments—about whether it was going to be binding or persuasive. That is water under the bridge. Forget the notes, forget what was said, things have changed; whatever can happen.

But please, Mr. Speaker, I am asking the Government before they get too advanced with the process to say to the House and the people that the referendum will be a binding referendum as far as it relates to the Constitution. I believe that we would save this country much disappointment because as I speak, certainly to people about this issue, not just in my constituency but more perhaps on Grand Cayman where it is a more urgent and front burner issue, it is their expectation that once that referendum is done everything that is said there the Government is going to do. If that is the case, I would ask the Leader of Government Business or whoever will reply for the Government's side either today or after consultation, if a policy has not already been made, to make it absolutely clear what the Government plans to do with its constitutional referendum.

Mr. Speaker, I would also use this forum to encourage all of the stakeholders, everyone living within this jurisdiction (whether it is a jurisdiction of birth or domicile of choice) to take time to go through and read. I believe a constitutional secretariat has never been set up, which is up and going, perhaps not from every single bit of technology, the last I heard on the radio. But as far as I understand, commitment has been given to ensure that the email works or whatever other type of contact that is necessary electronically will be put in place. If you do not understand, that is a good place to start.

I believe it is going to be an objective secretariat and there are certainly 15 Elected Representatives in this House that have a fairly good grasp, a fairly good understanding, a fairly good comprehension of what the past draft constitutions and other constitutions within the territory comprise of. The Turks have just got a recent one, Anguilla and others. Look at them. Compare Bermuda's situation. The BVI, I understand, have just gone through a recent reformation. Look at it so that a proper, comparative, analytical analysis can be done so that at the end of the day what we end up with is not what one particular group or one particular leader feels is the best thing, but indeed it is truly a highbred constitution that is best fitted for the Cayman Islands to propel us into the next generation and generations to come.

Mr. Speaker, I believe that it is an opportune time for us to spend valuable time dissecting, bisecting our Constitution to make sure that we get it right this time.

The 1972 Constitutional Orders, though heavily criticized, have served quite well for a number of years. But we who work with it on an intimate basis know

that there are areas in it that need to be improved; that need to be amended, and perhaps we can even go so far to say that it needs to be modernised.

Mr. Speaker, I wish also to spend some time generally speaking on the area of policing as it relates to my constituency of Cayman Brac and Little Cayman. I am happy to say that as far as Cayman Brac is concerned there is, I believe probably 14, maybe 15 (I stand to be corrected) policemen there. I believe they are endeavouring to carry out their policing in the best manner as they can. But I would ask the Government—as I have been for a number of years—to consider building a new efficient, adequate and modern police station for Cayman Brac. The present one has long been outgrown. They are very cramped conditions which do not lend well to the best productivity and performance. Although they have been struggling to do it, it could be very much improved.

Mr. Speaker, I remember being just a wee little girl when my dad was at the police station. In fact, that was the only police station at that particular time. He later moved on to head up the Police Service on the Brac. Having to live in the present police station, that was our growing up playground when we were kids because my father manned the police station, so, I know that inside out. I can tell you, having recently visited it, for clarity, there has been very little change. I tried several years ago, and succeeded, to an extent, in getting funding. But I was not responsible at the time for the police station and there were some egotistical arguments that went on. To save the money practically, I agreed that we would build the police station that we currently have in Little Cayman rather than lose the money and let it come back to general revenue.

Mr. Speaker, I believe it would behoove this Government, or any government in the very near future, to get a proper facility for our policemen. I would also go so far, Mr. Speaker, to say that in looking at this new facility much consideration should be given to putting it perhaps close to the Aston Rutty Centre on the Crown property there. Ivan has taught us many, many lessons and, I believe, if there is one facility that you would want to remain intact after a hurricane it would be that of a police station for order, control and other chaos that perhaps may break out because of stress and other extrinsic factors.

I believe, Mr. Speaker, that we can recycle (to an extent) the current police station in that our marine officer facilities are very cramped and inadequate. As well, there is practically little or no storage, and parking for only one officer, perhaps two now. We could use the current police station to house them with some improvements. As far as the physical infrastructural space, I believe it is sufficient. The garage may need some upgrading and improvement. But what is important is its location for the marine officers. The current police station is located just across the way from what we call the "Panama Canal" in the Brac and this is the main entrance where the marine officer

does his coastal surveillance. I believe we could still get some more value out of that infrastructure which is now a police station.

I am happy to see that there are still some unmarked police cars on Cayman Brac even if it is a limited amount. As always, I have stood up here and in previous Cabinets and said that we do have a drug problem, particularly in Little Cayman, as far as transfer of drugs is concerned. On Little Cayman we have only two policemen and I am sure that I am correct, Mr. Speaker, in saying that this is mainly because of the low numbers of the population, some 300 or less on Little Cayman. But it is a bigger picture than just policing the inhabitants of Little Cayman.

Drug people are smart people to the extent of how they get their drugs in and out. Because there is very little or limited surveillance on Little Cayman, this is where we find the Jamaican canoes coming in or the South American airplanes or whatever nationality coming in, and the large amount of drugs that come in to these Islands.

So, Mr. Speaker, it makes some sense, I believe (in my opinion anyway) to beef up the police presence or the task force presence on Little Cayman. I know that the central headquarters have endeavoured over the years to send auxiliary staff over to Cayman Brac and Little Cayman to assist, but this is Cayman. Before you do something your neighbour knows what you are doing and that has been the biggest detriment to policing in Little Cayman and, to some extent, Cayman Brac, in keeping it a secret when the police boat or the helicopter is coming up to do a drug bust or what have you. You know, news travels fast; it keeps Cable & Wireless and Digicel in business but it travels fast. So, we need to outsmart them and find ways and means to combat this cancerous evil in our community.

Mr. Speaker, one drug that is not necessarily spoken about very much is the use and the abuse of alcohol. Perhaps as a result we may find a closer examination of the budgetary provisions as far as preventive measures. Mr. Speaker, I certainly can speak for my constituency and say that I am very, very dismayed and burdened to see the increasing consumption of alcohol, especially in the children 11 and under on my Island, that is, of Cayman Brac.

Mr. Speaker, I believe that enforcement needs to be carried out. These persons who are given the liquor licence for distribution or for retail, they need to be taken at task to ensure that they are in compliance with their licence. The police need to be diligent to ensure that if the legal age is buying this alcohol that they are not illegally passing it out or distributing it to these young children.

Mr. Speaker, this problem continues to grow and mushroom until on any given weekend—and now sometimes during the week—we will see young people (when I say young I am talking about 40 and under) who are so much under the influence. They are smart enough, thanks to Magistrate Ramsey-Hale, not

to drive. And thank God for her. But they will be struggling to walk from some of the establishments, struggling to walk. I have seen increasing instances as I go up and down the Island of just a total loss of control of their bodily functions when they reach this state. Mr. Speaker, this is Cayman Brac with less than 2,000 people.

The relevancy is that we as parliamentarians must ensure that we in no way, fashion, form or manner, contribute to this even if it means taking the bold stance of abstinence. We are losing our young people, a lot of them on the Brac, to alcohol, and our young families. I can hear, Mr. Speaker, where I live on the Bluff many, many nights the police siren coming two, three o'clock in the morning because there is a drunken spouse, sometimes both, and the little children left with front seats to this dramatic, alcoholic display. Is it any wonder that when these children then go to school that the Honourable Minister of Education is having so much difficulty educating them? It is a connected problem. It is not an isolated problem.

I, again, refer, Mr. Speaker, to when I was Minister: The very first time I went to the Brac to have a reception my technical staff told me, '*Ms. Julie, if you are going to have a reception you have to serve alcohol*' and I said absolutely not. Mr. Speaker, I will not, then or now, utilise Government funds to purchase alcohol to give my constituents whether it is in a formal setting or an informal setting. And I remember questioning expressions: Well, will anybody come? How many numbers? How many invitations should we send out? I am here to tell you today that that reception which was held at the Brac Reef on their two-storey deck arrangement had over 500 people in attendance, so much so, that planning then told us that the next function could not be held there because of concerns for the structural integrity.

When we believe in something, Mr. Speaker, we must be bold enough to stand up for it, speak it, live it and believe it if we are going to make a difference. Worst of all, we should not be giving them alcohol. I understand that when these young people are seen at the bar it is a temptation to give them a pack of cigarettes or a six pack to maybe get them off of your back from asking. But I implore all of my colleagues here today, resist, desist from them when those pleas are made. And if they tell you that they are not going to vote for you that will go away soon. It may cost your seat, it may cost my seat the way I have spoken here today, Mr. Speaker, but I know in home I believe and I know that the righteous will not be forsaken, nor will there be begging bread. It is in that confidence that I have chosen to speak this way.

I could have gotten up, Mr. Speaker, and given accolades, thank yous and votes of thanks to various Ministers or colleagues, but that is not going to help my constituency. I could have gotten up here today and asked for a lot of other infrastructural needs but I will have ample time, Mr. Speaker and colleagues, when we come to Finance Committee to

pose questions and to ask the Government to consider if there is not a particular inclusion in there.

I felt, Mr. Speaker, that I could best utilise my time this morning in speaking from a general, national perspective, attempting to highlight some of the issues we have in this country that people are, for whatever reason, not anxious to bring to the political forefront; and see whether with my attempt (feeble though it may be in some minds) would somehow set off a spark of hope again in our Caymanian people; set off a spark of the need to do something different in my colleagues in this Chamber; set off a spark in the need of collective survival for the nation we call beloved Cayman Islands.

Mr. Speaker, what we have been doing has only worked to a degree of success. We find that we are facing changing and challenging times: much social pressures, high cost of living. We have utility bills that have become almost like a second mortgage. We have very little control over part of that. We know energy has gone up throughout the world and the fuel costs are astronomical, but as the Third — I believe Third or Fourth, my memory fails me right now, I beg your pardon, I do not mean to offend . . . the Member for George Town got up in his closing remarks and said, you know, if we are going to survive in the vein of that Caymanian compassion perhaps it is now time for our merchant class, our businessmen, to say *'Cayman has been good to us. Let us look at our profits, let us look at our dividends. Is there space enough that we can ease the burden for our people just a bit so that they can survive?'* Because, Mr. Speaker, if we can make it over some of these humps that we are now facing, there will be more in the economic basket to come forth and bloom and fully open its petal so that the profits and the share margins can once again become a positive reality and we will not have a deficit.

I do not think it is going to put any business into bankruptcy but it certainly would go a long way. I can speak for my own constituency. I hear it all the time. Indeed, they come and ask for monetary assistance to help pay sometimes their mortgage. I am sure the Second Elected Member for Cayman Brac and Little Cayman has had repeated requests to help pay light bills or to waive light bills. People are not begging in my constituency for help in these regards because they are lazy. Cayman Bracers are ambitious, hardworking people. But the salary, the economic disposable spending power has been eroded and they need help, Mr. Speaker.

Mr. Speaker, I know my time must be going close and before I do not get time to say, I wish to just refer to this one short poem entitled *Tomorrow's Way* by an author that is unknown. It says:

I know not if tomorrow's way be steep or  
rough,  
But when His hand is guiding me, that is  
enough;

And so, although the veil has hid tomorrow's way,  
I walk with perfect faith and trust through  
each today.  
The love of God has hung a veil around  
tomorrow,  
That we may not its beauty see, nor trouble borrow.  
But, oh, 'tis sweeter far to trust His unseen  
hand,  
And know that all the paths of life His wisdom planned.

In conclusion, Mr. Speaker, indeed I can truly say I know not what tomorrow holds. It may hold a victory for the PPM Government in taking my seat on Cayman Brac. It may hold my success at the polls. It may even hold death. But one thing I know is, despite the temptation this morning to come and be an Opposition political Backbencher, which is a great temptation after what transpired in recent years, rather, Mr. Speaker, I changed my mind a few minutes before coming here this morning. And if people do not believe it you can look into the trunk of my car and you will see two notepads of my own handwriting; you will see my books that I researched; you will see my budget; you will see the Policy Statement all marked up, comments made in the margins as any prudent politician would do.

What you have heard today, Mr. Speaker, is what I truly believe. What you have heard today, Mr. Speaker, is what I feel this country needs. It does not need divisive policies of parties and I say that without contradiction. It needs politicians who are first and foremost Caymanians who, when we leave here, whether voluntarily or involuntarily, will not have to look over our backs; will not have to think about a deal that was not transparent; will not have to think about selling our country short; will not have to think that we have left a restricted campfire with diminishing resources and campers without the ability, the wherewithal to build a better camp, a bigger fire and with the endurance, the temerity, the boldness and the confidence to pass this Caymanian torch onwards and upwards for a better Cayman.

I thank my colleagues and I thank you, Mr. Speaker.

**The Deputy Speaker:** Honourable Members, at this time we will have the luncheon break and return at 2.30.

**Proceedings suspended at 12.28 pm**

**Proceedings resumed at 2.40 pm**

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

**The Deputy Speaker:** Honourable Members, I have received and given permission for a Personal Explanation by the Honourable Leader of the Opposition, so at this time I will acknowledge him to make that explanation.

## PERSONAL EXPLANATION

### Re Matter Raised by Fourth Elected Member for George Town in regard to the Chamber of Commerce luncheon

**Hon. W. McKeeva Bush:** Mr. Speaker, I am thankful for the opportunity to make this explanation.

Mr. Speaker, this was a matter which was raised by the Fourth Elected Member for George Town, who seems incapable of making sensible contribution to the matters affecting our country. He continued to castigate and make rude remarks and make the wrong remarks.

Let me put on record in this House what took place at the Chambers Legislative Luncheon. I say, Mr. Speaker, put on record in this House because I have already clarified in the press the whole matter. But it seems that the Fourth Elected Member for George Town enjoys tremendously his usual manner of criticism of the Leader of the Opposition. When he is wrong he must be challenged.

I received, Mr. Speaker, an invitation from the Chamber. That invitation read, and I read it here, and this was written on 6 February:

"To the Honourable Leader of the Opposition,

"I am personally inviting you to attend the Chamber of Commerce First Annual Legislative Luncheon on Wednesday, 25 April at the Ritz-Carlton from noon until 2 pm. The luncheon will provide an excellent opportunity for all Members of the Legislative Assembly to meet with the general Chamber membership and to share issues of importance prior to the Throne Speech and Budget Address.

"All Members of the Legislative Assembly will be seated at different tables to give each legislator a chance to meet with business leaders and constituents. I plan to deliver a speech about the state of the private sector and the key recommendations that the Chamber believes could help to improve the business environment in the Islands. The Leader of Government Business has also been invited to deliver an address highlighting Government's Key Strategies for its 2007/2008 Budget.

"I believe this annual event will help to create an interactive climate that allows our legislators to meet with the business sector in a relaxed and enjoyable setting.

I look forward to seeing you in April.  
Angelyn Hernandez,  
President"

Mr. Speaker, I understand they were informed sometime after they had written the invitation that the Leader was not able to speak on what they wanted but had chosen a different subject, which he delivered that same day.

When they called me, Mr. Speaker, I did tell them it would be good for the Opposition's position to be given at the same time. I heard no more from them.

Mr. Speaker, when the matter was raised in the press, I took the opportunity to write the following letter, and I read:

**"I note the report in your newspaper which said *"Chamber luncheon turns political"*. If you want to term it politics, it was not the first time that someone was political at the Chamber meeting and I suspect that it will not be the last.**

**"What you failed to report is that we as legislators were invited from February this year to be present at a luncheon where the Leader of Government Business was supposed to talk about the Government policies in the Budget for the years 2007 and 2008.**

**"On Wednesday, 25 April 2007, the day of the planned luncheon, I was contacted a few minutes before noon, the time of the planned meeting, and was told that I was listed to speak. [At that time, Mr. Speaker, I was in the doctor's office with my wife.] I was very pleased and thankful to the Chamber for giving me this opportunity to voice my opinion on Government policies.**

**"When the Leader of Government Business spoke, he spoke on a topic completely different on what was listed on the invitation. [And, of course, to which I did not know any difference.] He spoke on public-private partnership.**

**"In the few minutes I had between 12 pm and the time I spoke at the luncheon, I spoke on what I thought would be a response to what Mr. Tibbetts was listed in the invitation to speak on; that is, what I see as some of the problems affecting the Cayman Islands residents.**

**"It was certainly political because the Budget, the Government's policies and actions are all political.**

**"My response was political because it was what I was told would be the order of the luncheon, that is, the Leader of Government Business speaking on Government policies in the 2007/08 Budget."**

Mr. Speaker, we now know that he had informed the Chamber that he would not be speaking on that—

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** —but they did not tell me that. They invited me, as I said here in this letter, the same day. And when I went to that luncheon I had to make notes, as I said, on what I thought was going to

be said and, Mr. Speaker, I did not mind it because every word I said was the truth.

What I did say came out in the *Caymanian Compass* newspaper, and this is what they said in that report pertaining to me:

**“When he rose to speak, Mr. Bush also said he was a believer in working together with the private sector for the good of all.**

**“Although he said there were some areas in which the Government was doing a good job, there were many other areas where they were not.**

**“Mr. Bush criticised many of the Government’s policies.**

**“‘There is too much borrowing’ he said, adding that there was also a growing bureaucracy.**

**“Mr. Bush also criticised the Government for hiring too many consultants and making wrong policy decisions with Cayman Airways.**

**“If the Government does not correct itself, Mr. Bush warned that the Cayman Islands would once again become the Islands that time forgot.**

**“‘In the Islands that time forgot, those who did have money didn’t pass it on [to the rest of the community],’ he said. ‘There were no scholarships and most Caymanians didn’t own much business.’**

**“Mr. Bush said people should remember where Cayman’s wealth came from.**

**“‘Money didn’t come from just within’, he said, ‘It came from outside and trickled down.’**

**“‘The middle class is suffering the most from the Government’s policies’, he said.**

**“‘The majority of people are finding it very, very hard’, he said. ‘I’ve never known a time before when people had to borrow just to buy groceries.’”**

So, Mr. Speaker, I do not have anything to apologise there for. Certainly, the paper carried correctly—I would say I said a little bit more than that—in what I did say.

Mr. Speaker, I do not know who told the Fourth Elected Member for George Town that that speech embarrassed the country. Maybe a few of their diehard supporters did not enjoy it, but there were many, many persons who said I was on target. If the Fourth Member for George Town means that I embarrassed him because he did not understand and cannot comprehend issues, I understand his problem.

Mr. Speaker, he went on to talk about how I embarrassed the country. And yes, I did have to travel extensively as Leader of Government Business. I was the Leader of Government Business, I was the Minister of Tourism, and I had to travel on those issues and areas for many, many different reasons. However, the country is reaping the benefit of my stand on the international issues because I could speak with some authority and knowledge to the Savings Directive and the Organization for Economic Co-operation and Development (OECD) issues. Had the Savings Directive been implemented in its original form, Cayman would be worse off today and many, many international

speakers have spoken at forums here and said the same thing.

The Official Members who were in charge of the various subjects at the time could take me to the overseas meetings where my presence as an Elected Official was required and Cayman benefitted. And I am sure if those Official Members were allowed to give evidence they would give good account of our stewardship.

But, Mr. Speaker, can you imagine the Fourth Elected Member for George Town chiding anyone about embarrassments?

Mr. Speaker, I think I have clarified the issues. The Book of Proverbs speaks volumes about people like the Fourth Elected Member for George Town who seems to relish in criticising, and especially criticising the previous Leader of Government Business. But I do not intend to take him up on everything that he talked about because then I would be as bad as Proverbs says that he is.

**The Deputy Speaker:** Continuing on with the debate on the Throne Speech. Does any other Member wish to speak? *[pause]*

The Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Mr. Speaker.

Mr. Speaker, I rise to give my contribution to the Throne Speech and the Budget Address delivered by His Excellency the Governor, Mr. Stuart Jack, CVO, and the Honourable Third Official Member, on 27 April 2007.

Mr. Speaker, I think that all of the other Members of the Opposition have done an exceptional job with their contributions, so I will try not to repeat what has already been said. Instead, I will speak on some of the other issues that concern me.

As one of the main focuses of the Throne Speech, Mr. Speaker, I sincerely hope that considerably more money will be spent on the preventing young people turning to drugs and crime than is spent on rehabilitation and treatment. The old saying goes, “An ounce of prevention is better than a pound of cure”. We must concentrate on prevention.

It is too late for us, Mr. Speaker, to try to close the gate after our youth become hooked on drugs. We must act now. Our youth are the leaders of tomorrow and it is our responsibility to give them every opportunity possible to be law-abiding citizens in these beautiful Cayman Islands. We have to change our focus to prevention instead of cure and rehabilitation.

Mr. Speaker, the cost of living is by far one of the greatest concerns of the public today, and the people are looking to government for some kind of relief so they can continue to feed, clothe and educate their children. I have had numerous representations from members of the public who try to live within their means, who work steady jobs, and with good incomes

who have had to take part time jobs within the last two years just to make ends meet.

One of the objectives of the Honourable Minister for Communications, Works and Infrastructure is to conclude negotiations with CUC. Mr. Speaker, I sincerely hope the Honourable Minister will be successful in his negotiations and in reducing the electrical rates but, really, I have my doubts. After the release in the paper recently when CUC took delivery of their new generator it said that the cost of the new generator would be reflected in our electric bills next year. That, Mr. Speaker, is not a good sign of getting a reduction.

Mr. Speaker, the cost of living must be brought within the reach of the average family, or we will have some social unrest and I hate to think of such a thing. We must act now before it is too late.

Mr. Speaker, the cold, hard fact is that your dollar today cannot buy nearly as much as it did before 2005. Average families are having difficulties making ends meet. These are the facts. And we and the private sector need to do our part to reduce the cost of living. We have to take whatever steps needed to make living more affordable for the average family in Cayman. The private sector, I say again, must do their part. Government must do their part as well.

Another priority in the area of human services will be the development of a national plan for the elderly. Mr. Speaker, for the sake of our elderly, I sincerely hope that this plan becomes a reality. We as legislators must ensure that our elderly are properly cared for.

Our elderly have made significant contributions to our development. It is our chance, our turn, to reward them for all of their contributions to our society today. They deserve to be cared for in the best possible way. It should be remembered that our elderly were the stalwarts of yesterday who endured the difficult times of mosquito infestation, limited transportation, no electricity or electric fans or AC or refrigerators. Now it is our turn to make them thankful that they made those contributions to us.

We must make them as comfortable as possible, Mr. Speaker, in their surroundings. So, yes, Mr. Speaker, I am happy about the plan. I just hope the plans become a reality. We must not neglect our elderly when they need us most. I trust that the Honourable Minister will see that his plan becomes a reality.

Mr. Speaker, I have looked but I have not yet seen any mention of the mentally ill long-term facility. This gives me great concern. There is no excuse for us to send our mentally ill family members to other jurisdictions because we do not have proper facilities here to care for them. No, Mr. Speaker, not when we are in the process of almost approving a \$500 million Budget. There is no excuse. None! And yet, we are still sending our mentally ill family members to other jurisdictions for treatment and care.

Mr. Speaker, a case in point is when a mentally ill individual broke into an unoccupied home.

When the police officers went to investigate they were told by the young man that the house was his and to leave him alone. He was arrested, taken to Northward and kept there for weeks, only to be released because it was determined that he was mentally ill. Northward is not the place for the mentally ill. The mentally ill should be placed in facilities where they can be cared for long-term and treated for their illness.

Tourism: I have had many representations, Mr. Speaker, especially from the water sports operators with regard to their business, or lack thereof. Some of them have put some of their boats up for sale and some have put some of their buses up for sale. Some of the reasons are a reduction in the number of passengers and because some of the big operators are taking almost all of the business. In fact, I know of one company which has sold two of their boats because of the reduction in business. There is another company that has cancelled an order for a new boat after seeing the downturn in business.

Mr. Speaker, the small operators in the water sports industry are hurting and are hurting very badly. The Honourable Minister of Tourism must find ways and means to help these small operators to survive or we are headed for more problems.

Just to make it abundantly clear, Mr. Speaker, I am truly grateful for the new section of the Esterley Tibbetts Highway which is being completed at this time, and I am sure that I can speak with the same voice for all the West Bayers and the entire Island.

Mr. Speaker, much has been said by this Government about the West Bay Bypass. They would like people to believe that nothing was done until they took office. Everyone knows that this is not so. The bypass was started south of the Hyatt with the building of the roundabout, and the money was left in the government's account for it to be completed. There was no agreement with the Ritz-Carlton by the United Democratic Party Opposition not to start the bypass. No one can bring any proof for that, Mr. Speaker, and anyone saying so would say anything.

The Ritz-Carlton knew that they had to do it because it was an agreement that they accepted in the 1998 lease arrangement by the then government. The time they were supposed to do it was when the bypass reached their property, the cost was supposed to be approximately \$5 or \$6 million. As is now evidenced, they kept their part of the agreement.

Anyone trying to apportion the blame to the last administration should be glad that the money in Government's accounts was sufficient enough to build a road. The question we ask is whether good judgment was made to rush it to the extent that the money was taken from the education budget at that time and whether it was good sense to rush it to the extent that Cable & Wireless will now have to go back in and put in their underground pipelines. This kind of putting the cart before the horse, Mr. Speaker, is what is costing the people of these Islands so much money unneces-

sarily. These are the facts, Mr. Speaker, with regard to the extension of the Esterley Tibbetts Highway.

Mr. Speaker, I thank you.

**Hon. W. McKeeva Bush:** *[Laughter]* Captain ya finish?

**The Deputy Speaker:** Does any other Member wish to speak?

*[Laughter and inaudible interjections]*

**Hon. McKeeva Bush:** You're like what Henry VIII said to his wives, "I shall not keep you long."

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** *[Laughter]* Captain, short and sweet!

**The Deputy Speaker:** The Honourable Minister of Health.

**Hon. Anthony S. Eden:** Thank you, Mr. Speaker.

As I rise to make my contribution to the ongoing debate, there is not really a lot more that I can say and add except for some detailed descriptions of services provided under the auspices of my Ministry.

As I listened this morning to the First Elected Member for Cayman Brac and Little Cayman what I would say, as a past governor had once said, "Ditto" to some of her sentiments and feelings, and I share much of that. As a matter of fact, a few days ago she and I were talking about the concerns of our young people here in the Cayman Islands and why we, although unparliamentarily, should not be hypocrites.

Since my good friend, the Fourth Elected Member for West Bay, just spoke, I will take this opportunity to refer to a couple of items that he touched on. I agree with him 100 per cent in regards to the drug rehabilitation. It is always better as we know in literally any circumstance that prevention is better than cure. I do remember a few years ago when we advocated for a secure remand rehabilitation for these youngsters to get them in a structured facility, not only trying to dry them out, et cetera, but to provide schooling, training a comprehensive approach to this which we have plans for in this upcoming Budget.

I also thank him for talking about the elderly. As he and all Members of Parliament should at this time know, the National Assessment of Living Conditions, for the first time in history, will reveal where there are existing weaknesses. The beauty about this, Mr. Speaker, is that it will not only identify the weaknesses within the government organisations, even though within their own selves they may feel they are doing good, but it will identify where we have to make changes, make a difference, and to also incorporate the private sector in services that they provide. And it has been a golden opportunity for the private sector to

buy into this because not only government will benefit but the private sector will be able to identify areas in which they can make improvement and provide services that may now be lacking.

The other area he touched on, Mr. Speaker, was mental health, which has been for some time troubling. Yes, we need to bring home those individuals from overseas, but at this time it is a huge capital out lay. We are discussing with Pan American Health Organisation to have—

*[The Honourable Member's debate disrupted by cell phone interfering with microphone]*

**Hon. Anthony S. Eden:** Somebody's phone is on.

—guidance on how best to structure this. We just do not want to go and set up and find out that there is not the right procedure.

Mr. Speaker, the primary aim of the People's Progressive Movement Government is to improve the quality of life for all persons in these Islands, and my Ministry aims to assure this by keeping human development on the frontline of the national agenda. A healthy community is one that is vibrant, productive and creative in maintaining its well-being. Such a community takes care of all of its members, including the elderly, youth, handicapped or otherwise vulnerable.

Here in the Cayman Islands this is not an act of generosity. Instead, it is a matter of good governance that also promotes and supports personal responsibility among its residents. As a small Island we must primarily rely on our own abilities and resources in sustaining and developing our own society.

Mr. Speaker, from the sad experiences of Hurricane Ivan, we all recognise that we are vulnerable in some way or the other. Therefore sticking together, caring for the most vulnerable and assisting each other to fully realise our capabilities is the way towards building a stable, healthy and prosperous country. And as we have always tried within the PPM Government, that is one of the mainstays of our philosophy.

During the 2007/2008 Budget year my Ministry will continue to use evidence based on international research to support policy decisions and the development of legislation. The departments will continue providing access to a wide range of Health and Human Services. In addition, we will introduce new evidence based initiatives to make our services more efficient and better suited to the needs of our people. Mr. Speaker, these initiatives, while meeting international requirements as well as enhancing cross-governmental cooperation, are expected to significantly contribute to the quality of life for all residents in these Islands.

I will speak first on my Ministry of Health and Human Services: The broad strategic goal of the Ministry is to ensure a healthy resident population of the Cayman Islands through the development of policies

and legislation and access to services that enable people to enjoy the highest possible standard of physical, mental and social well-being.

Mr. Speaker, regarding the Ministry's role we recognise the need for a holistic approach in order to effectively address the needs of our people. Therefore Health and Human Services agencies are encouraged to cooperate in finding the interconnections of social issues.

In order to achieve our goal, the Ministry has presented a budget of \$83.9 million for the 2007/08 financial year which includes all outputs to be purchased from departments, statutory authorities and government companies, non-government organisations, transfer payments and the purchase of executive assets and equity investments.

The purchase of outputs from departments alone, Mr. Speaker, is \$21.58 million and represents an increase of approximately \$6.1 million over the 2006/07 financial year. Most of this increase can be attributed to the inclusion of \$3.8 million for the implementation of programmes from the National Assessment of Living Conditions and initiatives to redefining public health services in the Cayman Islands.

Speaking first about the healthcare sector, the Ministry will implement in January 2008 a new model for healthcare delivery. The cost of providing healthcare services will become unsustainable if we continue to do the same things year after year. Our healthcare system, like many others, is based on a curative model centered on hospital and individual care thereby demoting primary care and public health services as secondary services.

Mr. Speaker, it is my strong belief, which is also supported by research, that we need to reverse this approach to the delivery of health services. While ensuring that good quality hospital services are available when needed, we must also focus our attention on strengthening preventative services. This will be done through the promotion of good health practices and guaranteeing all residents access to a basic package of health services.

The Cayman Islands new model of healthcare delivery which will strengthen people's access to services, both physical and economic access, will include the establishment of (1) a public health department under central Government; (2) new governance model and management structure for the Health Services Authority; and (3) a national strategy to promote wellness. As the old time saying goes, "Prevention is better than cure."

Mr. Speaker, the Public Health Department will increase the accessibility of patient-focused services in the districts in order to provide greater convenience for patients. Public Health staff will place even greater emphasis on health promotion and protection, particularly when implementing the national strategy to promote wellness.

As the Minister of Health back in another administration, the support was given that we build new

healthcare centres in each district, and the idea was to provide services there such as, in the event if a parent went home in the evening and found a sick child, instead of having to travel all the way back into George Town to take that child for care, the services would be provided there. This is the emphasis that we are going to be putting back. We are going to have more doctors in these clinics providing service, and a lot of preventive processes and procedures will be put in place for those diabetic clinics, hypertension and whatever.

Comprehensive legislation will be finalised regarding the sale of tobacco products and the prohibition of their use in public and work places. Mr. Speaker, there has been significant comment in the paper. We had quite a bit of feedback from the public on this, and when I tabled that draft Bill for discussion I said we would be listening. But the main focus that I would like to once again say that this is a public health matter. We have to protect those people, our people, because of the rising significant cost in taking care of people. And, Mr. Speaker, beyond a shadow of a doubt, scientific evidence has shown the correlation between cancer and tobacco smoke.

As a significant step, the Ministry plans to evaluate, update and implement the National Anti Drug Strategy. We must control the escalating cost of healthcare by re-examining the uses of public funding and how it complements private health insurance coverage. We also aim to reduce financial burden on families, protecting them from the risk of falling into poverty due to catastrophic, out-of-pocket expenditures.

Earlier this year—or it could have been toward the end of last year—a motion was brought by Members of the Opposition requesting that we give consideration, especially to the seamen based on assessment that we provide care for them. There was an actuary down last week and I spent some time with him, and, Mr. Speaker, I am pleased to say that we are diligently working on having a policy in place. It will not be at this time a Rolls Royce, but the PPM Government is committed to providing for those people who have built these Islands, who have laid the groundwork for where we are today. We must not forget those who assisted in laying that wonderful foundation for us here in the Cayman Islands.

With regards to the implementation of these different projects, my Ministry will continue to encourage public/private partnerships that strengthen the common good.

Turning to Human Services, we anticipate that the report from the National Assessment on Living Conditions (the Study) will provide an in-depth review of Cayman's social strengths and weakness. It was interesting to learn, Mr. Speaker, when we visited Cayman Brac, that rarely are Cayman Brac and Little Cayman involved in any of these surveys. I am pleased to know that they have had the opportunity to have the input. I was a bit surprised to learn that the

very motor vehicles on Cayman Brac and Little Cayman are also grouped up with those here in Grand Cayman.

We need to be able to identify specifically under whatever category that we need to. This is why the National Assessment of Living Conditions is so important. We will be able to identify and deal with wherever we find a situation in that specific area.

For the first time, this country will know the poverty line and the severity and causes of poverty. This is being managed by Kairi Consultants who have done this in just about every other territory in the Caribbean. As a matter of fact, I think we are one of the last of the Islands that has undertaken this. But it will not only benefit my Ministry, Mr. Speaker, it goes completely across all government agencies.

As we saw in the paper a few weeks ago, the standard by which the “basket of goods”, something like 16 years old, this is also going to be part of the assessment that we are now doing and I eagerly await to see the results of that. It will give us concrete evidence of what the true cost of living is here in the Cayman Islands. The report will also indicate relevant cause-and-effect relationships. The results on annals, Mr. Speaker, will enable us to create a sound base for relevant policy formation in the Ministry as well as across the whole of government.

In the next financial year we also plan to harmonise our country's goals with the United Nations' Millennium Development Goals by prioritising human development, including the promotion of gender equality and empowerment of women. I must take my hat off to Ms. Tammy Bishop who heads up a research unit that is looking at a lot of details on this for us. She has done a wonderful job there in the Women's Resource Centre and is a very dedicated, I am pleased to say, young Caymanian that has her heart in the right place.

The Ministry foresees significant allocation to support the needs of the most vulnerable in our society, particularly children and the elderly, as a number of the previous speakers have alluded to.

This year we have planned \$4.86 million for poor relief payments, \$4.32 million for ex gratia benefit payments to seamen, and \$2.27 million for benefit payments to ex-servicemen. As we all know, in last year's budget we increased the stipend for seamen and veterans to \$500 per month. This year's Budget will now provide for a similar increase for approximately over 880 persons who are over 60 years of age who receive permanent financial assistance from government.

Mr. Speaker, this is an area where we anticipate the results from the National Assessment of Living Conditions, because at this time it is an arbitrary figure. We are hoping, and once we find out from these people if the \$500 is not enough, I am sure that this Legislative Assembly will support those people—

**Hon. W. McKeeva Bush:** That naw gine be enough.

**Hon. Anthony S. Eden:** —in voting funds to help them maintain a decent living.

Furthermore, the Budget reflects special care for our elderly. We intend to highlight the role that our senior citizens must have in contributing to the growth and well-being of our society. We will focus on addressing the concerns of our elderly population systematically by developing a national plan similar to what the Fourth Elected Member for West Bay alluded to earlier on.

Mr. Speaker, we want to maintain the functionality of our elderly people, allowing them to make valuable contribution within their communities. For example, in order to secure the needs of our honourable seniors, each district will be provided with purpose built facilities to meet the unique needs of its elderly populations. In some cases, these facilities will be residential homes, while in others they will serve as centres for social activities and programmes. In Cayman Brac, the Kirkconnell Community Care Centre will double in capacity, thanks to the generosity of philanthropist, Mr. Linton Tibbetts.

The Ministry will provide funding for the recurrent expenditure of this extension and I would like to, through this medium, thank Mr. Linton and all those who are providing this much needed expansion over there. And also, to thank the two Cayman Brac and Little Cayman representatives who have their hearts in this completely, who so diligently work to help the cause of our elderly in Cayman Brac.

In Bodden Town, Mr. Speaker, we have been able to create more of a programme. And I was so touched and pleased on Saturday afternoon when the committee there, headed by some wonderful ladies and chaired by Ms. Florence Wood, had a gathering social for the elderly for pre-Mother's Day. It was a wonderful turnout; everybody there was talking, socialising and reminiscing. This is what it is all about, trying to help those people and providing them with comfort.

We are looking forward, Mr. Speaker, as you know, in the Budget—and I briefly spoke with the Second Elected Member for West Bay when he was looking at the Budget and did not see the specific funds for Golden Age. It is in a group of approximately \$900,000 under the Ministry. We have \$550,000 in there and I know that a committee headed by the Honourable Leader of the Opposition has available another \$200,000. We are now in the process of—

**Hon. W. McKeeva:** We naw got it yet, we got a promise.

**Hon. Anthony S. Eden:** Well, I know you will have it delivered.

*[Laughter]*

**Hon. W. McKeeva Bush:** It was promised before we get it!

**Hon. Anthony S. Eden:** Mr. Speaker, we are in the process now of trying to find a place where we can put those people so that once we start construction they will be put out of difficulties and awkwardness in a construction environment.

We will facilitate public partnerships in elderly care. For example, assistance is given to the Pines Retirement Home through fee increase, provision of professional advice and one-off funding contribution to assist with staff remuneration. In the forthcoming budget year there is allocated \$0.5 million for the Pines Retirement Home.

I am heartened to note, Mr. Speaker that the needs of children and youth, including emotional, spiritual, physical, social and civic needs will be addressed in major initiatives and legislative reform. This will include the development of a policy framework for children and youth, as well as a National Child Protection Strategy.

The existing Children Law and Regulations and the Adoption Law will be revised based upon the requirements of the United Nation Convention on the Rights of the Child. The Ministry has allocated \$1 million for developing a secure remand facility with appropriate therapeutic programmes in order to rehabilitate our youth locally instead of having to send them overseas providers, which is what I shared earlier on with the Fourth Elected Member for West Bay.

We will cooperate with other agencies regarding community rehabilitation by supporting Alternative Sentencing and Drug Rehabilitation Court Initiatives, particularly with the provision of treatment and probation services. And through this medium, Mr. Speaker, I would like to thank the Honourable Chief Justice, the Honourable Attorney General and my Cabinet colleagues for now putting genuine emphasis on helping our youth and those that are in difficulties at Northward.

Mr. Speaker, as you know, it has seemed to be just a revolving door, but the Probation Aftercare Unit has been doing some very fine work there with them. It has shown that once we attach one of these workers with a person, the chance of recidivism decreases significantly, so I really look forward to this being implemented and going full stream.

I want to thank all the members of society. We will emphasise community development, in order to address specific issues in our districts. The Community Development Unit will be reinstated within the Department of Children and Family Services with community officers in each district. This was something that was started several years ago by the Honourable Leader of the Opposition, at that time.

It is my firm belief, Mr. Speaker, that for these individuals to be stationed, located and know about the people within their own community so as to be able to identify whatever the needs may be for our elderly and our youth, I am pleased to say that the short listing for Bodden Town and North Side Community Development workers have taken place and

interviews should commence shortly for final selection.

**Hon. W. McKeever Bush:** If that hadn't been stopped we would have been further ahead today.

**Hon. Anthony S. Eden:** Mr. Speaker, I will now speak more specifically about the departments and authorities that are under the Ministry's purview.

The Health Services Authority will continue to improve patient care, customer service and efficiency. This is so very important and I know, Mr. Speaker, that the Leader of the Opposition in his opening expressed concerns. But it is my commitment with the help of God and the support of my colleagues here in the Legislative Assembly, we will be able to turn around the situation where emphasis will be placed on patient care, where patients will be looked at and treated with dignity and respect, and to identify how properly we can deal with whatever their sickness may be.

A comprehensive review of all areas of the Health Services Authority's operations will be carried out to ensure optimum levels of efficiency, and that all expenditures are within budget. Some fees will be adjusted to reflect the actual cost of providing the services.

A comprehensive review of the Health Services Authority's service will include comparing its rates with the standard fees established by the Health Insurance Commission. Furthermore, Mr. Speaker, the HSA will add more than 4,000 procedures to the fee list in order to develop a comprehensive charge master.

Mr. Speaker, as I said, sometime in the past there were hundreds and hundreds of procedures provided at the hospital that people do not pay for, absolutely nothing, and we wonder why it has struggled. But it is the intention that wherever we need to help these people, those that cannot pay, as you know CINICO is working on that. As for the insurance companies, we are trying to get them to work along with us on many of these processes which are in the works, and I feel within another short period of time there will be a difference.

I would like to take this opportunity, Mr. Speaker, to offer congratulations to Ms. Gillian Lawrence and Darren McField who graduated recently from St. Matthews University. As a matter of fact, it was Saturday a week ago. Mr. Speaker, I am not sure if all the people in the Cayman Islands know the magnitude of the accomplishment of Darren, Mr. Steve McField's son. He graduated in the top 98-99 percentiles of all medical doctors in the great United States.

**Hon. Anthony S. Eden:** Quite an accomplishment for one of our young Caymanians, and I take my hat off to him.

He has been offered the opportunity—which is rare that you will see someone coming from the Car-

ibbean—to do his internship at the Mayo Clinic which is going to be in surgery. But the sad part, Mr. Speaker, is that in the past, for whatever reason, he got minimal financial support. I sat with him on Friday and I said to him that I will sit with my Education Minister, his CO (Chief Officer) and my CO to see how we can help this young man. His commitment, Mr. Speaker, is to come back here and work in the Cayman Islands but with the level that he is going to have to go into intensive training, we need to be able to help him out financially and we will do that with the help of God.

Just last week, Mr. Speaker, the Nurses Conference was held here during Nurses' Week and it was very, very impressive to see the number of nurses present there. We have committed, as it is now a requirement by the Council of Human and Social Development (COHSOD), which are the caucus of all health ministers in the Caribbean, and CARICOM (Caribbean Community and Common Market), that by the year 2011 all nurses to practice in these territories must have, at least, a BSc in nursing. I am pleased to say, in discussion with my Education Minister, we will be looking at providing health for our people here.

Mr. Speaker, patients attending the Health Services Authority will find that existing services have been expanded and that new ones, including plastic surgery, have been added, increasing the range of specialist services provided at the Cayman Islands Hospital.

Mr. Speaker, I will divert briefly, with your permission, to deal with some correspondence letters to the Editor in the *Caymanian Compass* and the *Cayman Net News* in regards to cardiology and cath labs. As you know, Mr. Speaker, in my debate last year I commented on the services being provided. I would like to take this opportunity to thank Dr. Coy and his people who have now come on board and are providing cardiology services at the hospital. Just about everyone that I talk with, it is in a positive manner.

Just a couple of days ago I saw in the *Cayman Net News* by Dr. Pallares, a response, I think it was, to a Dr. Ebner. And what I have done, I have actually taken his suggestion. He says: **“If you want to know where the fish are biting you ask a fisherman, and when the right honourable Minister of Health needs to understand cardiology as it applies to the Cayman Islands, he should ask a cardiologist.”**

So, lo and behold, just after making my statements in the Legislative Assembly I was brought to task. When I went home two days later I was watching CNN and there was an article on there that they were talking about. I will table this document because I have circulated it to my Cabinet Ministers. The heading says **“Most angioplasties not needed.”**

**Hon. Anthony S. Eden:** It says:

- **“Angioplasty no more effective than drug therapy in reducing chest pain.**
- **Angioplasty didn't save lives or prevent heart attacks in non-emergencies.**
- **Only one-third of people treated with drugs later needed angioplasty bypass.”**

This was a meeting, Mr. Speaker, held in New Orleans by the cardiologist, and with your permission I would like to read a few paragraphs.

**“More than half a million people a year with chest pain are getting an unnecessary or premature procedure to unclog their arteries because drugs are just as effective, suggests a landmark study that challenges one of the most common practices in heart care.**

**“The stunning results found that angioplasty did not save lives or prevent heart attacks in non-emergency heart patients.**

**“An even bigger surprise: angioplasty gave only slight and temporary relief from chest pain, the main reason for why it is done.”**

You see, Mr. Speaker, this is not a study that just happened overnight. This has been going on for five years by the top cardiologists in the States.

**““By five years there was really no significant difference” in symptoms, said Dr. William Boden of Buffalo General Hospital in New York.”**

**“He led the study and gave results Monday at a meeting of the American College of Cardiology. They also were published online by the New England Journal of Medicine and will be in the April 12 issue.”**

So, I would encourage anyone who is interested in this. Mr. Speaker, to look at this and I think those of you that know about medicine will know that the New England Journal of Medicine is like a bible to doctors in the United States.

**“Those patients now should try drugs first, experts say. If that does not help, they can consider angioplasty or bypass surgery, which unlike angioplasty, does save lives, prevent heart attacks and give lasting chest pain relief.”**

The article goes on to say in big capitals: **“OK to differ angioplasty”**. **““You are not putting yourself at risk of death or heart attack if you defer”**, and considering the safety worries about heart stents used to keep arteries open after angioplasty, it may be wise to wait, said Dr. Steven Nissen, a Cleveland Clinic heart specialist and President of the College of Cardiology.”

So, this is not the little farmer boy, truck driver from Cayman Islands saying this, Mr. Speaker, this is the President of the College of Cardiology.

Why did angioplasty not help more?

[Inaudible interjection]

**Hon. Anthony S. Eden:** [To an honourable Member] Oh, he will be listening.

*[Laughter]*

**Hon. Anthony S. Eden:** It is Dr. Pallares, one of the practicing cardiologists here that . . .

*[Inaudible interjection]*

**Hon. Anthony S. Eden:** —that for the last 445 years, I guess, that people in the Cayman Islands did not have to tell us what to do about dealing with heart problems. It is amazing, some of our people live to be 90, 100 and peco, and whatever.

But what this study says: **“It fixes only one blockage at a time whereas drugs affect all the arteries, experts said. Also, the clogs treated with angioplasty are not the really dangerous kind.”** I found that quite interesting. **“Even though it goes against intuition, the blockages that are severe that cause chest pain are less likely to be the source of a heart attack than segments in the artery that are not severely blocked, said Dr. Maron, a Vanderbilt University cardiologist who helped lead the new study.”**

*[Inaudible interjection]*

**Hon. Anthony S. Eden:** [To an Honourable Member] Soon come to that.

**“The procedure already has lost some popularity because of emerging evidence that popular drug-coated stents can raise the risk of blood clots months later.”** This is when they do the procedure; they put these in and eventually they get clogged up again. **“The new study shifts the argument from which type of stent to use to whether to do the procedure at all.”**

This is the interesting part that I find for us local Caymanians. **“All were treated with medicines that improved chest pain and heart and artery health such as aspirin, cholesterol lowering statins, nitrates, ACE inhibitors, beta-blockers, and calcium channel blockers. All also were counseled on healthy lifestyles- diet, exercise and smoking cessation.”** I know many of my colleagues now are starting to go on some of these things and this is what I myself and the rest of us need to do. Here’s one more reason why we need that Tobacco Bill.

**“Half of the participants were assigned to get angioplasty.”**

As I alluded to earlier on, Mr. Speaker— **“After an average of 41/2 years, the groups had similar rates of death and heart attacks.”**

**“Neither treatment proved better for any subgroups, like smokers, diabetics or older or sicker people.”** I am nearly finished on this, Mr. Speaker.

**“The new study “should lead to changes in the treatment of patients with stable coronary artery disease, with expected substantial healthcare savings,” Dr. Judith Hochman of New York wrote in an editorial in the Journal.”**

You see, Mr. Speaker, this is what I said when I made my statement— and I was given guidance by the Medical Director, Dr. Tadros— that proper medication, monitoring and treatment makes a lot of difference, But here we go in regards to the question:

**“Angioplasty costs \$30,000 to \$40,000. The drugs used in the study are almost all available in generic form.”** You know what that means they are just about as cheap as you can get them.

So, I will leave the public to make a decision on why we so desperately need this cath lab and whatever. Continuing:

**“Dr. Maron, the Vanderbilt doctor who helped lead the study said people should give the drugs a chance. “Often I think that patients are under the impression that unless they have that procedure done, they’re not getting the best of care and are at increased risk of having a heart attack and die,” he said. The study shows that is not true, he said.”**

I thank you, Mr. Speaker, for allowing me to go into the details, but I felt incumbent and I will also make sure that a similar response, not as detailed, will go in the press.

For the fiscal year 2007/08 the Ministry has allocated \$10.3 million for Service Agreements with the Health Services Authority. An additional \$7.3 million is allocated to cover the cost of medical care for our indigent population. The overall projection for the 2007/08 Budget period reflects a 24 per cent improvement in the HSA’s forecasted operating losses.

Mr. Speaker, Government approved a 10 per cent fee adjustment to take effect on 1 July 2007, with a further commitment to address significant anomalies in the HSA fee structure, which I alluded to when there was over 4,000 procedures in there that we do not charge for.

Cayman Islands National Insurance Company (CINICO) also administers on behalf of my Ministry, the provision of health benefits to indigents, and on behalf of the Portfolio of Finance and Economics, the provision of health benefits to patients granted a medical loan for overseas treatment.

Mr. Speaker, this government-owned company collects vital data and advises the Ministry supported by empirical evidence of recommendations to improve the delivery of healthcare services for the population of the Cayman Islands. During this Budget year \$0.5 million has been allocated to CINICO for the development of a claim administration system as an alternative to the outsourcing of this function, and I anticipate this will save these Islands a pretty penny.

The Health Insurance Commission, which advises the Ministry on any matter relating to health insurance, including advice on amendments to the Health Insurance Law and Regulation has been allocated \$815,000 for the new Budget year. The superintendent and staff will continue to investigate and resolve complaints and increase enforcement of employers’ legislated responsibility to provide health in-

insurance for employees. And it was pleasing to see, Mr. Speaker, that we had some success in prosecuting. Unfortunately, it is hard to believe that in this day and age people will not take out what is required for their employees, but we are tightening down. The same thing is happening now with the pensions, yet people will say we are not trying to deal with the working class. But anyone that knows the PPM Government knows we are committed and dedicated to doing that.

The main role of the Health Practice Commission, Mr. Speaker, is to ensure good quality health-care services are provided in an acceptable manner. This is done through registering medical practitioners and inspecting healthcare facilities. During the new financial year attention will be paid to prioritising regulatory functions, including the development of standards for inspecting healthcare facilities and hiring a full-time health inspector.

The Ministry will also be establishing a Pharmacy Board to enforce the provisions of Pharmacy Law which will be brought into effect in 2007/08.

I now shift my attention to the Department of Children and Family Services. I would like to read a little quote from Bob Hope. **“If you haven’t got charity in your heart, you have the worst kind of heart trouble.”** I have seen that so many times, Mr. Speaker.

A focal point of the Ministry provision of Human Services is the Department of Children and Family Services (DCFS). The Department provides a full range of casework services to the people of the Cayman Islands through a cadre of qualified staff located in four district offices.

Mr. Speaker, 18 outputs totalling \$9.76 million will be purchased from the Department of Children and Family Services. Some of these services include \$3.26 million for in-home care for the elderly and disabled adults; \$2.3 million for counselling of individuals and families—this was increased by \$600,000—\$744,000 for running Maple Home for disabled children; \$.05 million for the placement and supervision of abused children and \$794,000 for Community Outreach and Development Services.

For the coming fiscal year the Department of Children and Family Services will promote and support a healthy family life as a means of strengthening the overall well-being of Caymanian society. And I will just remind you of the comments by the First Elected Member for Cayman Brac and Little Cayman this morning when she mentioned the sad breakdown in our families here. Some of the examples that they see, it does not take a nuclear scientist to identify a number of the problems we have here on the causes.

Most of us here in this age group, because of proper parenting; loving, caring families; we have been able to attain some good upbringing. Yes, there are some families that have difficulties financially, but they need to understand the importance of being a parent, their God given responsibility to train them up,

to know where those children are at all times, above all else, who they are keeping company with.

As I have said a number of times before, while it is wonderful to say that a family raises a child, Mr. Speaker, if you as a mother or father obligate your responsibility to raise your child properly and you do not know who is out in that community giving your child drugs and whatever—I do not care how big that community is, you need to stay on top of that and take care of your children. Monitor them! Monitor them! Watch the trash they are watching on television.

I am amazed and astounded at what is supposed to primetime used to be nice and funny. Half the time I don’t know what they’re laughing at. And I am no puritan. I am no prude, Mr. Speaker. The future of our children lies within us and what we can do to help them. Let us work toward that end.

The Department of Children and Family Services will also implement the Children Law 2003, the Regulations and spearhead the introduction of the National Child Protection Strategy. These two steps are intended to alleviate factors identified in the crime study, the Pre-Disposing Factors to Criminality in the Cayman Islands that predispose children and youth to become involved in criminal activity in later years.

I would like to once again, take this opportunity to thank the Honourable Attorney General for committing this study. In another lifetime there was a similar study done. Thank goodness this one is being acted on. And I can tell you the commitment is there from the top right on down. His Excellency, I know, has shared his feelings and strongly encouraged us to deal with these problems and identify how we can help our people.

As I said earlier, the Department of Children and Family Services will reinstate the Community Development Unit with officers in each district to efficiently deliver government services on a more grassroots level, as well as to identify needs and encourage personal responsibility.

I would like to take this opportunity to take my hat off to one of those Community Development Workers in the eastern districts, Ms. Delmira. She has done a sterling job in managing the three eastern districts, especially after Hurricane Ivan. I found Delmira a very dedicated worker. She has provided wonderful support to Bodden Town, North Side and East End. As we said on other occasions, hold on, help is on the way and hopefully by the first of the new financial year we will have support there.

Recognising the need to strengthen its drug rehabilitative programme, the Department of Counselling Services is currently implementing a new residential treatment model at Caribbean Haven Residential Centre which incorporates milieu therapy. Persons will be provided with opportunities to learn or relearn skills and attitudes to assist them with developing a healthy lifestyle.

The aim of this type of approach is to assist clients in becoming more responsible and accountable

for their actions by having privileges and sanctions which help to reinforce the values and attitudes associated with socialised living.

The Department of Counselling Services provides services to agencies such as prisons, courts and the schools. Mr. Speaker, it is anticipated that some of these services, such as the provision of court reports, will increase with the implementation of the Drug Court.

Services to prisons are also expected to increase with the formalisation of the Sentence Planning Process within Her Majesty's Prison. For these reasons, \$175,000 has been budgeted for a capital investment, namely, moving to new office space and purchasing a new case management system.

Mr. Speaker, during the next financial year \$3.125 million will be allocated to the Department. This includes funding of \$800,000 for a new output to provide comprehensive treatment services for women at Caribbean Haven Residential Centre; treatment services to person participating in the Drug Court Programme and enhanced group services within the prisons and schools to better meet the needs of these populations.

#### **Probation and Aftercare Department**

Last year the amount allocated to this unit was \$900,000. After approval was given to change the Probation and Aftercare Unit to a Department, supplementary funding in the amount \$760,000 was approved. In next year's Budget a total of \$1.61 million is allocated for services from this Department. This includes \$400,000 for new and expanded outputs which allows for the restructuring of the organisational structure, increase in staffing and expansion of accommodation which will result in the enhancement of rehabilitation services.

The Probation and Aftercare Department provides supervision and rehabilitation services for offenders in the Cayman Islands, and these services, Mr. Speaker, include various group programmes such as anger management, pre-sentencing and pre-release reports to the Courts and Parole Board, and supervision based on the stipulations of the Court and Parole Board.

A new output has been proposed in next year's budget to provide witness and victim services based on the Alternative Sentence Law. The implementation of the Alternative Sentencing Law will have a significant impact on the role and demand of the Probation Aftercare Department that is mandated to supervise persons on Court orders in the community. To date, the Probation and Aftercare Department's main clientele are persons 17 and older with charges and/or convictions.

The Department's goal is to assist such persons to function in the community without involving themselves in further offending behaviours and to ensure high quality supervision, intervention and reha-

bilitation for offenders. And to meet the requirements of the recent Alternative Sentencing and Drug Treatment Court Laws, the Probation Aftercare Department works in cooperation with the Judiciary, Prisons, Counselling Centre and other agencies.

#### **Children and Youth Services Foundation**

A key component of the Ministry's Service is offered by the Children and Youth Services Foundation (CAYS). The Board of Directors has developed a strategic plan for the next three to five years. Among the many goals of this organisation is to renovate and improve the facility at Bonaventure Home. CAYS will be provided with \$2.045 million to continue with its current structure and programmes in serving young people who are in the care of its staff.

#### **National Drug Council**

Under the guidance of a new board, the National Drug Council will formalise a master plan intended to reduce the overall misuse of drugs in the Cayman Islands. Currently, the NDC is engaged in a strategic alignment process which includes updating the National Anti Drug Strategic Plan and restructuring internally in order to enhance its governance mechanisms.

Mr. Speaker, the NDC will receive over \$0.5 million, part of which is to implement new measures during the next fiscal year. That will include designing research methods which will provide data for the Drug Treatment Court.

To date, the Women's Resource Centre fulfills the practical needs of women from a programming level, but it is not an entity that is designed to address women's and gender issues from a strategic level, or make recommendations for institutional systematic changes, but truly work towards enhancing the social status for women and gender equity.

As we become more involved on a regional and international level, there is a need to have national machinery of gender affairs to participate in local social development projects, and liaise and network with regional and international agencies that address the issues of women's empowerment and gender equality. Mr. Speaker, we are committed to dealing with those. As I said earlier on, I take my hat off to the leadership of the Women's Resource Centre, our own Caymanian, Ms. Tammy Bishop.

At a budget of \$309,000 for next year, the Women's Resource Centre certainly provides value for money. Its staff proposes to increase the number of psycho educational workshops which are conducted in partnership with agencies such as the Department of Counselling Services and the Cayman Islands Crisis Centre. A new Domestic Violence Intervention Training Programme (DVITP) for police officers, social workers and other frontline professionals will continue to be offered quarterly.

Mr. Speaker, that brings me to the end of responsibilities within the Ministry and the Department, and before leaving I would like to take this opportunity to thank my Chief Officer and the dedicated staff, not only within the Ministry but all of the departments for the stellar job they have done over the last two years since I have returned there. We have similar to a very good family system in which everybody pitches in and works together for the betterment of our people.

Mr. Speaker, before I go to areas which have already been touched by my two colleagues on district projects, I must say how disappointed I was when I saw the paper on 9 May in regards to the Savannah liquor variation reconsideration.

Before I go into this, it is said a diplomat is a person who can tell you to go to hell in such a way that you actually look forward to the trip, and as you know, Mr. Speaker, I am not a diplomat so if I get out of line because of emotional feelings, please do not be afraid to stop me.

Mr. Speaker, is it really, really that wrong for an area, a community, the Savannah/Newlands area that has said, that has committed that they would prefer not to see the sale of alcohol in that community? Is it really wrong to want that? I am eagerly waiting to see when the Human Rights Committee is going to jump in and offer support to this community and their feelings. I support them 100 per cent; I lived in that area for over six decades. As in any community there is hypocrisy, but this is not about hypocrisy, Mr. Speaker. I am not that old-fashioned to know that we all do not take our drinks and where we buy them, let it be. But I think it is our responsibility to support communities when they take this stand.

You see, Mr. Speaker, in that specific area I am talking to there is a triangle literally of three churches, probably with a total congregation of over 1,000 souls. I am urging those souls to come out.

*[Inaudible interjection]*

**Hon. Anthony S. Eden:** [To an honourable Member] I am coming to that.

I am urging those souls to come out and make their feelings known on Thursday night. They are having another meeting. These people are not giving up. These people are not giving up!

In the middle of that triangle, Mr. Speaker—and this is the one that gets me probably more than anything else—there is the Savannah Primary School, my alma mater, not a middle school, not a high school, a primary school less than, I would say, 200 yards away.

Mr. Speaker, in the *Cayman Net News* of 9 May there is an article as a result of a study of the National Drug Council Survey, “**Explosion of Youth Binge Drinking.**” Mr. Speaker, I am not so stupid to know that these children will not be served there. We have got to stop this doubletalk—saying one thing and

doing the next thing. And I will call on my colleagues to provide legislation with teeth in this instance.

Someone said to me (I am not even sure what was specified in the law) that they are not bound to take the feelings of the community into consideration when making these decisions. I am not sure about that. But I would certainly advocate that the next time . . . We as legislators, at times because of the wording of some laws seem to leave us as an emasculated polecat.

We must take a stand for our people—especially our youth. While the liquor stores take their millions to the bank, our youth are dying in a carnage of car wrecks. Oh yeah. We sit, we visit with them and weep, and one week later it is happening again. But here we have a golden opportunity to make a stand. And I am inviting all the legislators to stand with us because it will come to your community sooner or later.

**Hon. W. McKeever Bush:** It is already there! It is already there!

**Hon. Anthony S. Eden:** It will come.

**Hon. W. McKeever Bush:** What I suggest you do . . .

He is on a good point, and since he has given an invitation I think what the Minister should do is take a paper to Cabinet telling the board that Government does not support it, neither do Members of this House.

**Hon. Anthony S. Eden:** Thank you for that suggestion. What I will also go on and share . . . and I do not care what may happen out of this. I can tell you that the Minister of Tourism and I went to this meeting. We sat there with our people. A vote was taken—66 out of the 68 people said they did not want it.

We came back, wrote a letter setting it out to the Liquor Licensing Board that we cannot tell you what to do, but we are telling you what the people said: “We don’t want it there! We don’t want it there!”

**Hon. W. McKeever Bush:** I think you need to take it to Cabinet and make Cabinet do that—tell the Board so.

**Hon. Anthony S. Eden:** You see, what is happening in our society, Mr. Speaker, nothing is no longer right; nothing is really no longer wrong. Everybody does his own thing.

As I was reading for the fourth time through my Bible, I ran into Deuteronomy 12:8. It says “**Ye shall not do after all the things that we do here this day, every man whatsoever is right in his own eyes.**”

A good friend of mine, now deceased, in Bodden Town, had a saying “what a shock of surprisitation some of us are going to get.” Are we going to stand by and allow our Christian values to be eroded one subtle area at a time?

**Hon. W. McKeeva Bush:** Um-hum.

Take that thing to Cabinet and . . . [Inaudible] and don't do it.

**Hon. Anthony S. Eden:** You see it is not the big things that wipe us out, Mr. Speaker.

[Inaudible interjections]

**Hon. W. McKeeva Bush:** [Inaudible] . . . gave Ossie new licences.

**Hon. Anthony S. Eden:** It is an accumulation of all the little things. I am praying for those out there who believe in a God, and know there is a God, that we take a stand on this. Maybe it is not kosher for a Cabinet Minister to be doing these things —

[Inaudible remarks apparently from Government Members with Hon. McKeeva replying to them in background]

**Hon. W. McKeeva Bush:** No?

**Hon. Anthony S. Eden:** — but what I would say, Mr. Speaker —

**Hon. W. McKeeva Bush:** . . . he is? That's changed. I'm proud of it. Take it to Cabinet . . . Yeah, um-hum . . . cannot extend the grant . . .

**Hon. Anthony S. Eden:** — but what I would say, Mr. Speaker, is that there are laws and regulations we must go by. What disturbed me is that there are other places in this Island that this could go to. I heard that Defacto, whatever he was, owner, manager, whatever, was so glad to be able to get into this community.

**Hon. W. McKeeva Bush:** That isn't going to stop you though you know . . .

**Hon. Anthony S. Eden:** It is such a vibrant community, the fastest growing area in the Cayman Islands, and we are so happy that we have up — until this time.

You see, what I cannot understand, Mr. Speaker — maybe five, eight years ago — I do not know Mac, if you remember — Johnny Gray (I am going to call the name) applied in very close proximity, a Caymanian — a Bodden Town resident, for a liquor licence I think (I am made to understand). The churches objected.

**Hon. W. McKeeva Bush:** That was it!

**Hon. Anthony S. Eden:** That was it — *quid pro quo!*

**Hon. W. McKeeva Bush:** And there were no changes to the licence so it's only people's minds.

**An Hon. Member:** You extended . . . [Inaudible]

**Hon. Anthony S. Eden:** Let us take a stand.

**Hon. W. McKeeva Bush:** I didn't extend it. You see this thing here? Don't tempt me! I'll be like Elijah . . .

**Hon. Anthony S. Eden:** I would just like to read the letter that was in the Cayman Net News this morning, with your permission, Mr. Speaker. And this is about the same thing. This is another resident taking a stand. **“Savannah Must Fight Alcohol Plan”**

**“Dear Sir:**

**“Once again, I am saddened as I see what is 'good for Cayman' be cast aside and disrespected.**

**“For years I have admired and respected how the Savannah Area had been able to keep alcohol out of its district.**

**“I have always respected how Heather Bodden, Miss Audry Ebanks, Dale Forbes, John Douglas and others have fought to keep Savannah a peaceful and clean community free of alcohol.**

**“It was the ONLY place on the Island that we could drive around and not see residents loitering at a Bar or Drug Store. [I am not sure about the drug store part]**

**“I am shocked, angry, saddened, disappointed and disgusted that the businessman who sees developing profits and not people has won the battle again.**

**“That is sending a very dangerous message to the young people of our country. Aren't they learning that money 'runs things'? Are they learning that they should make money, even if it has been proven to damage and destroy the social and family fabric of their community?**

**“Shame on the Chairman and any member of the Liquor Licensing Board who has been instrumental in seeing that this approval was granted.”**

I would like to insert here, Mr. Speaker, and I hope my colleagues . . . and if they have to do it, they can do it, throw me out. I call on him to offer his resignation as Chairman of the Liquor Licensing Board. My understanding is that it was done by him. And someone can tell me now why they are going to ratify it sometime in June. I guess this is beyond my comprehension.

**Hon. W. McKeeva Bush:** I heard it is the membership of the Board.

**Hon. Anthony S. Eden:** **“I say shame on the owner/proprietor of the Plaza! It is so sad. But the Savannah people did not prevent him from building his Plaza in their community; in turn, he has**

allowed one of his Plaza spaces to be rented for Alcohol purposes.

**“He knows full well how hard the native, good Savannah people have fought to keep their community alcohol-free for so many years.”**

*[Inaudible interjection]*

**Hon. Anthony S. Eden: “Does he [I think he did, yes] or the Chairman of the Liquor [Licensing] Board, see the social havoc it has caused to so many of our West Bay families?”**

**Hon. W. McKeeva Bush:** What?

**Hon. Anthony S. Eden: “I ask again, why are not these companies and people made to pay a ‘Social Impact’ fee?”**

**Hon. W. McKeeva Bush:** If he told them not. . .

**Hon. Anthony S. Eden: “The average 12-year-old can tell you the dangers and effects of alcohol on his community.**

**“Look at the NDC, CASA, Northword Prison, Eagle House, Cayman Counselling Centre, Canaan Land, the Courts, Social Services Dept, who are agencies who are affected and trying to fund programs caused by drugs and alcohol.**

**“Shouldn’t these companies and people who greatly benefit from the sale and housing of alcohol be made to directly fund so many of these programs caused by alcoholism?**

**“Why should my tax dollars be made to pay for social problems that some businessman has profited from?**

**“The average school-age child can tell us the deaths caused by alcohol in our Island. It doesn’t take a person with a lot of intelligence to see that.**

**“I am tired of the exploitation of our teens and children. What would make them not think it is cool to drink when, in every district, on every corner, there is an alcohol establishment?**

**“I would encourage and implore the Savannah people to challenge/appeal this decision of the Chairman and Liquor Licensing Board as they have a right to a quiet and alcohol-free community.**

**“If they don’t, then a precedent has been set and more alcohol establishments will follow.** [How can you stop it?]

**“If it is not challenged, you will see in Savannah the social menace you see in so many districts – and that is to have so many of our young men and women loitering and walking the streets drunk, while the liquor store owner makes a big, fat profit at the end of the week!**

**“No one can point to any good and positive that alcohol has done for their district.**

**“Don’t give up, the good people of Savannah. Continue to “fight back” for the good community you have created over the years. Jacqueline (Jackie) Ebanks.”**

I fully share her sentiments.

Mr. Speaker, I was going to go into a lot more detail in regard to my district but the hour of adjournment is close. I eagerly await the arrival of the Euros from the European Union to finish helping some of the people in my district that still need some help after Hurricane Ivan.

I am optimistic, I must say. A colleague of mine may not be as optimistic, the Honourable Minister of Communications . . . I try not to be negative but I am wondering how right he could be, because I heard two months ago that they were coming in. I do not know which paper they signed, must be in Braille or something. Anyway, not to belittle those things, Mr. Speaker, we need some more help in Bodden Town and the hurricane season is right around [the corner].

I know there are a number of people who have had their applications in for four or five months, but unfortunately some of the funding has been finished. We are hoping to turn that over to the Recovery Committee and get them sorted out posthaste.

We look forward to the rebuilding of the J.M. Bodden Memorial Civic Centre; the building of a new civic centre next to the Bodden Town Primary School as a category 5 shelter; the emergency service, the domestic fire station, the new Bodden Town Police Station and a number of other police services will be provided from the centre.

We look forward to the Dart Park which is supposed to commence shortly. This is going to be part of a wonderful area, the Mission Home, Nurse Josie’s Senior Centre; it is going to be nice. I invite all of my colleagues to come out to the Mission Home to see part of the history of the Cayman Islands. I must take my hat off to the National Trust. They have done a good job.

The Savannah Post Office, I once again thank my colleague, the Minister of Works.

The roads, the paving has never before been done in history, from Spotts/Newlands, Rackley’s, Pease Bay and so many others. I think I will continue to be on my knees once the East/West Bypass is put in. We are looking forward to the luxury that you, Mr. Speaker, now have in travelling from West Bay. It is kind of rough coming from the East, not to mention going up in the evening when you can take an hour to an hour and a half to go. But I know it is just a matter of time, and the Bible says good things come to those who wait.

The Marine Base will be coming up there.

Two different churches will soon be built in the Bodden Town district. I have indicated that they will allow their facilities to be used as hurricane shelters.

We are eagerly waiting, and it is underway, the work to be done on the flooding problem in the

gully in Savannah which affects all of the eastern districts. I know that is in the pipeline.

There is also a group interested in a 25 metre pool for Bodden Town. I look forward to getting this underway soon.

**Hon. W. McKeeva Bush:** What?

**Hon. Anthony S. Eden:** I know some of our seniors still have concern about the heavy equipment coming through there. Hopefully once the roads are built they can use the back road to divert some of this traffic, especially on Sundays when those who live right by the road are resting.

Mr. Speaker, in conclusion, the Budget proposed by my Ministry of Health and Human Services is intended to strengthen the overall stability of Cayman's residents. It is intended to provide Government assistance for those who are truly in need and also intended to support our residents in their ability to care for each other, which is the Caymanian way.

As I noted earlier, the broad strategic goal of the Ministry is to ensure a healthy resident population of the Cayman Islands through the development of policies and legislation and access to services that enable people to enjoy the highest possible standard of physical, mental and social well being.

The Budget reflects this strategic goal in a way that is efficient with public funds and also effective in the services and products that it affords the people of these islands.

Finally, Mr. Speaker, just about five lines (this was in Friday's Caymanian Compass), a letter from a policeman dog handler. It seems like he got seriously injured, and he leaves a message with us. He says: **"I have one final thing to say. Every day I see appalling driving on the roads of the Cayman Islands. There appears to be a general disregard for the dangers and responsibilities involved, with untrained and unskilled drivers rushing everywhere with no thought of the fact that they are in charge of a 2,000 pound killing machine. WAKE UP CAYMAN! As long as you drive around with this dreadful arrogant attitude, we will continue to lose our precious loved ones. I was a lucky one, your children may not be.**

**"Wear your seatbelt, get off the cell phone, and step up the responsibility of being in charge of a motor vehicle. Treat it with the respect and gravity it demands."**

Mr. Speaker, thank you very much. You have done a stellar job, I must say, being in the Chair this week.

May God bless us all!

#### **Moment of Interruption—4.30 pm**

**The Deputy Speaker:** Honourable Members, we have reached the Hour of Interruption, so I now rec-

ognise the Honourable Leader of Government Business for the motion for the adjournment.

**Hon. D. Kurt Tibbetts:** Mr. Speaker, just craving your indulgence for a moment, I just wish to notify Members of the following:

I received a memorandum from the Honourable Third Official Member this morning regarding The Customs (Amendment) Bill, 2007, and so that Members will understand, the memorandum reads as follows:

**"The Caribbean Financial Action Task Force (CFATF) will perform a follow-up assessment of the Cayman Islands' anti-money Laundering regime on 4 June 2007.**

**"The above Bill would permit regulations to be drafted to cause the Islands' Customs Declaration Form to be amended to require incoming funds over a certain specified limit, to be stated on the Islands' Customs Forms. It is important that the Islands show the CFATF that this has been achieved.**

**"As we will be going into Finance Committee soon, Wednesday, 16 May is probably the one day on which the Bill can be dealt with by the Legislative Assembly.**

**"The Bill has been circulated to Members of the House—however it has not yet met the 21-day notice period.**

**"I would be grateful if the Business Committee would place this on the Order Paper for Wednesday, 16 May. Further, I request that all Readings of the Bill occur on 16 May."**

Mr. Speaker, the very same that I just read applies for the Bill For a Law to Amend the Proceeds of Criminal Conduct Law to Expand the Definition of the Term "Money Laundering" for Certain Purposes of that Law; and for Incidental and Connected Purposes.

Both of these Bills, Mr. Speaker, are very short Bills. They will not have the 21-day notice but, obviously, there is good reason for the suspension of the Standing Orders.

My reason for bringing this up this afternoon is for Members to, at least, have the time between now and Wednesday to peruse the Bills, if they have not looked at the very short Bills prior to that.

Mr. Speaker, if I may just finish. I am also advising Members of the Business Committee that the Business Committee will meet. For those Members who are here I would propose that the Business Committee meets on Wednesday morning at 9.30 so that we can look at the rest of the business that remains.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Mr. Speaker, the matter as raised by the Leader of Government Business seems to be a very important matter. As in the case of the

Development Bank and many other pieces of legislation that we had to bring and could not get support on, we recognise that this is important and we have to do it now, therefore we will not be objecting to what is purely a suspension of Standing Orders. Standing Orders are meant to be suspended when government has important business to move forward, and this is one of them.

**The Deputy Speaker:** Honourable Leader of Government Business.

## **ADJOURNMENT**

**Hon. D. Kurt Tibbetts:** Mr. Speaker, I move the adjournment of this honourable Legislative Assembly until Wednesday morning at 10 am, Sir.

Thank you.

**The Deputy Speaker:** The question is that this honourable House do now adjourn until Wednesday, 16 May at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**At 4.39 pm the House stood adjourned until Wednesday 16 May 2007 at 10 am.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**16 MAY 2007**  
**10.17AM**  
*Eighth Sitting*

**The Speaker:** I call on the Second Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

**PRAYERS**

**Mr. Moses I. Kirkconnell:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.20 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** I have messages or announcements, but I would like to bring to Members' attention Standing Order 10(1), which states "**Every sitting shall,**

**unless the Presiding Officer otherwise directs, begin at 10 a.m."**

So, I am asking Members—we have a responsibility—if we are not going to be here to start the Legislative Assembly meeting at 10 o'clock, the staff, or the Presiding Officer, needs to know. Let us be a little bit more on time in the future.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**5th Supplementary Annual Plan and Estimates for  
the Government of the Cayman Islands for the financial year ending 30th June, 2007**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the 5<sup>th</sup> Supplementary Annual Plan and Estimates for the Government of the Cayman Islands for the financial year ending 30<sup>th</sup> June, 2007.

**The Speaker:** So ordered. Does the Honourable Member wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, just some brief remarks.

Madam Speaker, in accordance with Standing Order 67(1), the 5<sup>th</sup> Supplementary Annual Plan and Estimates that have just been laid, stand referred to Finance Committee. As the Estimates will be considered in Finance Committee, I do not need to say anymore at this point except, with your permission, to move a motion in connection thereto.

**The Speaker:** Proceed.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, section 9 of the Supplementary Annual Plan and Estimates that have just been tabled contain proposals for Supplementary Appropriations in respect of the 2006/07 financial year. I beg to move, pursuant to Standing Order 67(2), that Finance Committee approves the Supplementary Ap-

propriation proposals that are set out in section 9 of the 5<sup>th</sup> Supplementary Annual Plan and Estimates for the Government of the Cayman Islands for the Financial Year ending 30<sup>th</sup> June, 2007 that have just been tabled in the House.

Thank you, Madam Speaker.

**The Speaker:** The Supplementary Annual Plan and Estimates shall stand referred to the Finance Committee.

## STATEMENTS BY HONOURABLE MEMBERS/ MINISTERS OF THE CABINET

**The Speaker:** I have received no notice of statements by Ministers or Members of Cabinet.

## GOVERNMENT BUSINESS

**Debate on the Throne Speech delivered by His Excellency, Mr. Stuart D M Jack, CVO, Governor of the Cayman Islands, delivered Friday, 27 April 2007, together with the Second Reading debate on The Appropriation (June 2007 to July 2008) Bill 2007 (The Budget Address), delivered by the Financial Secretary, the Honourable Third Official Member, on Friday 27th April 2007**

*(Continuation of debate thereon)*

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, in speaking this morning to the various contributions made by Members, I am simply going to take this opportunity to try to address as many points as possible where questions were raised or comments were sought.

First of all, Madam Speaker, regarding the Planning Department and the development process, in his contribution to the debate, the Second Elected Member for the district of West Bay recounted a story of some of his constituents' experiences with the planning process in general and the Planning Appeals Tribunal in particular, using the anecdote to suggest that the country is being "strangled by red tape" and suggesting that there is a lack of "good sense" in administration of some of our laws. He also suggested that the system is "disadvantaging" and discouraging Caymanians from taking an actual role in the physical development of this country.

As we all know, Madam Speaker—and I can assure everyone I am certainly not going to try to make anything be better than what it actually is—no system is perfect, and I am quite sure we have all heard the tales about the difficulties some people have had with the planning process.

As the House is aware, an efficiency audit of the Planning Department was undertaken. Recommendations of that report are currently being implemented; I actually have tabled the report in this honourable Legislative Assembly. And while there is no quick fix and no sustainable change will happen in a day, I am absolutely confident, Madam Speaker, that the ongoing improvements to the service delivery by the Planning Department will result in a greatly improved process. The Department's customers are already experiencing improved customer services in many areas.

Madam Speaker, I have heard the complaints firsthand from the constituents. In fact, that was one of the contributing factors in my decision to pursue the efficiency audit of the Department which we all know now to be the Zucker Report. I have heard that the process is too cumbersome, the requirements too onerous, the timeliness too long. Madam Speaker, I do believe I have heard it all.

I cannot stress this enough, though. I also know—and I have proven this on more than one occasion—many of the alleged delays and perceived obstacles are really just the result of the Planning Department making sure that the development that is approved is in the public's interest and meets the required minimum standards for life safety. Does this occasionally result in a delay? Does this mean that applicants are sometimes required to make changes to their plans that they might perceive as unnecessary and onerous?

Madam Speaker, the answer to that is simply yes, it does mean that. But I have to challenge anyone to stand up and say that we should be lowering our standards when it comes to development so that the process can be shortened. It is a fine line between making sure that what the laws and regulations called for are adhered to and customers seeing the process as onerous and taking too long.

Surely, Hurricane Ivan showed all of us how important it is to adhere to the standards. The vast majority of structures stood up to the pounding that Hurricane Ivan delivered and that was because those structures had been built to meet our codes.

Now, I fully acknowledge that the process is far from perfect and that there are still kinks to be worked out. But that, Madam Speaker, is exactly what the implementation of the Zucker Report is all about.

I am confident that the professional staff of the Planning Department are up to the challenge of implementation of the recommendations in this report, and, certainly, I would like to take this opportunity now to thank them for their efforts and their support in the process to this point. With the continued support and patience of the clients of the Planning Department during this implementation process, I am very confident that we will achieve the desired results and everybody will benefit.

Madam Speaker, I also heard a few comments expressing concern about the pace of devel-

opment in the country and the question has been asked, as has been almost perennially asked, who are we developing for?

As I outlined in my earlier address, the Department is undertaking a review of the Development Plan 1997, with a view to updating it to reflect the conditions that obtain today and to ensure that this continued growth and physical development of Grand Cayman is done with the goals and aspirations of Caymanians in mind. Madam Speaker, this is the year 2007 and the Law calls for that review to take place every five years. When we took office in 2005 there had been several attempts abandoned halfway through the process. So, really what we are doing now is a ten-year review instead of a five-year review, and that process is ongoing.

Madam Speaker, because we want to ensure that the goals and aspirations of Caymanians are borne in mind with this process, we would like to encourage all Members of this House and members of the public to take advantage of the opportunity to participate in the Development Plan Review Process. I want to encourage them to come out to the public meetings, make their views heard and share their vision for the future development of Grand Cayman. If you do not share that vision it cannot be realised.

And in case my friends in Cayman Brac and Little Cayman thought I had forgotten them, I would hasten to add that a similar process is being contemplated in Cayman Brac and Little Cayman, with a goal of creating the necessary framework to ensure that development in these Islands meets the needs of the residents there.

Cayman Brac and Little Cayman are in the enviable position of having the opportunity to start with a clean slate and they have the chance to make the necessary provisions to manage growth almost from the start. I believe that both of these Islands are on the verge of increased development pressure, and I am confident, Madam Speaker, that we can put the framework in place to meet this growth in a managed way.

I have heard from several Brackers that they do not want to see the apparently unbridled growth that we have seen here in Grand Cayman, and to that I can only say that I would encourage all residents of Cayman Brac and Little Cayman to make sure that they also take advantage of the opportunities that will be available to them to get involved in this important process.

Madam Speaker, I have also heard the criticisms regarding the appeals process in Planning and the Planning Appeals Tribunal and I am fully aware of the backlog that we have there. I will not waste the time of this House by offering any explanations or, for that matter, any excuses. I acknowledge that the number of pending hearings is neither acceptable nor is it desirable.

Suffice it to say that I firmly believe that the backlog is not necessarily the fault of the Tribunal

Members, but more the result of a series of circumstances which have simply contributed to the delays. I want to take this opportunity to assure the Members that the Chair and members of the Planning Appeals Tribunal certainly share these concerns and they have been working on a way to address the backlog and to bring these matters up to date.

To that end, the Chair and members of the Tribunal have agreed to have what they term themselves as a "blitz" of hearings over the next few months, holding up to three hearings a week in an effort to clear the substantial backlog of cases. I am very thankful that the members of the Tribunal are willing to make this extra effort and I trust that they will get the cooperation they need from the members of the legal profession and those that are parties to these appeals to meet the ambitious schedule.

The other problem, you see, Madam Speaker, is they will schedule these hearings and when legal counsel are unable to attend for some other reason and they make decisions on—I suppose they make the decisions on where the biggest bucks lie, then the hearing has to be put off another day to be set almost like the courts. And those things that continue to happen, the Tribunal cannot be held responsible for that.

The truth of the matter is, Madam Speaker, some of these appeals go back several years. In all honesty, in looking at them, I wonder if some of them are still relevant. But nevertheless, they have to go through the process and I guess we will see exactly what the end results are. But I want to assure everyone that the Tribunal is going to be involving themselves in this "blitz" of meetings, as I said they called it, to get these appeals heard and the backlog up to date in short order.

Madam Speaker, although there have been suggestions to the contrary by Members of the Opposition, I want to confirm that the provision of affordable housing for Caymanians is a priority for this Government. As I explained earlier, we are taking a multifaceted approach to the issue. I would just like to take a minute and crave the indulgence of the Members to allow me to outline some of the issues at hand.

We have heard much about the high cost of living and the high cost of financing for housing. Now, Madam Speaker, I do not stand here pretending to have a magic wand that I can wave to solve these problems to make them all go away. As much as I wish that that were the case (I guess all of us do), the fact is that these are factors which influence the ability, or in some instance the inability, of Caymanians to secure housing that is affordable to them.

The general benchmark used for affordable housing, or for the affordability for one to have housing, is one-third of a household's income. So, what is affordable to one family may not be affordable to another. While that may seem to be somewhat simplistic and very obvious, Madam Speaker, I simply say that to illustrate that the affordability of housing is an issue that spans income brackets right across the society

and as a result there is no single solution that will solve the problems of affordability of housing.

The National Housing Development Trust (NHDT) has been tasked with the development of affordable housing, targeting those that fall in the lower income brackets that may be unable to afford home-ownership at prevailing market costs. The goal, Madam Speaker, is not to provide a handout but to offer a helping hand.

As I outlined in my earlier address, the NHDT is in the process of identifying development sites in each of the five districts, and as a result of this ongoing search they are currently working on feasibility and preliminary plans for these sites that they have identified for potential development in West Bay and in George Town.

While—

*[Inaudible interjection]*

**Hon. D. Kurt Tibbetts:** [Replying to an honourable Member] Yes.

While there appears to be few tangible results of the work of the NHDT to this point, I know that there has been tremendous effort ongoing by the NHDT to lay the necessary groundwork and to get them in a position to build these much needed affordable homes.

Madam Speaker, I want to take a minute, first of all . . . without having to quote him, the Third Elected Member for West Bay, when he made his delivery, was I believe . . . I will simply say ill informed—

*[Interference on microphone]*

**The Speaker:** Could we turn off the telephones, please, whoever has got them on vibrate or otherwise? Thanks.

**Hon. D. Kurt Tibbetts:** — Madam Speaker, because, to sum it up, I believe he was trying to say . . . he quoted some of what I said in my Policy Statement but he did not quote everything. As we all know, if you extract out of any speech portions without adding all the other relevant information you can take a different meaning from it.

I think he was trying to say that what I had said was that we were at this point in time simply still trying to identify land. Madam Speaker, again, I believe I will not have to quote the entire delivery that I made on the affordable housing but just a few lines with your permission. I said, and I quote: **“In the meantime we also struggled with whether to develop the site at Fairbanks . . .”**

And that site, Madam Speaker, is vested with the National Housing Development Trust. In fact, we are now having to subdivide the property because when they vested it they vested Fairbanks Prison and everything, so the National Housing Development Trust owns the female prison at this point in time.

**“In the meantime we also struggled with whether to develop the site at Fairbanks because of the experience of Hurricane Ivan. Recently however, test bores have proven that a retention pond can be created and the fill excavated used to reclaim some 11 acres of the property to 6’ above sea level which will allow for some [70] homes to be built there.”** [2007 *Official Hansard Report*, p. 13]

So, Madam Speaker, that is ongoing, and as I said earlier on, we are also looking at the 10-acre site in West Bay. We just have to first of all ensure that we are satisfied that it is used for the original purpose it was bought for. I think the original purpose was for a school.

*[Inaudible interjection]*

**Hon. D. Kurt Tibbetts:** [Replying to an honourable Member] Absolutely. But we will discuss it with the Members.

Madam Speaker, I have to take a deep breath here now. I have been preparing for this for about two hours after I read the *Cayman Net News* this morning. I think I will be fine.

The headline in the *Cayman Net News* reads **“Gov’t Land Sale Ends in Farce”**. In speaking to two different people this morning, it is obvious who wrote the article because of the individual who was making the case (seemingly trying to get some information), and at the very end of the article it also has his email address: [lyndon@caymannetnews.com](mailto:lyndon@caymannetnews.com). So, it is a fair assumption that the reporter is Mr. Lyndon Martin.

Madam Speaker, with your permission, he says—no questions asked, he says:

**“The National Housing Development Trust’s (NHDT) reported bid to sell the George Town Courts Road property for \$2.5 million to Cox Lumber will not now go ahead. Cayman Net News [not him, but Cayman Net News] has learned that Cox Lumber, the intended purchaser, has withdrawn its application to the Central Planning Authority for permission to construct a warehouse and lumber yard on the property.**

**“Cox Lumber is also seeking a refund of all Planning fees paid in regards to the application.**

**“This latest move comes in a series of events that have seen the property deal surrounded by an environment of secrecy and suspicion.”** [*Cayman Net News 16 May 2007 p.1*]

Secrecy and suspicion!

Madam Speaker, nothing that I just read is the truth. Nothing!

I have spoken this morning to the principals at Cox Lumber who have assured me that they have every intention of going through with the purchase of the property.

Madam Speaker, the truth of the matter is that when they contracted for the property, or when they attempted to contract for the property, we said: Let us

do it the right way. Let us use the Lands and Survey Department by advertising invitations for interested parties to make offers to purchase the property, which they did. They advertised it for several weeks and they gave a 30-day time period for interested parties to make a bid. That way no one could be tied down to say that we had any special leaning towards the sale of the property as to who we wanted to sell it to and how much we wanted to sell it for.

The Lands and Survey Department, based on all of the information that they had about land sales in the immediate area, or in the surrounding area—and they are the ones who have the most information because anybody who wants to find all of that out it is them that they go to, when they are seeking to create valuation for property. They created a value for the property.

We had three interested parties give offers of purchase. The same people, Cox Lumber, were the people who made the highest bid and, Madam Speaker, the bid was not \$2.5 million as Mr. Lyndon Martin has reported, the bid was \$2.7 million. That is what the bid was.

I have heard Members of this honourable House say that that price is too cheap. Madam Speaker, the truth of the matter is, the valuation determined by the Lands and Survey Department—

*[Inaudible interjection]*

**Hon. D. Kurt Tibbetts:** —was lower—

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. D. Kurt Tibbetts:** —than the bid. And, Madam Speaker, that was the process. I did not decide on anything and I did not deal with the bidding process. Lands and Survey Department dealt with it.

Be that as it may, Madam Speaker, the fact of the matter is, as I explained, based on that \$2.7 million offer for the purchase, which they have contracted to purchase the land, it was deemed—and rightly so—to be too valuable a piece of property, even with the low income housing zoning on the property, to only get 29 lots out of it. It meant each lot was worth some \$90,000, which is about what the houses would cost to build, hence why we have taken the route that we have taken.

But, Madam Speaker, Mr. Martin also quotes me—and it is very curious, with all of his degrees, how he tries to use the Queen's English and thinks that no one else can understand it but him. He says, Madam Speaker: "**Lands Registry**" [and it is important how he has used the Queen's English]. "**Lands Registry indicates that the sale still has not taken place. The NHDT is still listed as the owner of the property** [quite rightly so]. **This is in contradiction** [he says, Madam Speaker] **with what was told to the**

**media at a recent press briefing by the LoGB** [that is me], **who claimed the sale was complete.**"

He says, Madam Speaker, that I claimed the sale was complete. Then he quotes me, on 14 March, as saying, "**I expect that they will be able to complete the sale of the property by next weekend.**"

Now, if I said on 14 March—which I remember saying because that was what I was told at that time—that I expected the sale to be completed by the following weekend, how can he say the paragraph before that that I said the sale was complete?

Madam Speaker, he has all of these degrees. I know he has good sense. I cannot assume that that was a mistake. That was a deliberate attempt to make me out a liar, and I can spell that four-letter word very well. I know what it means—and that I am not! But he cannot look anybody in the eye and say that he is not! He was one when he was here, and he is still one today.

Madam Speaker, I do not often like to get into these back and forth situations, but when it comes to that kind of stuff . . . not me. I am not known to be like that and I am certainly not going to allow somebody like him to try to make me look to be like that!

Madam Speaker, the facts are that when they spoke about the purchase and contracted for the purchase of the property, they said they would wish to develop some plans for the property after engaging in the contract to purchase, and to go through the plans with the Planning Department to ensure that what they wanted to do to supplement the existing store that they had next door on Eastern Avenue that they could. They wanted to work it through with Planning to make sure that what they wanted to do was fine and everything was okay.

They went through that process. Then it was determined that they had to advertise so that people could come into the Department and see what the plans were. And there were a few objections, Madam Speaker, which is not unusual. But, of course, if you look at all of the surrounding area, commercial is all over there. You have commercial on the other side of the road; you have commercial east of it; you have commercial west of it. So, it is simply a matter of going through that process with the objections and going through with the sale.

Madam Speaker, in his article—and I am not going to get into that for a very long period of time—the young man who was there, whose name is Ronnie Ebanks: I said at several press briefings that I was not going to allow anyone or any sale of the land to put that gentleman, that young man, into a different circumstance that obtained with him at that time (which still obtains at this time) and I meant what I said. The young man just simply took legal advice. And, again, I am not calling names, but they must have been looking to make themselves famous, gave him a whole pile of advice as to go to court and put an injunction on, and I told them that I was not going to allow him to be out of doors.

As we speak this morning, Madam Speaker, the lawyers are meeting to confirm the arrangements with him that, when the sale goes through, he has somewhere to live. A piece of advice that his attorneys gave him was for the alternate housing that he was going to get, that he wanted freehold title, and they could not agree to that because he does not have freehold title to where he lives.

Madam Speaker, it is an ongoing saga with the young man and it goes back with a lot of history. I do not need to go into all of that because it is nothing about embarrassing him. But what obtained there was that he was allowed to stay there for all of these years and he took care of himself. And as I said before, and I say it on the Floor of this House again, that is what will obtain for him in the future, so there is no risk of that. And since his lawyers heard me say that, they just decided that they would try to . . . I do not know whether they are trying to make any money because I do not think he has any money to pay them. But anyway, as we speak all of that is being dealt with I have been advised by my Chief Officer this very morning.

But, Madam Speaker, the basis on which that article was written, the writer did not speak to the National Housing Development Trust. He did not speak to any spokesperson from Cox Lumber. One is the purchaser and one is the seller. But he would still put that on the front page of a newspaper and make this whole country believe it to be a fact. He needs to examine himself.

I do not know, I really do not want to waste too much time on it, but I wonder if people really realise the power of the press and when it is intentionally and calculatedly done, Madam Speaker—

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. D. Kurt Tibbetts:** —knowing different. Remember what I said. He spoke to neither the owner nor the purchaser.

**Hon. W. McKeever Bush:** It is called chickens come home to roost!

**Hon. D. Kurt Tibbetts:** I am not going to engage, Madam Speaker.

But I just say that to say, Madam Speaker, that people should be extremely careful when they are dealing with matters like this because they need to be dealing with the facts.

Now, luckily, as far as my discussions this morning, this does not seem to have interfered with the ongoing process at all. In other matters, all kinds of grief can occur because of that, and people really should be careful.

Madam Speaker, there has also been some comments from the Second Elected—

**Hon. W. McKeever Bush:** Madam Speaker, I am rising on [Standing Order] 34(b) and I am confused as to what the Member said in one area of his speech in regard to the—

**The Speaker:** Honourable Leader of the Opposition, let me find out if the Honourable Leader of Government Business is prepared to give way under 34(b).

**Hon. D. Kurt Tibbetts:** Madam Speaker, I need to understand a little bit more if you do not mind, please.

**Hon. W. McKeever Bush:** And that is what I was trying to do.

What I am trying to find out is—

**Hon. D. Kurt Tibbetts:** Madam Speaker—

**The Speaker:** I cannot have two Members standing on the Floor of the House at one time.

**Hon. D. Kurt Tibbetts:** Madam Speaker—

**The Speaker:** [Standing Order] 34 (b) says—

**Hon. D. Kurt Tibbetts:** Yes, thank you.

**The Speaker:** “A member shall not interrupt another Member except – (b) to elucidate some matter raised by the Member in the course of his speech, if the Member speaking is willing to give way and resumes his seat and if the Member wishing to interrupt is called by the Presiding Officer;”

Honourable Leader of the Opposition.

*L.A. Standing Orders p. 25 section 34(b)*

#### Point of Elucidation

**Hon. W. McKeever Bush:** Thank you very much, Madam Speaker, and I thank the Member.

Madam Speaker, the area I would like clarified: Did the company who is going to purchase the land put in plans to the Planning Department for the development of the property, and have they withdrawn those plans? Did they put the plans in first—well, have they withdrawn the plans or made a request to withdraw the plans?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I did read that as part of what was in the article. In speaking with the principals—and I not only spoke with them this morning but I met with them probably about two weeks ago just to get an update of where everything was—I do not know of anything about them withdrawing the plans. If the objections are being heard sometime the first week in next month, the plans still have to be active, and that is what I was told by them, that

the CPA is having a hearing of those objections sometime early next month.

**Hon. W. McKeeva Bush:** So they are not withdrawn?

**Hon. D. Kurt Tibbetts:** So, they could not be withdrawn for that to be in train.

**Hon. W. McKeeva Bush:** No requests.

**Hon. D. Kurt Tibbetts:** And, Madam Speaker, in my discussions with the parties on both occasions they have assured me that they are continuing on in the same direction with regard to the purchase of the property. That is what I have been told by them.

**The Speaker:** Honourable Leader of Government Business, continue your debate, please.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I just want to finish off the matter of housing by saying that the difficulty in this whole affair, notwithstanding all of the individual circumstances, is we cannot and we will not have rushed headlong just to provide some type of housing, because as it is—and I said in my earlier delivery, as it is—there was a US \$29 million bond issue (I can call it that) for the National Housing Development Trust, which was done a few years back by the former administration, and the money was to be drawn down in two tranches.

The first tranche of US \$14.5 million has been expended. The number of homes that have been delivered—that \$14.5 million was supposed to deliver some 400 homes, if I remember . . . or, no, let me not say it the wrong way. I think the \$29 million was supposed to deliver some 400 homes, so if that were the case, then the first tranche was supposed to deliver some 200. It is less than half of that that is in the inventory now and it is proven that the lifespan of these homes is not going to be anywhere near what was expected.

The truth of the matter is the income from these homes cannot support the repayment of that first tranche. The Government, in all of its plans, is going to have to include in all of our repayment schedules that \$14.5 million.

So, when we draw down on this second tranche, Madam Speaker, in order for the National Housing Development Trust to be sustainable, we understand and accept that to satisfy the need that is there from the citizens of the country, the Government is going to have to create some level of subsidy. But remember, the principle is: we are going to lend a helping hand; we are not going to give a handout.

So, it has been agreed that the Government is going to provide the land and the infrastructure, get the places built for the best price possible given the best quality, and then the individuals will be dealing with a mortgage. Madam Speaker, what that means is that people will end up with a value of anywhere be-

tween \$160,000 and \$180,000 and they will probably be paying somewhere between \$80,000 and \$100,000 over a long period of time. That is how it is going to work.

Plus, Madam Speaker, we are going to be doing everything possible, and I believe it can be achieved. These will be extended terms with fixed-rate mortgages, single digit fixed-rate mortgages, which is going to be something that people can manage.

But the point that I want to make about this is, Madam Speaker, to scream and to rush about where are these homes, and for us to have simply tried to deliver them just in a matter of months just to prove they could be delivered and not know where we are going and what we are doing, or having no set long-term plan . . . that would have been another accusation after the homes were built. And that is what we were faced with, plus trying to deal with what was left.

So, here we are moving forward as best we can—and we will get there, no thanks to Lyndon Martin, Madam Speaker. Anyway, enough said on that for the time being.

One more thing, Madam Speaker: I want to take this opportunity to tell him do not call me to ask me anything about information to put in the *Cayman Net News*. Do not do that, because I would not trust him to say hello.

*[pause]*

**Hon. D. Kurt Tibbetts:** Madam Speaker, in addition to the provision of affordable low-cost homes, we have been working on a revised Government Guaranteed Home Mortgage Scheme. I outlined the scheme in my original delivery on the Policy Statement. The Second Elected Member for West Bay (as he finds it necessary to do on most occasions) had to find ways to question the goodness of it. I do not want to labour long on that, but let me say that I can assure him that the lessons learned from the original scheme have been taken into consideration and this new scheme will have certain different aspects to it.

Madam Speaker, he tried to say (and I am going by memory here) that if the Government was guaranteeing up to 35 per cent of the loan that Government should really have a hand in deciding what the interest rate was going to be. I am pretty sure that was the point he was making.

*[Inaudible interjections from the Honourable Leader of the Opposition and the Second Elected Member for West Bay]*

**Hon. D. Kurt Tibbetts:** Well, let me rephrase that then, although it means the same thing to me. But he is correcting me across the Floor, Madam Speaker, and I thank him for that.

Let me not say that Government should have a hand in deciding what the interest rate should be, let me say that he was saying that the Government, be-

cause it is giving this guarantee, that should allow for the interest rate to be lower than normal. Semantics in my view, but let us put it his way.

Madam Speaker, the real truth of the matter is that there are some times, even if they are few times, when he puts his mind together that he actually says sensible things when it comes to dealing with Opposition and Government. I am not suggesting anything about him not being smart. He is very smart. But I am talking about when he is dealing with Government policy from the Opposition's point of view.

And, Madam Speaker, just to say that the Government is going to be engaging the commercial banks about the Government Guaranteed Home Mortgage Scheme. As I said, we have some of the banks on board now and we have to be talking to them more about it because we need all of them to be on board.

What we really need with this situation, Madam Speaker, is to get to the point where there are enough mortgage funds allocated so that we do not just have 10 or 20 people being able to get these mortgages through this scheme. We need it to be spread among the banks.

The National Housing Development Trust is going to be the dedicated agency who will be dealing with all of these individuals, making sure that they are able to retain payment schedules, making sure that we do not have them falling behind in their payments. The National Housing Development Trust will be monitoring all of this—which is where there was a problem last time that, as I understand it, there were some foreclosures for whatever reasons. But the National Housing Development Trust understands the risk there and the fact that there will be these guarantees. They are certainly poised to take on that responsibility.

Madam Speaker, I truly believe that the rate of default on these government guaranteed mortgages will be very low. The previous version of this scheme allowed for the recipients to borrow against the value of the house and its furniture and fittings. In the revised scheme, the guaranteed loan cannot exceed the value of the home. So, that is just another area where it is different, or will be different from what obtained prior to this.

Madam Speaker, the other issue that I wanted to quickly mention (the Honourable Minister of Education had already spoke on) is when the Third Elected Member for West Bay was speaking and gave his contribution. When he spoke about education he seemed to be extremely confused about how many high schools we were going to end up with. And I am not going to make any attempt to try to decipher in my own mind whether he was being mischievous or whether he was ill-informed. Let me just leave it that he seemed to be extremely confused.

You see, Madam Speaker, we now have the George Hicks High School—this is in the public school system—we now have the John Gray High School. The plan is to build three new high schools: one in the

Frank Sound area; to rebuild the John Gray High School; and one in the West Bay area.

So, Madam Speaker, what he was wondering about when this was all over was about the additional recurrent expenditure. And at some point in time in his delivery he was speaking about five schools. I just want to make it very clear what will obtain when the three high schools are built.

The George Hicks High School (which is now what we know as the Middle School) and the John Gray High School, both of which have 3 years, one from years 7 through 9 inclusive, and the other from years 10 through 12 inclusive, the 6 full years of high school. There are 6 years of primary and 6 years of secondary in the public system.

Madam Speaker, what is going to happen is that the George Hicks High School will no longer exist as a high school. The John Gray High School itself, which is years 10 through 12 now, when that site is redeveloped along with the other two sites in Frank Sound and West Bay, you will have 3 high schools which each will house years 7 through 12 inclusive. So, I just wanted to make that very clear so that there was no confusion.

The most challenging one is the John Gray High School, Madam Speaker, because the new John Gray High School is going to have to be built while the existing John Gray High School still is in operation. But they have worked out the plans and I am confident that they will be able to do so.

Where the construction of that will have to start is from the side adjacent to the University College of the Cayman Islands where the play field is now coming back towards the Walkers Road site. When all of that construction is finished then the old site will be demolished and the new play areas and the hard court areas and all the other ancillary structures will be then built.

Madam Speaker, so that people are not of the view that the public system will end up with five high schools, I just wanted to make that very clear.

Madam Speaker, since the Honourable Minister of Communications, Works and Infrastructure has already spoken, I also wish to report that we have met with the principals of Caribbean Utilities Company Ltd (CUC) and they have gone back with a view to reworking all that has been done thus far. They understand the principal motivation is that the Government would fervently desire the end result to be a noticeable decrease in rates to the consumer, to the citizens of this country. They understand very well what we desire and we now await—they have said that they will return to us within a 30-day period. We now await to see what their proposal is and we will take it from there.

What I can assure your good self and the public—and I have had discussions with the Honourable Minister and the Minister is in total agreement as he drives the process forward, Madam Speaker. I can assure everyone that the length of time that it has

taken to this point, it is certainly not going to take that length of time anymore. We do expect resolution within 90 days and we are going to hold everyone to the fire to get this done within 90 days.

The negotiating team has acquitted themselves very well. They have gone about the business taking the interests of the Government and the people of the Cayman Islands as paramount. Certainly, we hope that we will be able, with the intervention that the Cabinet has made, to allow for the negotiating team and the entire process to be completed in short order. So, we await to see what the new proposal is going to be from Caribbean Utilities.

Madam Speaker, I do not want to preempt anything but because that meeting took place yesterday I was confident that they understand very clearly what we wish to achieve and they were with a view to giving the best cooperation that they could give and still allow for the company to be a viable and worthwhile investment. And we understand that.

See, Madam Speaker, the other thing that we have to be seriously looking at—and the Second Elected Member for West Bay is not in the Chamber, he will be very interested in that.

One of the things that we discovered—and I am not taking tales out of school, I speak to a general principle here. One of the things we discovered, Madam Speaker, in the discussions is that that situation is no different from any other one. If the risks are higher than the costs increase, if you are a bad risk to the bank you do not get a preferential interest rate. So, if the Government can look at some of the risks involved, the Government may well be able to assist in bringing those rates down, because there are some items, for instance, that are uninsurable and the company has to bear that in mind with regard to who is going to help to bear the risk for that.

Madam Speaker, the truth of the matter is while the 50 cents per gallon import duty charged on the fuel that is used by Caribbean Utilities . . . when we compare it with other jurisdictions that 50 cents is one of the lowest tariffs charged. The fact of the matter is we also understand that that has a direct bearing on the end price per kilowatt hour to the customer. In fact, we are told that it is close to 15 per cent. So, we have to be looking at that.

But, of course, on the other side of the coin, that is \$15 million of government revenue on an annual basis, and we have to look at both sides of the equation to see how best we can balance that. In truth and in fact, Madam Speaker, we cannot just create a vacuum with a guaranteed \$15 million less of an income on an annual basis. What it would certainly mean, first and foremost, is that all the other services that the public screams for and all of the infrastructure that has to be created, all of the work being done in education and elsewhere, we would have to have a rethink and rejig the priorities because we would have \$15 million less to spend on creating these services for the public.

So, all of that we are going to be looking at in the short order, Madam Speaker, but I just thought that it might be worthy to note that the Government has been looking in these areas to see how best to deal with it.

Madam Speaker, the First Elected Member for Cayman Brac and Little Cayman, when she gave her contribution . . .

*[pause]*

**Hon. D. Kurt Tibbetts:** Forgive me, Madam Speaker. She asked if when I was speaking to the Budget and the Throne Speech if I would give comments regarding the constitutional review process, and she was speaking about the referendum issue and binding or indicative. I just want to give a brief update as to where the process is at and what is happening.

Madam Speaker, as Members will know, the Government has acquired the services of Professor Jeffrey Jowell, QC, as consultant to the Government and the people of the Cayman Islands during this process.

He has already submitted to the Secretariat, Madam Speaker, his briefing note with regard to Powers of the Governor in the BVI Constitution Model and he has presented other matters which we have to sit and discuss. Professor Jowell will be visiting 20-22 June, at which point in time, we will have discussions. The Secretariat is now in the process of setting of time and dates for meeting, setting agendas for meetings.

Madam Speaker, the Comparative Study of the Constitution of Overseas Territories is just about complete, so the Secretariat has been working steadfastly. The Secretariat is currently vetting the accuracy of the information contained—they term it “contained in the graph”. What is being created is one document that compares all of these constitutions. You will be able to look at it—for instance, in the matters of powers of the governor, you will be able to look to see what each constitution has contained in it so that we can help to determine what our options may be and what might be the best result.

That graph that is being created, Madam Speaker, is dealing with eight different constitutions. It deals with our own, the Cayman Islands as it obtains presently, Bermuda, Montserrat, Gibraltar, British Virgin Islands, Turks and Caicos, St. Helena and Anguilla, all British Overseas Territories.

Then, Madam Speaker, we are also in the process of dealing with the Elections Office regarding the referendum issue. We have to make the determination of whether it is a consultative or a binding referendum, and we have to be looking at the projected date for the referendum and what the referendum question or questions will be.

But you see, Madam Speaker, all of those things I was only just giving a brief update as to where we are going because all of those things will be predicated on the public information and the public discus-

sion process. So, we have to get to the point where we engage the public, educate and engage the public in the process. The determination from their input will tell us specifically the way forward.

Madam Speaker, there are Public Relation plans for all four phases of the process that I announced previously, and meetings have already been held with the Government Information Services regarding implementation of the Public Relations plan. I just want to—again, for everybody's edification—go through in brief the four-stage process. This is some of the confirmed and proposed initiatives.

In Phase I:

- Public distribution of the Constitution with greetings from the Director and Messages from the Leader of Government Business, the Governor and the Leader of the Opposition, all of that to be coordinated through GIS;
- The celebration of Constitution Day, which is 2 July;
- The launch of the Secretariat website;
- Bimonthly factoids on the constitutional reform in the Islands;
- Newspaper articles, called The Constitutional Supplement, which are educational articles and this will be in both Phase I and II;
- Regular radio programme on the Constitution, again, part of the educational process;
- Launch of the Public Discussion Paper;
- Distribution of Phase II, Constitutional Calendar, which is to be coordinated with the launch of the Public Discussion Paper.

And Phase II will have:

- Television and radio special editions;
- Historical constitutional walk;
- Publication of a mini newspaper insert on all relevant constitutional issues that are in line with the public discussion document;
- Human Rights Committee and the Law School are invited to partner with the Secretariat on this project;
- Continuing newspaper articles;
- Regular radio programmes;
- Publicity with public consultation.

The PR during Phase III would be coordinated between the Secretariat and the Elections Office, and it is recommended that the Public Relations at this stage would be led by the Elections Office.

So, Madam Speaker, just giving a brief update from the Secretariat as to the workings that are going on.

I heard what the First Elected Member for Cayman Brac and Little Cayman said during her delivery, and I can assure her that every Member of this honourable Legislative Assembly will be involved with the

process. Certainly, whatever the end result is will be what reflects the wishes and aspirations of the public and that includes with the referendum issue.

So, it is not something . . . let me put it to you this way, Madam Speaker. In the press briefings, some members of the media have been pressing the Government to be telling them, for instance, what are the positions of the Government on the various issues involving the constitutional modernisation—issues such as the powers of the Governor and such the like, and the appointment of various officers.

The truth is, Madam Speaker, we have engineered the process in a way that it is simply what the same First Elected Member for Cayman Brac and Little Cayman spoke to earlier in her delivery when she spoke about the public education process. It is not a process where we want to impose our views on the public. It is a process where we simply want to give the public all of the information possible with regard to what the various options are and if they make certain choices, what the ramifications are, so that they will be coming from a totally informed position and then we can know from them which of the options they want.

That is how the whole thing is engineered, Madam Speaker. So, I give her every assurance in that regard that it is not one of these situations where the Government is going to sit and huddle and take positions and then push those positions forward as to try to convince or to inculcate in the minds of the public that those are the positions that the public should take. It is a process that is totally open and the public will have the opportunity to be the architects of what the final document will look like.

Madam Speaker, with regard to the Budget Address itself—

**The Speaker:** Honourable Minister, is this a convenient point to take the morning suspension?

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

**The Speaker:** Proceedings will be suspended for 15 minutes, and we say 15 minutes.

**Proceedings suspended at 11.32 am**

**Proceedings resumed at 11.55 am**

**The Speaker:** Please be seated. Proceedings are resumed. The Honourable Leader of Government Business continuing his debate.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

When we took the short break I was about to state that the Budget itself I have already spoken to. The Honourable Third Official Member will be doing the windup. I would expect that he would be dealing with the individual questions or concerns raised by Honourable Members. I certainly wish to thank all

Members for their contributions on both sides of the House.

Madam Speaker, the Honourable Ministers in Cabinet have spoken to their individual subjects. We will be getting into the Finance Committee in fairly short order. I want to just take this opportunity, Madam Speaker, to advise Members that as soon as we are through with the debate on the Budget Address and the Throne Speech and the Policy Statement, we will be dealing with the Supplementary Appropriation that was tabled this morning by the Honourable Third Official Member.

Madam Speaker, I have sat in this honourable Legislative Assembly and heard Members of the Opposition outline their concerns with the direction that the Government is heading. I have heard them say that they do not believe that the Government will deliver on the promises that we have made and that our efforts are taking too much time to implement and results are not readily apparent.

I wish to take this opportunity to assure the Members of this honourable House and the people of the Cayman Islands that this Government is delivering, and intends to continue to deliver, on its promises. We have identified areas that we believe are of critical importance to the continued growth and success of this country, and we intend to continue our focus on delivering the necessary infrastructure and programmes that are required to maintain the high standard of living that we all desire and deserve.

Madam Speaker, will these much needed programmes happen overnight or happen in a day? Will we be able to deliver the required infrastructure by tomorrow? No, Madam Speaker. Despite what the Opposition might have you believe, these things take some time to deliver and by their very nature can span different government mandates.

The Government is taking a long-term view of the way forward. While it may appear to some that we are not moving fast enough, the fact is we are moving and we are moving forward, but we are moving, ensuring that we know the direction that we are going.

I suppose it would be better if I could stand here today and promise that we will deliver in the next 6 months or even 12 months, but, Madam Speaker, those would just be empty words.

We are making fundamental changes to the way our departments conduct their business, and we do not apologise for taking the necessary time we need to do the job right. I want to assure everyone that we are proceeding in a methodical way, making decisions that are informed by a wealth of information and not made just for the sake of making a decision.

The Government is committed to moving forward in such a manner that 5, 10, even 50 years down the road there will be absolutely no question in anybody's mind that the decisions made were the best possible decisions given what obtained at the time. We know that not all of these decisions will be popular ones, and we recognise that, unfortunately, we will not

be able to please everyone all the time. But I am confident that the Government is working with the best interests of the country in mind and in heart, and I am certain that time will bear that out as well.

Madam Speaker, I spoke about cost of living and I spoke to some of the measures that the Government was involving itself with. I just wish to reiterate, the Honourable Third Official Member is in the process of organising the meeting that I mentioned with the local lending institutions.

Madam Speaker, I spoke about the housing with the interest rates. I mentioned CUC. I also mentioned the oil companies. I can assure everyone that in the coming weeks and months we will be meeting with all parties concerned with a view to making serious inroads into what they can do that might help to ease the pinch, because I maintain that it is not something that the Government can unilaterally do. It is going to take a public/private partnership working together to make this work. If we encounter situations where cooperation that can be had is simply not forthcoming, then we will look—and I say this guardedly but I say this very directly—at any necessary legislation that we might have to effect, and we will do that.

To conclude, I would just like to read a quote that I came across from a very well-known person. It speaks to the responsibility that we all have as leaders in this country, even though our situation here in the Cayman Islands may be certainly different from the situations faced by this individual in his own country. I find the words very motivating and very inspiring. Madam Speaker, I quote his words:

“Leaders are called to stand in that lonely place between the no longer and the not yet and intentionally make decisions that will bind, forge, move and create history. We are not called to be popular, we are not called to be safe, we are not called to follow, we are the ones to take risks, we are the ones to change attitudes; to risk displeasures, we are the ones called to gamble sometimes our very lives, for a better world.”

Madam Speaker, those are the words of Nelson Mandela.

Thank you very much.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, on 27 April the 2007/08 Budget documents were presented to the Legislative Assembly. One week later, on 4 May, the debate thereon continued, and so here we are today, just over a full week of debate, making concluding remarks on the 2007/08 Budget and we are on the verge of going into Finance Committee as the next step in consideration of that Budget.

Madam Speaker, Members of the House have expressed their views freely and the Government, in

my opinion, has addressed the matters raised by honourable Members.

In exercising my right of reply, I wish to concentrate my contribution on the comments that have been made in respect of borrowings and debt levels.

Let me refresh our minds as to some of the comments made about borrowing by the Government and the level of debt position. Those comments broadly were, Madam Speaker, '*never has so much debt been accumulated*' and '*Government is borrowing an unprecedented amount of money.*' Let us examine each of these two comments:

Firstly, let us consider the level of public debt in recent years. When we look at page 312 in the 2007/08 Supplementary Annual Plan and Estimates, we see the details in respect of the statement of Public Debt. I said in my Budget Address that on 30 June 2005 Central Government Public Debt was \$164.5 million. Madam Speaker, 30 June 2005 is essentially the start of this current Government's administration.

The statement indicates that at 30 June 2006 the level of public debt had increased to only \$173.8 million. That is, Madam Speaker, only an increase of \$9.3 million in the course of an entire year. I believe that this is a modest increase for the course of a year.

When we move to the next year, the year ending 30 June 2007, we see that Central Government Public Debt is estimated to be \$183.8 million, and once again, this demonstrates a very modest \$10 million increase over an entire year.

Madam Speaker, these comparisons indicate that the movement in public debt in recent years which the Islands are experiencing, is not runaway debt levels. That is definitely not the case. Furthermore, Madam Speaker, the Government of the Cayman Islands prides itself on its noble accomplishment of not ever defaulting on a loan repayment obligation. If we examine repayment of debt principal obligation in recent years we find that the following position exists:

In the year to 30 June 2006 repayment of debt principal was \$14.7 million. In the year to 30 June 2007 the Government expects to make debt repayments of \$17.1 million. In the year to 30 June 2008 the Government expects to make debt repayments of \$19.1 million. Therefore, Madam Speaker, the Government of the Cayman Islands has been modest in its debt movement.

The second set of comments levelled at borrowings can be fairly summarised as *Government is borrowing an unprecedented amount of money.* To a large extent, Madam Speaker, this comment is no different from the first set of comments that I have just addressed, but nonetheless, I will speak to it further. A very legitimate point to make is that borrowing is a proper financing tool that this Government, and governments worldwide, employ to carry out their policy decisions.

Madam Speaker, it is a common mistake to make conclusions about the wisdom or soundness of borrowings simply based on the absolute level of an-

nual borrowings. Rather than examine or concentrate on the absolute level of borrowings, it is more important that the ability of a government to repay a given level of borrowings and debt is scrutinised. We do this by calculating a Debt Service Ratio for the Government. The Debt Service Ratio that Government must comply with is 10 per cent. This means that interest and principal payment and repayment obligations that arise from Government borrowings cannot exceed 10 per cent of Government's revenues. This is a very conservative or modest level, and it is deliberately set at a lower level so that borrowings of the Government are not excessive.

Madam Speaker, although the \$129.8 million of borrowings—in absolute terms and in isolation from consideration in the context of high levels of government revenue—would on first consideration appear to be high, when we put that borrowing level in relative terms (relative to revenue), the borrowing of \$129.8 million for 2007/08, when added to existing debt levels will, with those existing debt levels, generate interest payment and principal repayment obligations that are only 6.6 per cent of Government's revenues.

Madam Speaker, the Government's proposed borrowings for 2007/08 are affordable and therefore the noble purpose of financing much needed capital infrastructure in the Islands. None of the proposed borrowings are in respect of operating expenses.

I also said in my Budget Address on 27 April (but it is worth repeating again) that the Government's borrowing plans are entirely consistent with the borrowing profile outlined in the Strategic Policy Statement. It is very important to add further that the Strategic Policy Statement was approved by the Legislative Assembly as the foundation on which the 2007/08 Budget should be built.

So, Madam Speaker, on borrowing, the conclusion that I have reached on behalf of the Government is that the borrowings by the Government are entirely affordable; they are not excessive, therefore the purpose of much needed capital expenditure; they are not in respect of operating expenses; and the Government will continue to adopt the philosophy of borrowing minimisation.

If the need for borrowing does not arise the Government will not pursue borrowings, even though the Legislative Assembly may have empowered the Government to borrow a particular level. Once again, the best example that can be used to demonstrate this is in respect of our current financial year, the year ending June 2007, the Government has an ability to borrow C\$94 million and to date only \$10 million has actually been borrowed out of that \$94 million ability.

Madam Speaker, a query was also raised in respect of the amount of financing that was available by the Cayman Islands Development Bank (CIDB) to continue its lending programme. The query was, essentially, as to why that financing had not been kept in place so as to enable the continuation of the bank's lending programme.

Madam Speaker, I can report that the Government has done its part in enabling the bank to secure additional financing to enable the continuation of the bank's lending programme, and indeed the bank itself has not had any significant curtailment in that lending programme.

Madam Speaker, it is important that the country hear an ending to the 2007/08 Budget that is consistent with my address on 27 April. The salient points are that the 2007/08 Budget sets out the fiscal discipline that the Government will follow, will adhere to during the year. The 2007/08 Budget indicates the direction in which the Government intends to take the country and it is, once again, worth pointing out some of the key areas in which the Government intends to incur, particularly capital expenditures.

- \$35.5 million is planned to be spent on three high schools and a new George Town Primary School;
- \$18 million is to be spent on a new Government Office Accommodation Project;
- \$14.4 million is sought in respect of the purchase of various entity assets by the Portfolio of Internal and External Affairs;
- \$13.3 million to the Health Services Authority;
- \$5.2 million to be spent on the acquisition of entity assets by the Ministry of Communications;
- \$4 million to extend the Linford Pierson Highway to Walkers Road;
- \$3.8 million to be spent on sports stadia and fields.

So, Madam Speaker, the list continues as outlined on page 5 of the Budget Address that I delivered on 27 April, some major items of expenditure that the Government intends to pursue during the 2007/08 year.

Madam Speaker, it is also important that I give the closing remarks about the highlights of the Budget itself, in particular, in relation to the fiscal responsibilities of the Government. The salient points, once again, are:

- The 2007/08 Budget is a fiscally responsible government;
- It demonstrates that forecast operating revenues will exceed operating and financing expenses by \$17.5 million;
- Core Government's assets will exceed its liabilities by \$485.3 million;
- Its debt obligations are affordable and they are certainly less than the 10 per cent upper limit specified for the Debt Service Ratio;
- The forecast level of cash balances—\$90.3 million, at 30 June 2008—is sufficient to meet the legal requirement of 75 days of expendi-

ture coverage for 2007/08; and, quite importantly,

- The 2007/08 Budget that we have before us now conforms to the targets set out in the Strategic Policy Statement which the Legislative Assembly itself resolved to accept as the foundation on which that Budget should be built.

Madam Speaker, the debate on the Budget thus far has been lively. Many opinions have been aired, and they have been addressed, I think, adequately. The remaining positions of honourable Members will be stated during the upcoming Finance Committee portion of the consideration of the 2007/08 Budget. It only remains necessary for me to thank, on behalf of the Government, all honourable Members for their lively contributions to the 2007/08 Budget.

Thank you, Madam Speaker.

**The Speaker:** The question is that a Bill shortly entitled The Appropriation (June 2007 to July 2008) Bill, 2007 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Hon. Alden M. McLaughlin, Jr.:** Could we have a Division, Ma'am?

**The Speaker:** Madam Clerk.

#### Division No. 1/07-08

**Ayes: 10**

**Noes: 0**

Hon. Kurt Tibbetts  
 Hon. Alden M. McLaughlin, Jr.  
 Hon. Anthony S. Eden  
 Hon. V. Arden McLean  
 Hon. Kearney Gomez  
 Hon. Samuel W. Bulgin  
 Hon. G. Kenneth Jefferson  
 Miss Lucille D. Seymour  
 Mr. W. Alfonso Wright  
 Mr. Moses I. Kirkconnell

**The Speaker:** The results are: 10 Ayes. The Appropriation (June 2007 to July 2008) Bill, 2007 has been given a second reading.

**Agreed by majority: The Appropriation (June 2007 to July 2008) Bill 2007 given a second reading.**

**The Speaker:** Madam Clerk.

#### Suspension of Standing Order 46(1) and (2)

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the suspension of Standing Order 46(1) and (2) to enable the two Bills to be read for a first time.

**The Speaker:** The question is that Standing Order 46(1) and (2) be suspended in order to allow the Bills to be read a first time. All those in favour please say Aye.

**Some Ayes.**

**Hon. W. McKeeva Bush:** Madam Speaker?

**The Speaker:** Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, as I intimated the other day, Standing Orders are made to be suspended. We have a Standing Order enabling us to suspend any Order, and my position in the past has been when the Government needs something done they need it done and we should not stand in their way. Therefore, we support the move for the Government.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** No *[inaudible]*

*[Inaudible interjection by the Honourable Leader of Government Business]*

**The Speaker:** I do not even know where I am now.

The question is that Standing Order 46 (1) and (2) be suspended in order to allow the Bills to be read a first time. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**The Speaker:** Madam Clerk—

**Hon. V. Arden McLean:** Madam Clerk, can we have—

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** —a Division, please?

**The Speaker:** Madam Clerk.

**Hon. W. McKeeva Bush:** A Division? Now, what sense does that make when everybody says they are supporting it?

**An Hon. Member:** You say you are supporting the *[inaudible]*

**Hon. W. McKeeva Bush:** Huh?

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** Now, what sense does that make?

*[Inaudible interjections]*

**Hon. W. McKeeva Bush:** That is where “*she shouldn't even know where she is at*”— to allow that!

*[Inaudible interjection]*

#### Division No. 2/07-08

**Ayes: 15**

**Noes: 0**

Hon. D. Kurt Tibbetts  
 Hon. Alden M. McLaughlin, Jr.  
 Hon. Anthony S. Eden  
 Hon. V. Arden McLean  
 Hon. Kearney Gomez  
 Hon. Samuel W. Bulgin  
 Hon. G. Kenneth Jefferson  
 Miss Lucille D. Seymour  
 Mr. W. Alfonso Wright  
 Mr. Moses I. Kirkconnell  
 \*Hon. W. McKeeva Bush  
 Mr. Rolston M. Anglin  
 Mr. Cline A. Glidden, Jr.  
 Capt. A Eugene Ebanks  
 Mrs. Juliana Y. O'Connor-Connolly

\* **Hon. W. McKeeva Bush:** *We just said we will not stand in the way of the Government when there is a just cause and this is one and therefore the Opposition is supporting the suspension.*

**Hon. V. Arden McLean:** *It is yes or no, Madam Speaker.*

**The Speaker:** *Could I have an Aye or a Nay, please.*

**Hon. W. McKeeva Bush:** *Will anybody know where we are at that point? I know that I am saying “yes”.*

**The Speaker:** Thank you.

15 Ayes. Standing Order 46(1) and (2) duly suspended.

**Agreed Unanimously. Standing Order 46(1) and (2) suspended to enable The Customs (Amendment) Bill 2007 and the Proceedings of Criminal Conduct (Amendment) Bill 2007 to be read a first time.**

**The Speaker:** Madam Clerk.

## FIRST READINGS

### Customs (Amendment) Bill, 2007

**The Clerk:** The Customs (Amendment) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

### Proceeds of Criminal Conduct (Amendment) Bill, 2007

**The Clerk:** The Proceeds of Criminal Conduct (Amendment) Bill, 2007.

**The Speaker:** The Bill has been deemed to have been read a first time and is set down for a second reading.

### Suspension of Standing Order 46(4)

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the suspension of Standing Order 46(4) to enable the Bills to be read for a second time.

**The Speaker:** The question is that Standing Order 46(4) be suspended. All those in favour, please Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 46(4) suspended to enable the Bills to be read a second time.**

## SECOND READINGS

### Customs (Amendment) Bill 2007

**The Clerk:** The Customs (Amendment) Bill 2007.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move the Second Reading of a Bill entitled The Customs (Amendment) Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Third Official Member wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

The Bill that is now before this honourable House seeks to amend the Customs Law which I shall refer to as the "principal Law". The purpose of the Bill, Madam Speaker, is to enable the Cayman Islands to introduce regulations governing the physical transport of money.

The regulations are required for the Cayman Islands regime to be compliant with the International Anti-Money Laundering and Anti-Terrorist Financing Standards that are adopted by the Financial Action Task Force and the Caribbean Financial Action Task Force (CFATF) of which we are a member.

As a member of the CFATF the Cayman Islands will be undergoing the onsite portion of a third-round mutual evaluation in early June, and it is necessary and desirable to introduce the regulations in time for them to be factored into that evaluation.

I am sure that all honourable Members of this House will know the value and importance of the Cayman Islands' continuing to maintain a compliant and responsible financial regime which will inevitably involve adjustments from time to time as the standards develop.

The Bill, Madam Speaker, establishes a definition of 'money' and also adjusts the regulation-making powers in section 10(4) of the principal Law to enable 'money goods' to be distinguished from other types of goods with which the principal Law to date has been mainly concerned.

While on its own, the current definition of 'goods' under the principal Law would encompass money, the way the goods currently fall to be treated under the Law would not comport, or fit well, with what is required in relation to money.

Madam Speaker, the necessary regulations are being finalised and, essentially, will simply require a declaration to Customs using the current declaration form procedure. The form will be updated where money in the amount of CI \$15,000 or more is being transported into the Cayman Islands, that level of import would have to be declared on the Customs Import Form. This of course is similar to the declaration required by US Customs on entry into the United States.

As required by international standards and indeed as prevails in other countries, the regulations will also provide for disclosures to be made to Customs should Customs request the same in respect of out-bound transport of money in the amount of CI \$15,000 or more.

Madam Speaker, the international standards allow for certain exemptions to the declaration requirement. For example, for institutional shipments of money, say, by the Cayman Islands Monetary Authority would be a relevant example, and these will be integrated into our regulations as an exemption to the general rule of declaration.

We will be moving to introduce the regulations as soon as practical, bearing in mind as well the time-

lines associated with our third round CFATF evaluation, which will start in early June.

Madam Speaker, this Bill deals with a priority matter, and I therefore commend the Customs (Amendment) Bill, 2007 to this honourable House for passage.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]*

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

Madam Speaker, my contribution will be quite brief and it will be mainly from the perspective of seeking clarification from the Government on, perhaps, two or three different issues.

Firstly, Madam Speaker, I wish through the medium of my debate to seek clarification by way of a response from the Honourable Third Official Member as to some indication to who made the commitment for the necessity of this amendment Bill, to the Customs Bill in particular, which is now currently before the House.

Also, I would be most grateful if in his reply an indication could be given as to when the commitment was brought to the knowledge of the Government.

Madam Speaker, the relevancy of such an inquiry, with your permission, is relating back to what the Honourable Leader of Government Business said on Monday last, and I would seek your indulgence to refer briefly to a statement that was made therein.

Thank you, Madam.

**The Speaker:** Go ahead.

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker, the Honourable Leader of Government Business said that he received a memorandum from the Honourable Third Official Member this morning (which would have been Monday last) regarding the Customs (Amendment) Bill, 2007 and so Members will understand the memorandum reads as follows:

**"The Caribbean Financial Action Task Force (CFATF) will perform a follow-up assessment of the Cayman Islands Anti-Money Laundering Regime on 4 June 2007."** And he goes on to attempt to justify why it needs to be done at this particular time, which is today.

So, Madam Speaker, before I can fully be persuaded that this is really an emergency. It would be good for, certainly my honourable colleagues and the country on a whole to know how long Government has had this. Has it just been received in recent times? Has it been here for the past two years, three years, what have you? Why now the urgent need to deal with it in a manner which is expedited by the suspension of the Standing Orders?

Enough said on that, Madam Speaker. My main thrust of the debate would be as it relates to the actual amendment itself—and I will be dealing with it more as we go into the Committee stage. But I believe it will be prudent to give reasonable notice to the Government in particular, through the Honourable Third Official Member, so that we will not have to waste an inordinate amount of time when we get into Committee stage.

Madam Speaker, when one looks at the proposed amendment as it relates to the Customs Bill, we will see that basically it is seeking to amend section 10(4) in particular.

With this attempt one will see that the amendment is being made by the addition of an extra category, or I am hoping that is the intent. But on reading it, Madam Speaker, currently, section 10(4) of the Customs Law says that **"The Governor in Cabinet may, by regulations, make such provision as he thinks necessary or expedient for prohibiting or regulating the import or export of all goods or any class or description of goods."**

And it was finished there except for some qualifications as to the making of the regulations itself which is seen in proviso 5.

When we take time to add on what the Government is purporting to add on, it seems to me by saying **"and any provision made in relation to money may be different from the provisions of this Law"** in general from the provision of this Law relating **"to goods in general."** *Customs (Amendment) Bill, 2007 "Memorandum of Objects and Reasons" page 3.*

I would ask the Honourable Third Official Member in his reply if he could enlighten the House as to where we would find the initial empowering provision for the Governor in Cabinet to make regulations as it relates to money.

As I understand it, goods and money are two different things and I believe this is borne out when we look at section 2 where already there was a definition for goods, meaning to **". . . include every movable thing capable of being owned and includes stores, baggage and personal effects."**

Madam Speaker, part of this new amendment includes a definition for money if it is passed—and I see no reason why it should not be—**"money" means cash or a bearer negotiable instrument."** *Customs (Amendment) Bill, 2007, page 5.*

So, Madam Speaker, I would respectfully submit that in the reply of the Honourable Third Official Member that he would draw the House and certainly my attention to where the Government is purporting to get the initial power that is necessary to draft regulations, because as it is currently drafted, certainly from my interpretation, the power does not extend to making regulations for money and the amendment that is being brought certainly does not add to that power thereto.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, just briefly, the Honourable Third Official Member has carriage of this Bill and has already set out, I think, its purposes in his introduction and I am going to leave most of the technical aspects to him. I just want to say that this is essentially a cleaning-up exercise.

The Caribbean Financial Action Task Force (CFATF) visited here sometime ago as they visited virtually all of the jurisdictions under their remit. As a result of the inspections they carried out they made a number of recommendations about improving the Anti-Money Laundering Regime.

I just returned with the Deputy Financial Secretary and other members of the Monetary Authority and the Legal Department from a CFATF plenary meeting in Panama City, Panama, at which they conducted what is called a "mutual evaluation" of a number of countries. On that occasion there was Trinidad, and it was supposed to have been the Bahamas but because of their elections that was the deferred as well, and Costa Rica.

The relevance of that, Madam Speaker, is that their visit here on 4 June is to carry out, essentially, an evaluation of the Cayman regime; again, a follow-up exercise this time to determine how well we have done in addressing the concerns which were raised the last time around and we got a pretty good report.

But this particular issue about the need to have persons who come into the country declare their cash was one of the areas which was identified by the CFATF as where we had our shortcoming.

They have a regime, Madam Speaker, in which they rate the country's performance against established criteria on the basis of whether the country is compliant, largely compliant or non-compliant. This exercise which we are engaged in now is, as I said, a clean-up exercise to ensure that on this particular point the Cayman Islands does comply with this particular recommendation.

So, it is a rather straightforward matter and I do not think that there is any cause for undue alarm or concern, even on the part of the Opposition.

So, I just thought, Madam Speaker, that perhaps mentioning those few matters might assist the House and probably the broader public in the discussion of this matter.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Honourable Third Official Member wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, the First Elected Member for Cayman Brac and Little Cayman raised two broad areas in her brief contribution: one was to get an explanation as to why there was an urgent need to deal with this matter now and, secondly, she questioned the ability by which the Government can actually make the regulations it proposes to make.

Madam Speaker, with your indulgence, the Bill seeks to amend the Customs Law (2006 Revision) and, in particular, it seeks to amend section 10(4) of that Law. Section 10(4) of the Law reads: "**The Governor in Cabinet may, by regulations, make such provision as he thinks necessary or expedient for prohibiting or regulating the import or export of all goods or of any class or description of goods.**"

Madam Speaker, further to that, in section 2 of the Law there is a definition of "goods" and the definition of "goods" in section 2 is that it "**includes every movable thing capable of being owned and includes stores, baggage and personal effects.**"

Madam Speaker, as I was reading the Bill the thought did come to me as to why the existing definition in 10(4) would not be sufficient to do what the Bill seeks to do, which is to allow regulations to be made pertaining to money. One could argue that money would fall within the ambit of the section 2 definition of "goods" and the subset of that definition which says it "**includes every movable thing capable of being owned.**"

But the Government wanted to be crystal clear and to subdivide, or to separate what we have become accustomed to over the years of physical goods other than money being imported into the Islands, and to separate that from money and monetary instruments being introduced into the Islands. And so, the Government took the conservative or prudent approach of seeking to add a new classification dealing specifically with money.

Madam Speaker, the Bill seeks to amend section 2 of the principal Law to include a number of new items in that definition. It seeks to include a definition of "bearer negotiable instrument", it seeks to include a definition of "cash" and it seeks to include a definition of "money". And so, if this Bill is successful its passage will result in those definitions becoming inserted into the principal Law and, therefore, if this Bill is successful we will have a definition within section 2 that relates to money.

Then having got those definitions in section 2 in the principal Law and also Clause 3 of the Bill, Madam Speaker, would seek to amend section 10(4) of the principal Law to add at the end of that section the fact that the Government can make provisions specifically in relation to money and that those regulations may be different from regulations pertaining to goods in general.

It is that process, Madam Speaker, that the Bill is seeking the insertion of definitions relating to money into the principal Law; this Bill seeking to add on to section 10(4) the ability of the Government to make provisions specifically to money.

#### Point of Elucidation

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker, on a point of elucidation, Ma'am.

**The Speaker:** Honourable Third Official Member, are you prepared to give way to the honourable Member?

**Hon. G. Kenneth Jefferson:** Yes, Madam Speaker.

**The Speaker:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker, and my thanks to the Honourable Third Official Member as well.

Madam Speaker, I have listened very carefully to his explanation and I am somewhat at a loss as to where we are going because, as I understand it, the Honourable Member is justifying my concern that I had in my debate. I wonder whether he could actually clear up whether it is his position that money does not fall under the ambit of "goods" as is currently now set out in the legislation, hence the need for a new insertion for the definition of "money".

And if that is the case, then I would ask for further consideration to be given to my submission because I believe that although we support what the Government is doing, that the way it is drafted over-looks or, in my limited knowledge, does not give that originating power to make the regulation as it is to money—if what I have understood him to say that it is a different aspect than goods.

I thank you for your indulgence, Madam.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, while the honourable Member was making her point I took the opportunity to speak to the legal draftsman to confirm that what I had said earlier was correct, and he did confirm that.

I said earlier that the current definition of "goods" could be construed to include money, but the Government wanted to do the ironclad approach of making it explicitly clear as to what money included and the Bill that is before the House seeks to do that.

Madam Speaker, if I could continue on the second issue that the honourable First Elected Member for Cayman Brac and Little Cayman raised which was an explanation as to who and when the commitment was made for the Customs Law to be amended, and those two requirements were then summarised as

an explanation required as to why there was an urgent need for this Bill now.

Madam Speaker, I have said, and the Honourable Minister of Education has said, that the CFATF will be visiting the Cayman Islands on 4 June. That establishes the urgency of the matter. We certainly wish to be compliant in this respect and this Bill, which will then enable subsequent regulations to be completed, would assist the Government in that evaluation process.

Madam Speaker, 4 June is obviously not far away and therefore we wish to get this Bill passed in order for us then to go on to make regulations dealing specifically with anti-money laundering or an expansion of those regulations so that we can comply and we get a favourable review in this particular aspect when the CFATF team visits in early June.

Madam Speaker I trust that that assists honourable Members. Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Customs (Amendment) Bill, 2007 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**Ms. Juliana Y. O'Connor-Connolly:** Abstain.

**The Speaker:** The Ayes have it. The Customs (Amendment) Bill, 2007 has been given a second reading.

Madam Clerk.

#### Proceeds of Criminal Conduct (Amendment) Bill, 2007

**The Clerk:** The Proceeds of Criminal Conduct (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg to move the Second Reading of a Bill entitled A Bill for a Law to Amend the Proceeds of Criminal Conduct Law (2005 Revision) to Expand the Definition of the Term "Money Laundering" for Certain Purposes of the Law; and for Incidental and Connected Purposes.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Second Official Member wish to speak thereto?

Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I think I will probably do justice for the Bill by reading the Memorandum of Objects and Reasons. It reads as follows:

**“The Bill amends the Proceeds of Criminal Conduct Law (2005 Revision).**

**“Under section 21 of the principal Law, the Governor in Cabinet is empowered to make regulations prescribing measures to be taken to prevent the use of the financial system for the purposes of ‘money laundering’. The term ‘money laundering’ is defined in section 37(7) of the principal Law].**

**“The Bill expands the definition of ‘money laundering’ to enable the making of money laundering regulations to prevent the use of the financial system for the purposes of financing terrorist activities.”**

Madam Speaker, there is currently in place arrangements by the service providers to detect any use of the financial services for the laundering or other use of terrorist financing, and it has worked very well. What has happened here is that the process as we quite understand it is an evolving process and standards have been improved from time to time.

We are merely here seeking to expand the enabling provision and the process of Criminal Conduct Law to promulgate regulations there under to add certainty (if I might put it that way) to the already existing obligations of the financial services providers and others who use our financial services product to become more vigilant in looking out for these sort of practices should it occur hence, Madam Speaker, the reason for the Bill.

Like the position with the Customs Bill, this is also a tidying-up exercise with the same time constraint for the peer review that is coming up on 4 June. I would ask honourable Members to give their support.

Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Honourable Second Official Member wish to exercise his right of reply?

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I just wish to thank honourable Members for first agreeing to abridge the time for the Bill to be taken and for their support of the Bill.

Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Proceeds of Criminal Conduct (Amendment) Bill, 2007 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Proceeds of Criminal Conduct (Amendment) Bill, 2007 has been given a second reading.

**Agreed: The Proceeds of Criminal Conduct (Amendment) Bill 2007 given a second reading.**

**The Speaker:** The House will now go into Committee.

House in Committee at 12.55 pm

## COMMITTEE ON BILLS

**The Chairman:** Please be seated. The House is now in Committee.

With the leave of the House, may I assume that, as usual, we should authorise the Honourable Second Official Member to correct minor errors and such the like in these Bills?

Would the Clerk please state the Bill and read the clauses.

### Customs (Amendment) Bill 2007

#### Clauses 1 through 3

**The Clerk:**

|          |                                                                                               |
|----------|-----------------------------------------------------------------------------------------------|
| Clause 1 | Short title                                                                                   |
| Clause 2 | Amendment of section 2 of the Customs Law (2006 Revision) – definitions                       |
| Clause 3 | Amendment of section 10 of the Customs Law (2006 Revision) – prohibited and restricted goods. |

**The Chairman:** The question is that clauses 1 through 3 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed. Clauses 1 through 3 passed.**

#### Title

**The Clerk:** A Bill for a Law to Amend the Customs Law (2006 Revision) to Provide for the Declaration of Money at Customs; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes—

**Ms. Juliana Y. O'Connor-Connolly:** Madam Chair, are we going to be given a chance for any debate on any of this, Ma'am?

*[Inaudible interjection by the Honourable Leader of the Opposition]*

**The Chairman:** Do you care—

**Hon. W. McKeeva Bush:** And I scared for [inaudible]—

**The Chairman:** First Elected Member for Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Chair.

I apologise, I did try to get your attention but you were busy reading, Ma'am, so I do apologise.

Madam Chair, referring back to section 10(4)—before that, Madam Chair, just maybe a bit of housekeeping. I have made attempts to get a copy of the Criminal Procedure Bill I believe that was circulated. Was that the correct—or, Criminal Proceeds, but I have not been able to get a copy. So, before we come to that maybe if I could make a request for a copy of it.

**The Chairman:** First Elected Member for Cayman Brac and Little Cayman, could you repeat what you would like a copy of, please.

**Ms. Juliana Y. O'Connor-Connolly:** I am saying in the interest of time, before we get to the Proceeds of Criminal Conduct that the Honourable Second Official Member just did, if someone could perhaps get me a copy because I did make an attempt to get one. I have not received one and was not able to get one when I went in the back.

Thank you, Madam Chair. Sorry about that.

Madam Chair, as it related, Ma'am, to section 10(4) I believe it was, the amendment dealing with the insertion immediately after the word "goods". Through you, Madam to the Honourable Third Official Member, I wonder whether he, or the Honourable Second Official Member, would take this opportunity to enlighten, certainly me, as to where in the current provision they are satisfied that the Governor in Cabinet has the power to make the regulation as it relates to money based on the wording that is currently there. Quite honestly I do not see it, but perhaps they can persuade me otherwise.

**The Chairman:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Chair. I was conferring with the Honourable Second Official Member on the question just posed.

Madam Chair, section 10(4) of the principal Law states that the Governor in Cabinet may by regu-

lations make provisions as necessary or expedient for prohibiting or regulating the import or export of all goods or of any class or description of goods.

Section 10(4) speaks to goods and description of "goods". Section 10(2) of the principal Law then defines what goods are.

**Hon. W. McKeeva Bush:** Is that—but is that—

**Hon. G. Kenneth Jefferson:** Section 2—sorry—of the principal Law then defines what goods include.

**Hon. W. McKeeva Bush:** And does that include money? That is the question.

**Hon. G. Kenneth Jefferson:** Madam Chair, the definition in section 2 of the principal Law does not explicitly mention the word "money." What this Bill does is: it seeks to include in the definition of the principal Law—in section 2 of the principal Law, if this Bill is successful—the three new definitions of "bearer negotiable instrument" on page 4 of the Bill. It would also insert into the principal Law a definition of "cash" and then on page 5 of the Bill, Madam Chair, it would insert a definition of "money" as being cash or a "bearer negotiable instrument".

So, this Bill if successful, Madam Chair, would then amend the principal Law, the Customs Law (2006 Revision) and those three definitions would then be inserted in section 2 of the principal Law.

Clause 3 of the Bill then goes on to say, Madam Chair, that section 10(4) of the principal Law would be amended by including the words ". . . **and any provision made in relation to money may be different from the provisions of this Law in relation to goods in general.**"

So, if this Bill is successful, essentially, what will happen is that the Customs Law (2006 Revision) would then get amended and have those three new definitions inserted in section 2 of that Law and then section 10(4) of that principal Law, the words would be added on to the ending of section 10(4).

So, at that point in time, Madam Chair, if this Bill is passed and then gazetted the principal Law would then be in a position to allow regulations to subsequently come along to be made afterwards which deal specifically with money because the definitions of "money", the definitions of "cash" and the definitions of "bearer negotiable instruments" would then be at that stage a part of the Customs Law.

Madam Chair, I hope that is clear.

**The Chairman:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Chair.

Madam Chair, I fully agree with what the Honourable Third Official Member said insofar as to the necessity of including into section 2, the definition sec-

tion, the definition of “money”. Had the Government not chosen to do this then I would have no problems with the insertion in 10(4) because I would perhaps be persuaded that they accepted that money was not a commodity but money was, in fact, a good.

But if they are going to the extreme in saying, Madam Chair, that we are not quite so sure that money is actually included when the current Law says goods so we now have to put a new and separate definition for money, which is a good definition and I agree with that, then I believe they need to take a second look at section 10(4).

Section 10(4)—and I do not mean to be repetitive but it says that the Governor in Cabinet—and this is the only provision I see that empowers the Governor in Cabinet to make regulations and it says: **“The Governor in Cabinet may, by regulations, make such provisions as he thinks necessary or expedient for prohibiting or regulating the import or export of all goods or any class or description of goods.”**

Now, Madam Chair, if that had just stopped where the Governor in Cabinet could make any regulations without setting a specified category or categories or regulation, then I would not have any problem. But I think that to go on then and add the new words that are in this amendment that say “. . . **and any provision made in relation to money**” is assuming that there is already a power to make the regulations.

And what my respectful submission is, as it is written, unless somebody can explain it to me, I do not see that power there within the Law and therefore, although I agree with the intent of the amendment, I do not see the Government accomplishing its intent by the way the amendment is so worded. I cannot get it any clearer than that, Madam Chair.

Thank you.

**The Chairman:** Honourable Third Official Member—Second Official Member.

**Hon. Samuel W. Bulgin:** Madam Chair, thank you.

Madam Chair, the definition of “goods” in section 2 says **“goods include”** [and that is the operative word] “. . . **every moveable thing capable of being owned and includes . . .**” Those words, “. . . **include every moveable thing capable of being owned . . .**” by general definition would cover money.

Generally, people refer to money as property, but the definition of “goods” is wide enough to cover money. It is an expansive definition. It says **“includes every moveable thing”** and if you think about it, on even a purely common sense basis, it would cover the movement of money.

What the definition goes on to say is that within that expansive definition, for want of a better word, the Governor can make further regulations as it relates to money, as it relates to the movement of money without necessarily doing violence to the definition of goods as it relates to the rest of the law.

If you look at the law itself and some of the things that deal with goods speak about being kept in warehouses, and bonded warehouses, and all sorts of things. What we are trying to do here is to put the definition in here which makes it explicitly clear that when it comes on to money, the Governor can make special or particular regulations to deal with the movement of that particular item as opposed to the generic expression of goods itself. But the definition in section 2 is wide enough to include money. It says **“goods”** and **“includes every moveable thing”** which covers money.

**Hon. W. McKeever Bush:** Moveable goods means—

**Mr. Rolston M. Anglin:** Madam Chairman? [pause]

Madam Chairman, I have in front of me one of the official definitions of money and it is “a commodity or asset such as gold and officially issued currency, coin or paper note that can be legally exchanged for something equivalent such as goods or services.”

I have never, ever heard of money ever, ever being able to be included in the definition of goods. That is why in the definition in section 2 it goes on to make the proviso to include—and give me one second, Madam Chairman “. . . **moveable thing capable of being owned and includes stores, baggage and personal effects;**” because as I understand it, there have been times where those could be excluded because in commerce if you take a strict definition, goods could be taken to mean of commercial entity, it had to be of commercial enterprise not personal effects.

**Hon. Samuel W. Bulgin:** Yes, but Madam—

**Mr. Rolston M. Anglin:** And so, Madam Chair, as I understand it—and I have never ever heard of money being included. And I think the point that is being made is that when you then insert in 10(4) and any regulations made in relation to money, may make provisions that are different from the provisions of this Law in relation to goods in general—

**Hon. Samuel W. Bulgin:** Well, Madam Speaker—

**Mr. Rolston M. Anglin:** We are looking for somewhere where it enables money.

**Hon. Samuel W. Bulgin:** Well, the honourable Member is basically agreeing with us. What we are saying here is that money can be included in the definition of goods. Section 2 is wide enough. It says “. . . **goods include every moveable thing.**” Let us stop right there, **“every moveable thing.”** The fact that it is yours, is your possession, it is packaged a particular way and is moveable and you transport it across the border is goods, except that you call it money as opposed to clothing or food. But it is a goods.

The fact is—

*[Inaudible interjection]*

**Hon. Samuel W. Bulgin:** [Replying to an honourable Member] No. The fact is that what we are trying to do is make the definition in 10(4) so expansive to simply say that without doing violence to the rest of the definition throughout the entire Law itself, the Governor in Cabinet can make regulations so as to make it explicitly applicable to money as opposed to everything else.

**Hon. W. McKeeva Bush:** Very confusing. I won't give—I won't give—

**The Chairman:** I do not think it is the intention of the Committee stage to reopen the second Reading Debate.

**Hon. W. McKeeva Bush:** Who is debating? Who is debating?

We do not believe that that can be transferred to mean money. However—

**The Chairman:** Well, the question—I will have to recommit the question on clauses 1 through 3.

The question is that clauses 1 through 3 of the Custom (Amendment) Bill form part of the Bill. All those in favour, please say Aye.

**Some Ayes.**

**Hon. W. McKeeva Bush:** Madam Chairman? Madam Chairman?

**The Chairman:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** You know, some people ought to stop and think before they make those kinds of remarks you have been making and as Chairman and as Speaker, you know better.

**The Chairman:** Honourable Leader of the Opposition—

**Hon. W. McKeeva Bush:** I will finish on that—

**The Chairman:** —please.

**Hon. W. McKeeva Bush:** Please! Yeah.

**The Chairman:** The question is that clauses 1 through 3 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes and No.**

**The Chairman:** The Ayes have it.

**Hon. W. McKeeva Bush:** Divide.

**The Chairman:** You would like a Division?

**Hon. W. McKeeva Bush:** That is what divide means.

**The Chairman:** Madam Clerk.

**Hon. W. McKeeva Bush:** I am abstaining from it.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** Yeah! It is confusing.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** It is confusing.

*[Inaudible interjection from the honourable Second Elected Member for the district of West Bay]*

**Hon. W. McKeeva Bush:** The Speaker has to stop getting into the political arena—that is what she gotta do!

#### Division No. 3/07-08

#### Ayes: 9

Hon. Alden M. McLaughlin, Jr. Mr. Rolston M. Anglin  
 Hon. Anthony S. Eden Mrs. Juliana Y. O'Connor-Connolly  
 Hon. V. Arden McLean  
 Hon. Kearney Gomez  
 Hon. Samuel W. Bulgin  
 Hon. G. Kenneth Jefferson  
 Miss Lucille D. Seymour  
 Mr. W. Alfonso Wright  
 Mr. Moses I. Kirkconnell

#### Noes: 2

#### Abstentions: 3

Hon. W. McKeeva Bush  
 Mr. Cline A. Glidden, Jr.  
 Capt. A. Eugene Ebanks

**The Clerk:** Nine Ayes, 2 Noes, 3 Abstentions.

**The Chairman:** The results of the Division, the Ayes have it.

**Agreed by majority: Clauses 1 through 3 passed.**

#### Title

**The Clerk:** A Bill for a Law to Amend the Customs Law (2006 Revision) to Provide for the Declaration of Money at Customs; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed. Title passed.**

**Proceeds of Criminal Conduct (Amendment) Bill,  
2007**

**The Clerk:** The Proceeds of Criminal Conduct (Amendment) Bill, 2007.

**Clauses 1 through 2**

**The Clerk:**

|          |                                                                                                                                                |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Clause 1 | Short title                                                                                                                                    |
| Clause 2 | Amendment of section 37 of the Proceeds of Criminal Conduct Law (2005 Revision)—failure to disclose knowledge or suspicion of money laundering |

**The Chairman:** Is there any debate? *[pause]*  
The question is that clauses 1 through 2 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 1 through 2 passed.**

**Title**

**The Clerk:** A Bill for a Law to Amend the Proceeds of Criminal Conduct Law (2005 Revision) to Expand the Definition of the Term “Money Laundering” for Certain Purposes of the Law; and for Incidental and Connected Purposes.

**The Chairman:** The question is that title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed. Title passed.**

**The Chairman:** The question is that the Bills be reported to the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it. The Bills will accordingly be reported to the House.

**Agreed: Bills to be reported to the House.**

**The Chairman:** The House will resume.

**House resumed at 1.17 pm**

**The Speaker:** Please be seated.

**REPORTS ON BILLS**

**Customs (Amendment) Bill, 2007**

**Hon. G. Kenneth Jefferson:** Madam Speaker, I am to report that a Bill entitled the Customs (Amendment) Bill, 2007 was considered by a Committee of the whole House and passed without amendment.  
Thank you.

**The Speaker:** The Bill has been duly reported and is set down for the Third Reading.

**Proceeds of Criminal Conduct (Amendment) Bill,  
2007**

**The Chairman:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I beg to report that a Bill shortly entitled A Bill to Amend the Process of Criminal Conduct Law has been considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is set down for the Third Reading.  
Proceedings will be suspended until 2.30.

**Proceedings suspended at 1.18 pm**

**Proceedings resumed at 2.48 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

**Suspension of Standing Order 47**

**The Clerk:** Suspension of Standing Order 47.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, on behalf of Government, I move the suspension of the Standing Order so that the Bills can receive a Third Reading today.

**The Speaker:** The question is that Standing Order 47 be suspended to enable the Bills to be read a third time. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 47 suspended to enable The Customs (Amendment) Bill, 2007 and The Proceeds of Criminal Conduct (Amendment) Bill, 2007 to be read a third time.**

### THIRD READINGS

#### Customs (Amendment) Bill, 2007

**The Clerk:** The Customs (Amendment) Bill, 2007.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move that a Bill entitled The Customs (Amendment) Bill, 2007 be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Customs (Amendment) Bill, 2007 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Customs (Amendment) Bill, 2007 has been given a third reading and passed.

**Agreed: The Customs (Amendment) Bill, 2007, given a third reading and passed.**

#### Proceeds of Criminal Conduct (Amendment) Bill, 2007

**The Clerk:** The Proceeds of Criminal Conduct (Amendment) Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg to . . . May I just seek clarification, Madam Speaker?

The Standing Order was suspended in respect of this Bill?

**The Speaker:** I thought it was suspended for both Bills.

**Hon. Samuel W. Bulgin:** Thank you. Thank you, Madam Speaker.

Madam Speaker, I beg to move that the Bill entitled The Proceeds of Criminal Conduct (Amendment) Bill, 2007, be given a third reading and passed.

Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Proceeds of Criminal Conduct (Amendment)

Bill, 2007, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Proceeds of Criminal Conduct (Amendment) Bill, 2007, has been given a third reading and passed.

**Agreed: The Proceeds of Criminal Conduct (Amendment) Bill, 2007, given a third reading and passed.**

**The Speaker:** That concludes the Orders of the Day. Honourable Leader of Government Business.

### ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you. Madam Speaker, I crave your indulgence to inform the House as to the plan of action.

Madam Speaker, when we adjourn now, we will resume Finance Committee to deal with the 5<sup>th</sup> Supplementary Appropriation Bill for the fiscal year 2006/07.

As soon as we complete that—if we are able to complete that this afternoon, then we will resume Finance Committee tomorrow morning with the Appropriation deliberations for 2007/08.

And as soon as the 2007/08 Appropriations are dealt with in Finance Committee, whenever that is, we will resume the House.

So, just so that it is very clear, Madam Speaker: the 2006/07 Appropriations, when we are through with Finance Committee we will resume the House for the House to approve that Appropriation, and once that is approved, we will move into the 2007/08 Finance Committee meeting.

Just so that everyone will know—because there are at least five Members who will be off the Island during the course of early to middle next week and the fact that Monday is a holiday, when we close off tomorrow at Finance Committee the plan is to resume Finance Committee next week Thursday. I have spoken to Members about it, I have also spoken to Madam Speaker about it, and Members have concurred so we are all in agreement with that way forward.

So, Madam Speaker, I move the adjournment of this honourable Legislative Assembly until the completion of Finance Committee for the Supplementary Appropriation for 2006/07 and hopefully we will be able to resume the House tomorrow morning to get that Appropriation completed and then go into Finance Committee for 2007/08. And perhaps if there is anything you need to guide me with, Madam Speaker, I will certainly appreciate it.

Thank you.

**The Speaker:** I think someone needs to guide me. Do we have a Supplementary Appropriation Bill as is required by the Financial Management . . .

*[Inaudible interjection]*

**The Speaker:** I have not seen a copy of the Bill.

**Hon. G. Kenneth Jefferson:** Madam Speaker, the Supplementary Appropriation Bill that is consistent with the Estimates laid today, the Supplementary Bill has physically been sent to the Legislative Assembly. It was delivered this morning to the Legislative Assembly.

**The Speaker:** Okay. The question is that this honourable House do now adjourn until the completion of Finance Committee's deliberations on the 5<sup>th</sup> Supplementary Annual Plan and Estimates. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 2.54 pm the House stood adjourned until the conclusion of Finance Committee on the 5th Supplementary Annual Plan and Estimates.**

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**17 MAY 2007**  
**2.29 PM**  
*Ninth Sitting*

**The Speaker:** I will ask the Fourth Elected Member for the district of West Bay to say Prayers.

**PRAYERS**

**Capt. A. Eugene Ebanks:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 2.31 pm

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** I have no messages or announcements.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Speaker:** I have had no notice of statements by Honourable Ministers or Members of Cabinet.

**GOVERNMENT BUSINESS**

**BILLS**

**FIRST READING**

**Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007**

**The Clerk:** The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

Madam Clerk, I think we have gotten a bit ahead of ourselves. We need to lay the Report of the Supplementary Finance.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Report of the Standing Finance Committee on the  
5th Supplementary Annual Plan and Estimates for  
the Government of the Cayman Islands for the financial  
year ending 30th June, 2007**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Standing Finance Committee on the 5<sup>th</sup> Supplementary Annual Plan and Estimates for the Government of the Cayman Islands for the financial year ending 30<sup>th</sup> June, 2007.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker, just some brief remarks.

Madam Speaker, Standing Finance Committee met yesterday, 16 May, and today, 17 May, to consider the 5<sup>th</sup> Supplementary Annual Plan and Estimates for the year ending 30 June 2007. By virtue of Standing Order 67, the 5<sup>th</sup> Supplementary Annual Plan and Estimates stood referred to Finance Committee when they were laid on the Table of the Legislative Assembly yesterday, 16 May.

Later on that afternoon, Madam Speaker, the Finance Committee met to consider the Appropriations set out in section 9 of the Supplementary Annual Plan and Estimates. Also, I raised a motion in the Legislative Assembly seeking the Committee's approval for section 9 of that document, the Supplementary Annual Plan and Estimates, to be approved by the Committee.

Madam Speaker, as I said, the Committee met yesterday and today to consider 23 items of Supplementary Expenditure Appropriations, and the Committee approved all of the Supplementary items individually and the Committee also approved the motion that I raised in the Legislative Assembly—that is, that the Schedule 9 in its entirety be approved by the Committee, and that was done.

Madam Speaker, the Committee also met today to consider and agree [with] this Report, and the Committee agreed that this be the Report of the Committee and that it be laid on the Table of this honourable House.

Thank you, Madam Speaker.

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READING

##### Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007

**The Clerk:** The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

#### SECOND READING

##### Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007

**The Clerk:** The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move the Second Reading of a Bill entitled The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker, my remarks will be very brief.

The Bill that is now before this honourable House is straightforward. It consists of two clauses and a Schedule. Clause 1 gives the name of the intended Law, and clause 2 indicates that the Bill, if passed into Law, would permit the Supplementary Appropriations set out in the Schedule to the Bill to occur in respect of the Government's financial year ending on 30 June 2007.

The items listed in the Schedule to the Bill, Madam Speaker, are exactly the same, both in terms of their description and their monetary values as the Schedule of Supplementary Appropriations shows at section 9 of the 5<sup>th</sup> Supplementary Annual Plan and Estimates for the Financial Year ending 30<sup>th</sup> June 2007.

Finance Committee, Madam Speaker, approved the Schedule of Supplementary Appropriations yesterday and today and, consequently, all honourable Members of the House are familiar with the items shown in the Schedule to the Bill and, in fact, these have been approved already by Finance Committee.

Accordingly, Madam Speaker, I respectfully ask all honourable Members to support the Bill now before the House. Thank you.

**The Speaker:** Does any other Member wish to speak? [*pause*] If no other Member wishes to speak, does the Honourable Third Official Member wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, only to say thanks to all honourable Members for their silent support.

Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 has been given a second reading.

**Agreed: The Supplementary Appropriation (July 2006 to June 2007) given a second reading.**

**Suspension of Standing Order 47**

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the suspension of Standing Order 47 in order to enable the Bill—that is, the Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 to be read a third time.

**The Speaker:** The question is that Standing Order 47 be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 47 suspended to enable The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 to be given a third reading.**

**THIRD READING****Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007**

**The Clerk:** The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Madam Speaker, I beg to move that a Bill entitled The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 has been read a third time and is passed.

**Agreed: The Supplementary Appropriation (July 2006 to June 2007) No. 2 Bill, 2007 given a third reading and passed.**

**ADJOURNMENT**

**The Speaker:** I will entertain a motion for the adjournment of this honourable House as that completes the Order of the day.

**Hon. D. Kurt Tibbetts:** Madam Speaker, just to remind Members that we will be going into Finance Committee this afternoon for the 2007/08 Appropriation Bill, and at the conclusion of today's meeting we will be returning a week from today to Finance Committee and thereafter to continue until Finance Committee is concluded, then returning back to the House.

Accordingly, I move the adjournment, Madam Speaker, of this honourable House until the completion of Finance Committee for the 2007/08 Appropriation Bill.

**The Speaker:** The question is that this honourable House do now adjourn until the completion of the Finance Committee's deliberations on the 2007/08 Appropriation Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**At 2.42 pm the House stood adjourned until the completion of Finance Committee deliberations on The Appropriation (July 2007 to June 2008) Bill 2007.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**22 JUNE 2007**  
**11.40 AM**  
*Tenth Sitting*

**The Speaker:** I will ask the Honourable Minister responsible for Communications, Works and Infrastructure to say Prayers.

**PRAYERS**

**Hon. V. Arden McLean:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**ADMINISTRATION OF OATHS  
OR AFFIRMATIONS**

**OATH OF ALLEGIANCE**

*(Administered by the Clerk)*

*By Mr. Donovan W.F. Ebanks, MBE*

**The Speaker:** Mr. Ebanks, will you come to the Clerk's Table? May we stand?

**Mr. Donovan W. F. Ebanks:** I, Donovan Ebanks, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** Mr. Ebanks, I welcome you once again to this Chamber and invite you to take your seat.  
*[pause]*

**The Speaker:** Please be seated.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Second Elected Member for the district of Cayman Brac and Little Cayman.

*[Inaudible interjection]*

**The Speaker:** Who?

Well, the Deputy Speaker . . . I think apologies were extended for him when he left to represent the government overseas until a certain date—today. So the Deputy Speaker is returning to the Island today.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Report of the Standing Finance Committee on The  
Appropriation (June 2007 to July 2008) Bill, 2007**

**The Clerk:** The Report of the Standing Finance Committee on The Appropriation (June 2007 to July 2008) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Standing Finance Committee on The Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker, I wish to make some brief remarks.

Madam Speaker, the Committee had its first meeting on Thursday, 17 May, and it concluded its ninth meeting earlier this morning to review the Report that has just been tabled.

The Committee met principally to consider the Schedule to the Appropriation Bill. The Committee approved all the appropriations and their corresponding amounts shown on the Schedule to the Bill, and the Committee also approved that the Schedule form a part of the Bill along with its two clauses.

There were two exceptions to this, Madam Speaker: The appropriations in respect of the teaching of tertiary level and vocational programmes, and the appropriation in respect of primary and secondary education by private schools were increased from the amounts initially shown on the Schedule by \$1.5 million and \$1.1 million respectively.

Madam Speaker, as the deliberations of the Committee have been publicly broadcast by *Radio Cayman* the Island citizens and residents have been given a reasonable opportunity to have become aware of the Committee's deliberations.

The Committee agreed that the Report just tabled be the Report of the Committee.

Thank you, Madam Speaker.

#### **Traffic Law (2003 Revision) Public Passenger Vehicles (Amendment) Regulations, 2007**

**The Clerk:** The Traffic Law (2003 Revision) The Public Passenger Vehicles (Amendment) Regulations, 2007.

**The Speaker:** I recognise the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House The Public Passenger Vehicles (Amendment) Regulations, 2007.

Thank you, Madam Speaker.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Charles E. Clifford:** Yes, thank you, Madam Speaker, very briefly.

These regulations, Madam Speaker, amend the Public Passenger Vehicles Regulations (1999 Revision) regulation 3(3) to give effect to reduced application fees. Members of this honourable House will remember that several months ago this issue became a public issue. There was quite a bit of public debate on it when the Auditor General issued a report that

questioned why the fees were not being collected since they were in the regulations from 1999.

As a result of the Auditor General's report the Vehicle Licensing Unit immediately started to collect the fees but did not give public notice of that, and that is essentially what spurred the debate.

The government, Madam Speaker, reviewed the situation and took the view that because these are application fees, as opposed to licence fees, that they were excessive, and as a result, these amendment regulations give effect to reducing those application fees for public transport vehicles.

Madam Speaker, the amendments essentially for vehicles constructed or adapted to seat less than 10 passengers, the fees are reduced from \$150 to \$75. For vehicles constructed or adapted to seat 10-25 passengers the fees are reduced from \$200 to \$100. For vehicles constructed or adapted to seat more than 25 passengers the fees are reduced from \$250 to \$125.

Madam Speaker, the public transport operators will now see the benefit of this which will, in effect, reduce their operating cost and the cost of doing business for the public transportation sector.

Madam Speaker, these amendment regulations will take effect 21 days from today unless, of course, a Member of this House moves a motion to debate them.

Thank you, Madam Speaker.

#### **Report of the Standing Public Accounts Committee on the Budget of the Cayman Islands Audit Office 2006/2007**

**The Clerk:** Report of the Standing Public Accounts Committee on the Budget of the Cayman Islands Audit Office for the 2006/2007 years.

**The Speaker:** I recognise the Chairman of the Public Accounts Committee, the Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

The Committee wishes to recommend to this honourable House the Cayman Islands Audit Office Budget for 2006/2007 which was to be tabled last year but due to an oversight was not.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. Osbourne V. Bodden:** No, thank you, Madam Speaker.

#### **Report of the Standing Public Accounts Committee on the Budget of the Cayman Islands Audit Office 2007/2008**

**The Clerk:** The Report of the Standing Public Accounts Committee on the Budget of the Cayman Islands Audit Office 2007/2008.

**The Speaker:** I recognise the Chairman of the Public Accounts Committee, the Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Following a presentation of the Cayman Islands Audit Office Budget for 2007/2008 and consideration of the papers, the Committee recommends to this honourable House the Cayman Islands Audit Office Budget for 2007/2008.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. Osbourne V. Bodden:** No, thank you, Madam Speaker.

## QUESTIONS TO HONOURABLE MINISTERS/MEMBERS OF THE CABINET

### Question No. 1

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**No. 1: Hon. W. McKeeva Bush** asked the Honourable Leader of Government Business to say what amounts of money have been paid out to companies tendering for the construction of the new Government building.

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

To date, no money has been paid out to companies tendering for the construction of the new Government Office Accommodation Project.

### Supplementaries

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Can the Minister say whether there had been an agreement for money to be paid to contractors or to persons/companies tendering for the construction of the said building?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, in the early stages of the process there was a request from those companies intending to provide bids for the contract to receive a stipend because of the nature of the project and the methodology employed in the bid, which was a design/build process, not the usual orthodox construction bid method which would have been that all of the entities who wished to tender would have received approved plans and mechanical, electrical and plumbing drawings and all they would have had to do by way of a bill of quantities and provision of a cost to construct.

This other method involved those who wished to tender to provide design drawings and it would mean that the cost would be fairly prohibitive when, in fact, the contract was only going to one person. The Government thought that was a justifiable request and had agreed on a \$100,000 stipend.

Madam Speaker, out of those who were short-listed I did not meet with them after the fact, personally, but the project manager and some members of the GOAP steering committee met with them afterwards. They outlined the fact that they were all fairly busy and each of them said that it would have cost in excess of \$0.75 million to provide a bid so several of them fell by the wayside because they were, as I said, busy. They had work lined up for quite some time, so it was not worth their while to provide a bid when it was going to cost them that much to do so.

Madam Speaker, as a result, to date no stipend has had to be paid and no monies, as the substantive answer says, have been forwarded to any of these companies.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Can the Minister say how many companies were tendering and how many withdrew?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, the short list was three companies and two of those companies have since withdrawn.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** So, according to what the Minister has said, Madam Speaker, the company that did not withdraw is the company that got the bid?

**The Speaker:** Honourable Leader of the Opposition, it is a bit outside the original question but if you are prepared to answer it I will allow it.

**Hon. W. McKeeva Bush:** [Inaudible]

**Hon. D. Kurt Tibbetts:** Madam Speaker, I am prepared to answer that question.

The fact of the matter is that no contract has been signed, and as I understand it, two or three days ago the bid was provided. I can only say that the normal process will take place through the Central Tenders Committee. The Central Tenders Committee have contracted a third party to oversee the process to ensure that the process is fair and equitable and we will know some time later on what the bid is and whether the bid is acceptable.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Just arising from what the Minister said, am I understanding correctly that the Central Tenders Committee hired someone to oversee?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, the Central Tenders Committee, as all of us know, is just that, a Central Tenders Committee. The fact that it was only one entity providing a bid and when consulted the Government, through my ministry, did not wish to go overseas to procure any bids (because we thought that would be setting the wrong precedent and trend), we continued the process after the other two parties had withdrawn from the shortlist.

But the Central Tenders Committee, out of an abundance of caution, have contracted an independent consulting entity, a local third party, simply to ensure that bid documents that are presented provide value for money.

**The Speaker:** Are there any further supplementaries? *[pause]*

If there are no further supplementaries we will move on to the next item of business.

Madam Clerk.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

### Quality Health Care – Its Value, Its Cost

**The Speaker:** I have received notice from the Honourable Minister responsible for Health and Human Services of a statement.

Honourable Minister.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

The title of this brief statement: "Quality Health Care – Its Value, Its Cost".

I wish to update the Members of this honourable House on matters related to the escalating cost of healthcare.

My key objective as Minister of Health is to ensure that the people of these Islands have access to affordable quality healthcare services. One means of achieving this is by taking necessary steps to make the operations of the Health Services Authority financially sustainable.

Madam Speaker, all of us in the Cayman Islands face a problem of great magnitude that will impact the future growth and development of these Islands if not addressed.

Before I talk about this problem, I would ask the following simple question: What is the biggest industry in the world?

Is it education? Close. But no . . . it is not education.

Is it police? No.

Is it food? No.

Energy? Not even close.

Stocks, Bonds, Finance? No, none of the above.

The answer is healthcare.

The global healthcare industry is worth over \$3 trillion. That is 8 per cent of the world's—yes, the world's—Gross National Output. And it is growing all the time.

Take the United States: they now spend a mind-boggling 16 per cent of their GDP on healthcare, by far the highest in the world. While not yet as staggering as these numbers, the western world including us here in the Cayman Islands face a similar problem which means if this continues there will be no cash for anything else.

Is that really what we want for Cayman, for our children, for our future? At a time when the Government is facing increased demands within the constraints of its budget, it must begin to look at how best to manage our finite resources, while ensuring the interests of the people of these Islands are protected.

One of the measures of a successful healthcare system is that the better we get at preserving life, the longer people live. The Cayman Islands proudly boasts a high life expectancy rate. As a matter of fact, it is one of the highest in the world. However, the irony is that longevity comes with a cost.

Healthcare expenditure per person dramatically increases with age. While illness can affect the very young, the chances of getting sick when you are old are greater. As we know, our over 60 population is large and growing. Everyone must be mindful of this fact, because this will significantly impact our national resources in years to come.

In the Cayman Islands everyone wants and deserves a quality healthcare system. But what is the

cost of a quality healthcare system? Judging from the statistics I gave earlier, the price might be very high.

While I am not convinced that the model of healthcare in the United States is something that we want to emulate, what I do know is that the model of care we now have is not structured in a way that is financially sustainable.

Madam Speaker, people may ask how that affects me. Well, as I said earlier, healthcare costs are rising at an alarming rate. And if it continues to rise, Government will have to use resources to pay for healthcare that would be better used in other vital areas such as education and the environment. If people want to change this cycle they will have to do a number of things. They will have to take more of an active role in preventing illness—no matter how old or how young they are. Secondly, they will have to recognise that if they do get sick it will cost money. So I urge everyone to prepare for medical emergencies which we all have to face at some point in our lives.

Now, it may be asked 'what is the Government doing about the rising cost of healthcare?' I am proud to report that we are embarking on a number of key initiatives.

We are examining our model of healthcare. As I mentioned earlier, if we continue to be reliant on the current healthcare model it will cripple the Government financially. We must explore dynamic options in creating a new model that will be more prevention focused, while continuing to offer specialist services at the hospital.

The focus on healthcare has changed dramatically. For example:

- There has been a huge increase in demand for services – Healthcare consumers expect every expensive new treatment to be instantly available to them;
- Our population is growing older, and so costs are increasing;
- The cost of drugs and treatments has increased far in excess of global inflation rates in general;
- Our population has become better educated as to their healthcare options and they have higher expectations than ever before.

We cannot sustain these increased demands and expectations, while at the same time providing a healthcare system that is subsidised at the present levels by the Government. It is simply not sustainable.

Government is also actively pursuing ways in which we can decrease the amount of money we spend in overseas costs. The cost of overseas healthcare is increasing at between 15 – 20 per cent a year. The only rational way of dealing with this situation is to reduce our dependence on overseas healthcare. But how do we do that? By first having a prevention-focused healthcare model that will alleviate the catastrophic illnesses such as heart disease and cancer,

and secondly, by enhancing our local healthcare system.

Now, while our public healthcare facilities must provide affordable services, it is not realistic for them to continue to provide free services. Nowhere in the world is this done because, Madam Speaker, providing healthcare costs money. Doctors and nurses cost money. Equipment, electricity that runs hospitals, beds and linens that provide comfort, even the janitors that clean the floors cost money. Nothing at our healthcare facilities is free.

Madam Speaker, the mistake we made in these Islands is that for many years we gave the people of the Cayman Islands the impression that healthcare services were free. This false perception continued even after the introduction of mandatory health insurance. Today Government still continues to heavily subsidise the healthcare system, as was seen in the last two budgets. But this is unsustainable, because, as I said before, nothing—nothing—is free.

It is clear that we cannot continue to throw money at the Health Services Authority while not allowing it to charge the appropriate fee for services.

Fees for services at the Cayman Islands Hospital, District Health Centres, Faith Hospital in Cayman Brac and Little Cayman Health Centre have not changed in over five years. Presently they do not charge for many services, even when those same services save lives. For those services for which they charge, quite often the fees are well below the actual cost of the service.

In these circumstances, part of what must be done, and will be done by the Health Services Authority, is the use of the CPT as the basis for identification of charges. Madam Speaker, the CPT is the Current Procedural Terminology which is used universally to properly identify services, and the fees to be charged for delivery of those services. The CPT will come on stream, along with a 10 per cent increase in fees, in the upcoming budget year as I alluded to during the debate on the Budget.

Madam Speaker, I can assure you our local hospitals are not profitable enterprises, but their value to the community is limitless.

Now, let me tell you about some of what is expected of our hospitals. Health Services Authority is expected to:

- Deliver the highest quality medicine;
- Have access to the latest technological advances and equipment;
- Care for the poor and uninsured (which we continue to do);
- Provide instant access to patients;
- Manage the global shortage of nurses, doctors, lab technicians and pharmacists;
- Deal with medical malpractice lawsuits;
- Deal with patients that refuse to pay and create bad debt;

Madam Speaker, the list goes on . . .

People often complain about the healthcare services, but tell me when was the last time anyone was denied access to one of our hospitals as is commonly experienced in the great United States?

Have any of our people waited a year for an appointment as they sometimes do in Britain and Canada? The answer is most certainly no.

Madam Speaker, no healthcare system can be expected to meet all these demands at a fee well below the actual cost of delivering services.

Now, I expect there will be those who will want to say that any change in our current system is not necessary. These are the very same people that will argue that the Authority does not need to increase fees, that these fees are too high already.

While healthcare services cannot continue to be funded entirely from general revenue, until fees are brought in line with operational costs, the Government—and I would remind all that the Government is the people of the Cayman Islands—will continue to provide large subsidies to the Health Services Authority.

Our hospitals work hard for our communities and it is time we all started working hard to support them. Whether we are private sector, public sector, medical providers or insurance companies we are all in this together.

Healthcare is the foundation, the keystone of a developed, civilised and low-crime country. However, it is taken for granted. What sets great countries apart from ordinary countries is the investment it makes in its people.

We must jointly, hand in hand, build and maintain a sustainable healthcare system and then we must protect it for the good of ourselves, our children and our children's children.

Thank you, Madam Speaker, and may God bless us all.

**The Speaker:** Honourable Leader of the Opposition.

#### Short Question Standing Order 32

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, under Standing Order 32 I wish to pose a question.

**The Speaker:** You may.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, can the Minister say whether the fee structure is already determined, and if so, how was it done, if not how will it be done?

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** A number of these fees are what they call the “standard fees” and it is being looked at and put together and we will have an actuary that works with CINICO (Cayman Islands National Insurance Company) look at these fees, some of what they call the “charge master” which indicates most of these fees and it will be looked at closely and monitored over the next three months at the hospital to see how they go.

**The Speaker:** Madam Clerk.

## GOVERNMENT BUSINESS

### BILLS

#### REPORT ON BILL

##### Appropriation (July 2007 to June 2008) Bill, 2007

**The Clerk:** The Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I am to report that a Bill shortly entitled The Appropriation (July 2007 to June 2008) Bill, 2007 was considered by a Committee of the whole House—that is, Finance Committee—and passed with two amendments.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

### THIRD READING

##### Appropriation (July 2007 to June 2008) Bill, 2007

**The Clerk:** The Appropriation (July 2007 to June 2008) Bill, 2007. Third Reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move that a Bill shortly entitled The Appropriation (July 2007 to June 2008) Bill, 2007 be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Appropriation (July 2007 to June 2008) Bill, 2007 be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Appropriation (July 2007 to June 2008) Bill, 2007 has been read a third time and is passed.

**Agreed: The Appropriation (July 2007 to June 2008) Bill, 2007 read a third time and passed.**

## GOVERNMENT BUSINESS

### MOTIONS

#### **Government Motion No. 1 of 2007/2008— Appointment of Member to the Standing Business Committee of the Legislative Assembly**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I beg to move Government Motion No. 1 of 2007/2008 and with your permission I will read the Motion.

**The Speaker:** Go ahead.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. The Motion is entitled "Appointment of Member to the Standing Business Committee of the Legislative Assembly" and it reads:

**WHEREAS Standing Order 80(4) provides that a Member of a Standing Select Committee may resign from the Committee by tendering his resignation to the Presiding Officer whereupon the House may appoint another Member to fill the vacancy;**

**AND WHEREAS the First Elected Member for Cayman Brac and Little Cayman has tendered her resignation as a member of the Standing Business Committee with effect from 5 March 2007.**

**BE IT NOW THEREFORE RESOLVED that the following Member of the Legislative Assembly be appointed to fill the vacancy on the Committee: Captain E. Eugene Ebanks, JP, MLA, Fourth Elected Member for West Bay.**

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Madam Speaker, just briefly to explain the reason for the course of events.

The First Elected Member for Cayman Brac who was a member of the Committee has been finding it difficult on occasions to be able to attend Committee meetings because of the fact that she now resides full-time in Cayman Brac and it is not all times that the Business Committee is able to give several days notice of a meeting. So simply from a logistics point of view, after discussions with the Leader of the

Opposition and the Member, the decision was taken and, hence, the Government Motion.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak does the Honourable Leader of Government Business wish to exercise his right of reply?

**Hon. D. Kurt Tibbetts:** Madam Speaker, just to thank Members for their silent support.

**The Speaker:** The question is: Be it now therefore resolved that the following Member of the Legislative Assembly be appointed to fill the vacancy on the Committee: Captain E. Eugene Ebanks, JP, MLA, Fourth Elected Member for the district of West Bay. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 1 of 07/08 has been duly passed.

**Agreed: Government Motion No. 1 of 2007/2008 passed.**

**The Speaker:** That concludes the business of the orders for the day.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, with your permission, first of all, there are some items on the Business Paper that have not been completed. Those items, by agreement and consensus, can be put forward to our next meeting simply because our immediate schedule with regard to the CPA Regional meeting that is coming up next week, and also the visit and meetings of the Heads of Government of the Caribbean Overseas Territory next week would cause problems, and everybody has agreed.

#### **Suspension of Standing Order 23(8)**

**Hon. D. Kurt Tibbetts:** So, I have two chores to do, first of all, Madam Speaker. I need to—and I am—moving the suspension of Standing Order 23(8) so as to allow questions that have not been answered during this meeting to be carried forward to the next meeting to be answered orally. And also, Madam Speaker, I move that all unfinished business for this meeting be carried forward to the next meeting.

**The Speaker:** Honourable Leader of Government Business, I have to put one motion at a time.

**Hon. D. Kurt Tibbetts:** Thank you.

**The Speaker:** The question is that Standing Order 23(8) be suspended in order to allow questions that

have not been answered to be carried over to the next meeting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 23(8) suspended to allow questions not answered to be carried over to the next meeting.**

**The Speaker:** The question is that all other business other than questions standing on the Business Papers of this meeting be deferred to the next meeting of the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: All other business other than questions standing on the Business Papers of meeting deferred to next meeting of the House.**

**The Speaker:** I will entertain a motion for the adjournment of this honourable House.

## **ADJOURNMENT**

**Hon. D. Kurt Tibbetts:** Madam Speaker, thank you very much for your indulgence, and I move the adjournment of this honourable Legislative Assembly until Friday, 31 August, at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Friday, 31 August, at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until August 31.

**At 12.21 p.m. the House stood adjourned until Friday, 31 August 2007, at 10 am.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**31 AUGUST 2007**  
**10.10 AM**  
*First Sitting*

**The Speaker:** I call on the Third Elected Member for the district of George Town to say Prayers.

**PRAYERS**

**Ms. Lucille D. Seymour:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.13 am**

**ADMINISTRATION OF OATHS  
OR AFFIRMATIONS**

**OATH OF ALLEGIANCE**

*(Administered by the Clerk)*

*By Mr. Donovan W.F. Ebanks, MBE, JP*

**The Speaker:** Please stand.

**Mr. Donovan W. F. Ebanks:** I, Donovan Ebanks, do swear that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II, her heirs and successors according to law, so help me God.

**The Speaker:** Mr. Ebanks, you may now take your seat. *[pause]*

Please be seated.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** I have no messages or announcements.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Annual Report of the Law Reform Commission  
2006/2007**

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg leave of the House to lay on the Table a report entitled The Annual Report of the Law Reform Commission 2006/2007.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Just briefly, Madam Speaker, thank you.

Madam Speaker, as I said, this is the report for the Law Reform Commission for the period 2006/2007, and it covers the period 1 April 2006 to 31 March 2007.

The report, Madam Speaker, will reveal, among other things, that at the end of April 2006 the then chairman of the Commission, Mr. Nigel Clifford, Q.C., resigned for personal reasons, and thereafter, the Governor in Cabinet approved the appointment of Mr. Langston Sibblies as chairman to replace Mr. Clifford, and this was done on 18 July 2006. Mr. Sibblies was already a member of the Commission.

So the current composition of the Commission, Madam Speaker, is: Mr. Langston Sibblies as chairman; Ms. Eileen Nervik, attorney at law; Mr. An-

drew Jones, Q.C.; Solicitor General, Ms. Cheryll Richards; and Mr. Ian Paget-Brown.

The Commission, Madam Speaker, since its inception has been working on a number of matters, including a review of the Corporate Insolvency Law and recommendations for the amendment to Part V of the Companies Law (2004 Revision). That exercise is now complete. They are also working on the Legal Practitioners Law, which has been taken to Cabinet thus far. They are also looking at the landlord and tenant legislation of these Islands, as well as legal aid. They have looked at anti-corruption and are working also on a charities bill and aspects of the Children's Regulation.

All in all, Madam Speaker, they have had several meetings to date and are paying a lot of attention to great details while being very instrumental in ensuring that the initiatives they are working on benefit from as wide a consultation as possible.

I certainly would wish to ask this honourable House to join me in commending them, Madam Speaker. They are all persons who are employed full-time otherwise and who have given their valuable time to work on the Commission. I know as a fact that they often use their Saturdays to conduct a lot of their meetings.

Thank you, Madam Speaker.

### **Special Report to the Legislative Assembly – The Existence of Internal Complaints Processes in Government Entities in 2007 (In the matter of the Complaints Commissioner Law (2006 Revision))**

**The Speaker:** I recognise the Chairman of the Committee of the Legislative Assembly responsible for overseeing the office of the Complaints Commissioner.

Honourable Minister.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House a special report to the Legislative Assembly prepared by the Office of the Complaints Commissioner entitled The Existence of Internal Complaints Processes in Government Entities in 2007. The report is dated 5 March 2007.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

Honourable Minister.

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker.

### **Discussion Bill: The Anti-Corruption Bill, 2007**

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg leave of this House to lay on the Table a bill in discussion draft entitled A Bill for a Law to Repeal the Provisions of the Penal Code Relating to Corrupt Practices; to Give Effect to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and to the United Nations Convention Against Corrupt Practices; and for Incidental and Connected Purposes.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Yes, Madam Speaker, with your leave. Thank you.

Madam Speaker, the preparation of a bill with a view to eventually enacting anti-corruption legislation has been an ongoing effort that spans many years. Indeed, some of us will recall that some years ago a draft bill was distributed to honourable Members of this House for discussion, and this was as far back as 2003.

Subsequent to distributing the bill, Madam Speaker, we were made aware that the UK had signed the United Nations Convention against Corruption, and this was done in Mexico in December of 2003. We were then quite properly advised by the United Kingdom that we might wish to consider the principles of the UN Convention with a view to taking steps to incorporate any relevant provisions into any proposed domestic legislation that the Cayman Islands was contemplating.

The significance of this development, Madam Speaker, is that whereas the original bill would have modernised our bribery offences currently found in our penal code, by giving effect to the convention and combating bribery of foreign public officials in international business transactions (commonly referred to as the OECD Bribery Convention), this revised bill would be much wider in scope because it incorporates the principles of both conventions.

Madam Speaker, another useful piece of background information is that ever since we have decided to revisit the draft bill to incorporate the UN convention, we have been delaying moving forward with actually enacting it because we have been tracking the progress of the UK's own bill before their parliament.

We are, in fact, still tracking it and in doing so, we note that the latest version of the bill was approved by the House of Lords on 13 June 2007, after which it was sent back to the House of Commons on 14 June 2007. There, Madam Speaker, it has been given a second reading on 29 June 2007, but there was an objection to the bill in its current form and it is now due to have yet another reading in October of 2007.

This does not necessarily mean, Madam Speaker, that we will have to await the enactment of UK legislation before moving ahead with ours, although it would be the more desirable approach. What the delay does confirm, however, is that it is very important and, indeed, might very well be a revolutionary piece of legislation with far-reaching effects, not just for those in public office and the public service, but also persons in the private sector, hence the need for careful consideration as we go down this road.

It is important that we try and get it right at this stage. Indeed, the UK recognises this fact, hence the reason for taking their time in giving careful consideration to their proposed legislation.

Madam Speaker, the UK has recently written to all the overseas territories, including the Cayman Islands, referencing the discussions at the last Overseas Territories Consultative Committee (OTCC) meeting on the matter of anti-corruption and reaffirming their commitment to fundamental reform of their legislation and to use available opportunities to highlight the efforts of the OTs in international forum.

Madam Speaker, the OECD Convention contemplates the criminalising of acts of offering or giving bribes, but not soliciting or receiving bribes.

Another limitation of the OECD Bribery Convention is that it covers only bribery aimed at public officials—that is, the supply side of bribery of foreign public officials, not bribery involving private sector representatives or political party officials. And it requires countries to impose dissuasive sanctions and committing them to providing neutral legal assistance.

On the other hand, Madam Speaker, the UN Convention, which was adopted by the General Assembly in October of 2003, represents the collective commitment of more than 140 countries to create an international framework for combating corruption, and it is certainly wider in scope and application than the OECD Convention. It deals with issues such as prevention—that is, the convention calls on member states to establish measures for the prevention of corruption.

This, Madam Speaker, includes such measures as establishment of anti-corruption bodies and enhanced transparency in the financing of election campaigns or political parties, which measures must address both the public and private sectors. Requirements should also be established for the prevention of corruption in the judiciary and in public procurement.

The convention calls on member states to actively promote the involvement of non-governmental and community-based organisations, as well as other elements of civil society, to raise public awareness of corruption.

Madam Speaker, it also deals with criminalisation—that is, state parties are required to establish criminal and other offences to cover a wide range of acts of corruption. These include not only basic forms of corruption such as bribery and embezzlement of public funds, but also trading, influence and the con-

cealment and laundering of the proceeds of corruption.

It also covers, Madam Speaker, the issue of international cooperation—that is that state parties agree to cooperate in the fight against corruption, including prevention, investigation and the prosecution of offenders.

The convention also binds state parties to render specific forms of neutral legal assistance in gathering and transferring evidence for use in court and to extradite offenders. State parties must also undertake measures to support the tracing, freezing, seizure and confiscation of proceeds of corruption.

It covers the issue also of asset recovery, and this is an important issue for many developing countries where high level corruption has plundered the national wealth and where resources are badly needed for reconstruction and the rehabilitation of societies under new governments. Measures include the prevention, detection and transfer of illicitly acquired assets, the recovery of property and the return and disposition of assets.

Madam Speaker, in order to meet requirements for international cooperation in the fight against corruption, including prevention, investigation and the prosecution of offenders, this draft discussion bill extends the application of Proceeds of Criminal Conduct Law (2004 Revision), in order to make provisions for the tracing, freezing, forfeiture, return and disposition of proceeds.

This proposed law also criminalises the bribing of foreign public officials by making it an offence for any person, in order to obtain or retain an advantage in the course of business, to offer or to give a benefit of any kind to a public foreign official.

Madam Speaker, this is not an exhaustive discussion of the draft bill. Instead, what I have attempted to do is to give you a clear picture of our efforts to implement the respective conventions. Indeed, on a reading of the bill we will see that it contemplates offences such as bribery of legislative members; bribery of public officers; frauds on the government; contractors illegally subscribing to election funds; breach of trust by public officers; selling or purchasing of public office; false claims by public officers; abuse of office; and false certificates by public officers, as well as other offences.

Finally, Madam Speaker, in tabling this bill let me also use this opportunity to again publicly place on record Cayman Islands' commitment to partner with all civilised countries in this endeavour and to be associated with global efforts to combat corruption in all its manifestations. Indeed, in this regard, as far as international cooperation is concerned, we do have an excellent track record.

I need not remind the world that between the years 2000 and 2001 the Cayman Islands government partnered with the Peruvian law enforcement authorities in the freezing and returning of over \$40 million to Peru, which represents the alleged proceeds of crime

committed from bribery and corruption in Peru by certain public officials. This cooperation was provided, Madam Speaker, even in the absence of these new and enhanced provisions that we are now attempting to put in our own legislation.

So the eventual enactment of this additional piece of legislation, Madam Speaker, will provide the Cayman Islands with an even greater comprehensive framework within which not only to intensify our local efforts, but also to provide international cooperation in the global fight against bribery and corruption.

So, Madam Speaker, I commend this bill to not just all honourable Members of this House, but also to the public at large and to appeal to all to let us have their comments, suggestions or input within the period allotted for consultation. I do thank you.

### **Cayman Islands' Annual Economic Report 2006**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Cayman Islands' Annual Economic Report for 2006.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker.

Madam Speaker and honourable Members, I am pleased to present the Annual Economic Report of the Cayman Islands for 2006.

The Annual Economic Report is a comprehensive report on the domestic economy and it is prepared using data and other economic information in respect of the 2006 calendar year. The data on other economic information has been collected by the Economics and Statistics Office using data and information that existed at 30 June 2007 in respect of the 2006 calendar year.

This also includes an overview of the global economic environment based mainly on published updates from the International Monetary Fund and the World Tourism Organization as of the same cutoff date, 30 June 2007.

The 2006 Annual Economic Report contains an executive summary and a summary indicator sheet which are intended for easy reference of the economic developments during the year.

Madam Speaker, I will provide brief comments on the international and regional economic environment in 2006 as compared to 2005. I will then proceed to summarise our own domestic performance in 2006 as compared to 2005.

### **The International and Regional Economic Environment**

**Hon. G. Kenneth Jefferson:** The Cayman Islands economic performance in 2006 was consistent with a robust global economy. The global economy grew by 5.4 per cent in 2006 compared to 4.9 per cent in 2005.

The advanced economies which provide most of the demand for our financial services and tourism sectors also grew stronger by 3.1 per cent in 2006 versus 2.5 per cent in 2005. The vigorous global performance occurred amidst a slower growth in oil prices but higher interest rates.

It may be noted that estimated growth in the Cayman Islands outpaced the economic performance of the main North American trading partners during 2006. Specifically, US growth improved slightly in 2006 at 3.3 per cent from 3.2 per cent in 2005. That is despite a weakening in the housing market.

In 2006 the Caribbean recorded a stronger performance than over the previous year. Growth in the Caribbean was 8.3 per cent compared to 6.5 per cent in 2005, as the region saw booming construction sectors mainly due to stadiums, accommodation facilities and physical infrastructure built in preparation for the hosting of the 2007 Cricket World Cup. Additionally, the region continued to enjoy strong demand for tourism services.

The Cayman Islands, being dependent on imports, benefited from relatively small increases in consumer prices in advanced economies, as inflation in these countries averaged 2.3 per cent in 2006, the same rate as in 2005. This occurred as the United States Federal Reserve Board aggressively increased interest rates in 2006 to minimise pressures arising from unsustainable increases in expenditures on their inflation rate.

The US Federal Funds Rate ended at 5.2 per cent in 2006 from 4.3 per cent in 2005. Similarly, interest rates increased at varying paces in Japan, the Euro area, United Kingdom and Canada. The global financial market remained buoyant against the backdrop of solid world growth performance in 2006 and higher interest rates.

The global banking sectors' international position continued to increase in terms of total assets which reached US \$29.4 trillion as of 2006 year end, a 22.9 per cent growth over 2005.

By reporting countries, the United Kingdom banking sector grew further by 24.4 per cent in 2006 and continued to remain the largest with a combined international asset base of US \$6.87 trillion.

The Cayman Islands maintained its sixth place with total assets of the banking sector increasing by 37.2 per cent to reach US \$1.7 trillion.

The global tourism market expanded anew in 2006 as the volume of international arrivals rose by 4.5 per cent, albeit this was slower than the 5.5 per cent growth recorded in 2005.

The moderation of growth was spread across all regional markets. Regionally, visitor arrivals remained highly resilient in most destinations such as the Dominican Republic at 7.4 per cent and Jamaica at 13.5 per cent. The exceptions are Cuba and the US Virgin Islands which suffered losses of 4.3 per cent and 3.7 per cent, respectively.

Meanwhile the Caribbean cruise tourism business had a mixed performance in 2006. Based on preliminary data, the Bahamas, Barbados, Antigua and Barbuda, British Virgin Islands and the US Virgin Islands had fewer cruise passengers in 2006 than they did in 2005. However, Bermuda and Jamaica had strong expansion rates, followed by the Dominican Republic.

### **The Domestic Economy**

Madam Speaker, turning now to the Cayman Islands, our macroeconomic performance in 2006 can be summarised in this manner: our economic growth was lower compared to 2005 but it was significantly higher than the long-term average rate, while our inflation rate in 2006 was significantly lower than in 2005.

Following the exceptionally strong growth in 2005, Gross Domestic Product (GDP) was estimated to have expanded in real terms by 4.6 per cent in 2006. In nominal terms, GDP grew by approximately 5.4 per cent in 2006 on account of a marginal change in average inflation.

Economic growth in 2006 was supported by a robust performance of the financial services sector, the recovery of stay-over tourism and continued growth of the construction and utilities sectors.

Madam Speaker, I will present highlights of the economic performance in these sectors before I present an overview of the outturns in 2006 of the Consumer Price Index, the labour force, and the fiscal sector.

The Annual Economic Report for 2006 also includes a summary of our overseas trade transactions. However, as I will be presenting a separate report on this next, I will exclude it from my current comments.

In the financial services sector, Moody's Investors Services, one of the top two international commercial providers of independent credit ratings, issued its report on the Cayman Islands in August 2006. In general, the report was upbeat and gave the country the highest country ceilings for long-term foreign currency obligations, short-term foreign currency obligations and short-term foreign currency deposits. Overall, the sector recorded positive growth in 2006.

With the exception of the banking and trust sector, increases were seen in insurance company licences, mutual funds, stock exchange listings and capitalisation, and company registrations.

The tourism sector staged a strong rebound in 2006 after the hurricane-induced setback in 2005. The rebound came mainly through stay-over tourists,

which comprised the higher spending segment of the market. Total visitor arrivals stood at approximately 2.2 million in 2006, an 11.7 per cent increase over the performance in 2005.

Air arrivals accounted for 267,257 visitors, a jump of 59.3 per cent from the 2005 level. Cruise arrivals reached approximately 1.9 million visitors during 2006. That is a 7.3 per cent higher rate than in the previous year. The strong rebound in the stay-over market boosted total tourist expenditures in 2006 to \$427.4 million, an increase of 44.1 per cent from 2005.

In construction the building of additional housing units significantly contributed to the stabilisation of housing rentals during 2006, thus resulting in benign inflation rates throughout 2006. However, building permits and project approvals for houses have slid down during the year, although those for apartments and condominiums remained on the upturn. Significant increases were also noted for other categories of buildings.

Consistent with the growth in consumption spending, demand for utilities further surged in 2006 over the previous year. Growth in electricity demand rose by 14.9 per cent despite increases in electricity rates due to the pressures on global oil prices. Meanwhile demand for water accelerated in 2006, as it jumped by 19.9 per cent compared to 3.9 per cent in 2005.

The rate of increase in the Consumer Price Index was significantly lower in 2006 at 0.8 per cent as compared to 7.3 per cent in 2005. The high inflation of 2005 was caused by severe bottlenecks in market supply, particularly in housing following the devastation due to hurricane Ivan the previous year.

In 2006, the cooling of the construction sector led the way in reducing inflation because there was a greater supply of residential housing induced reductions in the housing rental rates. The overall price index for housing fell by 4.2 per cent. Household equipment also showed a marginal decline in 2006. However, all other categories in the CPI basket recorded positive increases: clothing (5.0 per cent), transport and communication (4.7 per cent), personal goods (3.8 per cent), food (2.7 per cent), alcohol and beverages (1.9 per cent) and education and medical services (1.6 per cent).

With the expected easing of economic growth in 2006, the supply of labour, based on the results of the 2006 Spring Labour Force Survey (LFS), fell marginally by 2.2 per cent, and stood at 35,959. This decline was anticipated since the labour-intensive physical phase of the post-Ivan reconstruction work has reached its end stage.

Total employment in 2006 reached 35,016, slightly lower than in 2005. Nonetheless, the decline in the labour force brought down the unemployment rate to 2.6 per cent in 2006 from 3.5 per cent in 2005. Despite the easing of construction activity, this industry remained the largest employer in 2006, as it ac-

counted for 18.1 per cent of employment. The other major employers were business services (12.7 per cent), wholesale and retail (12.1 per cent), restaurants/bars, hotels and condominium (10.8 per cent) and financial services (9.2 per cent).

The year 2006 was marked by robust financial performance for the Cayman Islands Government, where strong growth in revenue outpaced the moderate increase in expenditure. Total revenue grew by 17.2 per cent to reach \$500.4 million, whereas, total expenditure grew by 0.6 per cent to a total figure of \$433.1 million. This resulted in an overall fiscal surplus of \$67.3 million (or 3.3 per cent of GDP) as compared to a deficit of \$3.4 million in 2005 (or 0.2 per cent of GDP). This sharp upswing in the overall surplus came from a current surplus of \$116.1 million as compared to \$87.5 million a year ago.

Madam Speaker, I would like to conclude by mentioning that we have been constantly striving to improve the content of the Annual Economic Report.

The Report for 2006 contains three feature articles on topics that are relevant, not only to the economic performance in 2006 but also over the longer term. The first article is found in Box 1 on page 13 and presents the different highest credit ratings or ceilings for entities in the Cayman Islands. The second article in Box 2 on page 22 features the labour force and the "Building Brighter Futures" project. The third article is found in Box 3 on page 36, which presents the legislative changes in the financial services sector.

Madam Speaker, the Annual Economic Report for 2006 will be circulated and made available to the general public through the website of the Economics and Statistics Office [www.eso.ky](http://www.eso.ky)

Thank you, Madam Speaker.

### **Cayman Islands' Overseas Trade Statistics 2006**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Overseas Trade Statistics Report for 2006.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker and honourable Members, I am pleased to present to this House the Overseas Trade Statistics Report for 2006.

This Report, Madam Speaker, presents details of the country's transactions with the rest of the world in terms of merchandise trade based on records

of the Customs Department as processed by the Computer Services Department and compiled and analysed by the Economics and Statistics Office.

The Report consists of three parts: a technical introduction, a commentary on the highlights of the statistical tables, and the statistical tables themselves.

In my brief presentation this morning, Madam Speaker, I will present an overview of the important changes in total imports for 2006 compared to 2005; the countries of origin; imports that entered through Grand Cayman and Cayman Brac and Little Cayman; and the percentage of duty-free imports.

The total value of goods imported into the Cayman Islands in 2006 amounted to CI\$906.1 million (US\$1.08 billion). This represents a decrease of CI\$89.2 million or a decrease of 9.0 per cent compared to 2005.

The decrease in imports is directly linked to the winding down of the country's post-Ivan reconstruction efforts. Total value of imports of construction materials fell sharply by 43.8 per cent while those of other intermediate goods also fell by 39.2 per cent. Meanwhile, total imports of vehicles fell by 31.8 per cent. Other capital goods also dropped by 9.4 per cent.

In contrast, total imports for consumption increased sharply in 2006 by 24.6 per cent compared to 2005. This could be linked directly to the recovery of stay-over tourism during the year. Specifically, imports for food and beverages rose by 27.6 per cent.

The value of fuel imports also grew by 5.4 per cent which could be traced to the increase in unit price by 15.3 per cent.

In terms of countries of origin, the Report shows the continued dominance of the United States of America as a source of imports into the Cayman Islands as it accounted for 71.8 per cent of total imports. The Netherlands Antilles was second overall with CI\$73.0 million or 8.0 per cent of imports. These imports, in particular, are in respect of fuel imports. Japan ranked third with CI\$6.3 million or 0.7 per cent of our total imports. The United Kingdom and Jamaica tied for fourth with imports of CI\$4.5 million or 0.5 per cent of our total imports.

Total imports that entered through ports in Grand Cayman reached \$894.4 million, which is lower by 8.8 per cent compared to 2005. The George Town Dock at the Port Authority remained the busiest port in 2006. However, it is noted that its share of total imports fell to 71.4 per cent from 76.5 per cent in 2005, while the share of Owen Roberts Airport increased to 19.7 per cent from 14.5 per cent in 2005.

Imports that entered through Cayman Brac and Little Cayman reached \$11.7 million in 2006, which was lower by 22.1 per cent when compared to 2005.

Of the total imports in 2006, duty-free items reached \$84.2 million or 9.3 per cent of our imports. This amount in 2006 was higher by 11 per cent compared to 2005.

Madam Speaker, I would like to conclude by pointing out that the Overseas Trade Statistics Report is not only used locally, it is also being used by international organisations, including the United Nations Trade Statistics Division. It is therefore important for us to constantly improve the quality of data recording, data processing and analysis of the data. We are pleased that for 2006 the percentage of unclassified imports declined significantly to 8.9 per cent as compared to 20.1 per cent classification in 2005.

Madam Speaker, once again, the Report will be circulated and made available to the general public through the website of the Economics and Statistics Office [www.eso.ky](http://www.eso.ky).

Thank you, Madam Speaker.

### QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

**The Speaker:** Question No. 2 stands in the name of the Honourable Leader of the Opposition and is addressed to the Honourable Minister responsible for Education.

#### Withdrawal of Questions Nos. 2 and 5

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, Question No. 2 and Question No. 5 were answered in the process of the examination of the Budget and I am satisfied with the answers given by the Minister at that time. I therefore ask to withdraw the questions.

**The Speaker:** The question is that Questions No. 2 and No. 5 standing in the name of the Honourable Leader of the Opposition be withdrawn. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Questions Nos. 2 and 5 withdrawn.**

**The Speaker:** Question No. 3 stands in the name of the Third Elected Member for the district of West Bay and is addressed to the Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture.

#### Question No. 3

**No. 3: Mr. Cline A. Glidden, Jr.** asked the Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture What is the status of the plans for the proposed new High Schools.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the answer:

Site and demolition works for the redevelopment of John Gray High School and site works for Clifton Hunter and Beulah Smith High Schools are expected to begin the second week in September 2007. Detailed planning is in place in respect of all safety issues at the John Gray High School for site and demolition works as this site will be fully operational for the school year 2007/08.

Construction Documents for all three schools are expected to be completed and tender advertisements early in October 2007. With the tendering process complete, the full construction program is expected to be underway by mid January 2008. The works programmes for these three sites require the completion of all schools by early Spring 2009.

Contract application for all site and demolition works have been tendered through the Central Tenders Committee (CTC) process and the successful contractors are expected to be announced next week.

**The Speaker:** Are there any supplementaries?

Third Elected Member for the district of West Bay.

#### Supplementaries

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I am glad to hear that we are moving along with the schools, specifically with the Beulah Smith School in West Bay. I have been questioned by members of the community, specifically members of the Pirates Week and Heritage Committee and users of the Scholar's Park, who have informed me that they have seen plans in the Planning Department which calls for a relocation of the park and the site that is currently used for Heritage Committee activities.

They expected that I could give them some information as to whether it was going to be necessary to be moved. They said that the current plans that they have seen show those facilities now relocated to the other side of the road.

I have not had access to those plans, so specifically, could the Minister tell me if their concerns are correct, whether those current facilities will actually be moved across the road to accommodate space for the new Beulah Smith School in West Bay?

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, we have had discussions with a number of the members from the Pirates Week Committee and the broader West Bay community about the Heritage Park, if I may call it that. That is the site on which the activities for Pirates Week in West Bay are conducted. The plans do call for the transfer of that site, and we are in the process of discussions in relation to the acquisition of the property directly across the road which is adjacent to and continuous with the Ed Bush Sports Stadium. So it would simply be a case of moving it across the road.

The plans do not call for the removal of Scholar's Park at all. That is being preserved as part of the actual complex that is there because the complex will involve, as I think everybody knows, the Jimmy Powery Cricket Oval and the schools as part of an integrated sort of facility.

So we know that there are concerns about the loss of the Heritage Park, but it will not be affected for this Pirates Week because we will not be anywhere near that stage of the works. The plans are that by the time we get to this point next year, we would have been able to acquire the property across the road and reconstructed the buildings which are being used or have been used for a number of years for the Pirates Week Committee.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Can the Minister say who was engaged in talks in regard to this development for the school? As representatives we do not know anything about it.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I am not clear. Is the Leader of the Opposition speaking about the Heritage Park situation or is he talking about the school generally?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, the Minister did say that they had had discussions with persons in the community, and I know that we were not informed of it.

**The Speaker:** Honourable Leader of the Opposition, I think he is trying to ascertain whether the discussions were about the school or whether it was about the removal of the Pirates Week facilities.

**Hon. W. McKeever Bush:** No, Madam Speaker, what the Minister said was in regard to the removal of the Heritage site across the road.

**The Speaker:** Okay.

**Hon. W. McKeever Bush:** And that is what I am asking in that regard, Madam Speaker.

**The Speaker:** Before I call on the Honourable Minister, could I have a motion for the suspension of Standing Order 23(7) and (8) to allow Question Time to go beyond the hour of 11 o'clock.

#### **Suspension of Standing Order 23(7) and (8)**

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, I so move.

**The Speaker:** Could I have a seconder, please?

**Mr. Cline A. Glidden, Jr.:** I second, Madam Speaker.

**The Speaker:** The question is that Standing Order 23(7) and (8) be suspended to allow questions to go beyond the hour of 11 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 23 is accordingly suspended.

**Agreed: Standing Order 23(7) and (8) suspended.**

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I said that a number of concerns had been raised with us about the plan to move the Heritage Park, and that those concerns were raised by members of, I presume, the Pirates Week Committee in West Bay. My Chief Officer spoke to two members and I was approached by two other people myself, quite separately and informally, about the concerns and I relayed to them what I just did to the House and the Honourable Leader of the Opposition.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Can the Honourable Minister say whether the plans have been submitted to Planning for the schools and whether they have already been passed by Planning Department?

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I do not know whether the Leader of the Opposition was not here, but during Finance Committee in June of this year I announced that Planning permission had been granted for all three of the schools. In fact, what I have just said is that the site works part of the construction will start on all of the schools the middle of next month.

**The Speaker:** I will allow one more supplementary.  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, if I was here at that time I would have certainly asked the Minister what—

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** [To an Honourable Member] I surely was not—whether the Minister or the Ministry intends to inform Elected Members of the constituency in regard to the plans as we did not see them before they were passed.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, again, the Leader of the Opposition may have been absent but I did do a presentation to all Members of this honourable House quite some months ago in relation to the plans for all three of the new schools.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**The Speaker:** We will move on to Question No. 4 standing in the name of the Honourable Leader of the Opposition and addressed to the Minister responsible for Education.

Honourable Leader of the Opposition, we are having Question Time, not discussion across the Floor.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, it seems that they are more awake than we thought, or at least you thought.

#### Question No. 4

**No. 4: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Education, Training, Employment, Youth, Sports, and Culture if the George Hicks and John Gray Schools will have Principals in place for the next school year.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker. The answer:

John Gray High School has a new experienced principal in place, Mr. Tom Robertson, for the start of the school year 2007/08. The new George Hicks High School Campus Manager is Mr. Des McConvey who was previously the Deputy. The four School Leaders for the George Hicks Campus continue to serve in their respective capacities. All Principals and School Leaders are now also supported by Learning Community Leaders with a view to further improvements in teaching and learning. The new Learning Community Leaders are Mrs. Adora Bodden-Groome, Mrs. Mexi Grant and Mr. Phillip Schofield, supported by Mr. Gareth Long.

**The Speaker:** Are there any supplementaries?  
*[pause]*

If there are no supplementaries—  
Honourable Leader of the Opposition.

#### Supplementaries

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, can the Minister say what position the past principal of the John Gray High School will now take?

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the past principal of John Gray, Ms. Debbie McLaughlin, has been transferred to the Department of Education. She will take up a position as Head of Business Studies.

**The Speaker:** Are there any further supplementaries?

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

To the Honourable Minister responsible for Education, as it is reflected in his substantive answer and it relates to Mrs. Mexi Grant, the Officer for Cayman Brac, how will this new post differ from her existing post, if at all?

**The Speaker:** Honourable Minister of Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, to answer the question I need to offer this background, I think by way of reminder, because I have said so on a number of occasions.

Part of the new governance model is the creation of four learning communities throughout the Cayman Islands so that all of the government schools are

arranged under one learning community leader. It is part of the whole exercise to devolve greater autonomy decentralisation, devolving more autonomy away from the Department of Education Services.

Mrs. Mexi Grant will take up the learning community leader post for Cayman Brac and Little Cayman so that she will have overall responsibility for the high school and the primary schools on those Islands.

This new model will offer the opportunity for a lot more support and assistance across the various learning communities because we will have four of these communities led by four different persons, with their own support systems. And they can offer each other a tremendous amount of advice and support as they take more responsibility for their respective learning communities so that less and less of the decision-making will actually be in the Department of Education Services. So it is a far greater degree of autonomy that has been conferred as a result of this exercise on the learning community leaders in their respective learning communities.

So, if I can try to shortly answer the First Elected Member for Cayman Brac's question, it is to say that while Mrs. Mexi will perform many of the functions that she previously did as the Education Officer for Cayman Brac, the new role gives her greater autonomy, or gives the post greater autonomy, than it previously did. And she now has counterparts within the other learning communities on Grand Cayman, the other three communities, from whom she can seek advice and guidance and support in a way that hitherto was not the case.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Can the Honourable Minister say what would be the responsibilities for the new Head of Business mentioned a while ago?

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I think I mistakenly said Head of Business Studies, I meant Head of Business Services.

This is one of a number of new positions that have been created under the new governance model, and it will enable a more focused approach to be taken to what is called procurement management—that is, the business of acquiring property, equipment, furniture, that sort of thing, for schools.

Additionally, at this stage anyhow with the new schools coming on line in 2009, the holder of this post will be responsible for the coordination of procurement of services and equipment and so forth for the new schools and the setup, which is really quite a huge job because in this new paradigm that we are moving to what would be regarded as conventional school furniture is not going to be employed, so the

whole question is the issue of looking at acquiring the best in terms of desks and seating and those various things. And there is a great deal of research and science that has gone into what makes a good learning environment, and without question, things as basic as furniture make huge differences in student's attitudes and in their ability to learn well. So, that is part and parcel of this new post certainly through 2009.

**The Speaker:** I will allow one more supplementary on the substantive question which reads: If the George Hicks and John Gray Schools will have Principals in place for the next school year, not a matter of other jobs within the Education Department.

Are there any further supplementaries?

**Hon. W. McKeever Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** My question has to do with what the Minister said. I think I am allowed under Orders to ask supplementary questions when I am given information by the Ministry which has been derived from the substantive question or within the substantive question—

**The Speaker:** Honourable Leader of the Opposition, I have made my ruling. There is nothing in this reply that says anything about a business service. The Honourable Minister was humble enough to answer what the past principal of John Gray would be doing, but we are not going to dwell into that outside this. So I will entertain one supplementary on the original question.

**Hon. W. McKeever Bush:** Well, I was going to ask whether the post existed before and, if so, whether it was in another form and which officer did the work. But since I cannot ask that, Madam Speaker, I will leave it to you to get the answer for me some time.

**The Speaker:** Honourable Leader of the Opposition, you have every right to bring a question on that particular post at any time during—

**Hon. W. McKeever Bush:** [Inaudible] I know my—

**The Speaker:** —an ordinary question. We will move on to the next question, which is Question No. 6 standing in the name of the Third Elected Member for George Town.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

**No. 6: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Education, Training, Youth, Sports and Culture what are the present policies and future plans for restructuring the Employment Office to enhance the placement of unemployed persons in order to secure employment for those seeking a job to earn a living wage.

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the answer:

As of May 2007, the Department of Employment Relations has been utilising an oracle based Job Placement software that was designed in conjunction with Computer Services. This software includes vacant posts that have been submitted to the department by local agencies, and persons seeking gainful employment that have registered with the department. Based on the skills and qualifications required by a post and the skills and the qualifications possessed by persons listed, the software produces a number of posts for which a person can be referred to for an interview. The major advantage of the software is that it allows for the efficient identification of skills and competencies which enhances the job placement process by facilitating the accurate pairing of posts and employees.

In terms of future plans, earlier this year, the Ministry of Employment contracted with Labour-Management Consultant Samuel J. Goolsarran to conduct a comprehensive review covering four areas. These four areas are:

1. A strategic direction for the Department of Employment Relations;
2. An appropriate organisational structure and capacity for the Department of Employment Relations;
3. An assessment of the legislative framework for labour in the Cayman Islands;
4. An implementation plan for the above three areas.

As can be gathered from the four areas to be reviewed, this report will outline the structure, capacity and strategic framework for which the Department of Employment Relations will follow to place unemployed persons in gainful employment. While this report is now in draft form, Mr. Goolsarran is returning for the week of 10 September 2007 in order to finalise the report with the Ministry, after which, Madam Speaker, I intend to make it public.

**The Speaker:** Are there any supplementaries?

Third Elected Member for the district of George Town.

## Supplementaries

**Ms. Lucille D. Seymour:** Thank you very much, Madam Speaker.

I would like to thank the Honourable Minister for that innovation that he has just explained, but I would like to ask if he has seen an increase in the number of persons getting jobs through this matching.

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, there has been a significant increase in the ability of the Department to place people in suitable jobs. And one of the reasons I have to say that I have been slow to, shall I say, boast about it is that we are very conscious of the need for additional staff to be able to manage our placement unit properly. That is why I have been slow to sort of say how well it is actually doing because I am conscious that if the numbers of people who are seeking positions do continue to increase, at present the capacity of that unit to deal effectively is going to be seriously challenged.

So part of this whole exercise with the review and the report is, once we have got the report finalised and adopted, we can move swiftly with the restructuring of the Department of Employment Relations and move then to staff up the areas which it has identified as needing additional staff.

At present there are some 200 vacant jobs posted per month. They are actually able to refer each individual to 8 openings. An average of 90 persons per month are being interviewed and referred to agencies, some 25 confirmed persons placed per month since May, and 50 persons have been referred to UCCI for the TVET Associate Degree and certificate programmes.

So, Madam Speaker, part of the whole exercise—and I wind up doing some of this myself because when you work in your constituency offices every single session that I have (and I try to have one a week), there are a number of people, particularly young people, who come to talk about the fact that they have difficulty getting employment.

What I have been doing and what the people at the Department of Employment Relations have been doing, particularly in relation to young people who do not have skills, is to try to get them back into the school system so that they can develop skills. As I have said before, employers generally do not want school leavers. They want people who have skills who can perform on the job. There is a reluctance to employ people that you have to train or give significant training to.

So we are steering as many young people as we possibly can down the UCCI route. I know that in large part the tremendous growth in attendance at UCCI from some 650 students when I took office to over 3,000 at the start of this academic year is a result

of the take-up by so many people, but particularly young people, of the many technical and vocational programmes which are currently being offered at UCCI. So the more of our people, particularly the young people, that we can get to accept that they need to develop skills and get some qualifications to be truly marketable the better.

I told a number of them as recently as yesterday, *'You may need a job but actually more important in the long-term is you need to get some training and some qualifications so you can develop some skills,'* and try to steer them down the road to UCCI.

We offer local scholarships to just about any Caymanian who wants it, so it is not a question of even having to pay for it. So I think, Madam Speaker, overall, things are improving significantly, not just in the ability of the Department of Employment Relations to place people, but I think it is starting to sink into the national consciousness that education really is the answer to most of the problems people have with getting good-paying employment.

**The Speaker:** Are there any further supplementaries?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

This is, indeed, very good news.

Madam Speaker, I would be grateful if the Minister could say whether or not the placements that we are able to make now have any effect on the waiver system used with the Department of Labour and the Department of Immigration.

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I omitted to mention that in my reply, but it has had an absolutely amazing impact on the waiver system.

For people who perhaps do not fully appreciate how the system works: an employer may go to the Department of Employment Relations and ask if there are any positions available, or if there are any suitably qualified and skilled persons available for positions for which they are applying for a work permit. If the Department gives what is called a waiver—that is an indication that they do not have anyone to fit that position—then the employer submits that with their work permit application and will inevitably get the work permit granted.

Since this programme has been up and running—and I had a meeting with Mrs. Debbie Prendergast, who is actually running the job placement unit and doing a fantastic job—they have not issued a single waiver since then. The software has allowed the Department of Employment Relations to actually marry the Caymanian who is looking for a job with the

jobs that have their various skills, because when they punch in the particular job it is linked to persons within the database who have the various skills which are called for in that particular position. And so, they get many, many matches and hence they are able to send Caymanians out to get interviews on a very regular basis.

I have had very, very favourable reports from my constituents and others. One actually said to me last week that he could not believe how well the system was working because he had six interviews in the course of two days. So the system is starting to work really well.

As I say, I have been slow to advertise it because we are a bit worried about our capacity to cope at present, but once we get this report finalised we will staff up that unit to ensure that it is capable of performing this very, very important function.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, in a supplementary answer the Minister gave some other interesting information. It mentions an average of 200 vacant jobs posted per month, and moving down it also gives an average of 25 confirmed persons placed per month. I am wondering if the Minister could state how many individuals we now have registered with the Employment Office seeking employment and what is the average growth on a monthly basis.

**The Speaker:** Honourable Minister responsible for Employment, I thought that was a part of the original answer because it is written on the answer rather than a supplementary, which he has every right to refer to because the answer was given.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I just asked my support staff over here. I do not actually have those numbers with me today.

**The Speaker:** Will the Minister undertake to get the information to the honourable Third Elected Member for the district of West Bay?

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker, I can ask that we can have those numbers. They are not a secret and I am not intending to hide them at all. It was not part of the original question so I do not have those specific numbers with me.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I wonder if the Minister could tell me how this process works with ex-prisoners to enhance their possibilities of getting jobs on the Islands.

*[inaudible interjection]*

**The Speaker:** Honourable Minister, that is outside the original question.

*[pause]*

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, there is nothing that prevents any individual, regardless of whether they have been to prison or not, from going through the system. But we all know that there is a certain reluctance on the part of many employers to hire someone who has been to prison. It is unfortunate in many respects.

But what we have been able to do, and this is sort of an inter-ministerial arrangement, is that the Minister of Communications and Works has, I think, courageously and compassionately agreed that three of his departments—Public Works Department, Department of Recreation Parks and Cemeteries, and the Department of Environmental Health—will and do regularly interview and employ persons who have had a run in with the law and are having difficulty getting employment elsewhere and that is something of a success story thus far.

**The Speaker:** Are there any further supplementaries? *[pause]*

If there are no further supplementaries, we will move on to the next question.

Question No. 7 standing in the name of the Third Elected Member for the district of George Town.

#### Question No. 7

**No. 7: Ms. Lucille D. Seymour** asked the Honourable Minister of Education, Training, Employment, Youth, Sports and Culture to explain in detail the architectural designs and physical plan for the new George Town Primary School.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the answer:

The George Town Primary School Design will follow the model that has been established with the new high schools projects. It is envisioned that this new primary school will contain an open learning envi-

ronment that is warm, welcoming and inviting to students, staff and community.

An initial conceptual plan has been developed to reflect these principles, which is the result of stakeholder discussions with parents and teachers from the George Town Primary School community.

The tender for architectural services for the design of the new school has been published and bids have been submitted. These have been evaluated by the Ministry Tenders Committee and are now before the Central Tenders Committee.

I believe, Madam Speaker, that the successful contractor will be announced next week.

**The Speaker:** Are there any supplementaries? *[pause]* Are there any supplementaries? *[pause]* If there are no supplementaries, that concludes Question Time. We will move on to the next item on the Order of the Day.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received no notice of statements from Ministers or Members of Cabinet.

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READINGS

##### Freedom of Information Bill, 2007

**The Clerk:** The Freedom of Information Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Merchant Shipping (Amendment) Bill, 2007

**The Clerk:** The Merchant Shipping (Amendment) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Maritime Authority of the Cayman Islands (Amendment) Bill, 2007

**The Clerk:** The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

Proceedings will be suspended for 15 minutes.

### Proceedings suspended at 11.35 am

### Proceedings resumed at 11.58 am

**The Speaker:** Please be seated. Proceedings are resumed.

## SECOND READINGS

### Freedom of Information Bill, 2007

**The Clerk:** The Freedom of Information Bill, 2007.

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to move the Second Reading of the Freedom of Information Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker and Members, in moving the Second Reading of this Bill, I want to not speak specifically about the various sections of the Bill, as I have tabled the Bill as a discussion draft prior to this and there have been several occasions when public utterances have been made. But I think that it is worthy for us to look through at the general principles that are being espoused in the Bill and perhaps to speak to some amendments which have been made since the period of public discussion.

About a year and a half ago I stood before the House and I reminded Members that in 1998, as a member of the Opposition, I seconded a motion urging the government to enact freedom of information legislation. At that time I challenged the government of the day, and I quote, to: "Get on with it immediately."

Today I am extremely proud to be part of a government that is presenting this Bill to this honourable House. The People's Progressive Movement promised change, and I daresay that it is the PPM that opens the doors and the windows and lets the sun shine on the operations of government. The light is bright so that the people can see.

In November of 2005, the Freedom of Information Bill was tabled as a discussion document. Immediately after that Government sponsored and launched an extensive public awareness and education programme which included presentations in all five districts of Grand Cayman and one in Cayman Brac. Initial presentations were also made to senior civil servants. A website was developed, which posted the draft Bill and included related information from around the world and various promotional support literature was developed under the theme, "Yes, you can."

Madam Speaker, considerable feedback to this Bill was received up through August of 2006, including feedback from both our public and private sectors, national and international civil society groups, as well as from individual members of the public. For this participatory process, we have gained both regional and international recognition. And I daresay, these recommendations are worth reviewing since the Cayman Islands are now referred to when people talk about 'best practices' and freedom of information.

In December of last year the Commonwealth Parliamentary Association (CPA) sponsored the Caribbean Regional Freedom of Information Workshop and this was held in the Island of Dominica. The meeting's official communiqué stated, and I quote, Madam Speaker: "**The development of [freedom of information] legislation should be done through a participatory process that ensures the widest possible consultation with the public. In this respect, the Workshop notes the example of the Cayman Islands where this was undertaken as part of the process of drafting the FOI bill.**"

Internationally, two Human Rights watchdog organisations singled us out. In May 2006, ARTICLE 19, which is an organisation that focuses on the defence and promotion of freedom of expression and freedom of information, commended our FOI Bill and our public awareness campaign, and also submitted recommendations to our Review Committee concerning the initiative. Then the Commonwealth Human Rights Initiative mentioned the Cayman Islands in a background document that was sent around the world in honour of September 2006's International Right To Know Day. The document said, and I quote, Madam Speaker: "**In particular, the Cayman Islands' move to ensure public consultation in the drafting process of the law reflects the government's commitment to ensuring stronger citizen participation.**"

Now, Madam Speaker, let me move on to highlight some of the changes that have been made to the Bill as a result of our much lauded public participation. I want to begin by reminding Members of this House what the objects of the Bill are, and they are: ". . . to reinforce and give further effect to certain fundamental principles underlying the system of constitutional democracy, namely:

- (a) governmental accountability;
- (b) transparency; and
- (c) public participation in national decision-making, by granting to the public a general right of access to official documents held by public authorities, subject to exemptions which balance that right against the public interest in exempting from disclosure governmental, commercial or personal information."

Madam Speaker, as a result of public input, greater emphasis has been placed on the general principles of maximum disclosure and releasing infor-

mation in the public interest. These principles provide the foundation on which government can begin building a new culture of openness. Other sections of the legislation, some of which have been revised, strongly support our efforts towards creating an open government.

For example, the scope of the Bill ensures that government ministries, portfolios and statutory authorities are all defined as “public authorities” and even Cabinet is not excluded from a freedom of information request. The law will also be applied to all government companies for which the government holds more than 50 per cent of the shares and may, by order, after appropriate consultation, also be applied to private companies who carry out services of importance to the Caymanian society as a whole and organisations who receive government funding.

We heard from the people many times asking about the exemptions under the Bill. However, Madam Speaker, the key words here are “limited and qualified exemptions”. Our draft Bill exempts only certain kinds of information. These exemptions include information on our security, law enforcement and national economy that would prejudice these interests, Cabinet deliberations, personal information as well as information on cases before the courts, trade secrets and commercial information if the release would diminish its value.

The Bill also provides a public interest consideration. The principle of public interest has been strengthened in the revised Bill to allow for disclosure of information in the larger public interest, even if it concerns exempted information. A definition of “public interest considerations” will be included in subsequent Freedom of Information Regulations.

In addition to making provision for a public-interest test to allow for maximum disclosure, the revised Bill now permits for editing a record to allow the release of information. For example, Madam Speaker, a record may have a paragraph that includes information we may not want our competitors in tourism or financial services to know. So, rather than denying access to the entire record, that paragraph can be removed. Thus it is maximum disclosure – not always total disclosure.

In the Freedom of Information Bill that is before us today, the 30-year limit on the age of the document has been removed. Again, this is a direct result of input and in support of the tenet of maximum disclosure.

As the Cayman Islands public sector matures, so do the rules that regulate the records of government. Accountability and transparency are only as good as the quality of records and the consistency with which these records are kept. Information, Madam Speaker, as we all know, does not grow on trees. It must be meticulously created, reliably maintained and carefully protected so it can be made accessible to the citizens of the Cayman Islands, the

residents of the Cayman Islands and, indeed, the clients.

It is with this in mind that the Legislative Assembly passed the National Archive and Public Records Law in March of this year. The Public Records Law identifies the standards that public authorities must meet to create and manage one of the government’s most precious resources: the information that documents our actions and transactions, in whatever medium, whether electronic, paper or otherwise. Without the standards and accountabilities identified in the Public Records Law, records might not be created in the first place, they might not survive long enough to be accessed by the public, or they might be disposed of in an unauthorised manner.

That is why, Madam Speaker, the Public Records Law is a fundamental prerequisite for the success of the Freedom of Information legislation and why it was passed first, only a few months ago. The success of both is intricately linked. It is with this in mind that the National Archive has been preparing for the urgent implementation of best practice rules and guidelines in accordance with international best practice standards for records management. So far several hundred civil servants and public authority staff have received training across the public sector in records management.

The National Archives will also play a very important role in advising the Honourable Chief Secretary in compiling Codes of Practice in relation to maintenance and publication of records under the Freedom of Information law and will closely liaise and work with the freedom of information unit on government’s overall readiness efforts.

Other revisions in the Bill assist civil servants by being more specific about their obligations. Public entities under freedom of information have a duty to assist the public in making a request for a government record. The new Bill calls for the appointment of information managers. And certainly, Madam Speaker, I want to underscore that statement by saying that not only may these be existing staff members, but each department and otherwise is encouraged to make sure that they are existing staff members, if possible, to ensure that staff with sufficient seniority deal with freedom of information matters in the various public entities.

When a member of the public needs help identifying a specific record, these information managers will be prepared to assist. These provisions will help civil servants who are concerned about ‘voluminous requests’. If they do the job that they will be trained to do, no civil servant should spend the day photocopying hundreds of pages since the Bill requires them to assist the public in narrowing the request.

Madam Speaker, since I just mentioned “hundreds of pages,” I want to remind Members that there will be no fee to request information. However, there may well be reasonable charges for production of the

information, such as photocopying, printing, CD burning or other forms of duplicating. These charges will not exceed costs incurred by the specific government entity.

Madam Speaker, it should be noted that there is a provision in the Freedom of Information Bill for the waiving of fees, for example, where it might cause undue hardship. Also under consideration is the waiving of fees where the information can be provided electronically. The fee structure is currently being developed and will be provided for in subsequent regulations which must be brought to this honourable House for affirmative resolution.

It should be noted also that Computer Services has begun the creation of user requirements to develop a system to manage and track freedom of information requests, in addition to tendering for an enterprise content management system to deal with document imaging and records management, all of which support our freedom of information initiative in providing greater public access to information and better service delivery.

Government Information Services and Computer Services are also playing a key role in the continued development of our FOI website and upgrading our general [www.gov.ky](http://www.gov.ky) website, which will be the primary portal for accessing government entity publication schemes. These schemes will be designed to allow for the proactive posting of information and records.

Also, Madam Speaker, the Bill, as it is now, stipulates clearer deadlines. Government entities should fulfill freedom of information requests within 30 calendar days. If there is a valid reason why that deadline cannot be met, the reason is given in writing to the person who requests the information and then the government body has only one more 30-day period to fulfill that request.

Madam Speaker, we should never forget that government represents and serves the people. Our Freedom of Information Bill in its original form was praised for protecting whistleblowers—that is, those people who in the public interest reveal some wrongdoing on the part of public authorities. The Bill now also protects public officers who disclose information on wrongdoing that would disclose a serious threat to health, safety or the environment once they are acting in good faith.

The Freedom of Information Bill provides for greater access than ever before for members of the public to access their own personal information which government holds, but their privacy will also be protected by provision of an exemption preventing third parties from accessing someone's personal records. Protection of people's privacy has to go hand in hand with freedom of information, and the Government intends to bring stand-alone privacy and data-protection legislation to this honourable House in the very near future.

Earlier this year, Madam Speaker, the Cabinet Office announced the appointment of the Coordinator of Cayman's new Freedom of Information Unit who will oversee the coordination and implementation of FOI and, very importantly also, the training of public servants. I say "public servants" to qualify from civil servants because this goes straight across the board to public authorities and government-owned companies.

This Unit will be responsible for the development of regulations, policies, procedures and benchmarks to ensure full and effective implementation of the law in the entire Cayman Islands public sector.

There also has been formed a Freedom of Information Steering Committee which has already begun to prepare for smooth and effective implementation of the law. The Freedom of Information Implementation Steering Committee already has formed five subcommittees, namely: Information Technology, Public Participation and Communication, Legal Training and Record Management and Implementation Planning. We have begun inviting representatives from the public to attend committee meetings. A government-wide implementation plan will be prepared by this Committee, and the Committee has adopted the best practice of posting all their minutes, working papers and presentations on the FOI website.

The Government has set a target date, Madam Speaker, of January 2009 for full implementation of the law. This time is required for the comprehensive preparation of all public authorities, extensive training of the necessary public officials, the development of companion Freedom of Information Regulations, preparation of Codes of Practice and related guidance material for practitioners.

Madam Speaker, some members of the public may well be anxious and wonder why the timeline has been set. But we need to ensure that all government units and agencies are prepared so that once we begin the process for the public to be able to make requests that the transition from what obtains now to what will obtain then will be a seamless one.

It should be noted, as a matter of comparison, Madam Speaker, that the United Kingdom passed their freedom of information law in the year 2000, and it only became effective in 2005. So they actually had just shy of a five-year period to prepare.

Madam Speaker, the revised Bill also provides for the appointment by the Governor after consultation with Cabinet of an independent Information Commissioner to handle appeals, rather than a tribunal. International best practice suggests that an Information Commissioner with the power to order release of information is the most effective mechanism in handling appeals and promoting maximum disclosure principles. The Information Commissioner will be appointed after an open and transparent process that includes participation by the public in providing nominations and the publication of a shortlist of candidates.

The Bill calls for the Commissioner to hold office for a maximum period of two five-year terms, and the Commissioner can be removed by the Governor in Cabinet for appropriate reasons defined under the Bill. The individual holding that position shall not, Madam Speaker, be an employee of a political party and shall not hold an elected or an official position of government.

The general activities of the Information Commissioner will include:

- Hearing, investigating and ruling on appeals under the freedom of information law;
- Monitoring and reporting on freedom of information compliance by public authorities;
- Making recommendations for reform both of a general nature and directed at specific public bodies;
- Referring cases to the appropriate authorities where it appears that criminal offences have been committed; and
- Publicising the requirements of the freedom of information law and the rights of individuals under that law.

The Information Commissioner will have the power to conduct full investigations including the ability to issue orders requiring the production of evidence and compelling witnesses to testify.

Appeals will be at three levels. Firstly, an aggrieved party may appeal by way of internal review, whereby the Minister, the Chief Officer or the principal officer, if not involved in the request, will reconsider the matter. Secondly, if the applicant is still dissatisfied by a decision of the Minister, the Chief Officer or the principal officer, he or she may take the appeal to the Information Commissioner. Thirdly, if he or she is still dissatisfied at that stage, there is provision for cases to be ultimately brought before the Grand Court for judicial review.

So, Madam Speaker, the Bill contains provisions which allow the public three different levels to satisfy themselves regarding their request, and it is not enough to provide for appeals. We must always remember that before matters become contentious, systems must be in place to promote openness. So this revised Bill promotes openness and transparency by mandating that public entities proactively publish details of their functions and the kinds of information they produce and are responsible for. In addition the bill includes a provision that requires public entities, as a matter of course, to make best efforts to ensure that their decisions and reasons be disclosed.

Madam Speaker, the new FOI Bill 2007 has been posted on the FOI website, which is [www.foi.gov.ky](http://www.foi.gov.ky), and these remarks will be disseminated to the media.

In closing, Madam Speaker, I wish to take this opportunity to thank the many public and private entities for their input into this Bill and for those who worked to consolidate and summarise the recommen-

dations. As I recommend and I commend the Freedom of Information Bill, 2007, to this honourable House and as the Cayman Islands move into a period of constitutional modernisation and review, I just wish to share this thought from Franklin D. Roosevelt, and I quote, "**In the truest sense, freedom cannot be bestowed; it must be achieved.**"

It is a reminder, Madam Speaker, for all concerned—the public, the media, civil servants and public servants—that freedom takes work. I concede the sea ahead is rough, but I think we all know that the voyage will be worth the effort.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

Excuse me, was some other Member . . .

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

I would like to commend the Honourable Leader of Government Business, in the first instance, for following through on what was truly an ambition of his from many years ago, to see this through to the stage where we are actually presenting a Bill on freedom of information. I am also extremely happy, Madam Speaker, that this is a campaign promise of the People's Progressive Movement and we have lived up to yet another one of our promises.

My contribution is very short, Madam Speaker, but the point that I want to make on the Bill is to recognise the importance of the time given before the Bill actually comes into force, which is 1 January 2009, and to recommend that we set reasonable time-lines for what has to be accomplished along the way—checkpoints, so to speak.

So, come 1 January 2009 there will be no need to further extend the implementation of the Bill; to charge the civil service and the government to get their plans in order; to prepare the necessary training; to hire the necessary personnel; to have processes in place so that when the time comes, this will be a well-oiled and ready machine for the public to use and there will be no embarrassing situations when the public begins to request information from our various government departments and statutory authorities. We must make sure our public is properly satisfied that we took the necessary time to make sure we are ready to 'roll with this'.

I want to say, Madam Speaker, that this is an extremely important piece of legislation and one that the public should not take for granted, and the civil service must not take for granted, but understand that the public has a right to information and get that in their frame of thought now so that when the time

comes, it is important to the public in general to be able to access information that may be important to them.

I, again, would like to commend the Leader of Government Business, and the entire government, and all those who have worked tirelessly on this legislation over the years to bring it to this point, Madam Speaker. I commend the Bill and it will have my wholehearted support.

Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

I, too, would like to commend the Leader of Government Business on bringing to fruition one of his pet subjects that he has stood for, for a long time in this honourable House: freedom of information.

Madam Speaker, this has not been an easy task to bring to this stage because change of this magnitude is often met with a great deal of skepticism. It is a paradigm shift in governance and it takes a whole different mindset to understand that people have a right to understand what is going on in government.

In our manifesto (our Little Red Book, Madam Speaker), the PPM promised 'Government in the Sunshine' and today heralds the start of that sunshine.

Lawton Charles says that secrecy in government has become synonymous in the public mind with deception by government. That is a very profound statement.

Often times we hear in the community how difficult it is to get information from government. We all know that red-tape bureaucracy is what governments are all about, so anything that we can do to facilitate the public trust and to provide them with reasonable information is certainly an important milestone.

This not only is a big step for Cayman, but certainly there are not many countries in the world, in developed nations, that have this legislation. A lot of people are walking this very path that we are on and realising the importance of providing to the electorate and its people information. Madam Speaker, we are ahead of many in this regard, and I am happy to be a part of a government that is piloting such a project.

Madam Speaker, responsibility will lay on the shoulders of many, and I, too, join my colleague, the Fourth Elected Member for the district of George Town, in saying that the timeframe that we have, which is about 15 months before implementation, is certainly a critical one and one that should be made the best opportunity thereof.

I also agree that we should probably use that timeframe into three-month bits where we have checkpoints along the way, and that would be five periods of three months roughly, where we can see that we are well on our way to achieving what we need to hit the ground running with because when the time comes, we do not want it to be a situation where every time somebody requests information it is a hiccup and they are off to the Complaints Commissioner or someone else, complaining that the system is not working and, at the end of the day, basically just becoming more of an embarrassment than a success.

The members of the public also need to familiarise themselves with what can and cannot be requested under this legislation. Certainly, Part III of the Bill, section 15(a) and (b) refers to records that are exempt from disclosure. I think it is quite obvious why certain records will not be allowed to be disclosed.

Section 15(a) refers to: "**the disclosure thereof would prejudice the security, defence or international relations of the Islands;**" I think that is self-explanatory. 15(b): "**those records contain information communicated in confidence to the Government by or on behalf of a foreign government or by an international organization.**" Madam Speaker, people need to be cognisant of those points and act accordingly.

On the other hand, as I mentioned earlier, with the mindset change from the civil service perspective, I think that information officers and those in departments who will be called on to provide information need to do this in a willing and competent manner. Too often we hear of, '*Oh, I do not want to go to that department,*' and '*I do not want to deal with those civil servants because they look like they are all upset with you.*' The attitude, basically, I am talking about of the frontline people sometimes leaves something to be desired in government. And people providing this information need to understand that this is an obligation under a law and, therefore, they have to do it in a willing and cooperative manner.

Madam Speaker, the whole ability to walk into a department and get information free of charge, paying any necessary cost that government incurs to produce that information only, certainly is a privilege and should be viewed as such by our community.

Madam Speaker, this is a wonderful day for the Cayman Islands, and I am sure many looking on here and outside of these Islands will realise that this Government has nothing to hide. This Government is a government that you can trust to keep our promises, a government that you can trust to handle your affairs, and a government that is a government in the Sunshine.

I thank you, Madam Speaker.

**The Speaker:** Proceedings will be suspended until 2.15.

**Proceedings suspended at 12.43 pm**

**Proceedings resumed at 2.17 pm**

**The Speaker:** Proceedings are resumed. Continuation of debate on the Second Reading of the Freedom of Information Bill, 2007. Does any other Member wish to speak?

Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, it is with considerable pride and sense of satisfaction that I rise to offer my contribution to a bill entitled A Bill for a Law to give to the Public a General Right of Access to Records; and to Make Provision for Incidental and Connected Purposes (shortly known as the Freedom of Information Bill, 2007).

Madam Speaker, this is a Bill that has been a long, long time coming. It had its genesis, as other Members who have spoken before me have said, in a position taken by the now Leader of Government Business many, many years ago (back in 1998); that if we were to continue to develop as a progressive democracy, we needed to rid ourselves of some of the trappings of what was then the British system of government, the Westminster System, which is designed primarily to protect those in office by suppressing as much information as you possibly can on the basis that information is power, and that the less people know about what is going on in government the easier it is for government to conduct its affairs. That concept, while perhaps subscribed heavily to by some who have been in government before us, is something that is antithetical to the PPM's philosophy on these matters.

Madam Speaker, I should say that I do hope the Opposition, who hitherto were the government, will offer a view on what their position is on this important Bill before we actually take the vote, because I believe that there is some doubt on the part of many in this country as to whether or not the Opposition does support freedom of information.

*[inaudible interjections]*

**Hon. Alden M. McLaughlin, Jr.:** Certainly, Madam Speaker, they have paid lip service to its concept for many years.

The now Leader of the Opposition, when he was Leader of Government Business, announced proudly on at least three occasions when the Budget Address and Throne Speech were delivered, that his government proposed to introduce freedom of information legislation. But despite the fact that he has been in government for 20-plus years, having been at the helm for at least one term of that and having hitherto been in Cabinet, no freedom of information legislation was forthcoming.

But, Madam Speaker, as we have seen recently, it appears that the Leader of the Opposition has experienced an epiphany of sorts so that now having been relegated to the Opposition benches, he is discovering all sorts of concepts to improve the system of government in these Islands, and is using his office on that side of the House to bring these things he believes, somewhat belatedly, to the Government's attention. I believe that over the course of this meeting we will be treated to at least one other of these newly discovered concepts.

Madam Speaker, as I said, I do hope the Leader of the Opposition and his team are going to say to the country that they do support what this Government has done—what no other government has been prepared to do—and that is to pass real, effective legislation, which means that regardless of whether the document or documents contain good news or bad news paint the Government in a good light or in a bad light, that information will be made available, in most instances, to the general public. That says a tremendous deal about this Government's approach to governance.

When we were in the Opposition, Madam Speaker, we complained bitterly—and I, in particular, complained bitterly—about the then government's (United Democratic Party) approach to information and how unwilling they generally were to let the public—and in particular, the Opposition—be aware of important matters that were transpiring within government.

And so, Madam Speaker, one of the important planks of our campaign was that we would do away with secrecy in government; that we would bring openness and transparency to public administration.

Madam Speaker, this Bill being brought today is the fulfillment of another of our manifesto promises and undertakings. While we did say in the manifesto that we would bring the Bill within 12 months of being elected and we were not able to do that, we have brought it mid-term, and the legislation that is before the House is not some watered down document which simply pays lip service to the concept of freedom of information. It is a real, effective piece of legislation. Madam Speaker it is, perhaps, one of the most significant strings that have been added to the PPM's vow of 'Government in the Sunshine'.

We undertook, Madam Speaker, that we would hold regular press briefings. When those began shortly after our election, there were many cynics. Some actually expressed their cynicism to me by saying, 'Oh, you all will do it for a little while and then it will fall away.'

Not only, Madam Speaker, has that become an institution in this country, but we will be over the course of next month improving upon that system by ensuring that the general public has direct, live access to press briefings because we will be broadcasting them live on television and radio. That, I hope, will go some way to correct the many wrongs that have been

done and are regularly done—forget about to the government—to the people by certain media houses printing and publishing information that is wrong notwithstanding the fact that they have had access to the Ministers themselves and had the opportunity to get it absolutely right.

But, Madam Speaker, we have reached a point in this country now where the media is looked upon as a vehicle for individuals to further their particular political aspirations. And I say, Madam Speaker, that that is not in the conventional sense where, yes, every person who would like to seek public office wants/needs to get their platform out to the public, and so that the vehicle of the media is always used by aspiring politicians. I am not complaining about that.

What I am speaking about, Madam Speaker, is when you reach the point where you have political aspirants hosting talk shows, persons who have actually declared their intention to stand for election—like Elio Solomon, for instance—and yet host talk shows under the guise that what is being said and discussed are objective observations of a disinterested journalist or talk show host. And in the case of *Cayman Net News*, we have our former colleague in this honourable House, Mr. Lyndon Martin, who, again, writes under the guise of objectivity when all and sundry are well aware that he has held public office and no doubt intends to pursue that objective yet again.

So, Madam Speaker, the fact that we are moving to regular press briefings, which will be broadcast live, I hope will go some way to ensure that the public has access, not just to information, but to accurate information on which they can form their own views.

It must be understood and appreciated that in the era of transparency and openness and freedom of information, which the PPM Government has ushered in, there are all sorts of opportunities for people who are less than ethical about the undertakings which they have as journalists to exploit those opportunities under the guise that they are providing the country and the people of the country with useful information and commentary. Everyone is entitled to their own views. The issue that we all must take with politicians who masquerade as journalists is the fact that they often, and by and large, convey to the public the impression that what they are saying is objective, when in truth and fact it is not.

When we stand up on the Floor of this House or on a public platform as representatives and politicians, everyone knows and expects us to take a position. Even when we say them as facts, people say, *'Well, that is what Minister McLaughlin says. He is a member of the PPM Government, what else do you expect him to say?'* So whatever I say, whatever any Member of the Government says and whatever any Member of the Opposition for that matter says, is going to be viewed against the fact that we are members of opposite political parties and people expect those

differences of views. But when the picture is clouded because you masquerade as something that you are not, you not only devalue the office of journalists but you create a misleading impression as far as the general public is concerned.

Madam Speaker, in Part II of the PPM Manifesto, the Little Red Book, there is a section entitled "A New Culture of Governance". For many in this country, what is said in that document, and particularly in that section which deals really with the philosophy that underpins this PPM administration, when we talked about a new culture of governance, many of us were cynical and felt that it would be much the same as it ever was. I am proud to say that halfway through our term of office, in relation to our commitment to Government in the Sunshine, of the seven undertakings that we made, we have halfway through the term delivered on four of them.

We have, Madam Speaker, brought openness and transparency to public administration, which is the first one. We have ended the culture of secrecy in government. We do hold regular press briefings. We committed to passing freedom of information legislation, and by the time the debate on this Bill is over and the vote is taken that will have been done. And we have supported the role of the Auditor General and made his reports public documents. So, it is not four, it is five of the seven undertakings we made under that section that we will have delivered on.

Madam Speaker, as important as the Bill is in the sense that it will give people real access to government information, I believe even more important is the statement that the passage of this Bill, just the passage of this Bill, will make about not just this Government and our commitment to openness and transparency; our commitment to eliminating corruption in government; our commitment to conducting the affairs of state honestly; our commitment to insisting on high standards of ethical conduct from Members of the Legislative Assembly and Ministers of Government; our zero tolerance for conflicts of interest between the private business of members of government and their public office; and our commitment to preventing abuse of office and authority and regarding such as unacceptable in Ministers and Members.

Madam Speaker, those are very, very important factors, factors which affect the quality of life in this jurisdiction, factors which influence the decisions of business leaders in this country. No government thus far, in the history of this country, has ever been prepared to swing wide the doors of the Glass House. As we said during the Election campaign, to tear off the shutters of the windows of the Glass House and let the sun shine in to let the country know what is happening in the affairs of government. No other government that has ever been in this country has been prepared to do that.

Madam Speaker, when you do that, as we have done, you had better be prepared to, as we say in this country, take some licks. Our detractors now

have access to information which hitherto they would never have had access to. They have access to Ministers on a weekly basis, and even when you do that they scream and shout about lack of communication. Some of them take the information, twist it, turn it and condemn you. But that is all part and parcel of living in a democracy, living in a society which is open and transparent.

This Government, Madam Speaker, I believe has demonstrated a high degree of maturity in how we respond to the constant attacks by two media houses in particular. I just wish that they would develop a little maturity themselves because they seem to believe that a government which accepts and promotes openness and transparency means a government that sits quietly while you beat it to death and says nothing about the misinformation which you put out there.

The two things, Madam Speaker, have to be differentiated. There is a real difference between saying that we will not and we have not persecuted the press as others before us have, and saying that we are not going to criticise media houses when they get it wrong, especially some that get it wrong with distressing regularity and get it wrong so often that you know it cannot be an accident because nobody could be that good to be so bad so regularly.

*[inaudible interjections and laughter]*

**Hon. Alden M. McLaughlin, Jr.:** So, Madam Speaker, this is a new era and we think about this and we talk about this often. All of us are learning about the business of communication, and some of us are slower learners than others and some of us have agendas which are not necessarily getting the right information out to the public. So there needs to be a certain amount of give and take. We are not perfect on this side and we appreciate that. No other ministers in this country had ever dealt with the press on the regular basis that we have done, and so mistakes have been made, mistakes will no doubt continue to be made as we learn about this new process.

But, Madam Speaker, what the beginning of the second half of our term is going to do, I believe, as information gets rolled out to the public live on a weekly basis, is make everybody sharper. It is going to make us sharper in how we deal with issues and what we say about them. And for the first time, I believe, the public is going to be able to look, shall I say, at the demeanour of the person asking the question and draw their own conclusions from some of the questions that are being asked by certain people, and conclude whether or not the question is legitimate, is bona fide, or whether it is part and parcel of an attempt to promote a particular journalist's political agenda or platform.

So, we know, Madam Speaker, that giving more information creates more exposure, but this Government has nothing to hide. That does not mean that I am trying to say we always get it right. What I

can say is there are no dishonest things that we are trying to cover up. There are no special deals that we are trying to keep hidden and avoid questions from.

So, we will take the risk inherent in exposure that maybe we got it wrong when we tried to develop this principle. Maybe that was the wrong thing to do. That will happen. And no doubt, in due course, the electorate will take that into account along with all of the other things in deciding whether or not this is a government that is worthy of another term.

I have every confidence, Madam Speaker, that the good we have done and the good we are doing, and the good that we shall do until the elections are called will far outweigh any mistakes that we have made.

Madam Speaker, one thing I can say with as much confidence as one can have in these things, is that wherever I go in this country, regardless of what people may think or say about the Government, whether we are doing a good job or not so good job or a bad job, no one seriously questions the integrity of this Government. And one thing that I have every confidence in and I need to have is that I never have to be looking behind me to wonder what any of my colleagues are up to, what fancy deals they are making to promote their own interests. That is something that, thankfully, is absent from this administration, because I can tell you, I have been down that road before and I never want to walk that road again. I never want to be associated with any government which is constantly under scrutiny, constantly seeking to defend the ethics of what it is doing or not doing. I will leave and go back over to that side or, ultimately, back into the private sector before I am ever associated again with a government which is tainted by the ugly hand of corruption.

**An Hon. Member:** Hear, hear!

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I believe that this is a piece of legislation—the Freedom of Information Bill—that has been too long in coming. I am satisfied that every effort has been made to get it right. But no doubt, as it is the case with every new piece of legislation, there will be kinks to be ironed out. There will be teething problems. I believe the period between the passage of the Bill and its coming into effect will be used to train those civil servants who need training to put in place the systems that need to be put in place, to effectively deliver to the country the information to which the country ought to be entitled but up until this point have not been entitled to.

Madam Speaker, this is truly a signal moment in the development of this country as a progressive parliamentary democracy. I believe it is a statement, an indication of our increased, and increasing, maturity as a country. I commend the Leader of Government Business, and my colleague in the district of George Town, for this is a flag he has flown for seven years. I believe that without his tremendous commit-

ment to it and his determination to see it happen, it would never have come to be. If anyone is in doubt of that, just look at the fact that he promoted it when he was Leader of Government Business for the two short terms 2000-2001 and look what happened to it in the three and a half years that followed under the leadership of the now Leader of Opposition.

I believe, Madam Speaker, that it is not too far fetched for me to speculate that if the now Leader of the Opposition was Leader of Government Business, we probably would not be here today discussing the Freedom of Information Bill. It probably would have continued to suffer the fate which it did for the three and a half years that he was at the helm from 2001-2005.

So, Madam Speaker, with those few comments, I conclude my contribution to this Bill and give it my wholehearted support.

Madam Speaker, I would repeat my invitation to the Opposition not to miss the opportunity to debate this most important piece of legislation, and I look forward to hearing that they will support it.

**The Speaker:** Does any other Member wish to speak?

The Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

My brief words to pay haloes to the Leader of Government Business, my colleague of George Town, for bringing this Bill and for being so deliberate over the years to ensure that it comes.

But my task, Madam Speaker, is not so much to dwell on the nuances of the particulars of the Bill itself, but to say that this is such a historic day for politicians.

To me this is one of the best days that has ever been placed for us because for once we have a legislation that can exonerate us from what people think we are. They think we are crooked; they think we are no good; they think that we are thieves; they think that we do all manner of evil things to keep our positions because we can hide behind all sorts of things whether we are on the Government Bench as a Minister, a Backbencher or an Opposition.

So I think that Opposition and Government will embrace this opportunity because not since universal suffrage in 1959 have we had such a bill to democratise these Cayman Islands. This is absolute democracy if there was one.

I, in particular, came in here as what I thought a good woman, and you yourself, Madam Speaker. It was not until I became a politician I was called a thief. I was called all manner of things because the people think that is what we are because we hide things and we do things and we have secrets. But this piece of legislation is going to, in many respects—all of us on this side and some on that side are going to be very

happy that this has come to fore, and I am sorry that it did not come to fore before. I am very sorry that we did not have this piece of legislation. A lot of politicians would be exonerated today.

Madam Speaker, we are the trustees of the people. The people look to us to lead them, to be honest, to be upright. We cannot just say we are Christians and we cannot just say we are good people. We have to put legislation in place to show the people of this country that we wish to have a good society, a democratic society, a society where people can get information without saying that government is such a bureaucracy you cannot get anything out of it, that we hide things in our budget, we hide things everywhere. And this is what the people say.

But the people now will get opportunity to see, to read, to get the information so they do not have to depend on a talk show to disrupt and corrupt their thoughts. They can read—and Caymanians can read!—and they can get research and get the information so that they do not have to listen to the morning talk show or the afternoon talk show to some misguided person who misinterprets all the time and gives it to them, and causes chaos in our country. And this is what happens. We misinform our people because we take advantage of them because we know that some of them may not have access to the information.

Well, thank God today. Thank God today, Madam Speaker, for a wise man named the Honourable Leader of Government Business. He is my colleague and I am glad he is my colleague. This is the way the man is, too. For us he is our leader. He gives us information; he does not hide anything from us. Sometimes we may not want to hear it, but we get it.

*[inaudible interjection]*

**Ms. Lucille D. Seymour:** I won't listen to that.

What we have to do, instead of sitting in here and pretending that we are so mighty and we are so great, all of us, is to be thankful for this piece of legislation and that as of January 2009 we can behave in a civil way and cannot make all sorts of criticisms follow us, or the Auditor General to write anything on us and we get up in the papers and say all sorts of things that are not true. We will be more careful in our approach as Ministers and as Backbenchers, whether we are Opposition or otherwise. We will be more careful in dealing with the people's money, in dealing with the people's information.

And this is good for our civil servants as well, Madam Speaker. They will now, as of now, think differently as to how they are going to approach life, because we are about the people's business. As Henry Clay said, **“Government is a trust, and the officers of the government are trustees. And both the trust and the trustees are created for the benefit of the people.”**

So, Madam Speaker, my short and brief comments on this are to say that I am glad it is here. And more so, I am glad that I am here when it is here. I am glad that I am here today when the naysayers on their talk shows say, 'Oh, this is not going to come into effect.'

I would have thought that this place would have been full of people today. This is an important piece of legislation for the people of the Cayman Islands. I would have thought all of those media would have been here to see the witnessing—shake your head, the Opposition. I would have thought they would have been here to witness such an event, and I am glad I am here in this place.

Thank you very much, Madam Speaker. I support a Bill for a Law to give to the Public a General Right of Access to Records; and to Make Provision for Incidental and Connected Purposes.

**The Speaker:** Does any other Member wish to speak?

*[inaudible interjection from the Honourable Leader of the Opposition]*

**The Speaker:** The Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I must say that after having heard the altar call of the Third Elected Member for George Town I had to rise and offer a few comments.

The Minister of Education seems to have—and I do not know where he gets the right to invite people to speak in here, I do not know if he thinks he is the Speaker or not. At the end of the day, I thank him for that invitation but, Madam Speaker, I thank you for the opportunity to speak in this, your House! You were sent here by the good people of North Side to be trustee of what is the bedrock of our democracy.

You know, Madam Speaker, the Minister of Education, I must say very often in a very crafty way, says that people believe something. And I often marvel because I have never heard an individual refer to themselves more in the plural than the Minister of Education, because he often says what he believes. But what he believes is what the people believe. So I give him that; that is a style that he has. When he says "the people" he refers to himself.

Madam Speaker, I must say, that for the Honourable Minister of Education, who is supposed to be the proponent for learning, et cetera, in this country, to question whether or not the Bill enjoys the support of the House is doing nothing but playing politics. Now I thought that when he started, but then I had to take a few notes because I noticed very quickly that he went straight from all his wonderings around the world, that were supposedly the people's wonders and questions, to talking about communication and then about the next elections, whenever they are called.

The Honourable Minister of Works has said, 'Isn't this the house of politics?' It certainly is the House for politicians. How the politicians dispose of their duties determines whether or not the people say, 'This is simply a house of politics.' And I would have to say thus far on the contributions that we have heard on this Bill that it is indeed a house of politics . . . so far - nothing more, nothing less.

The honourable Third Elected Member for George Town started off being very clear that she was not necessarily going to speak about the principles of the Bill.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Rolston M. Anglin:** Madam Speaker, therefore politics. Yes, indeed.

It is quite curious to sit where we are now—that is, having served more than one term—and to hear other Members come through and to hear the way they began in May 2005 to where they are now. Reality bites. If the Government or the Third Elected Member for George Town thinks that the passage of this Bill is going to stop, in any way, the public of this country calling us thieves, et cetera, it is not going to stop it. And, in fact, she alluded to it without, I think, realising it: all they are going to do now is say we are better thieves because that is why you cannot find what is going on.

Listen. That is a part of being in politics and that is not just in Cayman; that is worldwide. That is the way people behave for whatever reason. As you say, Madam Speaker, we must be like ducks and let it just ripple off our backs. That is par for the course. How we all live, how we all conduct our business is, at the end, the key and as my colleagues has said: let your conscience be your guide.

I find it very curious that the Government, who also campaigned on what is really the issue that is going to affect the bedrock of our society—that is, changing the Constitution—will get up today and talk about this stand-alone piece of legislation and try to spin it in such a way that, given the antiquated system in which we have to operate, they have done little to nothing about halfway through their term. Madam Speaker, we hear talk about 'we are starting a process' and starting this and starting that. At the end of the day let us make sure that we paint the big picture.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** Madam Speaker, my good friend, the Minister of Works, has asked me to change the tone and the course of my debate, but he talks about what has happened. When you are in the driver's seat why is it that you need to continue to talk about who sat in the driver's seat? You are now in the driver's seat.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** We know that. But I think—and I will rise above it and I will not go down this road any longer because I can see you being annoyed, Madam Speaker. I am not going to be distracted by the cross-talk.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** But relevance, as my good friend, the Fourth Elected Member for George Town, has said, if that—

**The Speaker:** Could I ask the honourable House to allow the Member to continue his debate and his contribution to the Second Reading on the Freedom of Information Bill, please.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** [To an honourable Member] Exactly.

Thank you, Madam Speaker. I thank you, Madam Speaker, because they have invited us to speak, we heard invitations come from the Government Bench. Now as soon as you speak and you say one little thing that they do not like they want you to stop.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** Shame!

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** Shame, Madam Speaker. The Minister of Education has the gall to say “stay relevant” and all he talked about was talk shows.

*[laughter]*

**Mr. Rolston M. Anglin:** Madam Speaker, let me check.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** [To an honourable Member] It is a Friday. It is a Friday, Madam Speaker, and that is the problem. It seems as though everybody has gone real silly on this particular Friday. I will never forget this one – 31 August 2007. What a day!

Madam Speaker, obviously, the general right of access to information through a statute, through an official legal mechanism is important to the development of any society. Therefore this Bill is an important step forward for the Cayman Islands. We acknowledge that. What would be interesting to note, would be for the Government Bench to also inform the coun-

try of what stage they found this process at when they got elected.

So, Madam Speaker, at the end of the day, yes, it is here now, but it is funny how the Government will quickly bring up the past when it is convenient. But when it is not so convenient, no mention is made of the past. So we know that work had started on this and you have heard very little about that. Begrudgingly, the Fourth Elected Member, as I listened to his contribution, did, in some sort of way, try to slip it in there, so I give him credit for that. He did not come right out and acknowledge that work had started, but he gave a hint at it. And he is the only Government Bench Member I heard speak thus far that has done that, so I give him credit for doing that. That is very important.

Madam Speaker, I would like to ask the Honourable Minister of Education a very important question. He has spoken eloquently about the need for continued maturity in the press and the need for, as he sees it and I think all of us would see it, a robust press that reports the facts. Whether we like them or not is another thing, but if they are reporting the facts accurately and in a timely manner, then all of us have to deal with it, bottom line, and we agree with that as well.

I would hope that this Government takes the view that when you start talking about country development you are going to make sure to put your money where your mouth is. I would hope that the Government is trying to work along with society to ensure that we are trying to educate Caymanians and get more Caymanians involved with that area to bring the professionalism of that area up and really get ourselves more Caymanian professionals in that sphere.

I see in one particular press, in almost every publication it seems to be advertising for people. Certainly in my short time of being elected, when you see the faces that have come and gone within the press corps in Cayman, we have seen a couple of Caymanians who have all gone on and they are doing something else and certainly there are not a lot now.

So, it is very important that if the Minister is going to acknowledge that the country has a problem, and the Third Elected Member for George Town also then acknowledges that that problem can cause big picture issues for the country, the Government needs to try and make sure that we focus and we try to encourage people in that area because it is a very important area as we develop. We have to be realistic about our level of development, though.

You know, we talk about our development and the reality is, it would be very interesting what our view would be on how sophisticated our society is if it was not for the financial industry and tourism. We are rich economically, no doubt about that, but, oh so lacking socially, oh so lacking in the real important areas when it comes to nation building.

Let us move on a bit and let us talk about access to information and how certain people have tried

to access information and where those people sit. The Minister of Education spoke about a particular talk show and talk show host who is a political aspirant. Well, that is that person's prerogative. At least he is being open about it.

The question the country needs an answer to is: Why is it that the Government has chosen two political candidates from the district of West Bay to be on the government talk show as regular hosts?

**Hon. W. McKeeva Bush:** Mm-hmm.

**Mr. Rolston M. Anglin:** And it just happens—that happy coincidence—that they are both from the district of West Bay where the Government currently does not have any seats.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** Boy, that really makes it okay. That makes it okay. That makes it okay. And, you see—

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** You see, when we are going to talk about these important things, Madam Speaker, the Minister of Education said who they are. The Minister of Education knows who they are, so what he needs now is to tell the country why the Government has made that decision.

*[laughter]*

**Mr. Rolston M. Anglin:** That is what the Minister of Education . . . he and I agreeing at the same time, Madam Speaker. He knows I am not going to walk into that trap about who they are.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** Madam Speaker, let us be real about it and let us be honest about it. The Minister of Education started talking, as did a couple of other Members of the Government Bench, about the sunshine. But then as soon as the sunshine and all that happy-go-lucky talk got started, we got right down to the crux of the matter: the next election, what people think of this Government and whether they are going to get re-elected. That is what it is all about. And you see, Madam Speaker, from where I sit, while I am not going to question the validity and how the Government feels about the press coverage that they are getting from some people, the Government still, though, needs to answer that question: Why is it that on the government radio station they allow two politicians from the district of West Bay to serve as regular hosts?

Madam Speaker, the Minister of Education is telling me it is not true. The Minister of Education obviously only listens to one talk show.

*[laughter]*

**Mr. Rolston M. Anglin:** He obviously only listens to the Rooster show, which is the private sector. He obviously does not listen to the government talk show that has them on as regular guests—as hosts.

**Some Hon. Members:** Hosts!

**Mr. Rolston M. Anglin:** Hosts, sorry, hosts.

**Hon. W. McKeeva Bush:** As hosts.

**Mr. Rolston M. Anglin:** Now he quickly awakened from his slumber and says “Guests, guests.”

*[laughter]*

**Mr. Rolston M. Anglin:** Just now he did not know. Now he acknowledged that they are guests.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** They are hosts of the show. They host the show and, Madam Speaker, it is weekly.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** Weekly. But I leave the Minister of Education to investigate that one. I am sure he will and at the next press briefing he will give the country a very thorough and objective report. That sunshine is going to come in.

*[laughter]*

**Mr. Rolston M. Anglin:** It is going to come rearing in, and I hope, and I hope—

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** And I hope, I hope, I hope, Madam Speaker, that that particular press briefing will be one that will be broadcast live so that the whole country will hear and know. So I am hoping that your response is broadcast.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** Madam Speaker, there was a lot of innuendo in the contributions so far, talking about people and what they think, talking about self-interested fancy deals, et cetera. Now, access to information, yes, will alter some people's behaviour but I am much more interested in seeing how it is going to

alter the behaviour in the administration of the people's affairs because for too long we have gotten up in this House and talked about what people think of us and do not acknowledge a lot of the problems that we have. And every country has problems that are within the public services, plain and simple, but a lot of times people do not want to talk about that because that might be a little politically unpopular because civil services, by and large, are large blocks of votes. But, ultimately, the way people behave—and I know of the way I am treated. I am an Elected Member, I know the way I am treated when I call some government departments and try to find out something. So we can then imagine how the general public is treated.

So, the alteration in behaviour really needs to come—and I have said this in this House at least on three different occasions—from within the public service. That is where the alteration of behaviour ultimately is needed because, Madam Speaker, if my math is correct, the people elect 15 people and only 5 wind up being ministers; only 5 go up and actually have access and a right to an office in the Government Administration Building or in government offices. There are thousands of civil servants. I believe, that with the passage of time when we get to January 2009 and the systems are in place so that people can actually have access to critical information, you are then going to start to see, if the public is robust in its questioning.

You see, Madam Speaker, if all we are going to get out of this is a few people who have a certain bent . . . so some of them might not like the police, for example, or some of them might not like another government agency. If it is going to be them and the political aspirants as the only people that ask questions, a lot of the benefits that we are envisioning coming out of this may not materialise.

We need to encourage our people to become more involved, more civic minded and more involved in the society. We need to encourage our people to continue to get good solid community groups and not just those that are put together for political agendas, those who have a genuine interest in the furtherance of the development of the Cayman Islands. When I say socially we are poor, that is one of the examples that I am talking about. That is one of the reasons why we have a lot of the problems and issues we have in Cayman.

Yes, we have grown very rapidly economically, but in terms of educationally and socially we are years behind where we are economically. And so what happens is, as we look at our society and those that are more informed, or perhaps more educated in the widest sense of education, and you get a little frustrated and start wondering why is it that it is this way in Cayman, a lot of that came through when the Minister of Education spoke. At the end of the day, with a more sophisticated and more informed society, and societies that actually challenge thought processes of government, of talk shows, of newspapers,

when society develops and becomes mature that way, then you start worrying less and less about people having a particular bend or a particular bias because a lot of that will get taken care of in the society anyway.

Madam Speaker, one question that was raised, which is a very valid question, was this whole issue that there is such a bureaucracy that people cannot get anything out of it. The Third Elected Member for George Town mentioned this, and she is so right. In fact, I would presume that that is one of the reasons the Government is going to use for the delayed implementation of this law. The actual bureaucracy that we have in place does not have the systems to be able to cope with the principles of this law immediately, and so training has to take place, resources have to be put in place. The Honourable Leader of Government Business mentioned that and spoke extensively about that point, and that is a crucial point.

What would be a very interesting question is, when one starts to think about elections as has been mentioned, and the dates of elections, I find it to be another happy coincidence that this law is going to come into effect, I think, just several months before the current administration will probably be leaving office. So, again, it is probably just a happy coincidence.

Madam Speaker, when we look at the principles of the Bill, yes, there is a lot there that is worthy of support. How the section that deals with information that the public cannot have right of access to is administered and how that plays out is, in my mind, going to be where the rubber meets the road with this piece of legislation.

I am not so much interested in the frivolous, inconsequential requests that are made. What I am more interested in are those that are going to push the envelope, those that are going to be real probing questions that are borderline. So you have to think very carefully and very objectively, especially when it is going to be an area like policing, because all you have to do is listen to the talk show. And we know how the general public feels in this country about the Royal Cayman Islands Police. We know the tone and the sentiment that is there.

That, perhaps, is going to be an area that may be questioned a little heavier than we think, and if it is, it is definitely going to define how successful this piece of legislation is. Because, you see, the person that asks the request and gets an answer is going to hail it. The person that asks the question who cannot get an answer is going to be the person that says that it was a waste of time and that government is still hiding information from the public and there is still no right of access, and that the society still is not democratic because they could not get the piece of information they have asked for.

Madam Speaker, I am cognisant of the time. I am cognisant there are a few meetings that need to happen after this, but I will wrap up by answering the Honourable Minister of Education directly.

The Opposition obviously is going to support the Bill. I am sure he is very happy to hear that. I am sure it means a lot to him. But what has been so disappointing on this Friday afternoon has been all of the unadulterated politics that have been played. I mean, they did not even dress it up nice, Madam Speaker. It was not even dressed up in a nice frock. It was unadulterated politics, and I say to those Members: shame on them!

*[laughter]*

**Hon. W. McKeeva Bush:** Shame on them.

**Mr. Rolston M. Anglin:** Shame. Shame on them.

*[inaudible interjections and laughter]*

**Mr. Rolston M. Anglin:** Now, my good friend, the Third Elected Member for Bodden Town, is confused as to why I would say such a thing. I had to answer all of the unadulterated politics that were mentioned, my good friend. It had to be done. You see, a lot of what I have said I will quickly acknowledge may not be as relevant as it should be, but I was answering all of the irrelevance that was laid before me. And that is the essence of debate; you have to answer. We had paved for us, not by the Minister of Works I might add this time, but we had paved for us miles of road of irrelevance, my good friend, Third Elected Member for Bodden Town. Not your contribution, though, yours was okay.

**Hon. W. McKeeva Bush:** And the Minister of Education.

**Mr. Rolston M. Anglin:** But, Madam Speaker, those that laugh loudest know who they are.

We offer our support to the Bill. We look and we await with great anticipation the training to take place, the resources to be put in place, and I say to the Government: let us try and do it as quickly as humanly possible because if this Bill is going to bring the benefits that they believe and we believe it will, the quicker the better.

I thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]*

*[inaudible interjections]*

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? If no other Member wishes to speak, does the honourable Mover of the Bill wish to exercise his right of reply?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. I can assure you and the Members of this House that I will certainly be relevant.

Madam Speaker, I listened carefully to the contributions made from my colleagues in the Assembly, both my colleagues on the Government side and the spokesman for the Opposition, and to take the points of relevance that I believe need to be answered, I really believe that there are just about two—

*[laughter]*

**Hon. D. Kurt Tibbetts:** —that I need to speak to and it is only for a matter of clarification.

Madam Speaker, the first point I wish to make with regard to the timing of the coming into effect of the Bill, we have the Freedom of Information Unit which has been set up. In recent times we have acquired the services of our new coordinator who comes with a wide range of experiences in this area and who brings a very huge knowledge base. That experience has assisted the unit when it looks at exactly what needs to be done to prepare the public service for the coming into effect of the law.

The timeline that has been set out is what is thought, at this point in time, the most practical timeline. There has absolutely been no consideration on the Government's part with regard to any timing being anywhere close to an election. There was no thought at all, and the timeline, as I mentioned before, is not one that the Government sat and decided because we knew that we were not equipped to make that decision until we knew all of the facts. And I want to clear that up.

Madam Speaker, the other one that I really battled in my mind whether I should respond to or not, I have decided that I need to, as irrelevant as it is, because how things are said in the same manner that the Second Elected Member for West Bay spoke about politics being played, he was at the head of the class when he was speaking.

*[laughter]*

**Hon. D. Kurt Tibbetts:** Madam Speaker, he referred to two people from West Bay who ran in the elections being hosts on the government radio station talk show, which could only be the *Radio Cayman* talk show, on a regular basis. Whether they were there every day that the talk show was on or not, what I can look the Member squarely in the eye and say, whether it is every week or every day does not matter. What I can look the Member in the eye squarely and say is, no Member of this Government had anything to do with any one of them being on that talk show.

*[inaudible interjection]*

**Hon. D. Kurt Tibbetts:** So, the fact that they are there—and I am not questioning whether they are do-

ing a good job or not or whether it is pleasing to some and not to others; that is not what I am saying. All I am saying is that no member of this Government had anything to do with any one of them. So, I just wanted to make that point very clear.

Madam Speaker, outside of that, it was heartening to hear the Second Elected Member for West Bay speak to putting this law (when it becomes law) into effect as quickly as possible, and I just want to assure him that if it is possible to put it into effect before, we will.

I want to remind him of the example that I used, and I am not suggesting that that example is one we should follow, but the UK brought their legislation through safe passage from the year 2000, and they were not satisfied that they were ready for it to come into effect until the year 2005.

So, I daresay the 18-month period that was set out earlier on this year for the law to come into effect by the Freedom of Information Unit is one that is as practical as can be, given this stage, or the state of play at present. I do know that the Steering Committee, which has been set up, is meeting very regularly and they are pressing forward, but it is important for the training to take place, absolutely important. What we do not want to have happen is what was mentioned by others who made contributions to the debate. We do not want to simply rush the date of putting it into effect and then have a very dissatisfied public because the public service was not prepared for the requests.

Madam Speaker, in summary, I want to thank Members for their contributions regardless of how many side roads were taken. At the end of the day it is obvious that there is unanimity in the Legislative Assembly regarding this proposed Bill, and I want to thank Members for their support.

*[inaudible interjection]*

**Hon. D. Kurt Tibbetts:** I am reminded by my colleague, the Minister of Communications and Works, that even the side roads that they went to were already paved, and I want to thank him for that, too. So they had smooth travel along the side roads.

Madam Speaker, once again, I wish to commend the Bill to this honourable House and I look forward to the work ahead, and I want to, once again, thank all those who have participated in the process; who are now participating in the process and in advance for what will be the advent of a new sense of governance here in the Cayman Islands. Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Freedom of Information Bill, 2007, be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Freedom of Information Bill, 2007, has been given a second reading.

**Agreed: The Freedom of Information Bill, 2007, given a second reading.**

**The Speaker:** The House will now go into Committee.

**House in Committee at 3.35 pm**

## **COMMITTEE ON BILLS**

**The Chairman:** Please be seated. The House is now in Committee.

*[inaudible interjections]*

**The Chairman:** If there is anyone that would like to take this Chair, can I exchange places because I should be the only one talking at this time? The House is now in Committee.

With the leave of the House, may I assume that, as usual, we should authorise the Honourable Second Official Member to correct minor errors and suchlike in the Bill?

Would the Clerk please state the Bill and read the clauses?

### **Freedom of Information Bill, 2007**

#### **PART I PRELIMINARY**

##### **Clauses 1 through 4**

**The Clerk:**

|          |                              |
|----------|------------------------------|
| Clause 1 | Short title and commencement |
| Clause 2 | Definitions                  |
| Clause 3 | Application                  |
| Clause 4 | Objects of Law               |

**The Chairman:** The question is that clauses 1 through 4 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 1 through 4 passed.**

#### **PART II RIGHT OF ACCESS**

##### **Clauses 5 through 14**

**The Clerk:**

|          |                                                  |
|----------|--------------------------------------------------|
| Clause 5 | Publication of information by public authorities |
|----------|--------------------------------------------------|

|           |                                                |
|-----------|------------------------------------------------|
| Clause 6  | General right of access                        |
| Clause 7  | Application for access                         |
| Clause 8  | Transfer of requests                           |
| Clause 9  | Vexatious, repetitive or unreasonable requests |
| Clause 10 | Forms of access                                |
| Clause 11 | Assistance and deferment of access             |
| Clause 12 | Partial access                                 |
| Clause 13 | Cost of access                                 |
| Clause 14 | Grant of access                                |

**The Chairman:** The question is that clauses 5 through 14 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 5 through 14 passed.**

### PART III EXEMPT RECORDS

#### Clauses 15 through 27

**The Clerk:**

|           |                                                                      |
|-----------|----------------------------------------------------------------------|
| Clause 15 | Records affecting security, defence or international relations, etc. |
| Clause 16 | Records relating to law enforcement                                  |
| Clause 17 | Records subject to legal privilege, etc.                             |
| Clause 18 | Records affecting national economy                                   |
| Clause 19 | Records revealing government's deliberative processes                |
| Clause 20 | Prejudice to effective conduct of public affairs                     |
| Clause 21 | Records relating to commercial interests                             |
| Clause 22 | Records relating to heritage sites, etc.                             |
| Clause 23 | Records relating to personal information                             |
| Clause 24 | Records likely to endanger health and safety                         |
| Clause 25 | Issuance of certificate re exempt record                             |
| Clause 26 | Some exemptions are subject to public interest test                  |
| Clause 27 | Making of decisions and reasons public                               |

**The Chairman:** The question is that clauses 15 through 27 form part of the Bill. All those in favour, please Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 15 through 27 passed.**

### PART IV AMENDMENT AND ANNOTATION OF RECORDS

#### Clauses 28 through 32

**The Clerk:**

|           |                                                      |
|-----------|------------------------------------------------------|
| Clause 28 | Application for amendment or annotation of records   |
| Clause 29 | Amendment of records                                 |
| Clause 30 | Annotation of records of personal information        |
| Clause 31 | Notice of amendments or annotations                  |
| Clause 32 | Transfer of applications for amendment or annotation |

**The Chairman:** The question is that clauses 28 through 32 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**Agreed: Clauses 28 through 32 passed.**

### PART V INTERNAL REVIEW

#### Clauses 33 and 34

**The Clerk:**

|           |                                 |
|-----------|---------------------------------|
| Clause 33 | Application for internal review |
| Clause 34 | Procedure for internal review   |

### PART VI INFORMATION COMMISSIONER

#### Clauses 35 through 41

**The Clerk:**

|           |                                                                         |
|-----------|-------------------------------------------------------------------------|
| Clause 35 | Office of the Information Commissioner                                  |
| Clause 36 | Independence and powers                                                 |
| Clause 37 | Information Commissioner to be subject to Public Service Management Law |
| Clause 38 | Staff                                                                   |
| Clause 39 | General activities                                                      |
| Clause 40 | Reports                                                                 |
| Clause 41 | Protection of the Commissioner                                          |

**The Chairman:** The question is that clauses 33 through 41 form part of the Bill. All those in favour, please Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 33 through 41 passed.**

### PART VII ENFORCEMENT BY COMMISSIONER

#### Clauses 42 through 48

**The Clerk:**

|           |                                                |
|-----------|------------------------------------------------|
| Clause 42 | Appeal to Commissioner                         |
| Clause 43 | Decision on appeal                             |
| Clause 44 | Implementation of decision                     |
| Clause 45 | Commissioner's powers generally to investigate |
| Clause 46 | Investigations on Commissioner's initiative    |

- Clause 47 Appeal from Commissioner's decisions and orders
- Clause 48 Decisions and orders of Commissioner binding

**The Chairman:** The question is that clauses 42 through 48 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 42 through 48 passed.**

### PART VIII MEASURES TO PROMOTE OPENNESS

#### Clauses 49 through 53

**The Clerk:**

- Clause 49 Information managers
- Clause 50 Whistleblowers
- Clause 51 Guidance on duty to publish
- Clause 52 Maintenance of records
- Clause 53 Training of officials

**The Chairman:** The question is that clauses 49 through 53 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 49 through 53 passed.**

### PART IX MISCELLANEOUS

#### Clauses 54 through 58

**The Clerk:**

- Clause 54 Protection from liability re defamation, breach of confidence and intellectual property rights
- Clause 55 Offences
- Clause 56 Provisions re other Laws
- Clause 57 Regulations
- Clause 58 Review of Law by Parliamentary committee

**The Chairman:** The question is that clauses 54 through 58 form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 54 through 58 passed.**

**The Clerk:** The Schedule.

**The Chairman:** The question is that the Schedule form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Schedule passed.**

**The Clerk:** A Bill for a Law to Give to the Public a General Right of Access to Records; and to Make Provision for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Title passed.**

**The Chairman:** The question is that the Bill be reported to the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it. The Bill will accordingly be reported to the House.

**Agreed: Bill to be reported to the House.**

**The Chairman:** The House will resume.

#### House resumed at 3.42 pm

**The Speaker:** Please be seated. Proceedings are resumed.

### REPORT ON BILL

#### Freedom of Information Bill, 2007

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I have to report that a Bill shortly entitled The Freedom of Information Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

That concludes the Orders of the day.

Honourable Minister of Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, based on one of the supplementary questions of the Leader of the Opposition, I have conferred with my staff at the Ministry, and in order to ensure that he and other Members of the House are aware of the current state of developments in relation to the new schools, I have arranged another presentation on Monday at 1.30 here in the Committee Room of the Legislative Assembly. I would ask all Members of the House to make every effort to be present so that they can see where we are in relation to the new schools.

Thank you, Madam Speaker.

**The Speaker:** I think the Clerk has circulated to the members of the CPA Executive that we would like to hold a short meeting immediately after the adjournment in the Committee Room. Have all members been notified of this meeting?

I will entertain a motion for the adjournment of this honourable House.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, thanking you in advance, I also wish to ask members of the Business Committee to remain after the adjournment because the Business Committee does need to meet. So with your indulgence, because some of us are on both, we would like to quickly do Business Committee and then do the CPA Executive meeting because the Business Committee will not be long. And unless you wish to reply to me . . .

**The Speaker:** Honourable Leader, just to ensure that the Business Committee is . . .

**Hon. D. Kurt Tibbetts:** Very short.

**The Speaker:** As quickly as possible.

**Hon. D. Kurt Tibbetts:** Absolutely, Madam Speaker. Absolutely.

**The Speaker:** I will entertain a motion for the adjournment.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the adjournment of this honourable House until Monday morning at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Monday morning at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until Monday morning at 10 am.

**At 3.45 pm the House stood adjourned until 10 am Monday, 3 September 2007.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**3 SEPTEMBER 2007**  
**10.11 AM**  
*Second Sitting*

**The Speaker:** I will ask the Honourable Leader of the Opposition to say Prayers.

*(Administered by the Clerk)*  
*By Mrs. Cheryll Richards*

**PRAYERS**

**Hon. W. McKeeva Bush:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever.*

*And Father, we thank You for Your blessings on us as You shelter us. If You direct the winds, the waves, and though they beat high You spare us, and we thank You.*

*Write Thy words now upon our hearts and bless these our supplications. In Jesus' name.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.14 am**

**ADMINISTRATION OF OATHS  
OR AFFIRMATIONS**

**Oath of Allegiance**

**The Speaker:** May we stand?

**Hon. Cheryll Richards:** I, Cheryll Richards, do swear that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II, her heirs and successors according to law, so help me God.

**The Speaker:** Mrs. Richards, it is my pleasure to welcome you once again to these Chambers, and I invite you now to take your seat.  
Please be seated.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Honourable Second Official Member who is off Island on official business; for the First and Second Elected Members for the District of Cayman Brac and Little Cayman.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Special Report of the Auditor General on the Review of the Debt Financing Arrangements for Boatswain's Beach**

**The Speaker:** I recognise the Chairman of the Public Accounts Committee, the Third Elected Member for the district of Bodden Town.

**Mr. V. Osbourne Bodden:** Madam Speaker, I beg to lay on the Table of this honourable House the Special Report of the Auditor General on the Review of the Debt Financing Arrangements for Boatswain's Beach

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. V. Osbourne Bodden:** Madam Speaker, just to say that this report is a public document and is now before the Committee for consideration. Thank you.

**Report of the Standing Public Accounts Committee on the Annual Reports of the Cayman Islands Audit Office for the Financial Years Ending 30<sup>th</sup> June 2005 and 30<sup>th</sup> June 2006**

**The Speaker:** I recognise the Chairman of the Public Accounts Committee, the Third Elected Member for the district of Bodden Town.

**Mr. V. Osbourne Bodden:** Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Standing Public Accounts Committee on the Annual Reports of the Cayman Islands Audit Office for the Financial Years Ending 30<sup>th</sup> June, 2005 and 30<sup>th</sup> June, 2006

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. V. Osbourne Bodden:** Yes, thank you, Madam Speaker.

Today, as Chairman of the Public Accounts Committee, I would like to table the Annual Reports of the Cayman Islands Audit Office for the Financial Years Ending 30<sup>th</sup> June, 2005 and 30<sup>th</sup> June, 2006 in accordance with section 44(5) of the Public Management and Finance Law (2005 Revision).

The 30 June 2005 is the first Annual Report of the Audit Office to be audited by an independent accounting firm. PriceWaterhouseCoopers audited both the statement of outputs delivered and financial statements for the year then ended.

The audit office will be audited every fiscal year by an independent accounting firm.

For the fiscal year ending 30 June 2005, the Auditor General issued four reports: 1) Auditor General's Report on the Government's Financial Statements for the six-month period ending 30 June 2003; 2) Special Report of the Auditor General on the Affordable Housing Initiative; 3) Special Report of the Auditor General on the Tendering and Awarding of the Debris & Removal Contract in the aftermath of Hurricane Ivan; and 4) Forensic Audit Report on the National Housing and Community Development Trust issued to the Governor.

The audit office aims to break even each year and for the year ending 30 June 2005, had a surplus of CI\$50,000.

For the fiscal year ending 30 June 2006, the Auditor General issued three reports: 1) Final Forensic Audit Report on the National Housing and Community Development Trust issued to the Governor; 2) Auditor General's Report on the Government's Financial Statements for the six-month period ending 30 June 2004; and 3) Special Report of the Auditor General on the Royal Watler Cruise Terminal Capital Project.

For the fiscal year ending 30 June 2006, the audit office experienced a net loss of CI\$91,000.

The audit office has experienced operational cash flow problems resulting from an increase in accounts receivable balances and the office not being able to collect in a timely manner. A Cabinet paper has been prepared and taken before Cabinet to consider two recommendations from the Public Accounts Committee.

The Public Accounts Committee recommended: 1) that an equity injection of \$177,000 be provided to the Cayman Islands Audit Office through the next 2006/7 supplemental budget; and 2) the Portfolio of Finance and Economics review Government's policy governing the processing of interagency charges with a view to simplifying the process and improving the timeliness of the billings and payments.

Thank you, Madam Speaker.

**QUESTIONS TO HONOURABLE  
MINISTERS AND MEMBERS  
OF THE CABINET**

**The Speaker:** I recognise the Honourable Leader of the Opposition

**Hon. W. McKeeva Bush:** Madam Speaker, I consider that question No. 8 was satisfactorily answered during the process of the Budget examination. Therefore, I wish to withdraw this question.

**Question No. 8  
(withdrawn)**

**No. 8: Hon. W. McKeeva Bush** to ask the Honourable Second Official Member responsible for Legal Administration to say if any law suits are outstanding against the Government and, if so, to say how many and the reasons.

**The Speaker:** The question is that Question No. 8 on the Order Paper, standing in the name of the Honourable Leader of the Opposition be withdrawn. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 8 withdrawn.**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Question No. 9**

**No. 9: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Tourism, Environment, Investment and Commerce to say how much the Tourism Department spent to assist Spirit Airline to launch the Cayman Route.

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

For many years the Department of Tourism has provided cooperative marketing funding to airlines which serve key Cayman Islands tourism routes.

On June 28<sup>th</sup> 2005 Spirit wrote to the Cayman Islands Airports Authority (CIAA) informing them and by extension the Government of its intent to explore commencement of service to the Cayman Islands.

Subsequently, Spirit representatives made two trips to the Cayman Islands in July and during those visits met with the CIAA, the Civil Aviation Authority, the Department of Tourism, the Cayman Islands Tourism Association and the Chamber of Commerce. Spirit also made a courtesy call on the Ministry of Tourism.

On July 29<sup>th</sup>, 2005 Spirit wrote to the Department of Tourism to officially advise the Cayman Islands Government of its intent to start service to Grand Cayman from Ft. Lauderdale. Neither the Department of Tourism nor any other government department or Statutory Authority provided any funds as a necessary condition for Spirit to make its decision to start service.

Once it had decided to start service, Spirit did ask the CIAA to consider waiving landing fees for 6 months and this request was declined. In early September, [2005] Spirit made an appeal to the Ministry of Tourism via the Department of Tourism to consider waiving the landing fees at the Owen Roberts International Airport and I personally explicitly reiterated the Government's policy that we do not provide operational subsidies to foreign carriers.

On the other hand, once Spirit communicated its decision to start service, the Department of Tourism and various local hotels and resorts confirmed their willingness to develop a cooperative marketing and promotions agreement with Spirit, valued at approximately US\$300,000 over the period December 2005 through December 2006.

However, these were not new or incremental funds – these were funds that would have been spent promoting the Cayman Islands anyway in various print and television advertising, travel agent direct mailings and at various consumer shows. The figure of US\$300,000 is the approximate value of the Cayman Islands advertising and promotions that featured Spirit Airlines and/or Spirit Vacations as the call to action.

This is compared to the more than US\$2.5 million in Cayman Islands advertising and promotions that featured Cayman Airways over the same time period.

Madam Speaker, the message here is that as a policy the Cayman Islands Government does not provide operational subsidies to foreign carriers but we do from time to time engage in cooperative marketing programmes with all carriers serving the Cay-

man Islands. This makes sense Madam Speaker because it benefits the destination as a whole when we do promotions in the cities and states from which we offer non-stop and direct air service.

Thank you.

**The Speaker:** Are there any supplementaries? Honourable Leader of the Opposition.

### Supplementaries

**Hon. W. McKeever Bush:** Can the Honourable Minister say which hotels and resorts participated in the \$300,000 expenditure?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you.

The participation was through the Cayman Islands Tourism Association so there were a number of hotel properties on Island that offered, as an example, room nights for some of the Spirit executives and marketing agents to promote the service. And I should also say that this type of arrangement is really nothing new, this has been going on now for many administrations where we enter into these cooperative marketing arrangements with airlines.

It is a mutual arrangement. So the country itself, the destination, would have also benefitted from expenditure on the Spirit side. As an example, they would have included the Cayman Islands as a destination in their Spirit Vacation packages; they would have promoted us on their website, particularly with respect to their cyber specials; they would have sponsored some trade and media consumer campaigns; and we would also have had promotion through the Spirit Airline email database.

So, as I said, it is a mutual arrangement that would have existed between Spirit just as we have similar arrangements with all other airlines serving the Cayman Islands.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you.

Can the Honourable Minister say (a) what date Spirit started service to these Islands; and (b) what is the value of the Association's input?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you.

Spirit Airlines started service to Cayman in February 2006. We do not have available right now the value of the contribution from the Cayman Islands

Tourism Association, or from the members of the Cayman Islands Tourism Association.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you.

Can the Honourable Minister say exactly how they participate?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Madam Speaker, I thought I had already answered that, but as an example, the Spirit Airlines would have wanted a number of what they call hotel nights available to their travel agents and their marketing and promotional officers so that they could promote the service to Cayman.

Again, this is the norm in the industry when you have this type of partnership and you have an airline starting service to your country. You expect that your private sector will step in and offer some support on the marketing side. So they did on this occasion. And it would have been things such as that as well as making things like small conference rooms available for meetings with industry stakeholders and such matters.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Can the Honourable Minister say what the value is of what the department did since it is a figure of \$300,000?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you.

I think it is fair to say that the majority of the \$300,000 is essentially in advertising and promotional value from the DoT. But I need to reiterate—because I want to make sure it is clear—the DoT did not give Spirit Airlines US\$300,000. We gave them access to some of the value in the promotions and advertising campaigns that we had going on particularly in the cities from which they service the country. So the destination was also benefitting.

In other words, we were promoting the destination whether it was on television, radio or in print. We were promoting the destination as a whole and simply saying you can fly nonstop on Spirit from Ft. Lauderdale, just as we do with the Cayman Airways gateways, the Continental gateways, Delta gateways and all the other airlines that serve the Cayman Islands.

It makes sense, Madam Speaker, that when we are promoting our country and asking people to come and visit us, because we have a beautiful coun-

try, that we should say *'here is where you can get service from, from this particular airline that flies nonstop from this particular city and blah, blah, blah.'* So I think that the . . . I know the Leader of the Opposition is familiar with this type of cooperative marketing programme.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Was this promotion before the start date of the service or after the start date; and is it still ongoing?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you.

The promotion started before the start of service in February 2006, and it continued beyond that. The timeframe that I gave in the substantive answer was December 2005 to December 2006. Going into 2007 I have been advised by the DoT that the amount of marketing value that Spirit has gotten from the DoT has decreased because they have obviously established a service and require less from the destination at this point.

Madam Speaker, it is also important to note—and we do not have access to the details of all of these programmes—that individual properties on Island also engaged in specific marketing arrangements with Spirit, again just as they do with other airlines. But those are arrangements between the hotels on Island and the Airline itself. The Government is not involved in those arrangements.

**The Speaker:** I will allow one more supplementary.

Are there any further supplementaries?  
[pause]

If not, we move on to the next question.

I recognise the Third Elected Member for the district of George Town.

#### Question No. 10

**No. 10: Ms. Lucille D. Seymour** asked the Honourable First Official Member responsible for Internal and External Affairs and the Portfolio of the Civil Service to outline the role of the people's elected representatives in hurricane preparedness to include district assessment and monitoring, before and after hurricanes and availability of resources i.e. transport, relief and meeting the people's needs?

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Thank you, Madam Speaker.

The role of the people's elected representatives is set out in the [Cayman Islands] National Hurricane Plan which is as follows:

**"Members of the Legislative Assembly [MLA's] are responsible to H.E. the Governor and their constituencies for the well-being of people and the protection of property therein. They provide this through:**

- ▶ **the adoption of legislation, policies and systems that address these basic requirements; and**
- ▶ **the demonstration of need within their respective constituencies.**

**"To ensure an adequate level of accurate information and coordination with the NHC (National Hurricane Committee), the MLA's may nominate individuals from their district to be assigned to the District Emergency Response Team (D.E.R.T.) for their respective district or constituency, one of which will be an appointed Chairperson. The Chairpersons of the D.E.R.T.'s will be members of the District Emergency Response Sub-committee of the NHC.**

**"Members of the D.E.R.T. will collectively coordinate preparedness and response activities in their respective districts. They will coordinate and communicate with both the NHC, and with the [respective] MLA's. This level of information will provide the MLA's with critical information to assist in their role as representatives of Cayman Islands citizens."**

Currently, there is no plan in place to provide transportation to the district emergency response teams. Instead, it is expected that they would source transportation/support at the district level as it is envisaged that the Essential Relief Committee would aim to transport relief supplies to predetermined distribution points within the districts and the D.E.R.T.'s would arrange distribution [within the district] from there.

Relief supplies will be provided based on assessed needs and will be drawn primarily from local suppliers.

**The Speaker:** Are there any supplementaries? [pause] Are there any supplementaries? [pause]

If there are no supplementaries, we move on to the next question.

I recognise the Third Elected Member for the District of George Town.

#### Question No. 11

**No. 11: Ms. Lucille D. Seymour** asked the Honourable Leader of Government Business, the Minister responsible for District Administration, Planning, Agriculture and Housing in view of the predictions of the increased severity and frequency of hurricanes, could

the Honourable Minister say what policies and plans are being considered to ensure that, at the time of construction of buildings, adequate storm and hurricane protection are included in the specifications.

**The Speaker:** Hon. Leader of Government Business.

**Hon. D. Kurt Tibbetts:** New construction gives us the opportunity to make provisions for hurricane resistance from the project's inception. While one would like to assume that all new development projects, whether single-family homes or large commercial buildings would incorporate the lessons, we have learned from past storm events and take every possible measure to protect the property from storm impacts, it is not necessarily so. While some have suggested that you cannot legislate common sense, I believe this is one time where we must certainly try to do so—it is in everyone's best interest.

The Government is committed to looking at a number of possible measures to ensure that adequate storm and hurricane protection is included in the specifications of new structures.

A logical place to start is the Building Code, which sets the life-safety standards for construction on the island. Perhaps we need to look at other jurisdictions faced with similar hurricane threats, such as the code for Florida's Miami-Dade county, to explore what has already been implemented in other places and how successful the policy change has been. Amendments to our local Code to require hurricane shutters or impact resistant windows rated to a specified standard may be one tool that could be used.

However, it is important to remember that damage from a hurricane does not come from wind alone. A significant amount of the damage caused by Hurricane Ivan was due to the storm surge and subsequent flooding of many areas around Grand Cayman. Currently the regulations require the finished floor level to be a minimum of four feet above the Tidal Bench Mark—perhaps we should investigate whether the benefit of increasing this minimum floor level would offset the increased construction cost that will likely be associated with it.

As evidenced in Hurricane Ivan, and reinforced by Hurricane Dean, coastal structures are the most vulnerable to storm surge and wave impact. Government will re-examine its existing coastal setback requirements with a mind to perhaps increasing them in order to provide better protection to any new coastal development.

Government will also investigate best practices around the world in terms of coastal development standards and flood resistant structures in order to determine whether there are any innovations that could be used locally. Once these have been identified, the Planning Law, Regulations, and the Building Code will be reviewed to make sure that they will allow these innovative new designs and techniques to be used.

Finally, it is my intention to approach the insurance companies to discuss the possibility of rebates and reduced premiums for those structures which have various storm protection features. It only makes sense to me that a structure that incorporates various hurricane protection measures poses a lesser risk than one that does not. And the premiums should reflect this.

**The Speaker:** Are there any supplementaries? [pause] Are there any supplementaries? [pause]

The Second Elected Member for the district of West Bay.

### Supplementaries

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Can the Honourable Minister say whether or not Government, if approached by organisations of the communities who are constructing structures that could potentially serve a dual purpose in the event of a hurricane, that is, operating as a shelter, would consider such requests in regard to perhaps working in tandem with those organizations; if the funding would be an issue for them to bring it to those specifications?

[inaudible interjection]

**The Speaker:** [replying to interjection] Are you sitting in the Chair, or am I?

Hon. Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker I am sure we all recognise who sits in the Chair.

**The Speaker:** I appreciate that very much, Honourable Leader.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, while that question strays a bit from the substantive question, I am quite happy to answer the Second Elected Member for West Bay.

If I understand his question correctly, I believe he is asking whether the Government would consider talking to individuals or organisations that are building structures and are prepared to admit those structures on completion as part of the national inventory of hurricane shelters. I see him nodding, so I will answer that question.

Already, the Honourable Acting Chief Secretary has had discussions with more than one entity. And we have discussed the matter informally at Cabinet. It has been estimated that with the present planning requirements, in order to bring any of these structures up to Category 5 resistant capability, probably a 15 per cent difference in cost would be incurred.

What has not happened thus far—and it is inadvertent, not intentional—there have been no specific funds identified in budget allocations. But the

Government is amenable to looking at this and certainly that will be part and parcel of the entire look-see and shoring up properties, both private and otherwise, in the country.

We have had discussions, as I said before, with more than one entity. Once funds are identified, we certainly would wish to do so. That can only benefit the entire country since what it does is increase the inventory of shelters throughout all of the districts in the country. But certainly we will have to develop specific criteria and it is a matter of ensuring there is firm agreement that those properties will be entered permanently into the inventory of public shelters when there is need for them.

**The Speaker:** Are there any further supplementaries? [pause] Are there any further supplementaries? [pause] If not, we move on to the next question.

I recognise the Third Elected Member for George Town.

### Question No. 12

**No. 12: Ms. Lucille D. Seymour** asked the Honourable Leader of Government Business, the Minister responsible for District Administration, Planning, Agriculture and Housing, if the Honourable Minister has given any considerations to instituting a programme to ensure that existing home protection plans include retrofitting of existing buildings and proper protection against hurricanes such as storm windows or shutters which could be designed and made locally.

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, this is a very timely question indeed. With the very recent threat of Hurricane Dean still fresh in our minds, which for many people brought back memories of Hurricane Ivan, this is a time when people should be closely examining their home protection plans to assure themselves that they are prepared in the event of a hurricane.

The issue of retrofitting of existing structures is one that presents a somewhat unique challenge, in that there is not a legislative tool readily available that would allow us to mandate the installation of the hurricane shutters and storm windows in existing structures. While we can amend the Building Code requirements for new structures, this is not the case for existing homes.

That is not to say that Government does not have a role in this matter. I believe that Government is in the position to take a proactive approach to this issue and provide the coordination of a country-wide programme to educate the public about the importance of reviewing their home and business protection plans, and emphasizing the important role that shut-

ters and storm windows can play in securing property in a storm.

In the days leading up to Hurricane Dean, I witnessed firsthand how many people did not have window protection as part of their storm protection plan. I saw the scramble to secure plywood and I met several people who, for various reasons, were not in a position to secure their homes themselves. I also spoke with several people who received assistance from their neighbours, their district committees, volunteer organisations and service clubs. This assistance came in many forms, from the provision of plywood to assisting with putting up the plywood and securing the home.

I was reminded again that there are many among us in positions of genuine need and they are in a particularly vulnerable position—they cannot easily afford the cost of retrofitting their homes with impact resistant windows or hurricane shutters, but they can least afford to rebuild their homes if they are damaged.

It is the Government's intention to dedicate the necessary resources to an ongoing programme to assist those in need to make provisions to protect their homes. This assistance may take several forms: It may mean securing plywood, or perhaps provision of labour to cut the plywood to fit the openings, or possibly some assistance in installing the protecting shutters in the event of a storm. To make this type of programme work, the Government will be relying heavily on the assistance of the Department of Children and Family Services, the various district committees, service clubs and other volunteer organisations. We will not only be asking for their assistance in providing labour, we will be looking to them to help us identify those in greatest need of assistance.

For those homeowners that may not require assistance, Government will explore incentives for retrofitting their homes, including looking at means of mitigating the expense of improving their hurricane protection.

We will meet with the insurance companies to explore whether some rebate can be given to those homeowners who have taken steps to protect their property by installing hurricane shutters and impact resistant windows.

Government will also look at whether there is a way for us to reduce the cost to the consumer. We will investigate the feasibility of duty concessions for the importation of impact-resistant windows and shutters (and the material used locally to manufacture them) and discuss with the various vendors whether there is a potential for price reduction.

**The Speaker:** Are there any supplementaries?

The Second Elected Member for the District of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Can the Honourable Minister say if the Government has, at this stage, looked at any other form of material to assist those in greatest need other than plywood?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** At present the National Hurricane Committee is looking into those various aspect and we expect a report very shortly from the Chairman (as I see him nodding his head). As soon as we have that report, then that will be put into the mix of all of what I gave in the substantive answer, in order to move forward with the action plan.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the District of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Could the Honourable Leader say if consideration has been given to address the public in terms of the large amount of plywood that Government recently gave out when Dean was approaching; whether a series of statements or publicity campaign can be made to ensure that this plywood is secured at least for the rest of this season?

**The Speaker:** Honourable Leader of Government Business, if you are in a position to answer that I will accept a reply, but I see nowhere in here where it refers to plywood that has been handed out.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. I am able and happy to reply.

Public utterances have been made already but not a concerted effort. As we speak, statements are being prepared and I expect statements to be issued, I hope beginning today, with regard to the matter as we have been in contact and thought of it. And some of the Elected Members themselves have made mention of it, but the statements that are being prepared, as of right now, I have not received any copies, But expect to have them today. As soon as the statements are ready they will begin to be issued.

**The Speaker:** Are there any further supplementaries? [pause] If not, we will move on to the next item.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

### Supplementaries

**The Speaker:** I have received no notice of statements by Members or Ministers of Cabinet.

## GOVERNMENT BUSINESS

### BILLS

#### SECOND READINGS

##### Merchant Shipping (Amendment) Bill, 2007

**The Deputy Clerk:** The Merchant Shipping (Amendment) Bill, 2007.

**The Speaker:** I recognise the Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move the Second Reading of a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2007.

**The Speaker:** The Motion has been duly moved. Does the Honourable Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker. Just some brief comments.

The Bill that is now before this honourable House seeks to amend the Merchant Shipping Law (2005 Revision), which I shall refer to as the principal Law. The proposed amendments are to make certain technical and commercial amendments to take account of local and international developments in the shipping arena.

In summary, the key technical amendments the Bill seeks to make to the principal Law are:

- 1) To reflect updated terminology with respect to the UK Territories;
- 2) To replace the outmoded term "seaman" with "seafarer";
- 3) To update the Law in relation to various maritime convention provisions for pollution funds and, in particular, to enable the Cayman Islands to take advantage of the Fund Protocol of 2003;
- 4) To make provisions regarding seafarers' wages and employment issues in respect of protection from unauthorized forfeiture, contribution to repatriation expenses and seafarers' liability for periods of absence without leave;
- 5) To conform with the revenue references to the actual revenue classification under the Financial Regulations, as was recently done with respect to the Maritime Authority of the Cayman Islands Law.

In summary, the key commercial amendments the Bill seeks to make to the principal Law are:

1) To extend the range of foreign countries from which persons may be eligible to own Cayman Islands ships to include countries listed in the Third Schedule to the Money Laundering Regulations thereby increasing the potential for ship registration in the Cayman Islands.

For historic reasons that are no longer relevant relating to UK domestic security interest and positions, and imported at the time from UK shipping legislation into our local legislation, currently only persons from EU member states and European Economic area states are eligible, which is an unnecessary restriction.

2) The Bill also seeks to add two additional ports of registry, namely, The Creek, Cayman Brac, and Bloody Bay, Little Cayman.

With the continued expansion of the yacht registration sector the availability of additional ports of registry other than George Town is expected to result in additional registrations.

3) The Bill also seeks to enable the issuance of interim registration certificates and time limited registration certificates to better address the range of commercial situations encountered.

For example with the transfer of ownership registration pending the completion of full inspections for which an indefinitely valid certificate of registration, the current type issued does not provide suitable control and flexibility.

4) The Bill seeks to update and clarify the rule for transfer of registration between the Red Ensign Group Registers to reflect modern practice.

Madam Speaker, I would commend the Merchant Shipping (Amendment) Bill, 2007, to this honourable House for passage. Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If not, does the honourable mover wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I would just simply like to thank all honourable Members for their silent support.

**The Speaker:** The question is that a Bill shortly entitled the Merchant Shipping (Amendment) Bill, 2007, be given a second reading. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it.

**Agreed: The Merchant Shipping (Amendment) Bill, 2007, given a second reading.**

**Maritime Authority of the Cayman Islands  
(Amendment) Bill, 2007**

**The Deputy Clerk:** The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

I beg to move the second reading of a Bill that is shortly entitled The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Third Official Member wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

The Bill that is now before this honourable House seeks to amend the Maritime Authority of the Cayman Islands Law, 2005, which I shall refer to as the principal Law.

The purpose of the Bill is to seek to make certain clarifications and enhancements to certain operational aspects of the Authority. In summary, the Board related amendments:

Clause 2 seeks to amend the principal Law to define "Governor" as Governor-in-Cabinet, so that in line with general practice, appointments to the Board of the Authority are made by the Governor-in Cabinet, rather than the Governor acting alone.

Clause 10 of the Bill seeks to amend paragraph 1 of Schedule 1 to the principal Law to achieve the position originally intended, and which represents best government practice to exclude Members of the Legislative Assembly and Cabinet from eligibility for appointment to the Board. This separation preserves for Members of the Legislative Assembly and the Cabinet the independent exercise of the higher authority due to them in the governing structure of public authorities.

A number of staff related amendments to the principal Law are sought by clauses 3, 4, and 5 of the Bill.

Clause 3 inserts a new section 9A to specifically refer to officers of the Authority required by the Merchant Shipping Law to be appointed and to enable deputies and assistants thereto to be appointed as well.

As a consequence, clause 4 amends section 10(1) of the principal Law to also specifically refer to such officers.

Clause 5, while requiring that the Authority provide medical benefits at least equivalent to any pre-existing benefits and to those under the Health Insurance Law, would enable some flexibility to be exercised by the Authority to enable it to respond as necessary to the labour markets in which it competes for qualified first rank personnel.

In summary of the finance related amendments, clause 7 of the Bill seeks to increase the independent borrowing ceiling of the Authority from \$100,000 to \$250,000. And clause 8 of the Bill seeks to amend section 18(1) of the principal Law to specify that dividends are payable to the Government and to exclude loan proceeds from the calculations of any dividends payable to the Government.

The other main change to the principal Law is sought in clause 9 of the Bill which sets out an extended indemnification provision to include employees as well as directors, and enables the Authority to purchase corresponding insurance for all indemnified persons.

I would seek the support of honourable Members of the House for the passage of The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007. Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] If not, does the honourable mover wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you Madam Speaker. Just to, once again, thank all honourable Members for their support to the Bill.

**The Speaker:** The question is that a Bill shortly entitled The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, be given a second reading. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, has been given a second reading.

**Agreed: The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, given a second reading.**

**The Speaker:** The House will now go into Committee.

**House in Committee at 11.06 am**

## COMMITTEE ON BILLS

**The Chairman:** Please be seated.

The House is in Committee. With the leave of the House may I assume that as usual we authorize the Honourable Second Official Member to correct any minor errors and suchlike in the Bill?

Would the Clerk please state the Bill and read the clauses?

### Merchant Shipping (Amendment) Bill, 2007

**The Deputy Clerk:** The Merchant Shipping (Amendment) Bill, 2007.

- |          |                                                                                         |
|----------|-----------------------------------------------------------------------------------------|
| Clause 1 | Short title.                                                                            |
| Clause 2 | Amendment of section 2 - definitions.                                                   |
| Clause 3 | Amendment of the principal Law - substitution of "seafarer" for "seaman".               |
| Clause 4 | Repeal and substitution of section 4 - qualifications for owning a Cayman Islands ship. |
| Clause 5 | Repeal and substitution of section 20 - port of registry.                               |

**The Chairman:** The question is that clauses 1 through 5 do form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The ayes have it.

**Clauses 1 through 5 passed.**

**The Deputy Clerk:**

- |           |                                                                                                             |
|-----------|-------------------------------------------------------------------------------------------------------------|
| Clause 6  | Repeal and substitution of section 21 - certificate of registry.                                            |
| Clause 7  | Amendment of section 27 - provisional certificate for ship becoming entitled to be registered while abroad. |
| Clause 8  | Amendment of section 33 - dispensation of ships chartered by demise and registered outside the Islands.     |
| Clause 9  | Amendment of section 36 - registration during transfer of ownership.                                        |
| Clause 10 | Amendment of sub-heading preceding section 47.                                                              |

**The Chairman:** The question is that clauses 6 through 10 do form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The ayes have it.

**Clauses 6 through 10 passed.**

**The Deputy Clerk:**

- |           |                                                                                     |
|-----------|-------------------------------------------------------------------------------------|
| Clause 11 | Repeal and substitution of section 47 - transfer of registration from George Town.  |
| Clause 12 | Repeal and substitution of section 48 - transfer of registration to George Town.    |
| Clause 13 | Amendment of section 93 - payment of seamen's wages.                                |
| Clause 14 | Amendment of section 95 - regulations relating to wages and accounts.               |
| Clause 15 | Amendment of section 133 - civil liability for absence without leave.               |
| Clause 16 | Repeal and substitution of section 342 - limitation of liability under section 338. |
| Clause 17 | Amendment of section 360 - limitation of Fund's Liability under section 359.        |

**The Chairman:** The question is that clauses 11 through 17 do form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 11 through 17 passed.**

**The Deputy Clerk:**

- |           |                                                                                                              |
|-----------|--------------------------------------------------------------------------------------------------------------|
| Clause 18 | Amendment of section 365 - meaning of "Liability Convention", the "Fund Convention" and related expressions. |
| Clause 19 | Repeal of section 454.                                                                                       |
| Clause 20 | Amendment of section 460 - fees and fines.                                                                   |
| Clause 21 | Amendment of section 463 - payment to be made into Treasury.                                                 |

**The Chairman:** The question is that clauses 18 through 21 do form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 18 through 21 passed.**

**The Deputy Clerk:** A Bill for a Law to amend the Merchant Shipping Law (2005 Revision) to update references to Overseas Territories; to extend the range of countries in which persons may be qualified to be owners of Cayman Islands ships; to allow more than one Port of Registry; to provide for a Certificate of Registry to be issued for a specified period; to provide for interim registration for Cayman Islands ships; to provide for the implementation of revised levels of liability and increased levels of compensation for oil

pollution damage; and for incidental and connected purposes.

**The Chairman:** The question is that the Title stands part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

### **Maritime Authority of the Cayman Islands (Amendment) Bill, 2007**

**The Deputy Clerk:** The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007.

- |           |                                                                                                    |
|-----------|----------------------------------------------------------------------------------------------------|
| Clause 1  | Short title.                                                                                       |
| Clause 2  | Amendment of section 2 - Definitions.                                                              |
| Clause 3  | Insertion of new section 9A - Appointment of officers.                                             |
| Clause 4  | Amendment of section 10 - Responsibilities of the Chief Executive Officer.                         |
| Clause 5  | Repeal and substitution of section 12 - Applicability of the Health Insurance Law (2005) Revision. |
| Clause 6  | Amendment of section 13 - Funds available to the Authority.                                        |
| Clause 7  | Amendment of section 15 - Capital and borrowing powers of the Authority.                           |
| Clause 8  | Amendment of section 18 - Payment of dividends by the Authority.                                   |
| Clause 9  | Amendment of section 19 - Immunity and indemnity.                                                  |
| Clause 10 | Amendment of Schedule 1 - Appointment and constitution of the Board.                               |

**The Chairman:** The question is that clauses 1 through 10 do form part of the Bill.  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Chairman, I wonder if the Honourable Financial Secretary could say (and if he cannot whether he can get it to me in writing) what is the income by date, by year, for the Authority, and what is expenditure.

**Hon. G. Kenneth Jefferson:** Madam Chair, I do not have that information on hand, but I can provide it to the Honourable Leader of the Opposition.

**The Chairman:** The question is that clauses 1 through 10 do form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 10 passed.**

**The Deputy Clerk:** A Bill for a Law to amend the Maritime Authority of the Cayman Islands Law, 2005 to provide for the appointment of directors, public officers and other personnel; to make provision for medical benefits, for the payment of dividends and for the indemnification of personnel; and for incidental and connected purposes.

**The Chairman:** The question is that the Title form part of the Bill. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

**The Chairman:** The question is that the Bills be reported to the House. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.  
The Bills will accordingly be reported to the House. The House will resume.

### **House Resumed at 11.13 am**

**The Speaker:** Please be seated. Proceedings are resumed.

## **REPORTS ON BILLS**

### **Merchant Shipping (Amendment) Bill, 2007**

**The Deputy Clerk:** The Merchant Shipping (Amendment) Bill, 2007.

**The Speaker:** The Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I am to report that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2007, was considered by a Committee of the whole House and passed without amendments.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

### **Maritime Authority of the Cayman Islands (Amendment) Bill, 2007**

**The Deputy Clerk:** The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007.

**The Speaker:** The Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I am to report that a Bill entitled The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported is set down for a third reading.

### THIRD READINGS

#### Freedom of Information Bill, 2007

**The Deputy Clerk:** The Freedom of information Bill, 2007.

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to move that a Bill shortly entitled The Freedom of Information Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Freedom of Information Bill, 2007, be given a third reading and passed. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Freedom of Information Bill, 2007, has been given a third reading and passed.

**Agreed: The Freedom of Information Bill, 2007, given a third reading and passed.**

#### Merchant Shipping (Amendment) Bill, 2007

**The Deputy Clerk:** The Merchant Shipping (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

I beg to move that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Merchant Shipping (Amendment) Bill, 2007,

be given a third reading and passed. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Merchant Shipping (Amendment) Bill, 2007, has been given a third reading and passed.

**Agreed. The Merchant Shipping (Amendment) Bill 2007 given a third reading and passed.**

#### Maritime Authority of the Cayman Islands (Amendment) Bill, 2007

**The Deputy Clerk:** The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move that a Bill shortly entitled The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, be given a third reading and passed. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, has been given a third reading and passed.

**Agreed. The Maritime Authority of the Cayman Islands (Amendment) Bill, 2007, given a third reading and passed.**

### MOTIONS

#### Government Motion No. 2/07-08

#### The Complaints Commissioner Regulations, 2006

**The Speaker:** I recognise the Chairman of the Committee of the Legislative Assembly responsible for overseeing the Office of the Complaints Commissioner, the Honourable Minister for Education, Training, Employment, Youth, Sports and Culture.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

The Motion:

**WHEREAS section 23(2) of the Complaints Commissioner Law (2006 Revision) provides that**

regulations shall be subject to affirmative resolution;

**AND WHEREAS** section 28(2) of the Interpretation Law (1995 Revision) provides that the expression “subject to affirmative resolution” when used in relation to any regulations shall mean that those regulations are not to come into operation unless and until affirmed by a resolution of the Legislative Assembly;

**BE IT NOW THEREFORE RESOLVED THAT the attached Complaints Commissioner Regulations 2006 be hereby affirmed.**

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Minister wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** Briefly, Madam Speaker.

I believe for the benefit, particularly of the listening public, I ought to read the regulations. The Motion refers to them being attached, but unless they are read no one listening would know what they are about.

On the 19<sup>th</sup> of September last year, Cabinet approved the following regulations which have not yet come into effect. I am going to read them verbatim, Madam Speaker:

#### **The Complaints Commissioner Regulations, 2006**

The Governor in exercise the powers conferred by section 23 of the Complaints Commissioner Law 2003, makes the following regulations:

1. These regulations may be cited as the Complaints Commissioner Regulations, 2006.

2. (1) Mediators and professional or technical advisors referred to in section 8 of the Complaints Commissioner Law shall be appointed under a contract of service which shall embody the terms and conditions of their engagement, including their remuneration.

(2) Remuneration shall be determined in accordance with the fair market value appraisal, undertaken by the Commissioner, of the work to be performed.

3. (1) Transport, accommodation or other expenses referred to in section 14 (4) (a) of the Law shall be proven by proper receipts or other sufficient documentary evidence.

(2) The Commissioner may, at his discretion, allow payment of an expense not exceeding fifty dollars for which no receipt or documentary evidence is provided but which he is satisfied was genuinely incurred.

(3) Lost time that may be compensable under section 14(4)(b) of the Law shall be computed in days or half-days or in such other manner that the Commissioner thinks fit, and wages or other income lost shall be proven by such documentary

or other evidence as the Commissioner may require.

Those, Madam Speaker, are the Regulations which Cabinet has made and which the Motion seeks to have an affirmative resolution of this honourable House.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If not does the Mover wish to exercise his right of reply?

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, merely to thank honourable Members for their tacit support of the Motion.

**The Speaker:** The question is BE IT NOW THEREFORE RESOLVED THAT the attached Complaints Commissioner Regulations 2006 be hereby affirmed. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 2/07-08 is duly passed.

**Agreed: Government Motion No. 2/07-08 passed.**

#### **Government Motion No. 3/07-08 Proposed Rezoning – Cayhessa Charitable Foundation Ltd**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

I beg to move Government Motion No. 3 of 2007/8, which is an amendment to the Development Plan 1997. With your permission I will read the Motion:

**WHEREAS** in 2006, the Central Planning Authority (CPA) received an application for the rezoning of Registration Section, West Bay Beach North, Block 11B Parcel 56 Rem 3 from Neighbourhood Commercial to Low Density Residential;

**AND WHEREAS** the CPA originally considered the application on June 7, 2006 (CPA/18/06, Item 4.1) and resolved that the rezone application be put out for public comment;

**AND WHEREAS** the proposed amendments were advertised in the *Caymanian Compass* on July 17, 19, 25, and 28, 2006, in accordance with section 11(2) of the Development and Planning Law (2005 Revision) and the application was placed on display in the Planning Department. During the comment period no letters of objections were received;

**AND WHEREAS** on October 25, 2006, the CPA again considered the application in light of

the public review process (CPA/33/06, Item 4.1) and it was resolved to forward the proposed amendments to the Ministry with the recommendation that the proposed amendments be forwarded to the Legislative Assembly for approval;

AND WHEREAS on April 17, 2007, Cabinet approved the rezoning application and further that the matter be referred on to the Legislative Assembly;

BE IT NOW THEREFORE RESOLVED THAT in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

AND BE IT FURTHER RESOLVED that, Registration Section, West Bay Beach North, Block 11B Parcel 56 Rem 3 be rezoned from Neighbourhood Commercial to Low Density Residential.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker, briefly.

As the Motion in its context indicates, the CPA received this application in 2006 for the rezoning from neighbourhood commercial to low density residential. The proposed rezoning encompasses some 4.6 acres and is located off the West Bay Road behind the Coutts building and Trafalgar Square. The proposal calls for the parcel to be rezoned from the current zoning of neighbourhood commercial to low density residential.

It is obvious that the rezoning application is simply because there has been a fair amount of commercial development in that area and the owners are of the view that that type of development is saturated and there is room for home development rather than commercial development; hence, the rezoning application.

The Central Planning Authority, having gone through the process required by law made the recommendation. Cabinet has approved the recommendation; hence it is now before us for our consideration and is being recommended by the Government.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, since there is nothing to reply to, I would only say thank you in

making the assumption that Members are in support of the application.

**The Speaker:** The question is: BE IT NOW THEREFORE RESOLVED THAT in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

AND BE IT FURTHER RESOLVED that, Registration Section, West Bay Beach North, Block 11B Parcel 56 Rem 3 be rezoned from Neighbourhood Commercial to Low Density Residential.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 3/07-08 is duly passed.

**Agreed: Government Motion 3/07-08 passed.**

**Government Motion No. 4/07-08  
Proposed Rezoning – Majid Yasin**

**The Speaker:** I recognise the Honourable Leader of Government Business, the Minister responsible for District Administration, Planning, Agriculture and Housing.

**Hon. D. Kurt Tibbetts:** Thank you.

I beg to move Government Motion No. 4 of 2007/8, which, again, is an amendment to the Development Plan 1997, and which reads:

WHEREAS in 2006, the Central Planning Authority (CPA) received an application for the rezoning of Registration Section, George Town East, Block 20C Parcel 3 (part) from Light Industrial to Hotel Tourism;

AND WHEREAS the CPA originally considered the application on July 26, 2006 (CPA/24/06 Item 4.1) and resolved that the rezone application be put out for public comment;

AND WHEREAS the proposed amendments were advertised in the *Caymanian Compass* on August 14, 16, 22, and 25, 2006, in accordance with section 11(2) of the Development and Planning Law (2005 Revision) and the application was placed on display in the Planning Department. During the comment period no letters of objections were received;

AND WHEREAS on November 15, 2006, the CPA again considered the application in light of the public review process (CPA/34/06 Item 4.1) and it was resolved to forward the proposed amendments to the Ministry with the recommendation

that the proposed amendments be forwarded to the Legislative Assembly for approval;

**AND WHEREAS** on April 17, 2007, Cabinet approved the rezoning application and further that the matter be referred on to the Legislative Assembly;

**BE IT NOW THEREFORE RESOLVED THAT** in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

**AND BE IT FURTHER RESOLVED** that, Registration Section, George Town East, Block 20C Parcel 3 (part) be rezoned from Light Industrial to Hotel Tourism.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Mover wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

The proposed rezone encompasses approximately 3.516 acres of a 36.258 acre parcel and is situated north of the airport terminal directly northeast of the future airport roundabout.

The proposal calls for this part of the parcel to be rezoned from the current zoning of light industrial to hotel tourism.

As I understand it, the application for the rezone is to take this part of the 35 acre parcel for the purposes of building a hotel. When my Ministry received the application through the Central Planning Authority, we forwarded it on to all the relevant agencies for comment. The Civil Aviation Authority and the Cayman Islands Airports Authority had no difficulties with the application, hence Cabinet approved and we are now bringing the application for rezone to the Legislative Assembly for its approval.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

**Hon. D. Kurt Tibbetts:** Once again, just to thank honourable Members for their very quiet support.

**The Speaker:** The question is: **BE IT NOW THEREFORE RESOLVED THAT** in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

**AND BE IT FURTHER RESOLVED** that, Registration Section, George Town East, Block 20C Parcel 3 (part) be rezoned from Light Industrial to Hotel Tourism.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 4/07-08 is duly passed.

**Agreed. Government Motion No. 4/07-08 passed.**

**Government Motion No. 5/07-08  
Proposed Rezoning – Consolidated Water Company Ltd**

**The Speaker:** I recognise the Honourable Leader of Government Business, the Minister responsible for District Administration, Planning, Agriculture and Housing.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I beg to move Government Motion No. 5/07-08 which is, again, an amendment to the Development Plan 1997 regarding a proposed rezoning. The Motion reads as follows:

**WHEREAS** in 2006, the Central Planning Authority (CPA) received an application for the rezoning of Registration Section, West Bay Beach North, Block 11D Parcels 8, 40, and 42 from Low Density Residential to Neighbourhood Commercial;

**AND WHEREAS** the CPA originally considered the application on October 25, 2006 (CPA/33/06, Item 4.2) and resolved that the rezone application be put out for public comment;

**AND WHEREAS** the proposed amendments were advertised in the *Caymanian Compass* on November 8, 10, 13 and 16, 2006, in accordance with section 11(2) of the Development and Planning Law (2005 Revision) and the application was placed on display in the Planning Department. During the comment period 27 letters of objection were received;

**AND WHEREAS** on January 24, 2007, the CPA again considered the application in light of the public review process (CPA/02/04, Item 4.1) and it was resolved to forward the proposed amendments to the Ministry with the recommendation that the proposed amendments be forwarded to the Planning Appeals Tribunal (Development Plan) for their recommendation; [that is the Planning Appeals Tribunal dealing with the Development Plan];

**AND WHEREAS** the Planning Appeals Tribunal (Development Plan) held an inquiry into the application on 11 May 2007, and subsequently

recommended to the CPA that the requested rezoning be approved;

**AND WHEREAS** on July 11, 2007, the CPA again considered the application in light of the Tribunal's recommendation and it was resolved to forward the proposed amendments to the Ministry with the recommendation that the proposed amendments be forwarded to the Legislative Assembly for approval;

**AND WHEREAS** on 31 July 2007, Cabinet approved the rezoning application and further that the matter be referred on to the Legislative Assembly;

**BE IT NOW THEREFORE RESOLVED THAT** in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

**AND BE IT FURTHER RESOLVED that, Registration Section, West Bay Beach North, Block 11D Parcels 8, 40, and 42 be rezoned from Low Density Residential to Neighbourhood Commercial.**

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Mover wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, this rezone application when it was put out for public comment received some 27 letters of objection. This, unlike the first one I brought earlier, or rather opposite to the first one I brought earlier, is asking for the rezone from low density residential to neighbourhood commercial.

The application is in the name of Consolidated Water Company Ltd. And although I have not had any talks with anyone, I am pretty confident it is simply to do with what we know as the Water Company and their operations. After all of the considerations by the Appeals Tribunal, the Appeals Tribunal recommended to the CPA that the matter be forwarded for the rezoning to be approved. Cabinet examined the application under those premises and also recommended it, and here it is in front of the Legislative Assembly seeking approval.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Just to question the Leader of Government Business as to whether discussions were held with the 27 objectors. If he said that I did not hear him.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. Forgive me; I thought it was Question Time.

I do not know of any discussions with any Ministry staff with the objectors. I do know the objectors had opportunity through the Central Planning Authority process and through the Appeals Tribunal process to make their case be heard. When it went through that process and came to the Ministry with the recommendation for approval, all of those matters had been taken into consideration.

It is one of those difficult situations, Madam Speaker, where the Water Company has been there forever, development has taken place all around it. The same residents who are there, that is where they get their water from and I guess short of the Water Company moving all of its entire operations, the necessity of the rezone for them to operate is one which the Government would be in almost untenable circumstances not to grant.

**The Speaker:** The question is: **BE IT NOW THEREFORE RESOLVED THAT** in accordance with section 10 (2) (b) of the Development and Planning Law (2005 Revision), the Central Planning Authority hereby recommends and submits to the Legislative Assembly the following proposal for alteration to the Development Plan 1997, a summary and map are attached hereto;

**AND BE IT FURTHER RESOLVED that, Registration Section, West Bay Beach North, Block 11D Parcels 8, 40, and 42 be rezoned from Low Density Residential to Neighbourhood Commercial.**

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Government Motion No. 5/07-08 passed.**

## **OTHER BUSINESS**

### **PRIVATE MEMBERS' MOTIONS**

#### **Private Member's Motion No. 5/07-08**

#### **Protocol concerning the Cayman Islands Flag and the Cayman Islands National Song**

**The Speaker:** The Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker, Private Member's Motion No. 5/07-08, concerning Protocol of the Cayman Islands Flag and the Cayman Islands National Song, reads as follows:

**WHEREAS the Cayman Islands Flag is a symbol of pride for all its citizens;**

**AND WHEREAS the Cayman Islands Flag is the primary object that triggers emotions of patriotism among its citizens;**

**AND WHEREAS there is insufficient established protocol in relation to management of the Cayman Islands National Song and the management and display of the Cayman Islands Flag;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers the following:**

- (i) that the Cayman Islands Flag be raised and lowered at all prominent Government Buildings daily;**
- (ii) that the Cayman Islands Flag be conspicuously displayed at all Government functions whenever possible, especially in the event that the Cayman Islands National Song is a programme item;**
- (iii) that a policy be established to guarantee that the Cayman Islands National Song is sung throughout each primary and high school, public and private, each day of school, and that there be a flag raising ceremony each day at each school;**
- (iv) that an official protocol of standing at attention be established for all those present while the Cayman Islands National Song is being played;**
- (v) that penalties be established for improperly displaying or handling the Cayman Islands Flag.**

**The Speaker:** May I have a seconder?  
The Third Elected Member for George Town.

**Ms. Lucille D. Seymour:** Madam Speaker, I rise to second Private Member's Motion 5/07-08, Protocol concerning the Cayman Islands Flag and the Cayman Islands National Song.

**The Speaker:** The Motion has been duly moved and seconded and is open for debate. Does the mover wish to speak thereto?

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker. I stand here with a tremendous amount of pride today having been given the privilege to move my first motion in this Legislative Assembly, and a motion that I consider to be somewhat patriotic and

one that will reach out and touch every single individual that calls these Cayman Islands their home.

Over a year ago when I first mentioned the issues that I had with the display of the Cayman Islands Flag and the disrespect shown when the Cayman Islands National Song was being played, has caused me to have a tremendous amount of conversations with individuals who I come in contact with on a daily basis feeling pretty much the same way that I do, but do not know exactly how to make their feelings felt.

Up until two weekends ago I was at an establishment and a young man came up to me who had spoken to me before and said to me that he wanted to remind me how important he thought it was for me to mention what was happening with our Flag and National Song, and that he hoped something would be done about it. At that point I had already made plans to bring this Motion so I went on to explain to him what was happening. But in all I have not had one negative comment. All the people I have spoken to have taken time out to speak to me about this and are all in favour and willing to support what we are doing.

I continue, as we all do, to attend public events where the National Song is sung. On many occasions there is no flag displayed. In many areas, sometimes the Flag is there, but it is not properly displayed; or it is in an incorrect position. I think there is a lot that has to be done within the Cayman Islands because there is some information available on how our flag should be treated. But it is not widespread.

One of the things we have that must come out of this Motion is that we must make a good effort to inform the public of how the Flag should be treated and also to do it on a regular basis, that that information is readily available to each and every citizen.

The Flag is a sacred thing to all of us. But I think in some cases we have . . . I could say that maybe we have protected it a little too much where we keep information and keep it away from people because we do not want people to disrespect it in some form or fashion. I think we have hoarded that information a little too tightly.

One of the purposes of my Motion is to make sure we do what is necessary to explain to people exactly what the Cayman Islands Flag means, what all the parts of it represent, and how it should be treated.

I go to sporting events, organized by the Government in most cases and sometimes the Flag is on display. Sometimes it is not. But what is most alarming is when we do ask the people to stand for the National Anthem, and by in large most people understand that when you are going to play or sing the National Anthem you must stand up; that is one thing that I think we all understand. But how we stand is another matter. And what we do while the National Song is being sung is again another matter because some people stand and they chat; some stand with their hands in their pockets; some stand with their hands folded; all kinds of positions. I believe that we

ought to explain to our people, our adults and especially our young people, that there is a proper way of showing respect when we are singing the National Song and when our National Flag is being displayed at such a function.

Many times we attend events . . . football games are a good indication. Some of our football players, in particular, when the National Song is being sung, will stand with their hands by their side, some crossed behind their backs, and some will put their right hand over their left chest, which I guess in some cases looks extremely patriotic and cool in most cases. But I would believe that there should be one way of showing support, and that all should know what that way is. I believe that the best way to do this is to stick with one system in that you stand as stiff as you possibly can, at attention with both hands at your side and you do your best to face the Flag if at all possible.

In all of my dealings and research I have done with the Flag, I have had many conversations with Mrs. Virginia Madison at the protocol office. All of my conversations with her have been extremely encouraging and refreshing. She too has taken the flag issue on as a priority item for herself and her department. Many suggestions have come from her that I too support.

We believe when stepping into a government building or a department it should be immediately clear that it is government related. It should be immediately clear that you have stepped into an establishment or an office that is representing the Cayman Islands Government.

I call attention to what we refer to as the Glass House (the Government Administration Building) and ask us all to recall if when we step into that building, whether it is the front entrance or the rear entrance, is there anything that reaches out and grabs us that says *'Yes! This is the Government Administration Building of the people of the Cayman Islands'*? There is nothing at all. A complete stranger could walk in there and could be in a foreign country or any private company.

Madam Speaker, these are things that I am passing on as suggestions from Mrs. Madison whose belief is that we ought to do something about that, that the Cayman Islands Flag or a properly displayed Coat of Arms should be displayed at entrances of each and every one of these Government offices—every Ministry, every department, every major office. Even the offices of our Ministers, when a visitor walks in there to have a meeting with our Ministers they should understand right away by the display of the Cayman Islands Flag or Coat of Arms that this office represents the people of the Cayman Islands.

I do not believe I am going to get any objections to what I am saying. But, Madam Speaker, these things I believe are important to each and every one of us and it is something that we have simply let slip by the wayside, and it has become so much the norm

now that we no longer notice that these things are not there.

One of the suggestions made by Mrs. Madison is right in our own Legislative Assembly building; there is that medallion when you step in the door: that big circular thing on the floor there that is of different colour tiles. What a perfect spot for us to have our Coat of Arms. Things like this are what we need to enhance our government facilities to continue to make our people feel proud of things that are Caymanian.

It was she who brought to our attention that the flags that are flown inside this Chamber were in the wrong position. Many Members here would not even realise that they have been changed. They have been swapped over because protocol says that the only flag that can fly to the left of the Cayman Islands Flag is the Union Jack. Nothing else should be flown to the left of the Cayman Islands Flag. For years the Cayman Islands Flag in here was on the left and the Union Jack on the right.

So, it is not just me; there are other individuals in this country who take note of these things. But we need to encourage them and whatever happens with this Motion, I am appealing that the Government will take Mrs. Virginia Madison on board as part of the team (once the Motion has been accepted) to do the things we are asking this Motion to do.

Our government buildings, sometimes we see a flag on some of them, sometimes we do not. The Legislative Assembly, there are two stories—there is one that we only fly the Flag when the House is in Session. I am not going to say if that is right or wrong. But as a House of Parliament, I am of the opinion that the Flag should be flown every day.

I know that when we speak about flags being flown at all government buildings of significance each day, right away we start thinking of manpower and police officers and so on, and so on, and so on. I believe that it should be a desire. It should be a source of pride for our uniformed services to be involved in flag raising ceremonies on a daily basis. I think that officers should look forward to that.

We have a very vibrant Cadet Corps, we have Police Cadets and a lot of other uniformed officers that I believe would be very happy to assist with flag raising—Scouts, Cubs, I daresay maybe even members of the Fire Service could be recruited to assist in flag raising ceremonies. But it must be done! We need to make sure that we recognise the importance of our Flag and that we do whatever necessary to make sure that flags are flown on a daily basis and are taken down at night as they should be on each and every one of our government buildings.

I mentioned our Administration Building. There is the Courts Office, places like the Planning Department and Lands and Survey that people frequent every day. All of these are buildings and offices where we need to make sure our Flag is properly flown.

Just a little bit of information on the Cayman Islands Flag. It says here: **“The Cayman Islands Flag, the official ensign, was adopted in 1959, shortly after the Coat of Arms was adopted. There are two versions of the Flag – the blue for use on land and the red for use at sea. These are based on the British blue and red ensigns.**

**“The land flag has a dark blue field (background) with the “Union” in the corner nearest the flagstaff. The national arms are shown in a roundel, which is a white circle in the centre of the field. The flag for use at sea has a red field but everything else is identical.”**

Also, none of us may have noticed it, but there are two types of flags that are available in the Cayman Islands. That blue flag that we talk about—there is a blue flag that is minus that white disc. I think that maybe we were considering removing that white disc because I do not think the white disc bears any significance; it is put there more or less to accommodate the Coat of Arms. But I think one consideration made was, that if you remove the white disc you could make the Coat of Arms bigger and more pronounced. Again, I am not saying which one is right or wrong, I am just saying that things like that a lot of us may not have noticed, and we should come to some decision as to which version we are going to go forward with.

**“Flag courtesy: As the country’s national ensign, the flag should always be treated with due respect and deference which any such national symbol deserves. This includes not flying it at night or in inclement weather, not allowing it to touch the ground or using it for any purpose other than a flag.**

**“National flags should be raised quickly and lowered slowly. Flags should not be hung or displayed vertically. Faded or damaged flags should not be flown but instead should be destroyed, preferably by burning. Flags may only be flown at half-mast if there is an official declaration to that effect.”**

Now, flag burning is something that is controversial and when people do so in protest we know that in most countries that is considered a crime. The only reason we burn flags as a government is to make sure that we do not have damaged or tattered flags around the place for people to display. So the best way to do that is to get rid of them completely.

*[Inaudible interjection]*

**Mr. W. Alfonso Wright:** Yes, Madam Speaker, I have been told that for the same reason we burn currency, to get rid of worn and tattered bills.

So, in cases like that it is quite okay to burn a flag.

**“The proper flag to fly on land in the Cayman Islands is the blue one, as described. However, since this is a British Overseas Territory, the British flag (the Union Jack, also known as the**

**Union Flag, may be flown if desired. If both flags are flown, the Union Jack should be in the superior position.**

**“When two or more flagstuffs are at the same level on a building, the superior one is to the left, when viewing the building from the outside. On a flagstaff with a yardarm, the left limb is superior to the right, and the top position is superior to both. Foreign flags should only be flown with either the Cayman Islands flag or the Union Jack in the superior position.”**

So, it is incorrect to have the flag of a foreign country flown on a building or on its own.

**“The Union Jack, the flag of the United Kingdom, should be flown correctly. This can be indicated by the placement of the white diagonal cross and the red diagonal cross which runs through its centre. When the flag is in the proper position at the top left corner, the wider white band is shown above and the narrower white band is below.**

**“Personal or company flags may be flown alone. However, if flown with the Cayman Islands flag or the Union Jack, the latter must be in the superior position.**

**“No two national flags are to be flown one above the other on a single staff. If only one flagstaff is available, the two flags must be bent onto the halyard at the same point so that they fly side-by-side. “Flags used as a national symbol at public events may be flown or displayed in the background. However, it should not be hung or draped from the front of a podium or a head table or used as bunting. Instead, appropriately coloured material should be used for these purposes.**

**“At funerals flags may be draped over caskets but removed and folded before burial, if the deceased person has been in military service or has been appropriately employed in government services.**

**“At sea, Cayman-registered vessels should fly the red Cayman ensign. Foreign vessels should fly this flag as a courtesy when in Cayman Islands waters.**

**“A National Flag flown upside down is a sign of distress.”**

So, Madam Speaker, there are some guidelines that are in place. But I daresay that there are many of us listening today who may have heard these for the first time. This is information that I consider should be readily available to all Caymanians.

As I said earlier, the Cayman Islands Flag should be readily available. But we should not have to shop around and make phone calls to find out where one can pick up a Cayman Islands Flag. Right now the Flag is sold by the museum. For whatever reason, Madam Speaker, many Caymanians do not visit the museum on a regular basis. The museum is usually something that our tourists go to. I guess more Cay-

manians should be attending the museum but we know that is not the case.

I believe that we ought to make some efforts to have the flag sold in other places, such as post offices. Even this Legislative Assembly should be able to sell the Cayman Islands Flag. I believe that some selective supermarkets should be allowed to sell the Cayman Islands Flag. I do not think that it should be put on a shelf somewhere where people can simply pick it up and look at it and put it back down and it falls on the ground and somebody walks on it. I think that in the stores where they have the customer service areas we could consider some of those stores where you would only be handed a flag if you asked for one and if you do not want it, it goes back into its proper place.

While we expect our people to be proud and to want to use the Flag, you have to make it readily available. It must be easily available to each and every person. I have seen flags in the US and Canada available at gas stations and so on. I will not go that far, Madam Speaker, but I daresay that we can consider sales in some of the supermarkets.

Flagpoles are something that we take for granted. If anybody can tell me where in the Cayman Islands you can go and buy a flagpole, I will buy one before 5.00 this evening! Again, because we do not promote the use of our Flag nobody seems to think that stocking flagpoles is something that should happen. Whether or not we should encourage merchants to import flagpoles, or encourage some of our local companies to make flagpoles, or maybe this could be yet another project for our prison service, if people are encouraged to buy a flag we need to make decent flagpoles available. At least, we should encourage some merchant, some industry somewhere to make them so that people can easily get them. It is quite a job to get a proper flagpole in the Cayman Islands.

I believe that the Ministry of Internal and External Affairs is also planning to do some promotions of things that are important to the Flag, to explain to people what the Coat of Arms means, and different parts thereof; and how the Flag is to be used and so on. I commend them. We need to do this together.

We also want to encourage the management of the Flag. Right now that is controlled by the museum. Again, I do not have much problem with the museum being the authority on who decides what happens with the flag and so on, but I think that maybe since the Protocol Office is coming into play that there may be some consideration for that office to be the authority on the flag, or, the Government Information Services. The museum should still be a source for selling the flag because many tourists . . . I think right now the majority of people who buy our Cayman Islands Flag are tourists. I think that is just because it is not readily available for Caymanian people.

Madam Speaker, though not a part of the Motion, I am going to make an appeal today for special

consideration for our Flag, our Coat of Arms in particular. This will be something that I guess we will wait for public input because everybody may not agree with me. But this is how I feel. What I am going to say first, Madam Speaker (and I beg your indulgence because I am going to digress a little, but I will make my point quickly).

Education in our formative years is of the utmost importance. The resolve section of the Motion calls for the Cayman Islands National Song to be sung daily at public and private primary and high schools. I believe this to be something that is easily accomplished. I do believe that the private schools will go along with us. I also will say that I believe a lot of them do so now. But there is no rule; there is no policy that tells them that they should do so on a daily basis. So if a teacher decides today that it is not going to be today, it is not done.

I believe that part of the problems that we see in our adult citizens is a result of them not being taught the right thing in school when they were younger kids. My appeal today, Madam Speaker, is to ensure that the Government adopts a policy where they instruct all schools that the Cayman Islands National Song is part of the school day, preferably the beginning of the school day, for all of our kids. Part of the Motion also says that there should be a flag raising ceremony at each school each day.

Madam speaker, I do not mean that every day you should have an assembly where all of the students stand in the yard of the school and watch the flag being raised and lowered; that is not what I mean. I mean that each day at each school, at least a different child is given the opportunity to raise that flag. Start at primary school and continue through high school. At least once, if not multiple times, in every child's life who went through schooling in this country they would have had the opportunity to raise the Cayman Islands Flag. And I am talking about a child with a teacher. That is sufficient so that do not disrupt an entire class. Or if you want to bring that class, then do it that way. But somewhere, somehow I believe that should be mandated in this country that each child be given the opportunity to raise that Flag in the morning and to lower it in the evening. That must be an experience that every child who attends school in the Cayman Islands has by the time he or she graduates.

I believe that if we do that, if we insist on that, and we insist on them singing the National Song every day, all of our kids will be much better off. They will understand more about our culture and history, and understand exactly what it is to be Caymanian and understand what the Flag stands for. There is no better way of building national pride. No better way.

Madam Speaker, speaking on education, we have seen a resurgence in the way education is looked at in this country. For too long we have simply gotten by. The Government has an obligation to school children. By and large governments have lived

up to that. But many times—for decades we have simply done just that—we have simply done what we had to do. For whatever reason we have been reluctant, or have not had the foresight to step up and dare to be different, to make decisions that are new and inspiring, decisions that make people stop and think *'What is going on here? Can this really work? Why are we doing it this way when we have always done it this other way?'*

Madam Speaker, we always say that if we do what we've always done, we'll get what we've always got! We have not been very proud of our exam results and the qualifications of our children in the last couple of years. While I am extremely proud of the accomplishments, the plan and the efforts that have gone into the new education plan, and the drive that has been taken by our Minister of Education, I believe that we are on the threshold of a new beginning of a very important era in the life of these Cayman Islands, that education has now taken the rightful place on the front burner of things Caymanian.

We have all come to accept that we have too many work permits. We have too many Caymanians unemployed. We have too many Caymanians who cannot qualify for the important and higher paying jobs, and the more important decision-making jobs. We have put up with that for too long. We have simply come to accept that that is the Caymanians' lot; that we must understand that we get the jobs to 'this' level, but we do not dare step up to the next level. That's not for the Caymanian, that's for the ex-patriots, the foreigners who are well schooled, who have been given the best schooling they could possibly get in their country—and they are here now to run things for us.

I believe that we have awakened that yearning in our people where they understand that education is important. I am not going to place blame on any government today. Over the decades we have simply allowed the importance of education to slide by and we have now come to the stage where everybody understands that the main ingredient for survival as a country, as a nation, is by way of education.

I would like to read from the Cayman Islands National Museum what the symbols of the Cayman Islands Coat of Arms represent: **"The Pineapple Plant at the top, said to symbolise tropical hospitality, represents Cayman's ties to Jamaica. The Green Turtle represents significance of turtling in Cayman's history. The Turtle resting on a coil of rope, said to represent Cayman's seafaring tradition or the thatch rope industry or both. Great Britain is acknowledged by the Lion 'passant guardant' (walking with the further forepaw raised, and with the body seen from one side). Wavy white and blue bands represent the sea, upon which rest three green stars: the three islands. The motto "He hath founded it upon the sea" is taken from Psalms 24:2."**

My plea today Madam Speaker, is that we as a people consider adding a symbol of education to our

Coat of Arms so that we, as Caymanians, our generation and the generations to come, will forever understand and remember how close we came to little significance in our own country because of the lack of appreciation for the importance of education. And that this era be used to mark the resurgence and the time where we took stock in our country that education was extremely important, and that in years to come historic books will read that at some point in the lives of Caymanians they added a symbol of education and learning to their Coat of Arms for everyone to remember and for subsequent governments to understand that education must be the most important element; the most important thing that we deal with for the survival of the future of our country.

Madam Speaker, those who come behind me can debate if that is what we should do, if not we want to leave it for public consumption. But that is my suggestion and my plea.

Madam Speaker, to make my point: enrollment at UCCI has gone from 647 to over 3,000. Ninety-five per cent of that enrollment is local. Madam Speaker, there is something going on. Our people are being awakened to these new opportunities that have been made available to them. Our budget has gone from \$1.8 million to \$3.8 million for the University College.

I daresay that we need to get away from the timidity we have always had as Caymanians where we are scared to do things that are different, and to stand up and be counted, and make historic decision in our own country. I believe this is an opportunity for every one of us to be part of that and make a difference here, make a stand for our people, for our children, for our country.

This magazine I have here is entitled "Grand Cayman—The Best of the Good Life in the Cayman Islands". It is volume 4, issue 2 of 2007. On the inside (Madam Speaker, I beg your indulgence) in the Editor's Message (and the editor is Mr. David R. Legge) entitled "The Need for Speed: 'Soon Come' Must Go. . ." I have to read a bit of this, Madam Speaker.

**"To set the scene, the best and the brightest from both Cayman's private and public sectors are gathered at the Ritz-Carlton to hear presenter after presenter look into their crystal balls to predict the future of the Cayman Islands. Each year Fidelity Bank sponsors this event, bringing in distinguished speakers from overseas.**

**"Of particular interest to your editor were the words—and the AK-47 speed at which they were uttered—of Jim Carroll, a chartered accountant from Canada who now builds himself as a 'futurist.' Carroll makes a tidy sum sharing his knowledge and insights with large corporations and audiences throughout the world.**

**"Carroll believes—and certainly convinced many in the room—that the global velocity of change is affecting every area of our lives. He cautioned that if we don't adapt to this super-**

synapsed new world, well, we will all recall what happened to Tyrannosaurus Rex.

“To illustrate the concept of velocity, Carroll projected on a large screen an image of a charging cheetah in full pursuit of one thing or another—our guess is a gazelle (lunch)—but it makes no difference to our tale . . .

“By chance, after Carroll finished his dissertation it was time for a coffee break, and we approached our good Governor, H. E. Stuart Jack, with a smile on our face and a question on our lips:”

I can see it now, Madam Speaker, the nocturnal gate of Mr. Legge creeping up on the governor!

“Do you see any irony between the cheetah on the screen and the fact that the national symbol of the Cayman Islands is a turtle?”

How utterly disrespectful!

He goes on, Madam Speaker, on the same page and says: “We redesigned the Cayman Crest to include the Latin phrase ‘Magna Cum Celeritate’ [which means] (‘With Great Speed’).”

Now there are laws about this, Madam Speaker. Here is a gentleman who knows very little about the culture, or does not care to be reminded of that, or the history of things Caymanian; a gentleman who has come to this country and is making a good living for himself, but believes that things should be changed to suit life the way he wants life to be in the Cayman Islands.

I will table this, Madam Speaker, so that everyone can see, but our Cayman Islands Crest has been redesigned without permission from our Government, and it is published—so this is a public document now—and we know there should be no alterations or redesigning of the Cayman Islands National Crest unless you get permission from the Government. Maybe journalistic license allows you to do this, I do not know. My mind tells me that this is an offence.

Clearly, the gentleman does not understand what he is speaking about because I believe he has mixed up the Green Turtle with the Tortoise in the story of the Tortoise and the Hare. If he believes that the Green Turtle is slow, he ought to stick his hand behind one of their necks and go for a ride!

I say that to say that this is how our culture—our history and things that are important to Caymanians—is continually diluted. And individuals like him say things like this and this magazine is not something that the regular Caymanian sees because they cannot afford it. But this happens and nobody takes him on; nobody says anything about it. He gets away with it and the next thing you know it has gone a step further. So the respect level for us Caymanians by some of our expatriates continues to get lower and lower and lower.

**The Speaker:** Honourable Member, is this a convenient point to take the lunch break?

Proceedings will be suspended until 2.00.

**Proceedings suspended at 12.34 pm**

**Proceedings resumed at 2.26 pm**

**The Speaker:** Please be seated.

Proceedings are resumed. Debate continues on Private Member’s Motion No. 5/07-08. The mover, the Fourth Elected Member for the District of George Town continuing his debate.

**Mr. W. Alfonso Wright:** Thank you.

At the point where we took the break I was discussing the editor’s message in the *Grand Cayman* magazine.

**The Speaker:** Honourable Member, before you get into your debate, you have one hour and thirteen minutes left.

**Mr. W. Alfonso Wright:** Thank you Madam Speaker. I intend to use every minute of it!

I was making the point of how our culture, things that are historic in nature, and things that are important to Caymanians are at times diluted by the whim and fancy of individuals who come to our shores and find the need to stay here to make a living and they do not really know what things are important to us as Caymanians. At times I think that maybe many of them do not intend to be malicious in their thoughts and utterances, but at times it is quite clear that people do things deliberately. I just want to make sure that we take note of these things and understand that we have the right to speak up.

As far as I am concerned, Madam Speaker, I am eternally grateful for many of the foreign people who have come to this country who have made a life and a living here and have done great things for this country. Many of them probably did more for our country than some of our own Caymanians. So I do not want anyone to get the impression that I am bashing anyone in particular or simply just bashing foreigners. That is not the case. But I believe that when people come here they need to be mindful of what is important to us and they must respect that. That is the point I am trying to make. And when they step out of line I believe it is every Caymanians’ right to let them know that they stepped out of line and do what is necessary to correct it.

To make my point, Madam Speaker, because I was asked during the break if I thought the editor here was just kind of being tongue-in-cheek with his comments . . . I could read this entire message he has here but I will not do that today. But I would just like read one other little column so that we get the gist of how this gentleman thinks and how he considers the Caymanian way of life and how he views Government. This gentleman has also, on many occasions, spoken out about the rollover policy in a very negative way.

Madam Speaker, he goes on to say here: **“Nearly three years after Hurricane Ivan decimated Grand Cayman, we still have a makeshift roof on the Owen Roberts International Airport terminal, the point of entry for our stayover visitors. And yet we advertise ourselves as an upscale tourism destination.**

**“(If Government is too destitute to repair the roof, at least one of the Ministers—we’d nominate the Hon. Charles Clifford, since he is in charge of tourism—should call Andreas Ugland, Robert Dart, Susan Olde, Conor O’Dea or any number of generous benefactors to the Cayman Islands. We’re certain one of them could write a check before sundown. Put Dart Realty in charge of the project and we can assure you, a leak-proof roof—do you recall those embarrassing buckets strategically placed to catch raindrops in the baggage-arrival/customs area?—will be in place within two weeks.)**

While this is off the track of the Motion, I wanted to say—I needed to say—that to make the point that we cannot take lightly when Mr. Legge took the liberty to redesign the Cayman Crest to suit what he wants to happen economically for this country and for himself.

We have to be careful with what we consider our culture, what is historically important to us and guard it with our lives.

When I spoke about the display of some national symbols, in particular the Flag or the Crest in government buildings, I was reminded during the break when we saw the presentation on the new schools, that I also wanted to make sure that any government building it needs to be a part of our culture in new buildings coming on stream, including the new administration buildings we are planning. That must also be an important factor, to make sure we have the proper display of our Flag or Coat of Arms in some form or fashion.

We saw in the presentation that there was reference at a very strategic point for the National Song. I am also hoping that at some point the Minister of Education will also see to it that we have the same kind of presence when we step into those buildings, at least the main buildings for the schools, so that we will immediately see some reference to our Cayman Flag and our Coat of Arms. I believe that is extremely important to our everyday life.

I do not have much more to say at this point. I know the plea that I made on the inclusion of a symbol of education on our Coat of Arms is not part of the substantive Motion, but I do ask Members to give their views on it when they get up to debate, and my appeal too is also that the general public will give us some feedback on how they feel about that.

I will sit and listen to the other contributions to the Motion.

**The Speaker:** Does any other Member wish to speak?

The Third Elected Member for the District of George Town.

**Ms. Lucille D. Seymour:** Thank you Madam Speaker.

I rise to support the Motion as it pertains to the protocol concerning the Cayman Islands Flag and the Cayman Islands National Song. I want to congratulate my colleague, the Fourth Elected Member for George Town, who eloquently and in much detail spoke about our national symbols and who, with such passion, spoke to us about the importance of patriotism, nationalism, and love of country.

If ever we need to remind ourselves about our cultural heritage and to recommit ourselves to love of country, loyalty to country, builders of nation and to be a true Caymanian society, it is now. I say now because this is the time that we have a lot of new Caymanians that we wish to bring into our inclusiveness and to understand the cultural heritage of the Caymanian society because a lot of them have become the new Caymanian, not being here years understanding and being acculturated into the society. Some of them were here a few months, perhaps even days, and some of them perhaps were not even here when they became the new Caymanians.

It is so important that we revisit . . . and I beg both sides of the House to understand that in this House we are about the destiny of our Caymanian people. Therefore, we have to revisit constantly and remind ourselves of the erasing of our culture because people who come here do not come with empty cultural suitcases—they come with a big baggage of culture! In particular, people who are teaching our children.

I have a lot of experience in that, Madam Speaker, and I remember when we tried to impress upon the teachers that the children should sing the National Song. I remember a music teacher (not the current one) who once said it was such a difficult song to play—high notes, et cetera. So we said to her, bring it as low as possible if you think the children cannot do it. So I understand where the honourable Member is coming from and I understand that we have to constantly, constantly, constantly remind ourselves as a new country that if we have new Caymanians; we have a lot of people coming into our country that want to be part of us. Therefore, the onus is on us all the time to encourage, inculcate and acculturate all the people that come here to understand the values of our system.

I am so glad that this is here today. I support this Motion, and I would like to make a few points, but I want to also remind this honourable House that in the PPM’s Manifesto we said: **“The PPM is committed to preserving, strengthening, and disseminating this culture as a means of helping those who define themselves as ‘Caymanian’ to assert an**

**authentic identify.” And to “Encourage greater involvement by senior citizens, persons interested in or practicing cultural activities or professions, to enable the younger generations to learn of the various aspects of their local heritage.” And also to “Develop a coherent educational policy and through Civics, History, and other cultural avenues, clarify and promote our national identity.”**

The time is now, Madam Speaker, to do that.

I am mindful of the considerate progress that the PPM has made during its first term in office. We have delivered many, many of our Manifesto promises. We have delivered promises to support the family, for example. We have introduced the National Parenting Programme. We are delivering promises in terms of housing. We are starting in Cayman Brac and now we have done all the site plans and all the different aspect for the George Town, Bodden Town, East End, and West Bay. We are looking land for those places. Therefore, we have in mind to develop affordable housing.

We are mindful of the fact that we have said that we are going to develop education so that our people can be part of this knowledge-based economy and we have just witnessed a beautiful presentation by the Education Minister on the Practices and Learning in our 21<sup>st</sup> [Century] Environment. Wonderful I think. He is doing those things.

We are talking about the economic development of the Caymanian people in terms of working at the banks and looking at guaranteed loans and looking at the interest rates, et cetera.

We have looked at all of our sports facilities and recreational facilities and we are providing new turfs. We are even looking at indoor facilities for the hard course sports.

We are doing work with our community development and revitalizing communities and looking at the national living conditions.

We are also looking at transport and communications and we are looking at health.

Above all, Madam Speaker, we have restored good government. For the first time in this century we have a government that you can trust.

[inaudible interjection]

**Ms. Lucille D. Seymour:** Madam Speaker, may I sit for a second please?

**The Speaker:** Tie it into the motion.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

It was good to preface my speech with those things because I think that we are recognizing in this country that the material things are not all that make a nation. We are also about nation building. But I had to preface that and bring forward that the time is now ripe for the Government by one of its Members to re-

mind us that the values of our country are very, very important and that we must take our values back into the schools, into the homes. But when you love your country, you love your country by looking at symbols and understanding symbols like flags and coats of arms and those sorts of things.

We have also strengthened our immigration.

Madam Speaker, this Government has developed the concept of the new Caymanian. But we cannot just develop the concept of a new Caymanian and leave it there. We have to teach the new Caymanian about the heritage and the culture of the Caymanian people. We have to remind them in many respects about the symbols, what they stand for, what the Flag is, and the whole concept of the Flag. And may I say, Madam Speaker, the whole concept of our National Flag is about inclusiveness.

When we look at our National Flag . . . and perhaps when the people in 1959 (nearly 50 years [ago]) designed that flag they wanted us to remember that we have a connection with Jamaica, we have a connection with the United Kingdom, then we have a connection with all of our three islands because “He hath founded it upon the seas” and we have a connection with Christianity.

As we go along the road, how many people can say to us ‘the new Caymanians are their own people’? What does that mean? We in this honourable House must constantly practice and remind people that we are an inclusive government, we are an inclusive country, we open our arms and that is what the insignia on the Coat of Arms means.

The Motion provides ample opportunities for all our children at school to learn the National Song and to identify with the National Flag. That is very important.

I have family who lived just one year in the United States and they came back (the children) and talk about how they say the “pledge” every day, they put their hand [on their heart] and they understand the symbols. I am not saying that we have to be that dramatic. But what I am agreeing with is that in our schools our children must understand nation building and love of country very early in life.

Our teachers—who are mostly not from here—must understand the values we want to inculcate in our people in terms of nation building. And that is very important that we can go to other countries and respect their national symbols and their flag. I have seen people at sports here, when we have played our National Song, walking up and down and dancing and being frivolous all over the place. That can only come with a determined effort by a government to say that this is how we wish our people to grow in love of country and to be loyal to our country and to include all of these people who come behind.

I believe that this Motion will make a significant contribution to the development of the culture of the Cayman Islands and give all citizens and residents a greater sense of belonging.

It warms my heart when I go to a function and the National Song is being played and I see people who I know are only residents, and I see the new Caymanians singing lyrics without a paper, my song. It warms my heart. I feel good. That tells me that they are patriotic. And do you know what patriotic means? It is love and devotion to a country. That is what we want.

When I was growing up, perhaps in my 30s, it was a shame for us to even say that we were Caymanians. I am glad today that we can add that word, that we can say we are Caymanian. I do not know what people expected us to call ourselves.

Madam Speaker, [Francis] Bellamy, who wrote the [Pledge of Allegiance] for the Flag in the US, believed that government schools with pledge and flags were needed to entice children to embrace patriotism, nationalism and other valued principles. Even though this Motion recommends penalties for any show of disrespect, I believe that we should stress the rewards for complying with the spirit and content of this Motion.

Flags are symbols that identify people belonging to a group. The National Flag of Cayman is a symbol of pride and honour for our Caymanians and it should be treated with such respect.

When you listen to the National Song—and I have the privilege of knowing its writer . . . and above everybody else here I understand this song because she played it a lot for me. In the old days when we were all poor and destitute women in this country, we were farmed out in many respects to richer families to do housework or to be company. My mother was one of those persons who at that time was raised by Mrs. Leila McTaggart Ross-Shier who was a librarian in our country. She was raised by her! She took her all over British Honduras with her son Mr. Benny Ross.

So I understand the song. I have heard it many, many times in my childhood. And anybody that has a love for this country, and anybody who is loyal to this country, and anybody who wants to be a new Caymanian, or a Caymanian, will understand:

**“Dear, verdant island, set  
In blue Caribbean sea,  
I'm coming, coming very soon,  
O beauteous isle, to thee.  
Although I've wandered far,  
My heart enshrines thee yet.  
Homeland! Fair Cayman Isle  
I cannot thee forget”**

This is such a beautiful song, Madam Speaker, that any Caymanian worth his salt, when he hears this song understands the love that we should have for our country and the respect you should have for your country. Such beautiful, beautiful words, Madam Speaker. That song gives us a sort of pride and inspiration.

To the disappointment of my colleagues, I am going to be very brief. They perhaps thought I would be here all afternoon. But I want to go back to the Flag. My colleague spoke about a different flag. I want to look at the colours of the Flag.

Now, when I was growing up as a young civil servant, I was taught that the colours of the Cayman Islands are red, white and blue. I assure you, Madam Speaker, understood that too. But I have since attended a Queen's Birthday Celebration, where the colours were gold, blue and I believe grey. I did not see red in it at all. And that is because we listen to other people.

But if we knew our history we would understand that the colours of the Cayman Islands are red, white and blue, just like Great Britain. And we have adopted those colours. We have other colours: we have yellow, we have green, and we have light blue. But growing up as a child—and I have been on this earth a couple of decades!—I have always known that the colours of the Cayman Islands are red, white and blue.

Do you know why I know that? I have been in sports for many years and we have had to carry national uniforms. Our uniforms have always been red connected, white, or blue. Always. Or all of the above. All blue. Some people take all blue, but most uniforms have red in them. So I would like to see whenever we have any government function that we use our colours red, white and blue. I do not want anybody from the civil service to be intimidated by comments from any side that we should not use red, white or blue.

Madam Speaker if you would allow me, I wish to just draw on some research I did about the colours and what these colours mean.

It says that red signifies valour and bravery; blue signifies vigilance, perseverance and justice, and white signifies purity and innocence. Wonderful words! There is nothing negative about those at all, in particular the red one, which is valour and bravery, what we should be in this country—brave to get up and say who we are!

Madam Speaker, this is the time. We have told the people of this country that we are going to bring new governance, and we have. Transparency—According to the Hon. Minister of Education, we would take the shutters off the Glass House and let the sun shine in. Well, we have got to do it with our heritage and our culture and our love for country. We cannot be in this country to just consume materialistic things. We have to have good principles. That is what made us—the values of our society and the principles of our society.

In 1959 . . . and there must be something special about it. I suppose it was when we became our own in many respects when we moved away from being a dependency of Jamaica, as Jamaica was going to be an independent country and the Cayman Islands wished to be of Crown Colony status. Fifty years ago the wise persons who helped us do this

understood that the Caymanians wanted something to call their own.

Before that we were holding up the Union Jack. I remember as a child running around with the Union Jack and saying "Rule Britannia". It is nice for us to understand the blue ensign which stands above your head, Madam Speaker, whether it is on the right or left hand side I will have to ask the honourable Member here. But it is wonderful when we see that blue ensign. It is even more heart rendering when we sing the National Song.

Madam Speaker, I have offered my comments and I support the Motion. I do hope that the small bits I have said will be more expanded by our Government, our elected Ministers, in terms of when they meet in Cabinet as to how we are going to deal with this matter. I think that we must applaud my colleague, the Fourth Elected Member for George Town. I understand him.

Do you know what is important in all of this here? Every one of us—including the Second Official Member—I am sure went to some sort of Scouts, Girl Guides Brigade, Cubs, something, and learned how to appreciate, and we saluted how to appreciate our national Flag, and how to sing the Song. All of us inside here have done something, every one of us, not one can say I did not go to scouts or I did not go to cubs, or I was not in the Girl's Brigade, or whatever organisation it was. So we understand the symbolism and we understand the passion.

I think that we are patriotic enough—we have to be patriotic because this is where the destiny of the Caymanians lies. Right here in this House. It does not lie outside on the street. It lies here from the cradle to the grave.

With all of that, Madam Speaker, thank you very much.

**The Speaker:** Does any other Member wish to speak?

The Third Elected Member for the District of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

It is a privilege for me to debate the first Motion of my colleague, the Fourth Elected Member for George Town, and to tell him publicly how proud I am of him and his contribution on this historical event for him.

This Private Member's Motion calls for us to establish protocol concerning the Cayman Islands Flag and the Cayman Islands National Song. I remember when the same Member for George Town raised this issue for the first time in this House. He ended up with an editorial being dedicated to him for a flag draped across him . . . sorry, not an editorial, a cartoon. And the editorial also referred to it. But I do not think that anyone took it lightly and I know how

much it means to him and to us on this side of the House.

Madam Speaker, as the Third Elected Member for George Town was just saying, anyone who has a drop of patriotism and hears the Cayman National Song being played and reflects on those words, and can say that they do not feel an emotion, a sense of pride welling up, then I say [that person] is not Caymanian. When I hear that song I usually close my eyes (I am not good at singing but I do my best to get through mumbling the words) and I certainly feel twice my normal size. And that's pretty big!

The Fourth Elected Member for George Town referred to the *Grand Cayman* magazine (and I can tell he won't be receiving any more copies) written by Mr. Legge, where he referred to Government basically and its bureaucracy. But I have read that article and I know some may feel it is tongue-in-cheek, but in my opinion that article is quite disrespectful in its entirety to the Government of the day, and any other government.

He refers to the turtle. I think he was probably thinking about a hicatee—but then he would not know what I mean by that. That is the only thing he could have thought of as being slow when compared to a cheetah because the turtle is not there for speed, as the Fourth Elected Member outlined. The turtle is there to symbolize our heritage.

Madam Speaker, this Motion is timely and it is certainly at a time when nation building is so important and we are challenged by so much outside influence—positive at times, negative a lot of times. This is a very timely Motion.

I must say that I have seen an improvement in the amount of people who can now sing the National Song. I see young people knowing the words and I think this has come from the school system. But there is certainly room for improvement.

Up until this weekend quite a few of us were at Charles' fight on Friday night at the Lions Centre. When the National Song was being rendered, there was a beautiful rendition by the young Smith girl from West Bay. There were young people and older people in some cases walking around, some sitting and some chatting; it is just not right, Madam Speaker.

I go to the US to NASCAR races (I am a NASCAR fan). When I get a chance on the weekend to go to a race, I go. I stand in stadiums up to two weekends ago with 160,000 people—three times the population of the Cayman Islands. I have been to Daytona where you have four times the population in one stadium. And when the United States Anthem is being played, you can hear a pin drop. Every Tom, Dick and Harry stands there, removes his hat, stands at attention, pushes his chest out and feels as proud as a peacock—including me, and I am not American! But I follow suit because I am in their country. At the same time, the American Flag is being parachuted in to that ground, and there is another huge one already on the ground. Everybody knows the symbols and

what they represent and feels proud to be an American.

Madam Speaker, this little place that some people say we should not even call a nation, the Cayman Islands, deserves to have that same pride in our Flag and in our Song.

When we go to sporting events here, usually CARIFTA football games or whatever, we will see other nationalities running around with their flags parading in their cars, in their hands running through the stands feeling good about their national colours. We hardly see the Cayman Flag. And this goes back to what the Fourth Elected Member for George Town (who brought this Motion) was talking about. A lot of times it is not that people do not want to have the Flag; it is the difficulty in obtaining it. We have to make it more accessible to our people. It is not to say that if you do that it will be disrespected. Yes, some people may not know how to treat the Flag, but as time goes on and as we evolve in this process of nation building and patriotism, that too will come.

My colleague and friend floated the idea of introducing some sort of symbol into the current Coat of Arms, which is an integral part of our Flag, to symbolize the new era in education in these Islands. And, Madam Speaker, it is nothing short of a new era because we have had many education ministers in the past, but we have not had one that has taken the bull by the horns as he has, and has revolutionized what is happening with education in these Islands.

We have gotten by with education. We have given lip service to education. I believe some of the Ministers went in with good intentions and gave up, packed it up and said *'the system is bigger than me so I am just going to roll along and see my term through and I will be Education Minister.'* But our Minister of Education said *'Look, we have to change the way we do business to get different results.'* Madam Speaker, that is a tall order, and it is a lot of money to be spent, and there is a long road ahead, but I know this man and I know the path that he has us on and the people he has surrounded himself with—including the Government Members/colleagues—he is going to see this through to fruition. And this country, these Islands, will be better served, better positioned to compete in the global marketplace.

Because that is going to happen, Madam Speaker, we have every reason to be justly proud. Therefore, in my contribution I would like to give a lot of credence to what the Fourth Elected Member for George Town said, in that it would be wonderful if our Coat of Arms could be amended ever so slightly to include something to show that education is a priority in this country going forward. Without education, Madam Speaker, there is no hope for our people.

Yes, times are hard. People say times are hard, things are expensive. Yes, yes, all that is true. But, Madam Speaker, education, although not a quick fix, is certainly one of the ways out of that kind of hardship. It is a chance for us to have ownership in

our country, to not be subservient in our country, to give us a sense of feeling of pride in our country. Maybe the time has come for us to show that in a permanent way, and I would ask that that idea be given due consideration.

Madam Speaker, it is very important that people understand the protocol when using the Cayman Islands Flag. My colleague from George Town has been through that in detail. But I would just like to reiterate that it is important that that protocol be established that one and all, all and sundry, understand what is right and what is wrong when it comes to dealing with the Flag. It is only since he decided to bring this Motion that I have started to learn more (in talking with him, and from seeing papers he has) I now realize some of the things that I did not even know, and I am a Member of the Cayman Islands Parliament. So, I can imagine how many people out there do not know the do's and don'ts when it comes to the Cayman Islands Flag.

The Cayman Islands National Song, I too believe that there should be a way of standing when that is being played. When the Flag is there (and hopefully it will be at all times) when the song is being played then, of course, everybody should be facing the Flag. But there should be a standard way of standing. At the moment we have people doing all sorts of different things that appeal to them. I just think that, as my colleague said, the easiest and simplest way is to say we stand at attention.

When I was busy standing at attention Saturday night, I looked down and there was someone sitting at my foot. So it shows that some people just do not know. They do not think that they are doing anything wrong, they are laughing and chattering away, wearing headgear or whatever. We need to establish the protocols. We need to make it clear, put it out there and teach it in the schools.

As the Third Elected Member for George Town said earlier in her contribution, this age group has the luxury to say that we had some sort of discipline instilled in us and it came through some form of scouting, brigade, military or whatever. Those of us who look now at the younger people will castigate them quite easily, but some of them may not have been given that opportunity. At that time for us it was almost mandatory that we all did something where we learned discipline of that nature.

But these days we also have the Cadet Corps and we have a number of other agencies that are growing and manifesting themselves where people can get an opportunity to see how things are done, right from wrong. We have a Protocol Office that we have established. I hope that Protocol Office will be given the means and wherewithal to conduct and instill the type of things that should come from such an office and not just sit there sort of half functioning. It has to be given the authority, the ability and the resources to make sure that we gain the maximum from a Protocol Office. Certainly, what we are talking about

here today certainly falls to a large extent under our Protocol Office.

Madam Speaker, I will not prolong my debate. I think I have stated quite clearly my support for this Private Member's Motion. I am sure it will receive unanimous support in this House because what we are seeking to do is to instill national pride in our people at the same time we are nation building. I think that people who come to these shores will be better served when they come here and realize that we are a people who know what we are about. We certainly would want them to fall in line when they are visiting to know that the Cayman Islands are a proud people. We are small but we are a proud people and we hold our Flag and our National Song dear to our heart.

Madam Speaker, with that short contribution, I thank you.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

What is being attempted here today is laudable. There is need to engender national pride. Plenty of what the Member said about how some people behave when the National Song is sung is true and anything that can be done to improve the public's attitude in this regard, we will agree.

Much has been said by the Government's Backbench about various matters I do not think are even connected to this. Nevertheless, these are times that people will use to strengthen the public's opinion in what they are trying to accomplish. So I do not knock them for it, but I say this: I do not think that you can engender national pride by making small the valiant and history-making efforts of those before us in education.

I do not know that there is a lack of appreciation for education, as was said by the mover. I think I can agree that in some times past, history moving forward was not in the grasp of some people in the past. I can say that I served with a Minister of Education who was well educated, was a teacher, and in three years amidst all that we had to deal with—every conceivable national disaster that could impact us from outside and our own had to be dealt with and faced—and the Minister moved forward.

I do not think we can say that there is a lack of appreciation when we see what the private sector did in the building of the International College of the Cayman Islands. I do not think that was a lack of appreciation. And some of the most respected people in these Islands have come out from that school and are still coming out, Madam Speaker. I do not think it was a lack of appreciation. I think it was laudable to say the least. It was visionary of them to move that school forward.

I do not think it was a lack of appreciation in the introduction of the Community College. I was a Member of the House when that was built. And it had its problems in the building just as there will be problems in the buildings to come.

I attended the very first attempt (as a student) for the Community College back in the late 60s early 70s. I do not think that there was lack of appreciation in the introduction and the forward movement of that institution to become a University College for these Islands. And while we are berated left, right and centre by the present Administration and their Backbench who (some of them) could have helped, but instead of helping, Madam Speaker, were running around doing things that they should not have been doing, disrupting everything that could be disrupted. And good thing McKeever was some kind of saviour or they might not be able today to shout across to McKeever about how bad he is. It is a good thing I was some good or they may have been out in the wilderness where their leader wanted them to be in the first stages of their political foray. Those that point fingers, and in particular the Third Elected Member for George Town . . . she should be careful when she points a finger about education in this country. She should be most careful.

**Ms. Lucille D. Seymour:** Madam Speaker, on a point of order please.

**The Speaker:** May I hear your point of order?

**Ms. Lucille D. Seymour:** Madam Speaker, the annals of history and the documentation of the Education Department will show the—

**Hon. W. McKeever Bush:** Madam Speaker, what is the point of order?

**Ms. Lucille D. Seymour:** —contribution that I have made to the Cayman Islands.

**Hon. W. McKeever Bush:** Madam Speaker, what is the point of order?

**The Speaker:** If you all would give me a chance as the Speaker to listen to what the Member is saying, then I will rule whether she has a point of order or she does not.

**Hon. W. McKeever Bush:** No, but I—

**The Speaker:** And she does not have a point of order, so Honourable Leader of the Opposition would you continue with your debate? But I would ask Members to please respect the seat of the Speaker if you do not want to respect the holder and allow me . . . Mr. Leader, would you sit down until I finish speaking please?

**Hon. W. McKeever Bush:** I thought you had.

**The Speaker:** Allow me to rule whether a Member has a point of order or a Member does not. That is the responsibility wholly and solely of the Chair.

Honourable Leader of the Opposition, would you continue your debate please?

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

I must say Madam Speaker, that when a Member is being interrupted it is easy to hear where that interruption is coming from and it is quick enough to be on your feet. So you would not be interrupted, but I follow what you are saying.

**The Speaker:** I have made a ruling. Let us not continue down that road please. Thank you.

**Hon. W. McKeeva Bush:** Yes, they should have been stopped in the early days.

Madam Speaker, I do not believe that that Member can point a finger at anybody about their lack of appreciation, or how much they did or did not do. Because, yes, the records are there and records will certainly point out the failure of that Member to do what she was supposed to have been doing as a teacher and as an administrator!

**Ms. Lucille D. Seymour:** Madam Speaker, on a point of order please.

**The Speaker:** May I hear your point of order please?

#### Point of Order

**Ms. Lucille D. Seymour:** Madam Speaker, the Member is imputing improper motives on my professional career.

**The Speaker:** Honourable Member, I do agree with you that we are getting far a field on people's character and their abilities to perform their duties and I am going to ask the Honourable Leader of the Opposition to continue his debate without going down that road of speaking to Members in that manner. Please.

**Hon. W. McKeeva Bush:** If you can't take the heat you shouldn't be in the kitchen.

Madam Speaker, the introduction of the University College of the Cayman Islands was far reaching for these Islands. When I thought about coming into this House because of the need for social development—not for the need of financial development in this country because the country was well off for all intents and purposes—and because of the lack of cultural development, social development, I thought I needed to put my foot forward. But never would I have thought that we would move as a small island . . . and we started with a budget of just about \$35 million or

\$40 million that we would have that kind of institution. And so this country has come a long way baby!

The building of schools . . . Madam Speaker, I have had all kinds of darts thrown at me (I guess I have to be careful, but I am debating what has been said), the person who was responsible, they say, for it. I am glad that we did the one school—but we did have plans in place for others—that that school is a good one; that the building is functional; and that the expenditure was kept down. The various programmes down through the years that have put our children in good stead cannot be scoffed at, and those people that made the contribution, whether they were United Democratic Party or whether they were the National Team or whatever, cannot be scoffed at. Cannot be, Madam Speaker!

Improvements can always be made and certainly efforts for a new era in education had to be made for the 21<sup>st</sup> Century. All of us have been talking about it. I agree that many of the efforts that are being made today, although there is a lot to be said about some of what has been done, we must wait to see the results of what this Administration will do. We just had a presentation—a fine presentation, the first time I have seen it—and I would like to see those institutions built. And I believe that the Minister will continue moving in that direction. As I said, I cannot agree with everything that is being done, but I do believe that there is much that is on the right track. We are going to wait to see what the cost is when that is told to us, but I think, by and large, there is some good effort being made.

Madam Speaker, it is a fact that there are persons who come here to live and work, and move and have their being, who talk much about Cayman and what we should do; what we should do from their perspective. But there are those who come now and make valuable contribution, and I feel thankful. So I refuse to call by name in these hallowed halls those who have done nothing for us. They can write all they want in any newspaper and they can consult any Minister and get information and lambaste me as much as they want, but when your heart is pure and your hands are clean, you will come through. And so, I thank those who are part of us, who are part of us in heart, mind and soul.

As I said, Madam Speaker, I have always believed in efforts to help raise the standards of our people, and education is a key for doing that. I have never been the minister of education, nor do I want to be. But I have always given my support to those things which I believe are for the betterment of our children. As I said, there are thousands of people who have improved their lives and their knowledge base—Caymanians, local people and others—through that community college, the now University College.

Madam Speaker, when it comes to social development in these Islands, I take a back seat to no one. And when I am insulted, sometimes I will let the record speak. But when I am insulted sometimes, I will speak for myself because there is no one here who

has fought the fight and kept the faith any better than this Member. As the longest serving Member of this House, I can point back to much that has been done that some people take for granted today, which came about because I stood on this side of the House and said, *'If you do not do it now, those that do not do it now, when they are in another place and I am in that place, I will do it.'* And so I kept my word. I kept the faith. I kept the trust. And so I put Leila Ross-Shier's song in law where it was not the National Song, but I did it . . . against some objection, too.

And so I recognised that we needed idols and some that people would not agree on. But I put it in this House and there are statutes there, and some of them said, *'You ever heard about a living National Hero?'* No, I did not. But why not? Why not put one that people could respect and children could respect? Even if they do not respect some of the Members in this House, why not do it? I felt the person was one of the best examples for that. And, Madam Speaker, when it came to creating sports medals I got cussed for that, too. But, again, we needed to recognise the good deeds and the work of our people. And then we talked about creating a higher point of scholarship in the Cayman scholar. I got cussed for that, too, but it was carried out—eight years later, but it was done.

And so, Madam Speaker, I take a back seat to no one. None! And they can get up and they can cuss me until Sunday morning and I do not care because I am not losing any weight from it! But I know that many of the things that are taken for granted today are done because I was elected, and up until then there was nobody pushing for them. Indeed, to speak of them you were called a nationalist, which was a bad word. There is much that I could point to. As I said, I will not talk about it all, I cannot. But when I am challenged and when I am insulted, I think I can blow my own horn a little bit.

Madam Speaker, yes, there is room for nation building. There is much room in this world that we live in for nation building, and as a legislature, we should do everything possible to engender that spirit in our people. And so we can support anything that can be used as a nation building tool. My children know what I demand of them as far as love for country is concerned, and now I teach my grandchildren. And we can all do our part when we teach patriotism to them.

I take this moment to read the Holy Scripture, and it says: **"And these words, which I command thee this day, shall be in thine heart:**

**"And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up.**

**"And thou shalt bind them for a sign upon thine hand, and they shall be as frontlets between thine eyes.**

**"And thou shalt write them upon the posts of thy house, and on thy gates."**

That is a portion of scripture that my aunt, who died at 102 and who had seen much come and go in this country, taught me. And here, this is a reminder to Moses by God of the commandments. But I often use it, Madam Speaker, as a guidepost of strength whenever I need to teach my children something.

And so, Madam Speaker, as one poet said: **Breathe there a soul so dead, Who never to himself has said, "This is my own, my native land."**

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Mover wish to exercise—

Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Thank you, Madam Speaker, I promise I will be very brief.

I just felt it appropriate to certainly thank the mover for a very timely Motion and simply wish to say to all Members that, certainly on behalf of the Portfolio I represent, which has traditionally carried the responsibility for guardianship of the Flag and other national symbols, that in the same way as we welcome the establishment of the new Protocol Office—and look forward to working closely with them in the near future with the transition of most of these responsibilities to that office—we will certainly work in whatever way we can to assist them in the consideration and implementation of the recommendations that the Government should see fit of this Motion before the House today.

So, thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

The Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, it is certainly a very timely Motion brought by the Fourth Elected Member for the district of George Town. In his capacities, as varied though they are, and having known him for many years, it is something that he has held near and dear to him for a very long time. It is good that he has had the opportunity to bring to the Legislative Assembly the Motion regarding the protocol concerning the Cayman Islands Flag and the Cayman Islands National Song. He perhaps was a little bit wary of mentioning it in his opening debate, but I can say that the Motion is one that he brought to our caucus and we discussed it at length and, certainly, I can say that the mover has the full support of his colleagues on this side.

The Acting First Official Member mentioned that the new Protocol Office which is set up. The plan is to transfer those duties now being undertaken by the Portfolio of Internal and External Affairs regarding the National Flag to that unit. The unit is up and run-

ning and is being staffed, as we speak, with the necessary personnel. I want to assure the Third Elected Member for Bodden Town that there will be no half-hearted attempt to run the office. The office had been part and parcel of our plan for a while. We had to find premises; we had to advertise for staff; we had to decide who it was going to be supervised by, and it is going to be under the Cabinet Office, which, coincidentally, at this point in time is under my Ministry, so I can give everyone all assurances with regard to the proper running of the Protocol Office.

Madam Speaker, the Government accepts all the recommendations in principle that have been put forward in the Motion. There may be one or two that we may have to fine tune when we get down to the practical operations, but we do not have to get into that at this point in time.

Madam Speaker, it is extremely important for us to (for lack of better terminology) 'fine tune' the protocol in these areas. Some mention was made already, but I think of the simple times when the National Song is being played and many of us, many people are not 100 per cent sure what the proper stance is. People, by and large, know that you need to stand still and be quiet, but some people have their hands (as I do right now) in their pockets when it is happening, although they are standing quiet. Some people fold their arms in front of them and some people hold their hands behind them. So the point being, if it is loud and clear and well-known what the proper stance is, then we would have everyone doing just that and the whole affair would look and feel much better.

Madam Speaker, my colleagues have expounded extremely well on national pride, which is the first ingredient to patriotism, how important it is for one to be patriotic to one's country, so I do not need to make a lot of repetitious statements on that. But I want to say that there is no better feeling that I know when I stand in any audience, whether it is local or whether it is a regional meeting or elsewhere, and I hear our National Song being played.

You see, Madam Speaker, we have to live two worlds (and we understand and respect that) by being one of the British Overseas Territories. Therefore we have to have the National Anthem, which again, as I said, is something that we accept. But certainly, when we go to some of these regional functions and find the odd country whose national song is the British National Anthem, you wonder exactly how far away they are from where we are. Forgive me, Madam Speaker. It is a fact!

I just noticed the Second Elected Member for West Bay looking amazed; so was I when it happened. What I am really saying is that there is the odd country that does not have a national song; it only has a national anthem.

[To the honourable Second Elected Member for West Bay] Thank you for understanding, Sir. I

should have paid attention to you, Madam Speaker. Very well!

Madam Speaker, mentioning that, I was saying that when you find those occasions occurring, it makes you realise how much of a heritage we here in the Cayman Islands have and how much we should cling to it and how important it is for us to pass it on to the generations that are coming ahead. I think part and parcel of this entire move that is being promoted by this Motion will inculcate in the minds of our younger ones exactly all of that pride and that patriotism that we feel when we salute our Flag or sing our National Song.

So, Madam Speaker, the Government gives full support to the Motion. The Portfolio of Internal and External Affairs, as has been said, will be working closely with the Protocol Office to allow for a seamless transition. I would expect in the months ahead we will see that transition take place, which again, I am sure, will make the mover feel a bit more comfortable with exactly what will happen with the resolve section in the Motion, in the future.

Madam Speaker, once again, to say that the Government is in full support and I am sure I speak on behalf of all of my Elected Colleagues on this side, both Ministers and the Backbench Members.

Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Mover wish to exercise his right of reply?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Yes, Madam Speaker, thank you very much.

Madam Speaker, I am so very grateful for the Members who have contributed to this debate, and the first point I would like to make as a result of the contributions is that the Honourable Leader of Government Business, I think, was the only one that mentioned the National Anthem. I deliberately (very mindfully but deliberately) did not mention the National Anthem because I wanted to see if anybody would make reference to it. And to say, Madam Speaker, that we are all—I am, I know my colleagues are—very respectful of our National Anthem, but, Madam Speaker, when it comes to the National Anthem, for some reason or other, most Caymanians know what to do but they simply take a different approach to the National Song. So, I did not figure there was any point mentioning, or encouraging people for that matter, to engage any protocol for the National Anthem at this point because it is properly observed right now. People seem to know what to do; they do the right thing whenever the National Anthem is being played, but we will turn right around and disrespect the Cayman National Song.

Madam Speaker, I listened to the Honourable Leader of the Opposition and I am still wondering what his debate was all about. I was very careful in my debate to say that I was not blaming any previous government. I made sure I made that point because I did not want this to be adversarial. I thought this was something that we would all come together on. And I thought this through and I kind of figured who would be the one person who would raise some objection or raucous to this whole thing and introduce some sort of controversy to it, and one person came to mind. But at the end of the day, I still gave that person the benefit of the doubt. All I can say is that—

*[inaudible interjection]*

**Mr. W. Alfonso Wright:** [To an honourable Member] No, it was a disappointment.

It is ironic, Madam Speaker, that the subject he decided to take on was not anything in the substantive Motion but the sidebar that I spoke about—education. I really do not want to get into it too much this evening, and I will not, but I have said on a few occasions to Members of the Opposition that if they want to regroup and put themselves in a position to take control of this country they need a new leader, because one of the biggest problems that they have with their leader is that he really does not have a real appreciation for the importance of education.

As I sat here today, I could see the Members of the Opposition who I said that to squirming in their chairs because I know it came right back to them that this is what I told them. And, lo and behold, in true form the Leader of the Opposition took his cue and went on stage in all his glory. Well, I am only saying that I leave it up to them to be strong enough to do what is right for their district and their country.

I say, Madam Speaker, that previous governments have done what they had to do with education in this country. They took it on but successive governments have failed to step out and do things different. We have simply done what we had to do, that was the point I made. Now, if the Leader of the Opposition feels left out of the good things that are happening now and that he was not able to portray or project that to his ministers of education that he dealt with, then I cannot be blamed for that. But what he should do is simply embrace what is happening now and stop trying to go off on his tangents, blowing his own horn about things that were completely irrelevant to what the Motion was all about.

**Hon. W. McKeever Bush:** Yes, yes. *[laughter]* What a joker!

**Mr. W. Alfonso Wright:** And the truth is, he did say that he can blow his own horn. He did say that in his contribution, so you cannot say that he did not say that.

**Hon. W. McKeever Bush:** When I am challenged, yeah!

**Mr. W. Alfonso Wright:** Well . . .

*[inaudible interjections]*

**Mr. W. Alfonso Wright:** Madam Speaker, one of the things that the Leader of the Opposition does really well is continue to challenge himself—

*[laughter from the Honourable Leader of the Opposition]*

**Mr. W. Alfonso Wright:** —because half the time nobody else understands where he is going.

**Hon. W. McKeever Bush:** Yeah, you would like the world to believe that.

**Mr. W. Alfonso Wright:** Madam Speaker, my point about the inclusion of a symbol of education in the Coat of Arms is one that I hope we can accomplish. At the presentation of the recent CPA Conference held in the Cayman Islands we had the President of the University College of the Cayman Islands make a presentation. Leaders of the Caribbean were scrambling for a copy of his speech to air on their own local radio in their countries because, being true leaders, they understand that we have gotten hold of a good thing and that we are being visionary. People from the outside can see this, but our Leader of the Opposition still has on blinkers.

Madam Speaker, I believe that the University College is on the threshold of something that the Caribbean area has not before seen; that education in the Cayman Islands is going to soon become the envy of the entire Caribbean, and that same University College is going to require expansion at levels we never dreamed of, and our neighbours are going to start coming here to further their education. Take my word for it, it is going to happen. It is going to happen as long as the people in this country elect sensible people—people who understand the importance of education and will not derail the plans that have been put forward.

So, I have said that to say this, Madam Speaker: I stand by my recommendation that we ought to look to make sure that we include in our Coat of Arms a symbol of learning; that never again will we have to remind ourselves, or anyone else remind us, of the importance of education in this country.

Madam Speaker, I am grateful for everyone who spoke, including the Leader of the Opposition, and I trust that from this point forward the Government will do as it has promised and put the necessary plans in place to see this Motion, with whatever minor amendments they think they need to make (that is fine with me), put this in motion so that we can start feeling good about ourselves and our country.

Thank you.

**The Speaker:** The question is BE IT NOW THEREFORE RESOLVED THAT the Government considers the following:

- (i) that the Cayman Islands Flag be raised and lowered at all prominent Government Buildings daily;
- (ii) that the Cayman Islands Flag be conspicuously displayed at all Government functions whenever possible, especially in the event that the Cayman Islands National Song is a programme item;
- (iii) that a policy be established to guarantee that the Cayman Islands National song is sung throughout each primary and high school, public and private, each day of school, and that there be a flag raising ceremony each day at each school;
- (iv) that an official protocol of standing at attention be established for all those present while the Cayman Islands National Song is being played;
- (v) that penalties be established for improperly displaying or handling the Cayman Islands Flag.

All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 5/07-08 is duly passed.

**Agreed: Private Member's Motion No. 5/07-08 passed.**

**The Speaker:** That concludes the business on the Orders of the day. I will entertain a motion for the adjournment of this honourable House.

Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the adjournment of this honourable House until Wednesday morning, 5 September at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Wednesday morning at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House do now stands adjourned until Wednesday morning at 10 am.

**At 4.20 the House stood adjourned until 10 am Wednesday, 5 September 2007.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**5 SEPTEMBER 2007**  
**10.16 AM**  
*Third Sitting*

**The Speaker:** I call on the Second Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

**The Speaker:** I have received apologies for late arrival from the First Elected Member for the district of Cayman Brac and Little Cayman.

**PRAYERS**

**Mr. Moses I. Kirkconnell:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.19 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

Apologies

**QUESTIONS TO HONOURABLE  
MINISTERS AND MEMBERS  
OF THE CABINET**

**The Speaker:** Question No. 13 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable Minister of Tourism, Environment, Investment and Commerce.

I will ask the Third Elected Member for the district of West Bay to move the deferral of Questions No. 13, 14 and 15 until the Honourable Member arrives at this Sitting.

**Mr. Cline A. Glidden, Jr.:** Honourable Speaker, I beg to move the deferral of Questions No. 13, 14 and 15 until the time when the Honourable Leader of the Opposition is present.

**The Speaker:** I will ask for a seconder.  
Honourable Minister responsible for Health.

**Hon. Anthony S. Eden:** Madam Speaker, I beg to second the motion . . . here he comes.

**The Speaker:** Since I did not put the question, we will then revert to Question No. 13, standing in the name of the Honourable Leader of the Opposition and addressed to the Minister responsible for Tourism.

Honourable Leader of the Opposition.

**Question No. 13  
(withdrawn)**

**Hon. W. McKeeva Bush:** Madam Speaker, Question No. 13 was answered during the course of the examination of the Budget, and therefore I do not see the need to go over it. I ask to withdraw it.

**The Speaker:** The question is that Question No. 13 standing in the name of the Honourable Leader of the Opposition and addressed to the Minister responsible for Tourism be withdrawn. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.  
**Agreed: Question No. 13 withdrawn.**

**The Speaker:** Question No. 14 standing in the name of the Honourable Leader of the Opposition.

Honourable Leader of the Opposition.

#### Question No. 14

**No. 14: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Tourism, Environment, Investment and Commerce To say what was the amount paid for Sammy's Inn and who did the valuation.

**The Speaker:** Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, this question was answered during Finance Committee as well, but I am happy to do so again.

Madam Speaker, Sammy's Inn was purchased for US\$2,850,000. The valuation on the property was conducted by a local firm, JEC Property Consultants Ltd.

Thank you, Madam Speaker.

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

#### Supplementaries

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Can the Minister say what was the valuation and whether that was the only firm that did a valuation?

**The Speaker:** Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, the valuation by JEC Property Consultants Ltd. put the value of Sammy's Inn at US\$8.1 million. That was as an operating hotel.

There was a second valuation carried out on the facility by Deloitte & Touche which put the completed value of the facility after renovations at US\$6.76 million and, considering the cost of the acquisition, renovations, furnishings and the construction on the car park, which was a total of US\$5.85 million, Cayman Airways now has equity of \$910,000 in the facility.

Thank you, Madam Speaker.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Can the Minister say (a) whether government valuers carried out an evaluation; and (b) whether those firms, Deloitte & Touche and JEC Property Consultants Ltd., knew that what they were buying was a shell and that, indeed, everything had to be taken off of the building?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Madam Speaker, I can assure the Leader of the Opposition that what we bought was not a shell, but I also have to assume that JEC Property Consultants Ltd. and Deloitte & Touche, both professional firms, would know what they are doing when it comes to valuations. They do it every day; that is part of their business. So I am not about to question their professional qualifications as valuers. I think they are well recognised companies in this country.

**The Speaker:** Honourable Minister, I think a second part of that was if the Government carried out a valuation.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker. Thanks for reminding me of that. I am not aware of any government department carrying out a valuation. I am assuming the Leader of the Opposition is referring to the Plans and Survey Department. I am not aware of them doing a valuation on the property.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, would the Minister provide copies of those reports to the Backbenchers?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Madam Speaker, if I provide copies of the reports they would have to be tabled in the House, they would not simply be provided to the Opposition. But I would certainly need to review those reports.

And I want to say here, because I want to acknowledge that during the Finance Committee proceedings, I gave an undertaking to consider providing a copy of the JEC Property Consultants Ltd. report (because that was the report that was under discussion at the time), to table it in Finance Committee.

Now I have not had a chance to review that report completely but I have been advised by staff that the report deals with a number of other issues, including comparisons to some other hotels at the time and some information which could perhaps cause some competitive issues. And I think we should consider

that carefully before we request that those reports be tabled, but, certainly, we could have discussions with the Opposition on those reports and provide the pertinent information that they may need.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, if in this day of openness and transparency they cannot table what should be formalities in valuations, then I would certainly appreciate sitting down and looking at them.

**The Speaker:** Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, it is not a question of not wanting to provide and it is not a question of transparency or openness, but I know that if we reach the point where we decide that these reports should be tabled that they will be tabled for the information of everybody, including the general public, because we know how reports such as this can be taken out of context by some people and we know how they can engage in selective reading and presenting parts of the information that suit their particular argument. So I am not going to get into that. If we reach the point where these reports should be made public, then that is what will happen so the entire public can have the benefit of seeing the entire report.

Thank you, Madam Speaker.

**The Speaker:** I will allow one more supplementary. Are there any further supplementaries? *[pause]* If there are no further supplementaries, we will move on to the next question.

Question No. 15 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

Honourable Leader of the Opposition.

#### **Question No. 15 (Deferred)**

**No. 15: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Communications, Works and Infrastructure If any of the present road-works are being carried out on Sundays or at night and, if so, would the Honourable Minister set out the reason for doing work at such times?

And hopefully, Madam Speaker, he will have provisions of costs.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, in accordance with Standing Order 23(5) I beg leave of the House to defer the question until tomorrow.

**The Speaker:** The question is that Question No. 15 standing in the name of the Honourable Leader of the Opposition addressed to the Honourable Minister responsible for Works be deferred until a later Sitting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 15 deferred until a later Sitting.**

**The Speaker:** Question No. 16 standing in the name of the Third Elected Member for the district of George Town is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

Third Elected Member for the district of George Town.

#### **Question No. 16 (Deferred)**

**No. 16: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Communications, Works and Infrastructure To give a detailed explanation of his intended plans for the revitalization of the centre of the George Town district with particular emphasis on the main streets of George Town.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, thank you. Again, in accordance with Standing Order 23(5) I beg leave of this honourable House to defer answering this question until a later date.

**The Speaker:** The question is that Question No. 16 be deferred for an answer until a later Sitting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 16 deferred until a later Sitting.**

### **STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET**

**The Speaker:** I have received no notice of statements by Honourable Ministers or Members of Cabinet.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

#### Private Member's Motion No. 1/07-08

#### Recognition of contributions made by Women in the Cayman Islands

**The Speaker:** I recognise the Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I move the Motion, Recognition of contributions made by Women in the Cayman Islands and it reads:

**WHEREAS women of the Cayman Islands, during the early seafaring years, contributed significantly to the social, culture and economic development of our Islands, laying the foundation for our economic success today, alongside our men who contributed equally by their labour at sea;**

**AND WHEREAS our women continue their contributions by advocating strongly for their right to vote which was brought into law in 1959;**

**BE IT RESOLVED THAT the Government consider recognizing these heroic, patriotic and nation building efforts of Cayman Women at a national level.**

**The Speaker:** Is there a seconder?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker. I second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable Mover wish to speak thereto?

**Ms. Lucille D. Seymour:** Yes, Madam Speaker, thank you.

Madam Speaker, we are here today, all of us in this House, in particular the women, because of brave women who had valour and who were sensitive and understood equality. We are also here today because of women who contributed significantly, in particular in the seafarer's years, to the economic miracle of the Cayman Islands. And we are here today because of women who struggled hard in this country to ensure that their children got a better lot in life.

Madam Speaker, I want to give credit to you. You have always been at the forefront of advocacy of women in this country. You did so as a young politi-

cian bringing a motion to set up a women's bureau in the government so that the whole question of women's issues could be brought to fore, in particular, women's issues as concern children.

So, Madam Speaker, I wish for it to be noted that you are a vanguard in this process and you continue to be even though you are Speaker. But also as an Elected Member for the district of North Side, you continue to work on behalf of women in this country, and all the women owe a lot to you, owe a lot to you. And I hope that in the annals of history your name will be recorded as a legend in time for the promotion of the equality of women in this country.

Madam Speaker, let me make it absolutely clear that this Motion is not intended to score points for women only. It is not intended to "get even" with men. It is not about personal feelings of men and women. It is not about insulting or denigrating men.

It is about balance, parity and strengthening of democracy, gender equality, social justice, albeit guaranteeing human rights for women whose contributions to this—social, economic, culture and political contributions—played a pivotal role in lifting Cayman from a country that time forgot to the fifth largest financial centre in the world, resulting in the economic miracle.

Madam Speaker, the historical records show that women of the Cayman Islands played a pivotal role in holding Cayman society together when men had to spend long periods away at sea. The position of women in the Cayman Islands was further enhanced by several post-war liberation movements and the struggle for the franchise, the right to vote which Caymanian women won in 1959.

Madam Speaker, in the book about Cayman's history there are pictures of some 24 women, I think it was, who went forward to ask for this right and some of them are alive today, like Mrs. Georgette Hurlston-Ebanks, Ms. Ermyn Merren, and Ms. Virginia Bodden in the US. Some of the names I really did not recognise and some of them have passed on. But they were brave to move forward.

So, Madam Speaker, from 1940 to 1959 the role of women in politics was a hot topic.

In 1948, as I said, 24 George Town women sent a strong worded letter to the Commissioner indicating that there was nothing in the Constitution which debarred them from voting, and they intended to exercise that vote in the forthcoming election. They stated should they formally be denied by the officials in charge of the elections "**we shall demand the Government give just reasons**" for breaking the law we had sworn to uphold.

Apparently, no response was given to this letter and no women actually voted in the 1948 Elections.

In 1954, Madam Speaker, Mrs. Eric Cook-Bodden, an English woman who was married to a Caymanian, indicated her intentions to run but she was told that women were not prevented but cus-

toms—but customs—had always decreed that they did not.

In 1957 women mobilised to demand their political rights. They bombarded the Assembly with petitions as they were able to embrace women from the other districts to petition with them. And I dare say, Madam Speaker, when I looked at some of those names, you have young men here today whose mothers were part of those signatories. Some of them I can remember: Mrs. Clifford, Mrs. Lorna Bodden, Mrs. Althea McLaughlin. I can remember those. That is brave. That is over 50 years ago.

The petition asked for the right to vote in elections and hold public office, “**so that we [are] not regarded**”—and this is important, Madam Speaker—“**by you or by the world as less worthy than the women . . . who have been accorded those rights.**”

Three hundred and fifty eight women signed those petitions. The late Ena Watler was also offered up as a candidate, but they held off for a year before changing their position. As a result, their vociferation demonstrated during and after the election. So it is not today that women have stood up for their rights. It is not just today. We had those noble, valiant women doing that.

Governor Blackburne of Jamaica was concerned about the demonstrations and conceded to the Commissioner that the only way to control the female demonstration was to grant the right of vote to all women—and listen to this, Madam Speaker—who can express herself in a sensible manner. Can you imagine? Who can express themselves in a sensible manner?

On 20 September a draft bill for a Cayman Islands Sex Disqualification (Removal) law was drafted. He asked the Commissioner to ease the passage if he could but hinted that he would exercise his reserve powers to impose it if the Assembly refused to pass it. That is one time I sort of agree with the reserves of the Governor's power.

Madam Speaker, I will just read some excerpts from the letter: “**TOWN HALL, George Town, Grand Cayman, 16<sup>th</sup> October, 1958, The President and Members of the Legislative Assembly of Justice and Vestry.**

“**Gentlemen,**

“**We, the undersigned members of a Select Committee, appointed by the Assembly to consider a petition from 358 women of the Cayman Islands (as quoted below), beg to report that the Committee met at the above place and on the date mentioned.**

“**The Committee recommends that the prayer of the petitioners be granted.**”

And it is signed by T.W. Farrington, O.G. Hurlston, Logan Bodden, E.D. Merren, W.A. McLaughlin, H.M. Coe, O.L. Pantan.

Madam Speaker, little academic research has been done on how women coped with the tremendous responsibilities of the past and the enormous chal-

lenges of multi-tasking in a modern society, or on how men's roles have become unclear. Women's contributions to the social, cultural, political and economic development of the Islands have not been equally recognised.

The Motion asks for this Government to fully recognise these heroic, patriotic and nation building efforts of Caymanian women at a national level, as a precondition to the social, cultural, political and economic advancement of our beloved country.

Madam Speaker, this Motion is about taking our country on a higher plane of development. It is about bringing fulfillment to the lives of Caymanian men, women and children. It is about a democratic principle of equity and equality.

In the Cayman Islands this situation was dramatically affected by unique circumstances. For many years, women found themselves in powerful positions at home and at work, in the absence of their male partners who spent long periods away at sea.

On the other hand, Madam Speaker, Caymanian society has paid tribute to the [contributions the] great male seafarers made to the development of the country, acknowledging that their remuneration pumped valuable foreign exchange into the economy, which was invested in development projects; and that their exposures to different nationalities abroad undoubtedly fostered the tolerance and hospitality which became the foundations of the tourist industry. Credit has been paid where credit was due.

A similar effort is necessary, Madam Speaker, to highlight women's contributions to the social, cultural, political and economic development of the Islands. As keepers at the home, the women instilled in their offspring the principles upon which the seamen could exercise their new-found sense of the wider world, its tolerance and hospitality. Where now men went to sea women became the surrogate father; head of the household; farmer; custodian. Women were responsible for almost every facet of the family life, and I hasten to say at the time that there was better community bonding and neighbourliness. Also, there was caring and sharing.

There was a lot of bonding, Madam Speaker, among women, especially in the supervision of their children. There was a “village” concept. They toiled at work in the farm or at home from sun up and sun down. Every minute was spent organising the lives of others, especially their children, parents or siblings. Work was never done and each day was spent trying to give the children emotional support and fending for them.

They also had to do the business of the house, bank the money if and when it came, multiply it so that it could address the family's needs, as well as put away a little savings for the vacation when the father or brother came home, pay loan on a piece of land or supervise the building of a house for the son or the family.

If she worked outside at home, it was even more challenging for her as the housework and the care of children had to be completed.

This prominence of the woman's role as multi-tasker was passed on to her children and perhaps is instrumental in why girls appear to be very accomplished today.

Madam Speaker, while speaking about employment in reference to the family, it is appropriate to emphasise how important and burdensome is the work women do with the family unit. That work should be acknowledged and deeply appreciated. The toil of a woman who having given birth to a child nourishes and cares for that child and devotes herself to their upbringing, particularly in the early years, is so great as to be comparable with any professional work. This ought to be clearly stated and upheld no less than any other labour right.

Motherhood, Madam Speaker, because of all the hard work it entails should be recognised as giving the right to financial benefits at least equal to those of other kinds of work undertaken in order to support the family during such a delicate phase of life. The double responsibility of mother, servant, worker in the seafarers' years cannot go unnoticed. It is admirable and worthy of honourable memory. It is absolutely necessary for us to recognise and appreciate the role played in the Southwell Years and their contribution to the economic miracle which evolved from there and that of their male partners who were seamen.

The fact, Madam Speaker, that Caymanian women have played a historical, significant role in the development of these Islands, particularly her ingenuity in great financial planning, has led us to have a high percentage of land and homeownership. It was, in the most part, her sacrifice at home which led to the saving of some money from the allotment which was sent home.

Madam Speaker, I speak personally about this because I had four brothers who all went to sea and who all sent home allotment. And it was my task as a young child and, at that time, the most educated to assist my mother, Maude Mahalia Bush Watson Seymour.

I remember my mother going to the little savings bank and I helped her to divide this money, this little measly, measly little bit of money that you got from your brothers. And I also remember going into the land with her to square off the land as which piece of land she wanted. And I also remember going with her to assist the carpenters in putting up a structure.

But most of all, what I remember about Maude Mahalia Bush Watson Seymour are her contributions to the men, to the seafarers in this country. Yes, as a little girl I went up to the hospital with her. She was delighted in taking me because at that time I was quite obedient. I watched how she tested the urine. That was her job, to test the urine for these seafarers.

I remember distinctly, Madam Speaker, when fellows would come, they had had a little touch of kid-

ney problem or a little touch of this. She even made me exchange urine. So it was her dedication and devotion to the men of this country to see, as she would say, that they could help their "poor suffering souls" at home.

And so, Madam Speaker, I have no problem getting up here today and making this Motion because it is true and we must do something about it. For far too long we have left it. You have spoke and spoke and spoke and spoke about it. Some things have been done, but I hope today that this honourable House will accept it and ensure that something be done about it.

We all, Madam Speaker, come from an early experience remembering our father at sea. Sometimes he was away one year, even two years—some people say five years and perhaps even 10. He returned to visit at times, have a vacation from a stressful voyage. Then when he was rested he would return to sea.

Women were the cultural, social and economic transformers of our society. They kept the family together, educating and nurturing them. Such unpaid work, Madam Speaker, must not go unnoticed. They were the builders of the nation, the peacekeepers and the keepers of the gate. Our great women were models of patience, fortitude, compassion and sacrifice.

And here is a quote: "**All the greater sages, and saints, heroes and warriors were born to women "who made them great". Woman is the Goddess of Nature.**"

Madam Speaker, in putting this Motion together, I took the liberty of putting in some recommendations to the Government and I will, with your permission, elucidate.

I have enormous pride in knowing that seamen are given monetary rewards, Madam Speaker. Conversely, I would humbly beseech the Government to ensure that any woman who may have been separated or divorced from any seaman who is now bereft of that compensation—which is given to her counterpart because of her estrangement from a former partner—is given similar compensation, in her own right, by the virtue of her contributions at home.

I know I get a little good feeling from you, Madam Speaker. I can feel you.

In other words, nowadays, in many instances, a seaman's second wife becomes his widow and embraces all the fortunes, including government's compensation. The former wife, who really weathered the storms of the Southwell Years, is left to become that forgotten Caymanian.

**The Speaker:** That is true.

**Ms. Lucille D. Seymour:** God, the Creator, Madam Speaker, produced a woman as a help-meet—M-E-E-T—for a man, not just a helpmate for a man.

On this premise, I am suggesting that men and women are equal level in intelligence, labour and

efficiency. Therefore the income level and the division of labour which relegates women to lesser earning power should be ameliorated by legislation if necessary.

Single women, Madam Speaker, who are still alive also contributed to our country in the Southwell Years. They, too, should be recognised and assessed for compensation if it is believed that they are living in poverty and destitution, because they were part of the extended family and made a significant contribution to the family fortunes and helped with the rearing of the children.

I urge this Government, Madam Speaker, to organise a ceremony honouring outstanding women of the past who went beyond the call of duty to help hold Caymanian society together in the absence of men. These are women who have been inspired by the Caymanian women of a bygone age, who in the absence of the men rolled up their sleeves and did what had to be done to keep the society working.

Madam Speaker, 2009 marks the 50<sup>th</sup> Anniversary of Adult Suffrage where women had the right to vote. As a commemorative gesture the Government is asked to nominate—as a commemorative gesture the Government is asked to nominate—and request that a woman be awarded the highest royal honour that may be awarded to this Territory and that the Caymanian Badge of Honour be bestowed to women who made significant contribution in the Southwell Years.

A monument should be erected to those heroines and every year a ceremony should be held around it to honour stalwarts of subsequent generations to the present.

I would suggest to the Government that an area in the new library, Madam Speaker, be dedicated to the women of Cayman, with a curator doing research on the contributions of women through the years for nation building.

Research should be done in the different areas of contribution by women to set up a treaty plaque dedicated to and honouring women standing side by side and behind the seafarers; to be negotiated with the seafarers and placed in their home; to establish an edifice depicting women holding up the Cayman Islands to be erected at Heroes Square, with a marble wall on which is inscribed the names of the women who signed the petition for women's right to vote in the Cayman Islands. There are over 300 names.

I especially ask the Government to put in place the process for a mold to be cast for the suitable statue of our Second National Hero while she is still alive.

I would ask that plaques be erected honouring women in public and political life in their districts to ensure that these women who have passed on, such as Miss Annie Huldah Bodden, Miss Evelyn Wood and other women who worked in public office. The names are too many for me to enumerate here and I would get in trouble. But what I would ask is that peo-

ple start thinking of those women who have made contributions in public and private life in the Cayman Islands to send to the Government to ensure that their names are etched in the annals of history.

Finally, Madam Speaker, [I recommend] those women in their senior years, and in particular those in their retirement years, do not fall below the poverty line and their work at home not go unremunerated.

Never should we institute unconsciously the "bag lady" in our society by forgetting the mothers who made us what we are. I will repeat that, Madam Speaker. Never should we institute unconsciously the "bag lady" in our society by forgetting the mothers who made us what we are.

I would ask that a committee be set up as soon as possible, Madam Speaker, to facilitate all of these recommendations and to come up with an action plan to begin action.

Madam Speaker, I submit the Motion on recognising women at a national level.

Thank you.

**The Speaker:** Does any other Member wish to speak?

The Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, this is a laudable Motion, one that I believe is close to the heart of the mover and certainly, we want to associate ourselves with remarks as made by her.

Madam Speaker, there are several areas that need attention in regards to women's affairs in this country, and the areas that she put forward are certainly ones that can be done. I see no reason why.

It is true that in the absence of our fathers, whether they were at National Bulk—which is given the pre-eminence whenever something is said—or whether it was those that served in the turtling industry—because that was the mainstay of these Islands—Madam Speaker, in their absence our mothers, our grandmothers, our aunts, our cousins, our family took up the matter.

They beat the mosquitoes. They walked from George Town or from the outer districts to George Town—from East End to George Town, from West Bay to George Town, from Bodden Town to George Town—or they rode a bicycle. They taught in the churches. They taught in the Sunday schools. Even in the few offices that existed in those days, the business offices, it was our women, our mothers, our forbearers that stood in the place of our fathers.

Madam Speaker, I well can remember the days of turtling and of course National Bulk. My stepfather was a seaman, my father was a master mariner himself, my brother was a seaman. Indeed all the men folk in my family were. We knew the benefit of not just National Bulk Carriers, but all the various other companies that existed from, perhaps, the 60s.

I remember my father-in-law, who was also a master mariner, serving in a company, West Indian

Lines, which also made a tremendous contribution to this country. I know my uncles and other older men that I have talked to in the Islands sailed with a company called Suwannee Shipping Company . . . yes, the Canadian company. So there were several companies that had an impact on this Island by virtue of our young boys going.

And I will never forget when my brother went. I mean to go the airport was a trip; that was an adventure. But never did I think I would see my mother break down in tears and then I had to follow to see him go. But it was he that went and it was that allotment that came back that gave me electricity back in 1971 for the first time—1971, Madam Speaker!

People talk about how far we have come. We have really come a long way, as I like to say, but it is not that long, some of us.

And I remember how my mother had to make due with that allotment and those funds that came from my stepfather.

I want to agree with the position put forward that not because a woman has been divorced from a man who was a seaman should she not be getting and the present wife gets. I think it might be costly, and it is going to be costly, but it has to be looked at.

In fact, I know of a case where that had happened and a woman still gets. I remember the Social Services Department coming to me and saying, *'No, we should stop it because everyone else is not getting.'* At that time I said, *'What you should do is show me the position of how we can give the others.'* But that woman gets although she was separated.

I think that we have to look at it because, for various reasons, some are in more need than others. Whether you look at it as a needs-case basis or how you do, it must be looked at and dealt with and I believe that we can do so. There are people who are in need. Maybe some will not be in need, but there are those that are in need.

I know that they have been trying to get assistance, too, and they failed. They failed when I was there; they failed when the present Minister was there; they failed in between us. So they have not been able to get. And they need. It is a fact. They need. So that is something that can be done.

All the other things, Madam Speaker, I think are good for nation building. That is why I took the scoffs when we decided there had to be some national heroes. When our present National Hero was appointed there was an uproar among academia elitists as to why and how could I be so fool to appoint a living National Hero.

I always hold the opinion that you must give people something. And I know people do not do it for what they are going to get from it, any awards that they are going to get from it. They do it for love of country because they like to do it.

And I knew that that lady—and I do not cut her a supporter, I can say publicly, but I know of what she was as far as the contributions she made to gov-

ernment, to governance, to democracy, being the longest-serving Clerk in the Commonwealth.

I had no qualms, whatsoever, in nominating her when I was successful—and I say I was successful—in removing the Governor out of that Chair, Madam Speaker. And I remember—and perhaps you do, too—that we did not have the support of the government of the day to put her there. But she went to become Cayman's first Speaker, and first woman Speaker.

Madam Speaker, I believe that when you examine what the older generation of women went through in the thatch rope industry . . . because again, that supplemented the turtle industry and it supplemented the National Bulk Carrier. The funds that they sent here were supplemented by that thatch rope industry, which was our only export to Jamaica at the time. That is why I know and will always appreciate the connection with Jamaica, because I know the value.

I remember my aunt and my mother getting up at four o'clock in the morning and I had to carve the rope—they laid the rope, I carved it—and take it up to one of the shops, to Mr. Daniel's shop first, Mr. Spurgeon. Several of the merchants in West Bay would take the thatch rope all before I could get to school some mornings to buy breakfast.

And, you know, Madam Speaker, I always look back with thanks because some of those merchants did not have to buy those 25 fathoms of rope, but they bought it because they knew that our family needed it. They purchased it and I look back with thanks to them.

But I remember the hard work that my aunts and my mother and the many other women in West Bay—and I know it existed in the other districts as well. Being a young boy I did not know anybody in the other districts, but certainly I knew what obtained around me. And I can never forget the hard work.

Some of them coming back from a long day in the "jungle", Madam Speaker, what was then the "Newlands Jungle" and the "Savannah Jungle" to cut tops, to carry them miles from inland on their backs to the roadside to await a truck to pick them up. And some of them were smart enough and industrious enough while they were in that area to go and wash clothes or iron clothes for someone in that area. My aunt used to do that for the mother of the now Minister of Health and for Charlie Watler's mother in that area, Aunt Jenny.

Madam Speaker, we cannot say otherwise. Maybe there are some warts but we cannot say otherwise that our women were industrious and hard working. And I know that we did not see the slavery days and we did not have much of it, we did have some, but they worked as hard as anybody in any plantation anywhere to eek out a living for their family.

We say "while our fathers were away," but some people had no fathers and the mother was the mother and the father for many, many reasons. Today

that is why I can look back on a good mother and there is nothing that I will not do for her, even as she turns 84 in a wheelchair, because if it were not for her, where would I be?

Madam Speaker, that thatch rope era, while there were others more academic in this country who could go and would go and stand before the Commissioner—not that our women were not brave but they were not at that level and they did not feel themselves compatible to that level but they did the work, the hard work to carry this country through.

And that is one of the reasons why when I arrived here that we were giving people \$25; the women that worked in the tourism sector built, built, that sector. Now we had some hardworking men but today we are talking about what needs to be done to honour our women.

Some said—and I will never forget how much it was used politically against us. You were a part of us at that time with the National Team, Madam Speaker, and you know full well what I am saying.

When we had to raise that \$25 up to bring it where it is today, \$450, \$500, the outcry, the Auditor General reports that they called for and said that I was wasting and giving away the public's money for votes. I will never forget it. A motion was filed here.

Oh, but I have a good memory. Filed against us!

They said that I had misappropriated government funds because we took money from one place and put it in another so that we could put it in. And the Minister of Health remembers because he was a part of it. In fact, he took over Health when I went to Community Development and Social Services.

So, Madam Speaker, we can look at a range of women. Those that could and were able to stand up for universal Adult Suffrage, we are ever to be thankful for them. But we look at those people in other categories, in other areas, they could not and they were not that type of person that they would . . . mind you, they could put on their shoes when you threatened their land and they did and they came to George Town and they marched, but they were not going to get involved in those other things to that extent. But they were the women that did the thatch rope and fed us and bought our school uniforms and sent us to school. They were the women that worked.

I will never forget some of them that I saw walking that Seven Mile Beach. And I speak about West Bay because that is where I am from and that is where I know best, but I do know the contributions, of course, made by others, particularly in North Side and Bodden Town . . . well, all the districts—Bodden Town, North Side, East End. The work that they had to put up with for pittance. For pittance.

I will never forget—and I hope I am not straying too far—my mother was going to work. I was going away, leaving the Island, and something said to me: *'No, do not go. Go back and see how your mother is doing.* I went back and my mother was having a heart

attack, right at home getting ready to go to work, going to work then as a laundry woman in one of the condominium complexes. I will never forget it.

And when they left, what did they have? And then they said that we were misappropriating funds; that we were wrong and we were wasting government money to give people who worked 25, 30 years in that industry, who built the industry so some of those people who came and made all kinds of money out of it could leave us and call us crooks. Can you imagine?

So I am very much in tune with what is being attempted because we cannot do too much to thank those women who played a role in the development of this country, certainly as we have a monument there that contains many, many women. I think a special monument of some kind can be put there for women. We have for seamen so why not for women?

I do believe that it is time, while she is still alive and she will see it, we have a statue of our present National Hero. I do not see anything wrong with it. These are all efforts in nation building.

And I am happy that I am in this House at this time when we can cast our vote for that effort.

**The Speaker:** Honourable Minister responsible for Health.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

After listening to the mover of the Motion, my colleague, the Third Elected Member for George Town, and Leader of the Opposition, it leaves me very emotional. I am pleased to be associated with all of the remarks they have made.

Madam Speaker, it is a small world. Over 50 years ago, me and the Third Elected Member for George Town attended school right up here behind the library. We always vied between the top three positions in the class, always competitive. Little did I realise that here this day she would be bringing such a profound motion.

And, Madam Speaker, as you will reflect back to yourself, you and I came into this Parliament 15 years ago. You came in a bit earlier since North Side was one of the first results declared. I know your passion, Ma'am, for wanting the government to fully recognise, in whatever way, the great, great importance of women to these Islands.

You and the other two lady Speakers . . . probably not a lot of territories in the world have had in their early formation and development three Madam Speakers. We are proud of you.

I agree, Madam Speaker, 100 per cent that the women must have their rightful place in Heroes Square.

I personally remember people like Miss Theoline McCoy and Miss Gleeda Forbes who were instrumental in guiding me in their early days because of their abilities to teach and impart good Christian knowledge and education that has blessed me over the past six decades. I also recognise the mother of

the Minister of Education, Miss Althea McLaughlin, who was the pharmacist in these Islands for several decades.

I always remember the Elected Member for Bodden Town, Mr. Roy Bodden, talking about the matriarchal society in which we live, how when our men were at sea, the wives and the women stayed home and built our society to one of the most successful in the world. I personally spent two years out there, sent back home my little allotment. And, believe it or not, the only money I had was when I came back here and I had \$50 she had saved for me monthly. I wasted it.

*[inaudible interjections and laughter]*

**Hon. Anthony S. Eden:** But I will always, Madam Speaker, look up to the women of these Islands.

I personally would like to take this opportunity at this time, Madam Speaker, to thank you and the Third Elected Member for George Town for attending the conference a short while ago in Quito, which gives us a better understanding of how much work women in society do that they do not get paid for. If we were to put a price tag on that we could not pay you.

And I want to thank all of the women in these Islands for how they have raised our children, they have supported our men, many times under difficult circumstances and you wonder how they had the patience to put up with us.

We are a blessed society, not lucky, we are blessed. And sometimes it makes me wonder, Madam Speaker, when our women were in charge the type of children that were raised in this society when you compare now that the men are home full-time. It is incredible. I thank God for those women. They disciplined and one look and you knew the authority. And we men, for whatever reason, have made the bucket slip a bit.

But we must work on bringing it back because as I have said so many times—and people will be sick of hearing me—no matter what we do out there in the society, when we are trying to do corrective measures it all boils down to that family unit and whatever we need to do to support that family unit we must do it.

In due course my Ministry will reflect the importance of women by a change in its name, and I know, Madam Speaker, you have been looking for that for umpteen years.

As the Leader of the Opposition spoke, I was proud to be part of the National Team Government who raised the pittance of \$25-\$50 a month to where now, with the support of different legislatures in my last four terms, it is up to \$500. And we will not stop there.

We must help our people. We cannot let all the affluent around us talk about trillions of dollars and give our people peanuts. It is time that we stand up and support our people.

And I am very much looking forward to the results of the National Assessment of Living Conditions

which will give us some empirical evidence on how best to help our people as I talk with all of my colleagues in here [about] how we can continue to support. And as I get the requests I am asking the civil service side of things to expedite once the approval is deemed to have been given, and they are needed, we get that support for them.

Madam Speaker, I must once again take my hat off to the Third Elected Member for George Town when she reflected on the divorce benefits, also supported by the Leader of the Opposition. We now no longer have any excuse. We have a mandate from this Parliament and I have seen a number of these people, as reflected by the Mover, that are left out there not getting the support they should get when we wandering men find younger affections. We must not forget those that built these Islands, that kept us going. The women are precious.

Madam Speaker, I agree with the Mover and I am hoping in due course, with the support of my colleagues in the Cabinet and the entire Legislative Assembly—and specifically the Minister of Education who is responsible for Culture—that we will have that ceremony at Heroes Square. A few decades late but I always believe better late than never.

But I can give you the commitment of this People's Progressive Movement Government that this is what we are about—about the people, about their needs, about their desires, to give them comfort, especially those that are in that age group.

With God's help I look toward working with my colleagues in here and putting in place what we have to recognise: our Caymanian women.

May God bless us all.

**The Speaker:** Does any other Member wish to speak?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

I would first like to say how extremely proud and grateful I am that the very first motion the Third Elected Member for the district of George Town has brought to this honourable House is such a profound motion and one that deals with the hardworking women of our country. I am so very happy to be associated with her and to have been a part of the many conversations that she has had on this topic long before the Elections, and so happy that she has stuck to her guns and brought her dreams to fruition here in this honourable House. On behalf of all of the women in the Cayman Islands, all those who have passed and have done us proud, I take this opportunity to say thank you to the Third Elected Member for the district of George Town.

Madam Speaker, I would like to read a small section from the PPM Manifesto where it says: "**Historically, the women of Cayman had primary – and**

for long periods of time when their husbands went off to sea – sole responsibility for caring for the family and home. Women learned to be independent and self-sufficient. They controlled the family finances and the running of the household. They successfully organised and supervised all of the needs of the family and home. Cayman's women learned to work at a very early age, so when the liberation movement came they were more than prepared to take their place in roles outside the home."

I would also, at this time, like to pay my respects to one of the stalwart ladies of George Town, and again I will read a little excerpt here on the former Member of this House, Miss Annie Huldah Bodden, OBE. It says:

**"Annie Huldah Bodden, OBE (known as Miss Annie) grew up in George Town before the dawn of the Cayman Islands' emergence from isolation. As a young woman she represented the best of her times, and as a defender of truth, justice and patriotism she left a legacy of leadership for other women to emulate.**

**"When she was three, Miss Annie's father died at sea, and her mother was left to raise two daughters. A few days before her 16<sup>th</sup> birthday, Miss Annie went to work for Mr. Edmund Samuel Parsons, a Law Agent and Justice of the Peace. It was in this environment that she quickly developed a passion for law and political issues. In 1939, Miss Annie left Mr. Parsons's law office to take over from him as Secretary of the Cayman Islands Motor Boat Company. She eventually became the Manager of this shipping company that owned the *Cimboco*.**

**"Miss Annie was also a self-taught bookkeeper, which allowed her to serve as the first female Auditor of the Cayman Islands Government from 1947 to 1959. The following year she became the first female Law Agent in the Cayman Islands. Her appearances in Court were well noted, and she had a special interest in land cases.**

**"In 1961, Miss Annie achieved another "first female"; she was nominated as a Member of the Legislative Assembly and served for three years. Then in 1965, she successfully ran for office in George Town and became an elected Member of the Legislative Assembly, returning each election until 1984. It was once said that underneath her trademark big hats were, "a quick brain, an iron determination and a clear-cut sense of right and wrong that led to many battles during her years in the Legislative Assembly." Miss Annie gave women a voice, and she did it with unwavering integrity, earning her the title of the sole voice of opposition for her outspoken views. One well-remembered issue occurred in schools.**

**"In 1976, Miss Annie became the first Caymanian female to be awarded an Officer of the Most Excellent Order of the British Empire (OBE)**

**Medal. She once said, "There are things that I do not agree with and I will not fail to speak out against them. I have no kith to benefit when I am gone, but I would like to feel that the Caymanian heritage will continue to live on for future generations of Caymanians to enjoy."**

I thought it was quite appropriate for me to read that, Madam Speaker. We are celebrating women today and I think that one of the women of our past that we will always remember, that we will always hold dearly, and one whom many people from George Town—and indeed this entire country—will always remember and hold dearly and close to their heart is Miss Annie.

Madam Speaker, the women of our country have managed the affairs of this country when most of the men, or the head of the households, were away at sea.

Madam Speaker, as the Leader of the Opposition said in his debate, we are always comfortable referring to the women who were left behind by the men who went to sea, but there were also many families that had no husbands, there were no men at sea for those women so they were mother and father, head of households, breadwinners, spiritual leaders, teachers, everything wrapped up in one. So I do not want us to simply focus on the ladies that were left behind when their husbands went to sea, but also the stalwart ladies who were here without any husbands that also did their part in helping to build this nation.

**The Speaker:** True.

**Mr. W. Alfonso Wright:** Madam Speaker, I am also extremely proud of you and your many accomplishments and the many things that you have stood for, challenges that you have taken on and seen through. And I am extremely proud to be associated with you and the things that you stand for.

I want to repeat what the Honourable Minister of Health said. I, too, made a note of that and because he mentioned it will mean that I am not going to. We have had five Speakers in this Legislative Assembly; three of them have been women, again, another significant accomplishment. Madam Speaker, you are doing an excellent job and I hope to see you there for quite some years to come.

Madam Speaker, the women that we refer to taught our children, taught the Caymanian people the finer points of life. They taught them what loyalty was all about—loyalty to family, loyalty to country, taught them the old saying they always used to tell you that manners will get you where money in your pocket will not. As a youngster it was always difficult to understand exactly how that could be, and that is one of those lessons that came to us kind of like when you are sitting on the bus. It finally hit you exactly what they were saying.

We in turn now begin to pass on those same lessons to our kids. Some of us may want to deny that

we do that because it may make us seem to be old, but I take great pleasure in repeating the little sayings that my maternal grandmother, in particular, Miss Lillian McLaughlin, used to say to me, things that really made you wonder. And it was only because it kept being repeated year after year after year that you remembered it and you finally came to terms with exactly what they meant. Many of them have stuck with me throughout my childhood and many of them might still hold very dear today.

But simple manners and respect were an integral part of the day of the life back then. If an individual, if a young child managed to be respectful and had good manners, they were usually considered successful because it opened up avenues for them that other abilities would not normally do. People who may have done well in school but were considered rude were not really given opportunities unless they were in families of affluence that dictated that things worked well for them. But if you were not in one of those families, manners and respect were an important part of getting ahead, so that was some of the prime ingredients that parents, and in particular mothers, made sure that you had, that you grew up with manners and respect because they spent most of the time with you.

Madam Speaker, I was always an inquisitive child. I did not talk very much . . . well, I could not because I had to get permission to speak. Whatever company would come around I would always somehow try to find myself nearby and, as we all know, that was simply not allowed. You did not get into company with adults. They used to call it "catchin gap see". You would be there and you would sneak up and you walk across and you would take your time when you were crossing so you could hear what was going on, and somehow or the other you would find a way to get close to the conversation and before you knew it you had a good woman's sized box to the side of your face. 'Get inside the house' or 'Get out of the house' for that matter. 'You are not supposed to be in here catchin gap see.'

Madam Speaker, the women of yesteryear took care of the financial affairs for the home and indeed the country. It was these individuals who managed the allotments that were sent home, who managed the funds that the family had. It was the women of yesteryear who organised the building of homes. Many a seaman went to sea for years on end and were able to come back home to a newly built home because of the ingenuity of the women that they sent their salaries back home to.

And we continue to talk about the Cayman Islands being the fifth largest financial centre in the world. It is through these same women who were such good managers of what their husbands earned, and many of them earned their own as well. But it was from this era that started this, what we consider now, fifth largest financial centre in the world. It is from

those salaries that the men sent home that were managed by the women.

So this goes an extremely long way, and a lot of what women have done in this country has gone unnoticed and taken for granted. So today is an extremely proud day for this country and a fitting time for women to be recognised.

Madam Speaker, I agree that all of these women who have significantly contributed to the building of our nation should be recognised, and I am sure that the Government will take this on board and will do what is necessary to make sure that whether it is a monument, whether it is a particular day, whatever form or fashion that we choose to recognise these women, it is an annual event; it is not to be a one-off thing; it has to be done on an annual basis; it has to be something that will continue to remind us of the contribution of these individuals.

I could call dozens and dozens of names of women that have had profound effect on my life. Again, the Honourable Minister of Health mentioned a name that I had written down as well, Miss Gleeda Forbes. I was fortunate and a lot of times when I talk of things like this, of going to Miss Gleeda's school and all of that, a lot of people think that I am older than I am, but I started school at Miss Gleeda's when I was three years old.

*[inaudible interjections]*

**Mr. W. Alfonso Wright:** Well, Madam Speaker, I do not recall whether I had shoes either, but I went to school and school was not very far away at that time. She is one of the ladies that I fondly think about when I reflect on my early, early childhood.

Madam Speaker, the lady who probably had the most significant and profound impact on my life, though, would be the same lady whose name I called earlier. It would be my maternal grandmother, Miss Lillian McLaughlin. As a child growing up I used to have asthma really bad and she was the only person who seemed to be able to help me.

We lived in a big yard. She moved from East End with our family, moved down to George Town. She bought a piece of property on Smith Road and she simply allowed three of her daughters to build homes. That is the way it was done back then, so you would have a piece of land with three, four, five, six homes on it and so I am considered a product of a village raising a child. It really did not matter whether my mother was at home or not, I had aunts and grandmothers and uncles and other family around at all times.

I got very close to my grandmother and I know that my mother will not hold this against me because I think she feels the same way about her, too, but in my mind she was the greatest woman that ever lived. I love my mother. I love my mother dearly, but my mother, too, understood the connection between me and my grandmother and when I would get sick she

would take me down to my grandmother's because she could not deal with me, not that she did not want to but for some reason or the other, she did not rub me quite right. Somehow my grandmother's hands had that healing touch. She did it different. It felt better. And my mother understood that very clearly and knew that there was this bond between me and my grandmother.

I have a tremendous amount to thank her for, Madam Speaker, but she was one of those individuals who—she was the family matriarch of course. I mean, she was just a tremendous lady, an excellent cook. You could not ask for better advice. She was a good manager. She was a hard worker. This is a lady who stood up to men and had fist fights. She was not the kind of lady who would—and I do not mean any disrespect by this—take off her shoe and hit a man. She would stand up and fight fist to fist. I have many stories of my grandmother doing that. She was a big woman. She was a big woman but she was a gentle woman.

I am saying all of this to say that there were many women like her back in those times, and these types of women set the foundation that we are now enjoying. Madam Speaker, we can never show enough appreciation for the good that women have done in this country.

I, too, have listened to the Leader of the Opposition talk about his involvement with thatch rope and all that kind of stuff and I am old enough to remember helping cut thatch, back it out of the bush, strand it and help twist thatch. I have done that. I have worn *wawmpuhs*. These are all things that she helped me through. These are things that she did her best to pass on to me.

So I cannot help but think of the things that are important to our history and our culture without thinking about her.

This lady, Madam Speaker, had 14 children. She raised 12; two of them died young. She raised 12. She basically did it on her own. She did so on her own. Again, she is not the only one who did that. There are many women who did the same thing in this country, but for some reason or the other, we have failed to recognise them and to show appreciation for them.

I am so very grateful today that my colleague has seen fit to bring this Motion. While some of them we will never, ever be able to show our appreciation to because many of them have gone, there are still quite a few that are left with us and I believe that this is a good opportunity for us to help them live out the rest of their lives with some dignity and to let them know now how we feel about them and what they have done for us.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, I rise to make a short contribution to the Motion before this honourable House having been brought by the Third Elected Member for George Town and seconded by the Fourth Elected Member for George Town.

I consider it a rare opportunity to stand before this honourable House and this country and debate such a motion.

I would like to, first of all, thank the Third Elected Member for George Town, the good lady, and the Fourth Elected Member for thinking of this Motion. I think it is quite timely and it will evoke a lot of emotions in this honourable House. I saw that earlier in the Mover, and I certainly saw some of it in the Leader of the Opposition as well, the Fourth Elected Member for George Town, and my dear friend and colleague, the Minister responsible for Women Affairs.

Madam Speaker, all of us in this honourable Chamber have our roots steeped in the Caymanian culture. Therefore we all have had similar experiences. Many of us because of the districts we hail from have little different experiences in many instances, but most of it is similar in content.

Madam Speaker, my experiences in East End certainly differ from those in George Town or elsewhere, but nevertheless they all go back to one fundamental start and that is that women ran this country. Women raised this country. Women ran the family business, the business of raising families, in this country.

This Government is committed to recognising those contributions made by women in this country, and as such, I can say, quite clearly, that the Minister of Education has been actively working on ways of recognising those women in this country, all women in this country.

But, Madam Speaker, before I go on let me pay tribute to your good self also because I recall, not being a Member of the Legislative Assembly, but listening at nights to all the broadcasts of the legislature, and hearing your good self and Mrs. Berna's debate women issues in these hallowed Chambers. I think in the modern times your good self and other women who have been in this honourable Chamber—the First Elected Member for Cayman Brac as well—brought women affairs to the forefront and it is high time we paid significant tribute, recognition in the form of something that will forever be a constant reminder of what women did for this country.

Madam Speaker, I grew up in a family of seven kids, with my mother and father in a one-bedroom house until I was in my teens. I recall, like the Leader of the Opposition, having to stay up at nights with my mother who was twisting rope, twisting taut to lay rope in the morning to take down to Mr. Austin's shop.

I was commenting to someone recently about how in those days it was credit and debit on Mr. Aus-

tin's books for my mother. The credit was the 25 fathoms of thatch rope and the debit was the lard and the little flour that he used to provide.

When I had to get up at six in the morning, go and lay that rope—and I am talking about other people from the district of East End as well when I speak from my own experiences, because I know the Deputy Clerk is sitting here looking at me and I know she can identify with what I am saying because there were many times we met up at Mr. Warren's shop or Mr. Thomas' shop to exchange thatch ropes for something to eat in those days.

I, too, have had a profound experience with my mother, but there are other women in this country that have had a profound impact on my life and what I have become. And may I just say in more recent times, you, Madam Speaker, have had a profound impact on me, particularly when I came in here as a little rookie, freshman, whatever we may want to call that.

But if I can go back in time for a little bit, I heard the Fourth Elected Member for George Town talk about going to school at the age of three. I did not attend a school door until I was seven. That was the way it was then. My father was not there, my father was away. It was either in the Cays looking for turtles, or filming A High Wind in Jamaica—he was a cast member in that and other Caymanians as well—or he was out to sea on some vessel for long stretches at a time. And when he came home there still was not sufficient money to even start building a home.

Madam Speaker, women have had an enormous impact on the lives of all of us. There are a few names I can call, but by no means could I exhaust the amount of women that have had profound impacts on me. But I can tell you of a few that still make me cringe when they speak: Mrs. Vernecia Watler in East End. This woman is my cousin but she was a part of the Scout movement in East End from as far back as I can remember. She is the lady . . . she and a couple of other ladies that I will name also, but she was one of those ladies who taught me how to whittle in the Cub Scouts. She insisted that I wore my clothes properly. She taught me how to tie knots.

My father was out to sea. My mother needed help with seven children. Therefore Mrs. Vernecia was there in the Cub Scouts and my mother insisted that we go to Cub Scouts. We had the little brown uniform that my mother scraped up the money to buy, but we did not have any shoes to dress up in. We had to put up with what we had.

Madam Speaker, Mrs. Theoline and Miss Clarke—

**An Hon. Member:** Tit-Tit!

**Hon. V. Arden McLean:** Tit-Tit! Those two ladies would travel all the way from George Town to come to East End to help Mrs. Vernecia, and people like Mrs. Carmen Connolly.

Madam Speaker, a few weeks ago—talking about Miss Tit-Tit and Miss Clark, who reside right across from the Eastern Avenue and Shedden Road junction—after we paved the road—and I am going to go off here a little bit just to tell this story. After we paved the road along Shedden Road, one of the young men in the Ministry sent me an email saying that Mrs. Theoline had called and said, as a result of the paving, water was settling in front of her yard.

Madam Speaker, of course the hairs raised up on my arms and on my head because I get frightened when these people call. Those same two people, albeit they were in George Town, they put one, two licks in me, too, you know, at the Scouts and when we had parades and we did not stand with the right posture we were told.

*[inaudible interjection and laughter]*

**Hon. V. Arden McLean:** Madam Speaker, my colleagues asked if I think it helped me. I know it did.

Madam Speaker, getting back to the story. Before they could even breathe at the Ministry, I replied to all, including NRA, and I told them: *'Please address it immediately. Most of you have not felt the wrath of these two women. Please get it done immediately.'* That is the kind of impact those two people have had on me.

Mrs. Carmen in East End, Mrs. Vernecia Watler, when they call you better answer the phone, and if you did not you better call back immediately because you do not need to have them on top of your back.

Madam Speaker, such is the contribution that those people made to the well-being of the people of this country, and they must be recognised for that. Not me alone. I have my brothers and I have my cousins and I have my peers and my friends in the district of East End who feel and will say the same things about these women and other women within the district.

Madam Speaker, I think of all the other women that have made contributions to the development of this country, such as Miss Pinky—that is Nurse Pinky—and Matron that just passed; Mrs. Ruth McLaughlin; the Minister of Education's mother, the first qualified pharmacist in this country because the bush medicine people always thought they were pharmacists, too.

Madam Speaker, a few nights ago I was rushing to go into Hurley's Supermarket and out walks none other than Mrs. Jannilee Clifford, the Minister of Tourism's mother. Now, she taught me in prep school after my father made some commitments to get me into prep school. And, of course, she held me up for two hours. I am not man enough to leave there! And she stood up there and chastised me and advised me and talked to me for two hours. I am not man enough to excuse myself. That is the impact these women have had on this country.

Madam Speaker, the Third Elected Member for Bodden Town's mother gets you on the phone and you better listen and you better not open your mouth. You should not even acknowledge that you just heard what she said. That is the impact these women have on this community, and I support anything that will recognise women.

Mrs. Olive Miller sent an email a few weeks ago [asking] if she could use the building at the Dart Park at South Sound to host her Pink Ladies. Madam Speaker, two words of course, real quick! They make the hair crawl on you because you have to hold them in awe of what they have done for this country. That is how I feel. Like the Fourth Elected Member for George Town said, you feel privileged to know that they are now asking you a favour, but you feel an obligation to do it immediately, without reservation. That is what women have done to at least my generation.

Madam Speaker, we hear so much nowadays of the right for women to have children, and single women have children all the time. But then we hear some complain about how it is so difficult to raise children. I want to encourage them by saying to them: *'That is your choice. However, do not be discouraged.'* Think of my mother and the mothers during that time and before that who, whether they were married or single, did not have any mankind in the yard to raise the children. They did it all alone.

Madam Speaker, just recently I called my mother and asked her, because my 14-year-old son now . . . you remember the old people used to say *'you will eat house and kitchen down'*? He is doing the same thing right now. So I called her and I said, *'Ma, was I ever as greedy?'* And she said: *'Well, you could not eat it because it was not there for you to eat. It was only enough to fill your stomach every now and again.'*

But, Madam Speaker, they provided that for us and we had to put up with what was available. And we know how they scraped up to ensure that we did not go hungry for at least 24 hours.

So I encourage the young women of today, the young mothers, to teach their children their needs will be fulfilled. Their wants . . . I never had any want fulfilled, Madam Speaker. I wanted a pair of shoes, and even to Sunday School I went barefoot. But when it was time for that special occasion there was a little pair of shoes that I had. My mother knew exactly when that shoe should be worn to make sure, and it came somewhere from Brazley, who is older than I am. But when you finished on that occasion—death in the family where you had to go to a funeral or you had to go to a wedding—they were put up in my mother's room. I could not get access to them again until the next special occasion. But that is how mothers and women in this country managed their family.

Madam Speaker, it is amazing that many of our newcomers to this country do not understand where we came from.

I recently overheard a gentleman speaking badly of Caymanians, and I do not know if I will hear that conversation or anything similar again because it was at Durty Reid's and that is gone.

I turned around and said to the gentleman, *'I did not intend to eavesdrop but I could not avoid hearing your comments.'* He was saying that Caymanians were idiots and the likes. So I bit my tongue on one side and on the other side I asked him where he was from and he told me. I asked him what he was doing in the Cayman Islands and he said he was here working. I asked him what attracted him to this country and he said, *'Well, you know, a better life, more opportunities financially and a better job.'* And, you know, when I asked him those stupid questions, he walked right into them, eh?

So I said to him, *'I just heard you calling Caymanians idiots and they are lazy'* and what have you. I asked, *'Do you understand, Sir, that obviously Cayman is better than your home?'* And he asked why I would say that. I said: *'Well it attracted you. Do you understand, Sir, that those same idiots that you are cursing lazy are the same people who built it to make it attractive to you? So I would respectfully ask that you respect them. No matter what happens, Sir, you are here and you are not in your home.'*

And it is those same women who made the major contribution—discipline-wise, morally, financial—to make this country what it is today.

So, when the newcomers start cursing Caymanians, they are cursing my mother who raised seven children and not one has been to jail. And she raised them under some adverse conditions; no father. And today we talk about absentee fathers? Humph, so was my father—not that he was absent for the same reasons, but he was away trying to make a few pounds to be able to come back here.

Fathers contributed too. I recall a story from my father. He said he went to the Cays turtling. And when he came back . . . in those days there was nothing but Cocoplum along West Bay Road. And one of his West Bay shipmates offered to sell my father 500 feet of beach along West Bay Road for more than 50 per cent of what he was taking home as his share. And my father's reply was, *'Do you really think I want Phyllis to beat me when I get home?'* And he said *'How am I going to feed my children on white sand?'*

Madam Speaker, such were the days in my country. And all and sundry I would ask to respect that.

Like the Leader of the Opposition, I too only had the opportunity of electricity in 1972. I can still find myself, my mother asking me to blow out the lamp to conserve on kerosene oil. And in the morning before you washed your face you took the soot out of your nose. I do not know yet how we did not all die from kerosene oil soot.

Madam Speaker, they were the people, those women, who managed our families. They made sure the little allotment that came was put to good use—

one little piece here for a little later to build a house. Like I said, seven of us, nine of us in a one-bedroom house. I can remember lying down across my two brothers! And of course Brazley pushing me off.

[laughter]

**Hon. V. Arden McLean:** And my mother being there to say 'Behave yourselves.'

All of us in here have come from humble beginnings. Every one! We are old enough to go back to the 60s where it all started. This country started developing in the 60s. We came long before that.

So when we start we must remember where we came from. If we do not remember where we came from, we will never know where we are going.

And women brought us thus far.

Madam Speaker, when I decided that I was going to steal away to go to sea my mother encouraged me—to the chagrin of my dad. But she did. She is the person who encouraged me. I went to sea, became an engineer, went to school and sent every allotment home. And when I came home there was not one cent missing. She did not use one cent to buy a dress nor buy one ounce of food for my two brothers who were younger than I am. She struggled to ensure that my money was put aside. I will forever be indebted.

That is typically what they all did, Madam Speaker, to ensure that we would succeed.

While she encouraged me, when the time came she told me it was time to come home. If I intended to ever start a family it was time to come home. And I came home. She said come home . . . and I gave up a lucrative career and I had to come home. I was sailing first engineer when my mother sent me a telex and said it was time to come home. Before we got into the next port I was on my way home!

[laughter]

**The Speaker:** Honourable Minister, I think this is a convenient point to take the luncheon break. Proceedings will be suspended until 1.45 pm.

**Proceedings suspended at 12.28 pm**

**Proceedings resumed at 2.13 pm**

**The Speaker:** Please be seated.

Proceedings are resumed. Debate continuing on Private Member's Motion No. 1/07-08. The Honourable Minister responsible for Communications, Works, and Infrastructure continuing his debate.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

As I continue my contribution to the Motion brought by the Third Elected Member for George

Town, I think I should pay tribute also to . . . and I know it is something that she will not necessarily do. But I know it brings out the emotions in her when she talks so passionately of her mother.

Madam Speaker, I too have had my experiences with the mother of the Third Elected Member of George Town, who made significant contributions to this country in the health services section. She contributed significantly also.

I know, Madam Speaker, it is probably not the intent, I know it is not the intent of the Third Elected Member for George Town to . . . the intent of this Motion is not to try and immortalise her mother, but we must recognise her mother who made such valuable contributions to this country, not only in that particular area, but also when it comes to many people, particularly coming from the East End of the island and during those days it took so long that the journey was so long. And her mother too made contributions in that arena to support members of the public who came to George Town to conduct business.

This is not about singling out individuals. But, certainly, we all have our own experiences as I said earlier. But it is not about singling out individuals. It is about all women in this country. And I applaud all women.

For fear of being misunderstood, I think, Madam Speaker, we should also look at the women of today. We talk about the women of yesteryear and of the era when shipping was the only means of income in this country, or one of the few means of income, and all our men went to sea and left the women at home. We can also look today and talk about those women of today. Their husbands are here now, the majority of them, but women have continued that commitment and drive to move ahead and to excel in this country.

If we were to stop and think for a minute about it, and we look around, particularly in the public sector of this country—Permanent Secretaries, Heads of Department, Heads of Authorities—the majority are women.

The Legislative Assembly, headed up by women. I am very proud to know that the Deputy Head here is from East End.

The Water Authority—a woman.

CIMA—a woman.

The Postal system—a woman.

At least three of the Ministries are headed by women. That speaks volumes.

And we know where that came from. It came from the standards set by the women of yesteryear, the women who stayed here and drove this country and it continues to be women.

Madam Speaker, the Minister of Education recently announced that the enrolment of the University College has gone in the last two years from some 600/700 students to over 3,000. Like the population, I am certain that the majority of those are women. We

must applaud that. These women must be applauded for continuing education.

They understand the need to broaden their education base in order to take care of those families. It is my understanding that ICCI is made up similarly, with most students being women continuing their education.

While we stand here and say that women need to be recognised, we need to understand also that it is not only about the yesteryear; it is today also. These women need to be recognised for the time and commitment and efforts.

I can tell you this, Madam Speaker: I would not want to be a woman for nothing in this world. This thing called raising children is a tough job, you know.

As a single parent, I had my experiences of helping to raise my children. It's tough, you know! That in itself needs to be applauded when it comes to women. And they can balance that! They are much more capable of balancing their lives than we men are.

They can balance rearing children and going back to school after being out of school for so long. Madam Speaker, they deserve every accolade in this world that can be bestowed upon them. That is a difficult job.

Women of today have not slowed down. They have continued to set the pace for all of us.

In our Manifesto, the PPM Manifesto, we wrote in 2005, and I quote in supporting the [many] roles of women, **"While at work, women continue to face adversity in the form of discrimination. The Occupational Wage Survey, which was conducted in September 2003 and recently released by the Department of Employment Relations, found that there is still a disparity between the earnings of men and women. In 62% of occupations males earn more than females for comparable work. The results of the survey also revealed that opportunities for low-scale jobs are declining and that the level of pay is determined by the level of education by the employee. These issues go hand-in-hand."**

Madam Speaker, this Government set out to create opportunities to ensure that the level of education for women was brought much higher. Thus the reason, I believe, we see so many women enrolled now in UCCI.

Any government's responsibility is to create those environments in order for men and women to have the opportunity to enhance their lives. I am just thankful that women have taken up those opportunities.

This disparity in earnings between women and men, while the 2003 Wage Survey said that 62 per cent of occupations result in males earning more than women for the same level of work, I trust that one day we can see that that is not so. I trust that one day that will not be so because the women of this country

have set out on a mission to stop it, and that is through continuing education. And I applaud them.

But of course, Madam Speaker, you know the next thing is experience. You will hear that experience plays a part in it too. Well, Madam Speaker, I can tell you that if women can manage a family that is sufficient experience to give them an opportunity to do the jobs in the workplace. It is the women who manage the families. Any man you hear say that he is in charge of his home, Madam Speaker . . . he is lying. We all know that! I cannot claim . . . I would like to say so amongst my peers, but . . . Madam Speaker, that is the nature of this. Women are the ones who control the families. And we must be honest enough to admit that.

I do not wish to steal the thunder of the Minister of Education on these issues, but I am sure he will make his contribution and at that time we will hear more about what he is planning for education of women and the likes. But one of the things we said in our Manifesto was that **"You can trust the PPM to: Ensure that women are given equal opportunity to participate in all areas of decision making at the highest level in the public and private sector; including the political arena."**

Since we have taken office, two Permanent Secretaries have been appointed who are women. One of those areas had a woman already, but one was a man. And there are other areas. And one of the positions was being occupied by a man when we came into office. That is what I meant. I noticed the smile on your face, Madam Speaker, and I certainly did not want to mix the two sexes up!

We have tried to lay the foundation to ensure that, to bring equality in opportunities for women. I believe we have succeeded thus far in doing that.

In closing may I say that I believe that this Motion is timely, I believe it is a good motion. I am grateful to the Third Elected Member for George Town for bringing it. There are many more women out there who need that recognition, more than those we can name here. The fact that we are recognising them now goes to the benefit of which I hope will be much. We must thank the Third Elected Member for George Town for bringing it to the fore.

Some of those women will never be recognised by Government or by the State or anything of that nature. I recently participated in a funeral of a lady in East End and I commented that while there were no medals pinned on her chest in the evening of her life, when we looked around the congregation we could see the contribution she had made to society—her children and grandchildren and great grandchildren. And she was the matriarch of that family. She had brought that family thus far and the contribution that family was making to society was what her contribution had been to this country.

Even though it is not recognised by medals and not everybody is going to get a medal to hang on their lapel or around their necks, those people have

lived, those women have lived and they have made greater contributions than any medal can say for them. They have made contributions beyond their call of duty because they raised their families during adverse times and those families are today running the country and contributing the same way and I applaud them and I thank them.

Just before we resumed, I made a note to remind myself . . . this morning I listened to the talk show. And the topic was, or one of the topics was that we conduct ourselves in here inappropriately. Now, Madam Speaker, what I am about to say is not that I am looking for any excuse because it is required of anyone to conduct themselves properly. But I believe that those talk show hosts need to get a little broader understanding of what parliament is all about.

They too, when they come here, should be properly dressed because that is inappropriate. But nevertheless . . . Madam Speaker, there is no prerequisite, education-wise or other, to become a Member of Parliament. This is an “adversarial court” but it shows we still can conduct ourselves in such a manner that across the aisle we have common goals. And this Motion today speaks to that.

Madam Speaker, it shows that we can agree and we can agree to disagree. And it is debate and counter debate. But there are many times in this honourable House that we are in line and we are like Siamese twins and we work towards one common goal.

But that is contrary to what the talk show host this morning was trying to get across to people and make people believe. We are human beings. If we were perfect we would not be here. And all those who aspire to be here are not perfect either. But maybe some of those talk show hosts would venture a field and go to some of the countries they revere, such as England, and go to the House of Commons. And they will see that it is conducted . . . this Parliament is a set of choirboys compared to them in the House of Commons.

And, Madam Speaker, choirgirls too. I do apologise for that!

*[laughter]*

**Hon. V. Arden McLean:** But—

**The Speaker:** Honourable Minister, could you tie that into the Motion before us, please, so that we do not get off the subject that is being debated?

**Hon. V. Arden McLean:** Yes, Madam Speaker, I was getting to that. But you know I had to put that in first.

I only said all of that to again say that we work together for what is the common good of the people of this country. If the Opposition brings a motion that is in the common good of the people of this country, we work together with it. There are many motions on the Order Paper for this Meeting.

There may be some that we disagree with. But this one about women, we all agree. I am sure the First Elected Member for Cayman Brac (who happens to be a lady) will debate this along those lines too, about the contributions women have made and what have you.

But, Madam Speaker, this House is not only about controversy. That is what I am trying to get across to these people. And this is not the only Parliament in this world that disagrees; but also agree on common goals, common objectives for the country that that parliament is in. So those talk show hosts need . . . I would like to invite them to go to the House of Commons, go to other parliaments throughout the Caribbean and they will really understand how it works.

I again . . . and I know I will be the topic of the talk show tomorrow, but I understand that everybody has now declared their candidacy so it is open field.

I again . . . first of all, let me apologise to you for bringing that in there, Madam Speaker, but it was necessary because I wanted to show that we can agree in here. It is very important that Members of this honourable Chamber agree on many issues.

So, Madam Speaker, I again applaud the Third Elected Member for George Town, and the Fourth Elected Member for George Town, on bringing this very important Motion to the Legislative Assembly. I am going to await the debate of the Minister of Education who is also responsible for Culture and he will have much to say about his plans for the cultural aspect of recognising women.

I thank you.

**The Speaker:** Does any other Member wish to speak? The Third Elected Member for the District of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you Madam Speaker.

I rise to offer my contribution on the Private Member's Motion on the Recognition of contributions made by Women in the Cayman Islands brought forward by Third Elected Member for George Town, and seconded by her colleague, the Fourth Elected Member for George Town.

This is one of those motions that is a “feel good” motion; it continues on the path we were on on Monday when we had another motion in a similar vein that referred to our National Song and Flag. It is good stuff, Madam Speaker. It is a time in our history when it is important for us to be nation building and feeling good about us and our accomplishments.

I would like to join in congratulating the Third Elected Member for George Town for such a timely motion, one that is very near and dear to her heart.

I also want to pay compliments to your good self, Madam Speaker, for the many hours and years you have toiled in this regard. In fact, I think it was

through your initiative that we came to have a Ministry of Women's Affairs in this country.

For so long we simply looked at the women in our society almost as second class citizens because the men, in all honesty, got the praise. Sometimes you refer to women as, *'Oh, she is just a housewife'* or *'she just stays at home and takes care of the children.'* Well, I think certainly after today's events and continuing the debate tomorrow (because I am sure every Member of this House will be on their feet with this Motion) we will have erased that perception and acknowledged the important role of the Caymanian woman in today's society, also acknowledging the fact that where we are today, many of us, and where we are as a nation we would not be if it were not for the significant and able contributions of those fine Caymanian women.

Many of us in this honourable House were raised by single moms. I, for one, am an example. As the Minister of Communications just finished saying, even sometimes those moms that were married were single most of the time because the husbands were away working either overseas, or simply working somewhere else and not at home to offer the full-time guidance and instil the values that are so very important to the many generations of young Caymanian people.

Madam Speaker, speaking of my age group in particular, my generation certainly knows the value of what good parenting and good moms can do.

Each of us has his own experience. That is what has been so fascinating, listening today to the six previous debates, including the Leader of the Opposition, bringing the experiences of their own to the table. It has been quite revealing and quite educational to be honest, and quite touching and emotional at the same time.

Much has been said and it is hard to continue debating without repeating some of what has been said, but I think that repetition bears emphasis and it is important that sometimes we do repeat so that the message gets home. I will ask the listening audience and this House, if there is anything that I regurgitate then it is simply borne out for emphasis.

Starting with the fact that of the five Speakers of this honourable House we have had to date, three of them have been women—60 per cent. I think it is testament to the fact that women have taken their rightful place in today's society. Your position, Madam Speaker (and I believe some may not know this), is one of the highest in the land. The Speaker of the Legislative Assembly is up there just after the Governor and Chief Justice. That is a senior position you hold, Madam Speaker. And three women have held and done a great tribute, have made good Speakers in this country. They were not given that position simply because they were women, they were able.

Madam Speaker, I go back and look at who I am today and where I am and being, as I said, the product of a single parent raising me. My mother

raised me while running a full-time business, a business that started early morning and went into the night. We did not have any helper. She did not have a whole heap of resources. I came home and I worked in the business, when I came home from school in the evening. And, like the Fourth Elected Member for George Town, I was very sickly. I had asthma and I still suffer to an extent from that.

My mother had numerous nights at George Town Hospital with me after a full day's work. How she managed, God only knows. She would get up in the morning, the shop would be open, she would be there toiling away through the day and through the evening again. And she still found time with all that to instill good values in me and help me with my homework where she could and to do all the other things a good mother does for her child.

Madam Speaker, that takes some doing. And although some may not think that I turned out that good, I am not that bad!

Madam Speaker, we would be there at night and the nights that I was not sick, she would get disturbed. A knock would come on the window for her to carry someone else to the hospital. She was Bodden Town's unofficial ambulance driver; she was unofficial postal delivery person; she was some of everything in the district, yet she raised her son who did not end up in jail, did not steal from anyone, taught him the value of right from wrong and taught him to be an honest individual and to be respectful of others.

These are the kind of iron women of the Cayman Islands that we . . . I use my mother, not to be conceited, but as an example of many others that did the same thing.

I too have to call some names of individuals. And I will be forgiven for not calling the many different women who impacted my life during my formative ages:

The late Evelyn Wood, Miss Evie, as we affectionately called her; Miss Pearl Carter; Miss Alma McCoy; my own grandmother whom I unfortunately did not have the privilege of knowing, Mrs. Flora Robinson, one of the first teachers in the Cayman Islands; Miss Theoline; Miss Hildred.

Madam Speaker, these people had tremendous impact on me and other people in my age group in Bodden Town. They were the Sunday School leaders, they were the Scout leaders, they were the Brigade Leaders, they were the Christian Endeavour leaders. These are all the organisations, the various prayer meetings and all the other stuff that these folks organised. These are the people who made my generation, in particular, in Bodden Town . . . when you look around those five years either side, or maybe even more, these are the people who impacted us so tremendously.

These are the people the Minister of Communication referred to that we revered, that we walked in fear of. Not that they would hurt us, but it was the utmost respect we had for them. Miss Clark and Miss

Tit-Tit. Miss Clark taught me in Savannah Primary School. And it is only now that I can hug up Miss Clark and feel good around her because I used to be so afraid of that woman. But it was because I knew that any little slip, Miss Clark was there to correct me and my mother would know and I would probably get two beatings out of it. Miss Tit-Tit, the same way. They both hold me in high esteem as I hold them.

These are the women that we referred to, as well as those of lower profile, who did all of the jobs that you say were not that well recognised—those who cleaned in the hotels. We still have Bodden Town women now who travel daily down to the West Bay Beach, clean rooms and come back in the evenings. You have East Enders, North Siders, and West Bayers and George Towners who did that. Everybody.

My mother told me of pressing clothes for the “society men” who had to have their shirts pressed right and stuff. She did that to eek out her living as she was growing up. She also tells me how she missed out on the chance for a good education. It was felt that she had the ability to attend school in Jamaica, but she stayed at home to take care of her ailing mother.

There can be no tribute too great to pay to these people. I think the young women of today need to take a page out of these older folks’ book. Maybe what we are starting here today will transcend into something bigger and will provide the recognition and the guiding force that is so badly needed.

Madam Speaker, in our Manifesto we referred to a number of things under “**supporting the many roles of women.**” One that I jotted down from memory, and as I look at the Manifesto now I see, “**Support equal pay for equal work for women.**” Certainly we cannot be in a country that is so dependent on women, and women have proved themselves over and over by their accomplishments and by what they did during the hard times, that we cannot be in a society now where we differentiate in terms of what an individual earns for doing the same work based on gender.

Madam Speaker, that must come to an end! And this PPM Government has pledged to ensure that it does.

It will be also wonderful for us to have employers come on board and realise the value of their female employees and provide facilities for them to make their parenting role a little easier, such as providing on-site daycare and afterschool facilities, one of the things that we noted.

We have to support our women in this community. Their role is, without doubt, one of the most important—if not *the* most important—when it comes to the rearing of our children and our future.

I certainly would like to see a special day of celebration of women in the country. Maybe we can tie it into one of our existing holidays; if possible, maybe we will even have another one. I know we have quite a few already, so I will not go that far. But

certainly, we would love to have a day where women are honoured and recognised.

We are not here today playing down the role of men in our community. Far be it! But we are saying, quite clearly, that the woman’s role has been undervalued, has been considered almost second best by too many for too long and it is time that we as a nation, a small island nation, recognise and be proud of their accomplishments and make it known the world over.

I think my memory serves me right. When the Mover of the Motion was discussing . . . one of the things she also mentioned was the extending of the contributions that we currently make to the wives of ex-seamen and the whole situation of where the man may have moved on, but the original wife, the one who toiled with him through those tough years, through those Southwell and National Bulk years, that wife has now fallen on hard times. There cannot be that many of them because the reality is that they are a dying breed. We do not go to sea anymore here. So we should be able to identify those people in our community and we need to take care of them.

We need to ensure that the work that women do today is also well recognised. Yes, the seamanship may have come to an end, but in many regards the women still rear the children.

I can speak for myself in many ways. I am here as a politician now, standing in this House. My time is not my own anymore. When I leave here I go on to another meeting and I get home 9.00, 10.00, sometimes even later if I decide to take a break and hang out with my colleagues for a bit. I may get home at midnight. That is a whole day gone where I never saw the kids except in the morning. What part have I played in their development that day?

My wife, on the other hand, who has a fulltime job, tries to get home as soon as she can after and she takes them where they need to go. She helps them with their homework.

Madam Speaker, using myself as an example. . . I do what I can. I like to think that I am a good father. But the truth is the wife, the mother, is usually the one that carries the household in many instances. Yes, I provide financially, and I provide strength in some areas where it is needed; but the truth is that our women, our women must be given the respect that they so richly deserve.

I will not go on much longer because I think the main thing is that the point is driven home, that it is time for the recognition of the contribution of women in this society.

With that brief debate, I close my contribution and once again congratulate the Mover and other Members of this House on the sentiments echoed and trust that this Motion will gain much traction as we move forward in the development of our beloved Cayman Islands.

Thank you.

**The Speaker:** Does any other Member wish to speak? Second Elected Member for the District of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

I rise to give my contribution to the Private Member's Motion moved by the Third Elected Member for George Town, and seconded by the Fourth Elected Member for George Town. Madam Speaker, this Motion is long overdue.

I commend both of them for bringing it. I thank them for the opportunity for the ones who have spoken before me and those that will speak after to recognise the contribution that women have given to this country. It gives us an opportunity today to acknowledge that they are the foundation of this country.

Madam Speaker, we have to look no farther than this House. As I look around here at the Speaker, at the First Elected Member for Cayman Brac and Little Cayman, at the Clerk, at the Third Elected Member for George Town, and the [Acting] Second Official Member, to see clearly that this country depends on women to make it work properly; they make the contribution that allows this legislature to be balanced and move this country forward in a prudent way.

And, Madam Speaker, having the privilege to interact with you and the other ladies that are in this House makes me know that we are in good hands. I think that the Minister of Communications made a point. As I interpreted what he said, he was trying to say that once we realise that women really are the ones that operate and run this country we will all be a lot better off.

*[interjections]*

**Mr. Moses I. Kirkconnell:** My colleagues say I am treading on the wrong turf here!

**Hon. W. McKeever Bush:** You go right ahead!

**Mr. Moses I. Kirkconnell:** I looked at my colleagues in this House who were raised as their fathers went to sea or, as has been mentioned before, by a single parent.

Last year, travelling on official business with the Third Elected Member for West Bay, I got to share a lot of time talking about his father, who was a master mariner as was mine, and what it had meant for him to be away and have your mother really there and depend on what they do for you in your development as a person.

I also know that I spent some time on a ship with the First Elected Member's [for Cayman Brac and Little Cayman] father so I know that she too has had a lot of time given to her by her mother.

The father of the Leader of Government Business went to sea (I think he has just recently come

ashore) but I know that when he was in Jamaica his mother provided the comfort and the direction. Also, when he was in Cayman Brac and I would go to the West End to look for him, Miss Mexi was giving him direction. That is his sister. So he had two mothers; two solid people giving direction.

In Cayman Brac, the women are stalwarts of that community. They are depended upon every day to make Cayman Brac and Little Cayman a good place to live. Each person in the community recognises and understands their contribution and how important they are. But I think the importance of this Motion here is that we have the opportunity to do it on a national basis, that we have the opportunity—whether it be a special day or a monument—to make sure that other people besides us know that we recognise the importance of the contribution of women. This Member supports equal opportunity, equal pay for all the women of the Cayman Islands.

I can speak for Cayman Brac and the members of the community that left Cayman Brac to go to sea—the McLaughlins, the Ryans, the Dixons, and the Bryans, the Waltons, the O'Connors, the Tibbetts, the Kirkconnells, the Fosters, the Ebanks, the Scotts, and others. And each one of those seamen that left a wife at home, the wife was to take care of the home and she was to be the mother. And sometimes she had to build the home as money came and was available. She usually built the slab first, and then the block walls, and then the roof.

The scene for each one of those mothers and families, as I close my eyes and think about it, was the same—whether you went to the Landing Place, or to Creek, in later years to the Airport to see your father leave, you depended on one person when you saw him walk away or sail away or fly away, and that was your mother. She would hold your hand and she would make you feel that everything was okay and it would be all right. She would squeeze your hand and say *'He'll be home soon. You'll be all right. He won't be gone long.'*

Well, after a few months, I guess a year felt like a year and a half and we did not know if it was six months, a year or two years. But we knew that we could depend on one thing that was stable in our lives, and that was our mother.

The mother had a social responsibility to the children and to the community. And that social responsibility centred around the church. At the church you would meet with, if your grandmother was still alive, your aunts and then the generations of cousins and friends that were there. You were huddled together and given a direction and stability in your life and learned who the role model was. You learned who your best friend was. You learned who your mentor was. You learned that who had to stay there, because the men had gone away to send money home, was very capable and very able to create the social stability that the young people of this country needed at that time.

They made sure that we went to school. They took their time and helped us with our homework. And one thing that I have not heard mentioned, but that I can remember vividly, is my mother sewing and patching the clothes and cutting a pattern and making a dress for my sister, things that seemed so simple at that time but were really so important as we learned we all had to work, we had to learn responsibility and we did not get by without working.

They taught us manners. You can look at the generation of people here in this House in our age group and you will hear them say 'Yes, Ma'am,' and 'Yes, Sir' and open the doors in the proper way. And you know, Madam Speaker, that that came from their mother. Good rearing, they say.

They gave us balance. They taught us the value of hard work. They balanced our lives through education, through family, and through work. They instilled and gave us a platform to stand on, a foundation of today's success story which has been built and called Grand Cayman and the Cayman Islands.

One of the sad stories, the unfortunate stories told and repeated in Cayman Brac and in the Cayman Islands, is the loss of the *Nunoca*, a vessel that was on her way from Cayman Brac to Tampa, Florida. Over 30 people were lost on that ship—my grandfather, Alan Reid's father, and many others from Cayman Brac.

But one thing that happened was that the women who lost their loved ones stood up and stood tall and kept that community together and made sure that it went forward and not backwards. I believe that is what each one of us here today is trying to do: to recognise and salute the strength and stability that the women of this country have brought to each one of us and to be sure that we thank them in a special way and to continue to recognise them.

Madam Speaker, in her Motion the mover spoke about social, cultural and economic development of the women in this country. I have to again commend her on the way it is put together and how she has balanced it and has gone in a broad spectrum to make sure she recognises all of the things they have done for this young country.

As I said before, I as Member here am in complete support of what she has brought forward and push the idea of the equal opportunity and equal pay for the women of this country. I am honoured to be able to speak on this Motion today.

But it would be remiss of me if I did not ask the Government when it forms the committee if that committee also takes into consideration the women of Cayman Brac and Little Cayman and how they will be publicly recognised as I hear ideas of monuments, and thoughts of parades and a special day. Let us just make sure that the strong women of Cayman Brac and Little Cayman, women such as Miss Zenie Scott, who started Scott Development and grew it through hard work into one of the largest businesses in Cayman Brac and Little Cayman.

People like Mrs. Sybil Jackson, who gives time and time again to the community; Mrs. Ann Walton and Mrs. Lurley Scott from the Spot Bay area; Mrs. Mexi Ann Grant, who has spent a lifetime in education; young entrepreneur Mrs. Nola Bodden; Yvette Dilbert; Carol Sue Ryan and Dana Scott who have dedicated their lives to the health services and to the people of Cayman Brac.

Madam Speaker, I am sure there are many more I could mention here today. But the real point is that we want to be inclusive in this Motion and make sure that they, too, know that they are recognised and have something symbolic to make them remember and know that they are included in all of the appreciation that this country gives to their women and what they have done.

In my short contribution today, what I am so pleased about is that it gives me time to recognise my mother for all that she has done. And if I have had any success in this life, it is due to her commitment.

So, Madam Speaker, I want to close by, again, congratulating the mover, the Third Elected Member for George Town and the seconder, the Fourth Elected Member for George Town, and make sure they know that they have my support for this Motion. I look forward to voting in a positive way.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you.

Madam Speaker, I rise to support the Motion currently before the House moved by the Third Elected Member for George Town and seconded by the Fourth Elected Member for George Town. Before going into my brief comments I want to certainly commend those two Members for their comments on the Motion.

I believe that the Motion is certainly a timely one because the Motion is very much about celebrating and recognising the leadership of Caymanian women. And I want to talk about not just the leadership and contribution of Caymanian women of the past, but also of Caymanian women of the present.

We have some very strong leaders in the Cayman Islands today, and many of them are women—both in the public and private sectors. I believe that many of them today are simply emulating what they learned when they were young under their mothers.

For very many years, and rightly so, we have recognised the contribution of our seamen to Caymanian society. We have talked extensively about their contributions and what they did to bring money back home to build this success story that we enjoy today. As other Members who spoke before me said, while our fathers and grandfathers were away at sea,

the mothers were at home leading the families, leading the household, and essentially being father and mother to all of their children.

I certainly have some very good memories of stories that were told to me by my own father and my grandfather (both of whom sailed for extensive periods of time, both as chief engineers) certainly, some very exciting stories that I will not get into here today. But when we also sit and talk to our mothers and our grandmothers about that time, we also learn very interesting things when we think about and recall some of the sacrifices they had to make. Some of them were, perhaps, fortunate enough to sail with our fathers as well for a short period of time.

I remember my own mother telling me about doing that when my father first started going to sea. In fact, my oldest sister (who is her first child) was actually born in Trinidad because [my mother] was on the ship with my father at the time, obviously very much in advanced stages of pregnancy and that is simply where it happened—in Trinidad. Of course, that was the beginning, and there were many more to come after that and my mother had to stay at home, like many other Caymanian mothers, to do what had to be done to raise a family.

I know that there are many women in our society today, and many of them have been recognised already by my colleagues who spoke before me. We heard comments about Miss Clarke, Miss Tit-Tit, and the contributions they made to all of us individually. I remember particularly the very significant contributions that they both made—and continue to make—to the Cubs and the Scouts and, of course, the Girls Brigade in Cayman. That was a time, Madam Speaker, when we had what we can truly call a disciplined society in the Cayman Islands.

We did not only find this discipline in certain segments of our community or in certain organisations, but that sense of responsibility and discipline essentially could be found in just about every segment of our society.

Madam Speaker, we have other individuals, of course, and listening to some of the Members speak I recall the significant contributions, as an example, of the mother of the Third Elected Member for Bodden Town, Miss Lorna, made to the community. And, of course, Miss Lilly McCoy, Mr. Harry's wife. And she was involved in so many things in the Bodden Town community, in fact in the wider Cayman Islands, from education right through to the church services and everything in between.

These are very strong women. People like Miss Doris Bodden, who was a longtime teacher in Cayman. Again, many of us will remember being in classroom with Miss Doris and will remember the types of values and morals that she instilled in us.

My own mother, Madam Speaker, and I know that the Minister of Communications spoke about this . . . when I consider the contributions that she made to the education system in Cayman and, in fact, contin-

ues to make because even now she is called upon quite frequently in her retirement to do what they call supply teaching at the John Gray High School in particular. It is not something that I necessarily subscribe to because I keep telling her that she is retired and that she ought to enjoy her retirement. But I recognise, too, that when she is called upon she is only too happy to go because that is what keeps her going, that is what keeps her young, and that is what keeps her on the road—because she likes to drive, as you know.

There are so many other women in our society and when we start calling names it is always dangerous because there are so many to recognise and you are bound to not be able to recall all of the names and all of the contributions. But we also think about individuals like Ms. Pat Kelly who retired recently, who had served the postal services in this country for so many years with most of her service being in the Bodden Town district.

I certainly remember Ms. Stephenson-McField, Ms. Hilma, who was the Careers officer at the high school when I was getting ready to leave high school, and she was essentially my mentor in relation to what I was going to do after I left high school. I remember her very valuable advice and mentoring during that time. In those days it was two years before you left high school you had the opportunity to do work experience at whichever government agency or private sector company you wanted to go to.

These are all very strong Caymanian women who, as I said, we have not done enough [for] in the past to recognise. I think this Motion is certainly a very timely one. This is an opportunity for us to recognise the women in Cayman and to recognise them appropriately. I believe that when we see what is happening in our country and the leadership role that women continue to play, albeit in a different fashion because our country and our economy has moved on from where it was during the seafaring years, but it was those seafaring years that built what we have today, and it is those same leadership qualities and values that our mothers and grandmothers had (and have, in some instances) that continue to be represented in the young women in Cayman's society today.

I look, for example, at the tourism industry. We know that tourism is a very important industry in Cayman—one of our main industries. If you think about tourism and how it developed, and if you think about the sort of smaller properties, cottage type accommodations that started, some on the Seven Mile Beach and some in different areas of Grand Cayman and Cayman Brac and Little Cayman, and we remember the contributions that Caymanian women in particular made to making those establishments work, those Caymanian women were for the most part the housekeepers. But it was a very important position in that industry, and continues to be because that is the face of the tourism industry.

These are the individuals that our guests see and interact with when they come to Cayman. They do not necessarily see the general managers and the vice presidents of marketing. It is the individuals who are tending to the rooms and who are serving them that our guests come in contact with. That is where tourism in Cayman began, with those types of relationships. Individuals built relationships with Caymanian women, friendships, and essentially sought to return to Cayman year after year because they had found true friends in Cayman.

Madam Speaker, that is another area that we tend to not focus on and not recognise the contribution that Caymanian women made to that industry.

Madam Speaker, if we look at the civil service and the number of Caymanian women, very, very bright, intelligent Caymanian women serving in the public sector today. Look at the political ministries as an example. Three out of the five Permanent Secretaries are female. Very, very effective Permanent Secretaries, very bright and great leaders in our country.

If we examine all of the departments in government and in a number of the statutory authorities, you will see that many of our Caymanian women have taken up the leadership roles in these sectors and various agencies and units.

So, as we talk about the Cayman women who stayed behind when our fathers and grandfathers went to sea, we need to recognise (and I know I have said this before, but it certainly bears repeating) we need to recognise the significant contributions they made not just in making sure the family was fine and okay at home, but in demonstrating to the young Caymanian women of today what it took to lead the family, what it took to be a leader. That is what we see; that is what is actually manifesting itself in many of our Caymanian women today.

As I said at the outset, the Third Elected Member for George Town and the Fourth Elected Member for George Town certainly made very compelling contributions in their debates. I want to essentially conclude on the whole issue of women in politics.

We have seen a number of women serve in this honourable House over the years and we see that women continue to play a significant role in this House. Madam Speaker, I do not expect that to change. I expect that we are going to see more women taking up more seats in this Legislative Assembly.

Madam Speaker, I certainly am proud of the progress that Caymanian women have made in this country. I look to you, Madam Speaker, as one of the primary leaders of Caymanian women in this society. I see the way you conduct proceedings in this honourable House. I understand clearly where you are coming from in respect to things like punctuality and discipline and making sure that things run in accordance with the rules and regulations. And so it should be, Madam Speaker.

I know that all Members of this honourable House are certainly proud of you in the position that you currently sit in—one of the most senior positions in this country.

Madam Speaker, I know too that your constituents in the district of North Side are proud of you, and I know that they understand what you are trying to achieve for the districts. We can see the achievements and see it happening on the ground in your district, Madam Speaker. It is because of your leadership as a representative of the people of North Side.

The First Elected Member for Cayman Brac and Little Cayman has not spoken yet, but I believe she will. I do not think she will resist the temptation of doing so. I know that both she and the mover of the Motion, in their own right, have made very significant contributions to this country over the years, and continue to make contributions to the wider Cayman society by virtue of their membership in this honourable House.

Madam Speaker, there are a number of ministries that will have responsibility for taking this Motion and moving it forward in terms of implementing various policies and recognising the spirit and intent of the Motion. I know that this has already been said, but I would like to give the mover of the Motion my personal commitment as a Minister to support the implementation of all of the policies that will come out of this Motion. I trust that all Members of this House will do likewise and I know the Cayman society as a whole will appreciate some of the initiatives that will be born as a result of this Motion.

As I take my seat, I am privileged again to support the Motion before the House.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

The First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

I rise to give my wholehearted support to the Motion which is presently before this honourable House and I thank you for the opportunity of so doing.

Perhaps this is one of the Motions we can all happily support because it is for a common purpose and something that cuts across the thread of politics and affects us all as we look back to our rich history, our rich culture, and see from whence we have come.

I daresay that being a Caymanian woman was perhaps one of the greatest tests of life during the seafaring years. Indeed, for many, if not most, this was the teabag era for outstanding women. As was said by Nancy Regan, I believe, “**A woman is like a teabag: you never know how strong she is until you place her in hot water.**” Indeed, our women of years past have been placed in much hot water.

No, Madam Speaker, the Caymanian woman of seafaring years might not have had the luxury of hot water for the daily necessities of life, but their husbands, their fathers, their brothers, their nephews, indeed their uncles, cousins and their sons, had to leave them in order to chart uncharted waters in order to provide a very decent living condition for their families. Our Caymanian women have been able to rise to the occasion and become the all-in-all for their families.

Our country was on its own in its embryonic state of nation building. Our Caymanian women had no time to actually miss their male counterparts because not only were they leaving them for an inordinate amount of time, but they were risking their lives on the high seas. Rather than just lay back and get totally submerged in the emotion of separation the seafaring era brought, instead they rose to the occasion to make Cayman what it is today.

Madam Speaker, I believe the Motion (as said by former colleagues) is a timely motion, I believe it is a relevant motion and I wish to congratulate the mover and seconder in recognising the necessity to bring it to parliament at such a time as this. I am happy to see (thus far, from all indications) that it will receive the full support of this honourable House, if not this afternoon in the morning.

The outstanding Caymanian women stood in the newly created gap of our country. Suddenly most if not all of women were ushered involuntarily into a role of leadership and into a role of all spectrums of our social stratification. Our Caymanian women became the leaders of their families while still respecting the role of the male counterpart and often had a seamless transition when the men returned home to accept that role and continue.

They became the family economists. This, Madam Speaker, as you would rightly know, was without any type of formal education or training. These women were called upon to stretch the allotment, the money derived from turtling or fishing expeditions. Not only were they called upon to find ways to support the basic necessities of life, such as food, clothing and shelter, but they were also able to put aside a small amount to extend the very modest accommodations they had. But most importantly, they were able to put aside their 10 percent contribution and still have an amount for what they term "collections" at their churches. I believe that this allowed them to be blessed, as promised in the Good Book, and largely contributed to their success in playing a pivotal role in the lives of our people, not only at that time but for us to enjoy here today.

Our Caymanian women trusted and depended on God to supply their daily needs. I believe we can all recognise He guided them, protected them. So I would respectfully submit, Madam Speaker, that we continue to develop and establish our nation in a way or in a method where we would constantly acknowledge the awesomeness of God and that,

surely, He has been the bridge that has brought these Cayman Islands to where we are today.

I wish also to go on record to thank these Godly women who made every effort to ensure that Christian principles and virtues were instilled in us and gave us that yearning, gave us that desire to pass it on to the next generation and hopefully the second generation as well. These women kept the Christian church lit and they graciously guarded it and in addition took care to ensure that it was passed on.

Our Caymanian women during this era were also, as the Motion indicates, our social engineers, our social leaders. They trained their children, their grandchildren and sometimes even their neighbour's children, in the way that they should go. They taught them to adhere to the principle that manners will often take you where money cannot.

These women kept our church doors open. They taught in our schools, what few we had at the time. And they kept the shops and other businesses open as well. They knew what it was to barter. In fact, they knew what it was to negotiate. If they needed an item and someone else had it, you can bet your last dollar that the Caymanian woman would find any way in order to get what she needed for the day's basic necessities.

These women also knew how to keep grounds. And for the younger generation, those were the plantations or the cultivation. Certainly in my jurisdiction (and I am sure in North Side and the other eastern districts), when the men went to sea they were left in charge of not only establishing but maintaining on a regular basis and harvesting because it was not the day we had electricity, certainly as far as the Brac was concerned. Oft times they had to go beyond the call of duty to ensure that the staples of life were there.

Having just had a very small introduction to that type of life myself, I cannot help but imagine what type of women the Cayman women were of that day. We seem to have a very difficult time juggling our more modern activities and responsibilities and duties. I cannot imagine how they were able to rise so very early in the morning, go to cultivate the ground, oft times by 10.00, go and stand in the pond shallows and fish to get the protein or the meat kind for their meals, come home to scrub the wooden floor with sea feathers and the skins of some of the fish and yet still find time to rake the yard. And not just rake it, but rake it uniformly because the Caymanian women took great pride in what they did.

I do not believe the genesis of that extra work came from one of self-edification, but she wanted to do the very best for her children. I believe that Caymanian women are somehow genetically encoded to want to leave something better for their children, to provide something better for their children than what they themselves inherited from their own modest background.

As I said, there was no electricity and firewood became one of the most important commodities of the day, as far as the Brac is concerned. Again, I can speak on a more intimate basis of that because that is the jurisdiction from whence I hail.

Not only was it an arduous task for the collection of the ironwood, but our women had to climb the bluff—and most times it was barefoot. If we were fortunate enough to get a hold of a rejected tyre, then we were able to have the luxury of *wawmpuhs*.

They had to search for wood for the fires, but doing that was long before the introduction of MRCU and mosquitoes were perhaps the biggest pest of the day. They had to ensure that they were well supplied come nighttime to protect their families as well. So you see, our women also evolved into being the main protector of the family in more than one respect during this maritime era.

The women kept meticulous yards and homes and made sure that their children, poor though they be, Madam Speaker, were also kept in a meticulous fashion. It is difficult to comprehend merely in passing, but we must take our minds back down memory lane where we can be fully cognisant that these meticulous white sand yards . . . our Caymanian women did not even have shovels or bulldozers. They often used their bare hands and baskets that they themselves or the neighbour weaved for them to back. And this was not during the day, most of the time it was at night.

So we see that the Caymanian woman was very accustomed to working overtime and not being compensated for it. So they come from very stalwart and formidable foundations and have done quite well.

The pride that they had was also seen in the time they spent in landscaping the yard. And, Madam Speaker, I am taking some time on these extensive factors to really get a holistic approach to the composition of the Caymanian woman and that they did not take the time to be economists or financiers of the day or the good housekeepers, but they took that to every aspect of nation building. And they did it to the best of their abilities.

Although paint was very rare, they made sure that whatever they had to do that was honest, that come Christmas they had sufficient to acquire; that their modest little cottage or house was the best. It was very difficult to differentiate between the haves and the have-nots when it came to the Sunday dressing of their children and the display of their homes, especially during Christmas time.

The women also took to rearing of cattle and pigs. It was not like what we enjoy today where you can have prime rib, or New York strip everyday, sometimes three times a day. Some families were lucky to have it at Christmas time, and for the more fortunate, perhaps on Sundays. But for the poorest of families, to catch a chicken on Sunday morning and do the necessities to have it ready for mid-day was a delicacy for the middle-to-lower income families in Cayman. And our women had to do that.

This was during a time when the Brac had hardly anything. There was no hospital, as such. Years after, we had Dr. Lawrence in the Northeast Bay with his rudimentary medications, which worked for the time and we are grateful for them. But our midwives in the Brac did wonders. When I stop to think today that even as we speak ladies have to be brought to Grand Cayman to deliver . . . nine times out of ten women had no hospital or midwife. Able Ms. Almira and Ms. Pat too were able to deliver some very difficult pregnancies. I know for myself, my mom and my grandmother tell the story of how I was a most difficult delivery. Indeed, I was termed a blue baby.

Yet the local women were able to come in that difficult situation and assist my mother, and not only my mother but other Cayman Brac women. I think that it will only do this country good to take the time to fully recognise. I know that efforts have been made by other governments, by you, Madam Speaker, and other lady Members, other previous Ministers. It has been an incremental involvement to where we are today but I think that this debate opens it up to a national level to bring a sense of consciousness so that all and sundry cannot only debate it, but that the debate can be evolved into perhaps committees that will take into consideration the uniqueness of the three islands on a separate level. As best as we would try ourselves, as parliamentarians, we would forget persons, Caymanian women who made valuable contributions.

I believe that if we split up the committee, which would perhaps be the most preferable mode of moving this from the debate here today to an implementation stage, that perhaps some consideration could be given for three committees (unless Cayman wants to do a district level committee) where the opportunity could be given to ensure that all of the Caymanian women who made a valuable contribution would be included as much as possible.

I believe that many of the Caymanian women had, as my colleague from George Town (I think it was the Fourth Elected Member, if I remember correctly) said, most of them lived in modest one-room homes. I still marvel even when I visit my grandmother's house today to know that together she and papa had five children in a little two small bedroom home. I cannot comprehend when I hear them saying that they still had room for a sand dance within this little house that perhaps would not even meet up to the standards of a modern-day bedroom in a Caymanian house. Yet they were able to survive and they were able to make due with what they had.

We would see also that the Caymanian woman was very instrumental in the whole architectural evolution in the Caymanian society. Perhaps out of economic necessity, the homes were not only small but they found that the kitchen, buttress (or whatever name you have specific to your district) was detached. And for good reason: They were using ironwood and cabooses. I guess that discloses how old some of us are now getting! But nonetheless they were innovative with whatever they had to make sure that they survived.

The Caymanian women were excellent managers of time. Somehow they were able to prioritise and organise themselves. I am sure, based on the storytelling

that I have heard myself from my own grandparents and great grandparents underneath those famous grape trees at night before the advent of television, or along the seashore waiting for the catboats to come in with the days catch, they were able to make their own bedding. I mean, today, many of us will use plantain thrush to help fertilise the land, but they actually went and collected it and sewed it to make beddings.

I cannot imagine some of our kids today wanting to do that when they have number control beds and what have you and the luxuries that come with the prosperity we enjoy in Cayman today.

I believe that mention should also be made that it was not a time where you could go to the mall or online and order a particular designer dress. But I certainly had, and I am sure other lady Members here had dresses made from flower sack and chicken feed sack because that was what was there. I believe that we should take time to pass these stories on to our children and our grandchildren so that they can indeed have a full appreciation of where we are coming from and so that they can be more appreciative of what they have here today.

Many times most districts did not even have a formal educational institution. It was just underneath the biggest shade tree within the property, and the most educated one in the family was given the responsibility to teach the children. Some children did not even have that. But every mother wanted the very best.

I can remember, even within my own family experience, my mother's sacrificial work within the hospitality industry to ensure that her nine children—God knows how she could survive with nine of us!—but how her nine children had at least the very basic of necessities.

So I believe that this debate here today will provide for us a very positive catalyst, it will provide a very necessary springboard for us to start or reconvene debate with our kin so that we can tell them who we are because whether we believe it or not, Madam Speaker, Cayman is developing. There is a metamorphosis going on from a national perspective. If we move on in the modernisation of our constitution it is going to become important to know who is a Caymanian.

It has traditionally been the Caymanian woman who has taught these principles and these values and these morals to the children and I believe that we are merging this whole modernisation movement today with the introduction of this Motion to where we can have a debate within our homes, where that debate can flow into our communities; where that debate can flow into our churches that, I have always advocated, play a very intimate role in our development.

Again, as I believe the Minister for East End alluded to in his own district, the women kept the church doors open. Perhaps I should not put that in the past. They still are keeping the church doors open and for a number of reasons. We must pause and take time to give credit where credit is due.

Madam Speaker, am I here saying that the women did that all by themselves? No. What I am saying is that necessity is the inventor, often, of most things. And because our men were visionary enough to go to sea, because they had the innate responsibility to be the

main economic suppliers, because they had the courage to chart the uncharted waters, because our men had the belief in their women that they would be loyal, that they would be trustworthy and dependable, all of that came together to prevent an opportunity whereby our Caymanian women could rise to the challenge and bring it to a position where we can now stand today in this honourable parliament and give them kudos, give them thanks, give them praise and congratulations and convey our gratitude for a job well done.

What I found somewhat puzzling, or perhaps somewhat of a loophole or a lacuna was the fact that we recognise, we appreciate—I have no doubt about that—all of the tremendous, the colossal work that our women did and paid into society, but still the men of that era did not seem to recognise it to their account. In fact, it was not until 1959, I believe, that women were even given the right to vote. That really puzzles me because they came back and found more (and they left in more than one instance) family-wise and otherwise—and they found that the country was growing and progressing. Yet, they did not take it to that level.

The reason I am saying they did not take it to that level, Madam Speaker, is because had it been a situation where the men came back and recognised that the women had been tested, tried and proven, and were running the country—perhaps de facto, but were running it very capably—we would not have in our history a petition signed by women, which tells me it was a formal request to the power of the day for them to vote.

Madam Speaker, if I may develop that ideology somewhat further, even today when we look at our voters' list, in most if not all (and I stand to be corrected), there are more women on the voters' list than men. Yet, when you look at the ratio of women representatives in parliament, not just since our arrival, Madam Speaker, and the lady Member for George Town, we see an overwhelming majority of men.

I have always said that I do not believe that a parliamentarian should be elected on gender. And I am here again today to say that. But I am here to say that now that this Motion is on the Floor at such a national level, and we have heard all of our men come out and wholeheartedly on a national level support, commend, congratulate the achievements of our women past, current, and the optimism for the continuation of such success, that women themselves must now come to the forefront and support women.

And, Madam Speaker, coming from a woman I am sure that is going to raise eyebrows. But I can only speak it as I found it. If basic logic tells me that A is equal to B, and B is equal to C, then A must also equal C. If I may bring that down to laymen's language, if there are more women, and if women are concerned, truly, about women's issues in this country, and if women believe, as the men have stood here today in parliament and said that, yes, the women ran this country . . . we have PS's that are women, we have a Speaker who is a woman, we have so many examples that are women . . . what is it, then, about this honourable House, the Legislative Assembly, that there is a glass ceiling for women?

I have to pose that hypothetical question because if the women are the majority voters it means that

women are not voting for women. So I would ask as this debate evolves that we look at it. I do not say that for it to be an element of intimidation or ingratitude to the men. I feel that the men are able to stand head and shoulders with the women, but I do not think that they should have an advantage based on the fact that they are male.

Enough said about that. It is just put out for discussion. But I hope that it will bring a realisation in our women population that if they are to see change, if they want to stop complaining about the men not doing anything; if they want to stop complaining and criticising the men—sometimes rightly, sometimes wrongly—then they should put their power where their power is and ensure that they have full representation. Certainly the Government has said, and so far the Government has stood on its promise of support for women. We have seen that in the Speaker, we have seen that in appointment of women on boards—Cayman Airways, the Status Immigration Boards and other appointments the Governor has made. So I cannot lay the blame of further upward mobility for women at the feet of this Government or other governments, but I must lay it at the feet of our women voters.

Madam Speaker, I say that strongly, although profoundly, because sometimes it has to be done in order to get the level of awareness and cognisance to rise to where we want it to be. It does not mean that I expect come next election or subsequent elections that we go find any person who dresses up in a skirt or dress and put them into the House; no, Madam Speaker. We have a very successful country. We want our country to be run openly, we want our country to be run in a transparent fashion. We want our country to be run by educated persons. But what I am saying is that when they vote, just do not do it the traditional way. Look at those available; encourage other women to get involved whether it is through district counsels, committees or whatever, through scholarships, just be there and support the women.

If we ask the men (perhaps not in this forum, but in the Committee Room) who are their best supporters, who are their hardest workers, who are their best organizers . . . if they are honest (and I have no reason to believe that they would not be) they will call out a number of women in all of the different districts.

It baffles me to understand why we do not see more sitting in these hallowed Chambers. I hope that this will be the last opportunity that we will have to speak in such a tone and with such intonation but that women themselves will take up the responsibility to ensure that they continue to play the role.

When we look at other jurisdictions, Cayman has much to be thankful for. There are more “civilised” modern jurisdictions, but women do not have near the rights and the benefits that we have. We have seen this from various women’s forums that we attended across the world stage. So, I am not being ungrateful. We have so much more.

At many of those forums I attended, it seemed as if there was very little to debate because what they were fighting for we had already achieved. I am grateful, as a woman, for the seafaring era that gave our women the opportunity to prove themselves and to continue to prove themselves.

I wish also to acknowledge the role that our Caymanian women played in regard to their generous and compassionate spirit. Even during times of financial famine, they were still able to assist others, not only in their immediate family and communities but in the region and other places as well. At a time when Cayman perhaps did not have that much financial aid to give, our Caymanian women were known to go and search and bundle clothes in boxes to send to Honduras or to other parts hit by hurricane. That is a testament to their generous nature and their kind-hearted spirit.

Our Caymanian women have made these islands proud in that they have worked unselfishly in the pursuit of success and happiness and freedom. And I also believe that our Caymanian women have endured—in fact, they have risen from the era where they could not be seen. I remember my grandmother telling in some of her stories where the men would congregate to talk and the women dared not be present. It was something that could not happen.

I see your concurrence, Madam Speaker.

Then we moved into an era where they could be seen but not heard. Then, finally, thank God, the seafaring era came upon our shores where women could then be seen and heard. Indeed they began to bloom and women began to run things as it were.

The women did not waste their time. In fact, they were the movers and shakers of the era, and today we still see Caymanian women play a fundamental and most important role in our Caymanian society.

The Caymanian woman is resilient, the Caymanian woman is loyal, the Caymanian woman is tolerant, the Caymanian woman is determined, and the Caymanian woman is not easily defeated.

The Caymanian woman is insightful; she is conservative and well balanced.

The Caymanian woman is open-minded; the Caymanian woman is steadfast in her beliefs, her aspirations and her determination.

The Caymanian woman is sure and, indeed, the Caymanian woman has every right to be a confident woman.

The Caymanian woman is dependable and I believe that the Caymanian woman has indeed earned her respect and her place in our community and she must now be recognised at a continued national level. This support, this respect, this gratitude, this recognition must be full in every respect.

I must go beyond this timely Motion, which has opened the discussion at a national level, and say that every effort must be made to ensure that there is equality and clarity in parliament, in Government and, indeed, in our private sector as well.

When a woman does in fact land a job she should, as other Members indicated, receive equal pay, equal opportunity, and equal benefits. Our women deserve this type of respect and no less. Their gender should not in any form or fashion be a deterrent to their upward mobility or their success.

Our Caymanian women’s history is rich. I believe they can stand head and shoulders with the rest of their female counterparts in other jurisdictions and, indeed, they can be proud of the legacy they are leaving

for the upcoming generation of Caymanian young women.

As I speak on behalf of my constituents in Cayman Brac and Little Cayman I wish to go on record to thank all of the men for their valuable contributions made to these islands during that trying era and for being there to support, not just financially, but for the many letters and many communiqués that were written back and forth to encourage them to let them know that they were behind them and there to provide for them as well.

Most of the Cayman Brac women, some with my direct knowledge and some from the knowledge of my elders, some of our mothers, our grandmothers, our sisters, our nieces, our aunts were largely responsible for our success story we are hearing here today and have heard at other opportunities. Not only did many of them go to death's door in bringing us into this world, but they stuck to their commitment to raise us as decent children, to be the movers and shakers here today in modern Cayman.

They taught us to fear God, to keep His commandments because, after all, this is the whole entire duty of mankind. Our Caymanian women have given us strength, have given us stability and they have given us a proud heritage. They have created, indeed they have established, an admirable history. They have equipped us for the present; have given us hope and optimism for a bright future.

Some years ago, as Minister responsible in Cabinet, we were able to establish a day in the month of March as Women's Day, and I wish to thank subsequent Ministers and their respective staff for continuing this so that the women of Cayman would have a day set aside, although it was not a holiday. Maybe the present Government may wish to elevate it to that if they deem fit. But Miss Tammy and her staff were able to bring outstanding women to the community and celebrate their valuable contribution. I trust that that tradition will be continued.

I believe that much has been done for the recognition of women. There have been plaques, there have been awards. But it was done at more of a district level. So I sincerely congratulate the two Members for George Town for bringing this to a national level so that women will finally get the full respect that they deserve here in our developing nation.

Little Cayman, being a smaller island with a smaller population, still has women who made a valuable contribution. Certainly I would not stand here and name all of them, but women like Miss Millie, Miss Lonie, Mrs. Eulalee, and Mrs. Valda, who played and are still playing (those who are still physically able) a very valuable role in Little Cayman. Perhaps if any of the Islands that time forgot, it would have been Little Cayman, Madam Speaker. They had pretty much no luxuries, hardly any communication back in those days or anything. Yet they were able to raise large families and survive, and they stuck it out until Little Cayman developed to where it is today—a resort where people go for a lovely holiday.

On the Brac there are so many that I could not even begin to contemplate how long it would take to go through the list of them. Obviously there is a fear of missing one. But I believe it would be remiss of me to not

recognise the role that Mrs. Zenie Scott played in the West End area. Of course, she was the business woman, a very large landowner. And that company, Scott Development Ltd., continues to be a large success today and provides much work and employment on the Brac, perhaps the second biggest employer to Government. [Mrs. Scott] laid the groundwork, and she was a very astute a very intelligent yet not tertiary educated, Cayman Brac woman.

Then we had other women in the merchant things like Mrs. Zenie herself, Miss Zeta, and the Kirkconnell and Foster family women; we had Miss Melice and her family, we had Mary Eli and the Carters.

In Spot Bay we still have Cousin Juliann, Mrs. Muriel and those who continue under very trying financial circumstances who raised their families. Some of them have lost their husbands and because of that eventuality of having to resort to being very successful single parents and have raised outstanding children in the community.

Then we have those women who I often visit, who are self-made politicians. They were not elected, per se, through the formal election process. But if you go to them, Madam Speaker (and I am sure you have them in your district), they can debate any political issue. Indeed, they will give you advice before you even ask for it, and luckily it's free! It's not done on a consultancy basis or such. But they are very much involved in what happens.

They listen to Radio Cayman. When we think that its diatribe or when we think it is adversarial, bet your last dollar those Caymanian women, certainly the women on the Brac, listen very intently to what we say in the House. They will reprimand you if they feel that you have not fully represented their wishes and their desires. I can easily think of Mrs. Melice and Mrs. Ann, Miss Carrie who is now getting up in age and becoming somewhat feeble because of her physical limitations, Cousin Emie. Those women you don't mess with. I mean, you were told when you decided to run that if you want to get elected these are the women in the district you need to make sure you listen to.

Although they came through that era where during their early lifetime they were not able to vote, they still took a continued interest. Even up until today, they get involved in politics and they advise you. You have the Mercedes and so many more.

And then you have those in the medical field and the educational field, Mrs. Lavone, Mrs. Georgene and many, many more, that time, as I said, will not permit.

I wish to congratulate them. I have on many occasions on a district level given them awards, thanked them and had church services, what have you. But here in parliament today I wish to go on record congratulating every single woman on Cayman Brac and Little Cayman and Grand Cayman, women generally, because this is a universal struggle, this is a universal fight for the women to rise to take their rightful place in society.

Even in Cayman, as modern as we proclaim to be, I long to see the day when the woman finally gets the position she rightly deserves in many of the different occupations, that the benefits that males enjoy will also not be a question, will not be a fight, but that they would go to the woman. We in Cayman often say that there is

equality—if a woman wants a job she can get it, she just has to apply. But we have been behind those closed doors and we know how it works.

Even if the woman is more intelligent, more experienced, the basic pay stays the same. Even since we have been here, Madam Speaker, we see that the benefits are not the same. It is unfortunate to be in the year 2007 and that is still continuing.

I pray and I hope that with the safe passage of this Motion now before us that today will bring an end to that era and that our women, through this Motion, will be able to continue their involvement, their contribution, and that Cayman will be a better place as a result; that, in fact, when they say they support women that they will not only say so but by their actions they will proclaim it.

Thank you.

**The Speaker:** Before I ask for the Motion for the Adjournment of this honourable House, the Acting First Official Member has asked to brief Members of this honourable House tomorrow at 1.30. So I would just like to give due notice that tomorrow at 1.30 there will be a briefing by the Acting First Official Member in the Committee Room.

I will entertain a Motion for the Adjournment of this honourable House.

Honourable Minister of Education.

## **ADJOURNMENT**

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I move the adjournment of this honourable House until tomorrow, 6 September 2007.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am, Thursday, 6 September 2007. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it. This honourable House now stands adjourned until 10 am tomorrow.

**At 4.15 pm the House stood adjourned until 10 am, Thursday, 6 September 2007.**

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**6 SEPTEMBER 2007**  
**10. AM**  
*Fourth Sitting*

**The Speaker:** I will ask the Third Elected Member for the district of West Bay to say Prayers.

**PRAYERS**

**Mr. Cline A. Glidden, Jr.:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.19 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for late arrival of the Honourable Acting First Official Member.

**STATEMENTS BY HONOURABLE  
MINISTERS AND MEMBERS  
OF THE CABINET**

**The Speaker:** I have not received any notice of statements by Honourable Ministers and Members of the Cabinet.

**OTHER BUSINESS**

**PRIVATE MEMBERS' MOTIONS**

**Private Member's Motions No. 1/07-08**

**Recognition of Contributions made by Women in  
the Cayman Islands**

*(Continuation of debate thereon)*

**The Speaker:** Does any other Member wish to speak?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, I would like to offer a few brief remarks on a motion that has, I believe, shown the type of camaraderie that the people of this Island expect of the Legislative Assembly and its Members when we have motions like this; motions that really strike to the core of what and how a lot of us feel about where we are in the historical development of our Islands.

I congratulate the mover of the Motion for bringing it. After having listened carefully to her contribution, and the contributions of other Members, Madam Speaker, they really leave little else to say but to share a few comments and a few personal experiences as they relate to the topic.

Madam Speaker, having had the privilege of now going midway through my second term as an Elected Representative for the good people of West Bay, as I look back just in my time in here and certainly during the times that I listened on the radio to previous Members of this House—even you, Madam Speaker, when you were a Minister and an ordinary backbench Member of this House—this Motion brings together, I think, the feelings and the sentiment of not only this class of legislators (and I think that is an important point to make) it brings together the sentiments, I believe, of many prior classes of legislators in this country.

There have been different motions moved and different policies created over the years that have gone along the lines of recognising the unique needs and aspirations of women in our society. This Motion, I believe, is a capstone achievement, or potentially creates a capstone achievement for legislators because we now take a step back and we are able to look back at the specific contributions that women have played in building the Cayman Islands and providing the foundation for where we are today.

Much has been said, and I think it bears re-emphasis, about the fact that many people who now live and work in the Cayman Islands who have come here in more recent times might not recognise how this country operated in some very important times, decades, certainly before I was born, but certainly I got to see the tail end of a lot of what has been spoken about thus far by some of the more mature Members of this honourable House.

Madam Speaker, it is important that people recognise that achievements in education and achievements that people can easily point to—that is, discrete events in history and discrete actions taken and being part of specific movements, while they are extremely important, because a lot of them are the milestones that kept increasing the role that women officially played in the building of Cayman—we must never forget the masses who moved quietly day to day and played such a critical role in the country. The mover went into great lengths, but, as I said, it is a point that bears reemphasis.

The mover and other contributors went to great lengths on this point because a lot of people cannot imagine—they may hear it, but they truly cannot imagine—what old Cayman was like. When I was a boy it was called the ‘olden days’. That is all people ever told me about, the olden days. And, Madam Speaker, in those “olden days,” when people had to brush their teeth with strawberry bush, no electricity . . . When a boy my family and I moved to North West Point, in the mid 70s, we did not have electricity in our house. That did not come until a little later on.

Now, Madam Speaker, I know that some of the older Members of the House find that amazing, but they must also bear in mind that the country at this point in time is going through a change as well. And I would hope that some of the moves that we are now making in terms of specific recognition for women are going to encourage a lot of the new Caymanian women—that is, the younger generation (my age) to become more involved politically in terms of seeking elected office.

You find that a lot of them are quite content to be on committees and they are the backbone of committees. I do not think there is any Member in this House that can truthfully say that the backbone of their elections committee, in terms of getting work done to get us here is not dominated by women.

And so, Madam Speaker, I hope that this will serve to show the country, and indeed the world, that

we are now at a stage of reflection and we have a grand heritage to reflect upon as it relates to the contributions of women in this country.

Madam Speaker, when I remember and I look at even some of my older cousins, very few of my generation . . . actually only one out of my generation in my family went to sea. And he came back home within, I think it was, three years. So he would have been one of the last in terms of Caymanians that actually went through that process and that way of trying to make a living.

But, Madam Speaker, people who arrived here more recently really cannot appreciate how this country was built and how important the role of the mother was when the father was gone for the majority of the year. I can remember as a boy my father coming home about twice a year. That is what I went through up until I was about eight years old. And so, those who are older than me would have gone through it for much longer periods of time in their lives. Because of the lack of economic opportunities here at home our men had to go overseas to provide economically for their families.

As we all know, providing economically is of crucial importance. But day to day, how we were raised determined the character of the Caymanian population and the Cayman Islands. And I must say that the character of this country is one that we can be justly proud of.

Yes, as I said earlier, there may not be a large number of women that we can point to and say, ‘*Well, this one did this academically, this one did this socially,*’ but being the bedrock foundation for the home and producing the types of citizens that were produced, we can be justly proud.

Madam Speaker, I say to people a lot of times when they look at Cayman and they say, ‘*Well . . .*’, you know, they look at the population and they lament that more Caymanians are not in upper-management positions, for example. I say to people all the time, and I will say to all my colleagues in this House: let us be fair and let us look back at where we have come from and look at how far we have gotten in a very short period of time.

Madam Speaker, the oldest in my family . . . my oldest brother was not pushed to go to university. That was not something that was an aspiration. But, literally within a very short five-year period of time, the economic explosion that started in Cayman in the late 70s and early 80s. All of a sudden mothers and fathers recognised their children needed to do something new. There is a greater plane, there is a greater plateau for them to achieve and work toward if they are going to be successful citizens in this new Cayman.

I just look at my class in high school and that shows in such a short period of time how adaptable Caymanians are, how critically important mothers were. I will never forget my mother quietly saying to me all the time in my middle school years, ‘*This is a*

*new Cayman. This is a new Cayman. What it took for me to get a house and get ahead, there is going to be a different standard for you.'*

And so, I believe that when we look back and we are honest and fair of our account . . . yes, there are a lot of people who are talented who have dropped through the cracks, a lot of whom are perhaps in Northward or have not maximised their potential, but that is every country. Wherever you go, 100 per cent of talented people do not go off to university to get a tertiary education. You never, ever get 100 per cent. But I believe we have come a long way.

When I went to the high school graduation this year and I saw a record 40-plus students who are honour students—that is, seven or more 'O' levels, or what we would have called 'O' levels—that is impressive. That is quite impressive.

And, Madam Speaker, I am confident that when we look at those homes that those children have come from and you start to drill down and find out who pushes them, who is inspiring them, no slight to the men, no slight to Caymanian men, but the reality is women more often than not are the ones that do push and encourage more so than men. It is a fact, it is just a fact. That, too, has contributed, as the Third Elected Member for George Town said, in terms of girls being disproportionately more successful in school than boys.

So, Madam Speaker, I would hope that whatever is going to come out of this, whatever Government is going to do—and I have heard mention made of monuments, et cetera—I would hope that there will be a series of them because I do not believe you can capture everything that we want to capture in terms of the contributions that women made in the early years in just one monument.

As other Members have said, including the Honourable Leader of the Opposition, when we look at what happened with the Seven Mile Beach tourism and the women that were the bedrocks of that industry . . . that is where my mother made her living, working, slaving away in those condominiums and hotels and making the experience a pleasant one for our visitors. When we look at that impact alone, yes, it is less discrete in terms of being able to identify versus, say, seamen and the economic benefits that Government has given directly to seamen. But certainly, Madam Speaker, if we are going to look at persons who have contributed to one of the pillars of our economy, tourism, we will see how our women built that industry.

And so, Madam Speaker, I call this a reflection exercise because the achievements that we are talking about have happened. They will continue to happen. But a lot of these monumental achievements have happened. And as we reflect I want us to make sure that in terms of resources we give the exercise the same amount of enthusiasm that we have given it in terms of words.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** Some Members have said more. That is fine. If we give it more, though, we might wind up giving it the whole budget because, really, the Members of this House have been quite enthusiastic on this Motion.

**The Speaker:** I think we deserve it.

**Mr. Rolston M. Anglin:** In all seriousness, it is more than worth it, Madam Speaker, but we do need to give the exercise the resources that it needs and requires to make sure that we do a thorough job. We do not want to go through this exercise and for certain groups of women to then be approaching the government and saying, '*Well, what about this? What about that? How did you miss this? How did you miss that?*'

Having said that, it is going to be incumbent upon the government and the bureaucracy within the government, the civil servants, whoever is going to drive this initiative, that they do engage the public, and I encourage the public to become engaged. Do not complain *after* the fact. Make your voices heard.

Irrespective of how insignificant you may think a story is or a certain set of events are, let them be known because we do understand that there are things and experiences that will be outside the minds of us, the Elected Members, and certainly those who are going to be conducting the exercise, even National Archives.

The archives will be built with a lot of what we would think of as more nationally significant events that they can capture, but there were others that were so crucial. And so I move on to a second point: We do need to make sure that we capture from a district level the significant contributions that were made as well.

We cannot just leave this to be a national exercise because there would be a lot of contributions made within specific communities in each of the districts that were significant—significant to the building of those districts and the building of lives. Madam Speaker, we cannot place a value on the impact that individuals have had on people's lives and in terms of inspiring them.

From my personal experience, I will never forget every summer coming home from university I would see my older cousins, all of whom I called "aunt" because they were a lot older than me. As soon as you come home, you know, you are popping around everybody's house to let them know you are back home for a few months. Just the amount of prayer that I know that they put up for me and my other cousins who were off at university, I clearly understand and appreciate the significance that has played in terms of where we, as Caymanians, have gotten to.

So while in some churches, perhaps, women may not have been allowed to become pastors, when we look at the role that women have played in the churches, when we go to the various churches and we start thinking about and naming names in terms of

who were the pillars of those churches, I think we quickly will see how many women will come to the fore.

When you start naming names and saying, 'Okay, for the decade of the 50s through the 60s, 70s through the 80s' and we start saying who were extremely important people, who were the saints of the churches at that point, we will see, I would venture to guess, the majority in most churches were women.

Madam Speaker, when all of us reflect upon our own personal experiences we will see how important the women in our families and communities were in terms of who we have actually become.

The one thing that I would encourage all Caymanians to do on the next Mother's Day that is coming is to really reflect, because one thing that saddens my heart as a representative is some of the cases where we see how some mothers and grandmothers are treated.

I know so far we have been talking a lot about the feel-good stuff, but it is necessary for us to also talk about some of the realities that are out there in our communities. And we do need for Caymanians to really step up a little bit more. I know in the majority of cases most people take exceptional care of their mothers and grandmothers, but I think there are too many cases where that is not the case.

We need to encourage our citizens and the citizens need to encourage other citizens. We need to take more account for ourselves, our cousins, our neighbours, our friends. If we see something that should not be, in other words, someone not being cared for the way that they should be cared for, speak quietly to the person. Yes, you might run the risk that some of them might get a little upset with you, but so what? There is only one life and certainly, Madam Speaker, all of us do need to step up a little bit more throughout the year and make sure that the women who are important in our lives are given the due recognition and due support that they deserve.

I say to members of the community as well: if you see a person that may not be cared for as well as they should be and you cannot get results out of a family for whatever reason, take it upon yourself to show an act of kindness.

The Fourth Elected Member for George Town spoke to this whole issue of being raised in a yard, and that being the equivalent of that village raising children. That does not exist anymore in Cayman in the majority of cases. The trend is to try to establish your own homestead, as it were, and so you get your own land and build your house there. Often times you do not see your siblings during the week as we are all so busy and you only see them on weekends, whereas before you would see everybody every day. But, Madam Speaker, we need to take more time.

Now, Madam Speaker, I give this Motion, this initiative my 110 per cent support. As I said, this really encapsulates the feelings of many, many legislators over the years. I congratulate the Third Elected Mem-

ber for George Town for bringing this Motion. I certainly could hear from the passion with which she delivered it that it came from the heart. One cannot ask for anything more than that.

So, Madam Speaker, with those very brief remarks, I take my seat and I look forward to hearing other Members' contributions.

**The Speaker:** Does any other Member wish to speak?

The Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I, too, rise to give my support to the Motion before the House. As I reflect upon the contributions honourable Members have made to the Motion thus far, it certainly appears to me that it has proceeded on two broad levels.

Certainly it has gone on the laudable and high-ground level of women in yesteryear, in particular. They held the family together and they took care of the finances of the household while their husbands were away at sea and, in many instances too, they got involved not only in raising a family, but also in constructing the homes while the breadwinner—the husband, the son—was away at sea. So it has certainly proceeded on those high-ground contributions.

Honourable Members also have then supported those high-ground positions by their own personal experiences. And, certainly, all honourable Members in the House were touched, and they were also, I believe, educated, by some of the comments that were made by Members.

It is certainly true, Madam Speaker, that most, if not all, Members in this House have common experiences and they could very well relate to what was being said in respect of the invaluable contributions that women have made over the years.

Madam Speaker, I too benefitted from the contributions women made to the family unit over the years. My father also went to sea and, obviously, my mother remained on Island with me. I would often ask her, 'Well, when is he coming back home?'

The response was, 'Well, he is coming soon.'

And that was a memorable moment to look forward to, when fathers, uncles and cousins returned home, because they often brought not only monetary value when they returned (and they sent that certainly during their stay away) but they also brought, particularly for children, clothes and gifts which were particularly enjoyable.

Madam Speaker, not only have mothers been a great source of strength for the nation building which has occurred, but as other honourable Members have said, grandmothers as well, aunts as well have contributed greatly to the nation, the country that we are today.

Just giving a few of my own personal experiences, Madam Speaker, one of the events that I al-

ways tell my friends as a joke, is that I only learned to iron a shirt the day before I left for university. And, Madam Speaker, that certainly was taught to me by my mother.

Madam Speaker, like all other Caymanians of our age and time, instilled within us was the importance of honour, respect and honesty towards our fellow man. Also instilled in us was the importance of going to school and getting a good education so that we could better ourselves and better our Islands. As often was the case, we were told that as parents they wanted their children to have a better lot in life than they did. And that is something certainly which has stayed with us for a very long time.

Madam Speaker, it was quite a joy coming from work in the evenings to be able to stop in to my grandmother's house and, like all folks of her age, there was always an offer of food, there was always an offer of good advice and there was nearly always a reference back to the Bible and the teachings of the Bible. And after a hard day's work and a stop in at your grandmother's place, the load seemed a bit lighter at the end of that stop in.

So there is no doubt, Madam Speaker—there is no doubt!—that women have made a significant contribution to the upkeep of these Islands, to the development of these Islands. And the Motion certainly is a common sense motion, it is certainly a motion that is laudable and it is one that all honourable Members (as they have demonstrated thus far) appreciate, they understand and they can support.

Madam Speaker, when the mover of the Motion spoke, it was quite clear to all honourable Members that she did quite a bit of research and she gave the House and the listening public I think tidbits of her research. I am sure there were parts that she did not impart to us, essentially because of the essence of time, but she certainly educated us as to the role that women have played in the past and that they continue to play today. And so, we certainly owe her some thanks for the Motion and her research and imparting that research to us.

Madam Speaker, women in the past, women now and in the future will always play a significant role in the evolution of mankind, I believe. When one considers the educational front, women certainly excel to a great extent. When we look at the graduation classes each year we see (unfortunately for the men) that girls tend to outshine, in numbers, boys academically. So, there is no doubt that intellectually women have a huge contribution to make.

Madam Speaker, I would summarise my position by saying that it is well understood, it is well appreciated the role that women have played in the Cayman Islands in the past, the role that they continue to play today and the role that they will play in the future. Certainly in the past, we have heard that women, essentially, were the backbone of the family unit, they held the family together while their husbands in many instances, their brothers and uncles

were away, particularly at sea. They took care of the family finances, they raised their children, they built their homes and they kept the family unit together even though the male part of that family unit was often away for considerable periods of time.

Madam Speaker, we have heard many personal experiences which attest to those attributes which women have demonstrated in the past. Therefore, I believe all honourable Members in this House will support the Motion that is now before us.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Acting Second Official Member.

**Hon. Cheryll Richards:** Thank you, Madam Speaker. I rise to add my support to the Motion which calls for the recognition of the contribution made by women in the Cayman Islands.

I have listened with interest to the very many contributions made in support of this Motion, and while I cannot, Madam Speaker, express the depth of the experience put forward by the other Members, certainly while I have been here I recognise the contribution which has been made in a very significant way by the women in these Islands.

It has not escaped me that the women, both in a professional and in a personal capacity are responsible for the depth and the breadth of much of the beauty and much of the comfort of the Caymanian life and the Caymanian experience.

My concern, Madam Speaker, is whether this recognition of the contribution made by women in the past has been communicated to the younger generation. Perhaps it is because most of the younger generation that I see every day (given my role is in the youth courts) are so blithe and they are so, I think, unconcerned about the need for hard work. And so I would say they lack goals and they lack, some of them, a vision of where they are going.

Madam Speaker, perhaps it is because they do not realise the sacrifices that have been made in the past by the many women—their mothers and their grandmothers, their aunts and their sisters—and they do not realise the sacrifice that it has taken to get Cayman this far.

I would like to see in the course of the policy discussions which are to take place in relation to this Motion that some aspect of it be centred on recording the history of the women in the Cayman Islands and communicating that history to the young people.

Madam Speaker, earlier this year I was involved in the mentoring programme run by the Chamber or Commerce, and I had one student from a local high school, a very, very good student, bright and interested in our work. And during the course of the National Hero celebrations I said to her, "You must come. You must be a part of this celebration and you

must see it because the only living National Hero of the Cayman Islands is female.”

And she said: “Really? Are you sure?”

And I said, “Yes.”

It was as if she was unaware of the existence of this National Hero, and I told her about her; I told her that she was the first Speaker of the Cayman Islands and the historical data that I had on her.

But I was a little bit concerned that this was not known to her and not in the centre of her thoughts. So my concern is that we focus in recognising and accepting this Motion on educating the youngsters and the young ones coming up so that they can understand and appreciate the historical background.

With these few words, I wish to commend the mover of this Motion and to add my support, however small, to the Motion which is timely and is a serious and necessary one.

May it so please you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Thank you, Madam Speaker.

Madam Speaker, with all that has been said between yesterday and this morning there is perhaps little to add. But I am very conscious that people like my mother faithfully listen to the proceedings of these hallowed halls and I would not put it past her that I might run the risk of getting a flogging if I do not get up and say something *[laughter]* because that was very much her ambit in my upbringing.

I only got a few of those from my father but I got many from her.

**An Hon. Member:** Yeah!

**The Speaker:** Yeah, and she would do it again, too.

**Hon. Donovan W. F. Ebanks:** Yeah, I am sure she would not hesitate to do it again.

Madam Speaker, obviously I must commend the mover on what I think is a timely and well-presented Motion. I endorse the comments that my colleague, the Honourable Acting Second Official Member, just made in terms of the importance of trying to educate our young people on how we have reached the point where we are and the fact that life was not always as smooth and as simple as we now enjoy it.

I think it is also to our credit and worth a bit of celebration that we have, in fact, come as far as we have in removing gender as a consideration in our society. And we see those manifestations all around us. You, Madam Speaker, are perhaps the most outstanding example of that in the office that you currently hold, as is our now National Hero, your predecessor.

Certainly within the public service we have made tremendous strides, and there is ample manifestation of not only the equality but the significant role that women play within our public service. There are many examples.

I was pleased to no end just recently when Hurricane Dean was passing, to be able to take the Sunday night off and hand over the reigns of the National Hurricane Committee to one of my deputies who happens to be a woman. It just speaks to the fact that in our community women carry every role and every responsibility that men do. I think we must be proud of the fact that we have reached that point.

But having said that, there is much that has gone into getting us to where we are, and I certainly think the Motion is most timely and I am confident that the Government will give it the fullest consideration in trying to develop the most appropriate, meaningful and long lasting ways to display the respect and acknowledgment for our mothers and our grandmothers who have helped in such a major way to create the Cayman Islands that we enjoy today.

So, Madam Speaker, I simply will endorse the comments that others have made and say that certainly the Motion has my fullest and deepest support. Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]*

Before I call on the Honourable Minister of Education, I wonder if I, as the Speaker and on behalf of all Members of this House, could wish him a happy birthday today.

Honourable Minister of Education, happy birthday.

**Hon. Alden M. McLaughlin, Jr.:** Thank you most kindly, Madam Speaker.

Madam Speaker, I regard it as an honour and a privilege to have an opportunity to offer a contribution to this very important Motion that is before this honourable House today seeking recognition of the contributions made by women in the Cayman Islands.

Madam Speaker, many of those who spoke before me have spent quite a bit of time extolling the efforts, achievement and virtues of women who had powerful influences in their lives, and I am no different in that respect.

Madam Speaker, I, like many in this honourable House, am born to a generation that had the privilege—and I regard it as that, a privilege—of bridging the period between Cayman’s seafaring and (shall I call it?) tough past and the more economically bright era, the period between the 50, 60s and 70s.

It seems almost unbelievable now that less than 50 years ago women did not have the right to vote in this country, but they certainly had the obligation to work extraordinarily hard and perform a myriad of duties and obligations and functions, many of which those who have spoken before me have spoken at

some length about, and I do not think it helps a great deal for me to go over those. I think we all know what women had to do in those very difficult times.

Madam Speaker, what many people do not quite appreciate though, I believe, is that despite the fact that by and large women were stay-at-home mothers and wives, there were some, even in the 40s and 50s and 60s, who actually did perform a number of professional jobs as teachers and nurses, for instance.

I often say my grandfather, Alden McLaughlin, is still well known as a teacher in these Islands even though he has been gone now for quite a number of years. But very few people ever acknowledge the number of women, including my grandmother who taught school back in the very early 1900s—I am not talking about recently but in the early 1900s.

I was privileged to have a grand aunt who was a registered nurse in the early 1900s, midwife, among other of the functions. My mother worked as a dispenser/pharmacist from the early 50s, 36 years at the Government Hospital.

I come from a family where women have understood that their roles extended well beyond the four corners of their homes. And despite the stigma—and there was stigma attached to women working outside the home even when I was growing up. It was considered, in many quarters, as something of an abandonment of their children to go outside the home and actually work. They persevered.

Women contributed to the foundations of this country in every possible way, not just as caregivers and nurturers, but also in the development and foundation of a number of the professions in this country. And so, Madam Speaker, I think that the Motion is important.

I want to say, Madam Speaker, that over the course of the past 14 months my Ministry has been working on a project which I had planned to keep quiet for some time, but I think this Motion actually requires me to say something about it.

As I alluded to a little earlier, 2009 will be 50 years since women got the right to vote in this country. It is an important milestone and, Madam Speaker, you know very well (because you actually mentioned it to me a couple of years ago) that we ought to do something to recognise that occasion and also to pay tribute to the achievements and struggles of women in this country.

A number of people have remarked to me (and I am sure to many others as well) that in the celebrations, we have—and thankfully we have over the course of the past decade for certain—given increased emphasis and consideration to the efforts of the nation builders culminating in the Quincentennial Celebrations, which was an absolutely marvelous (I cannot say occasion because it stretched over a year) . . . but it was absolutely marvelous.

The establishment of National Heroes' Day and its celebration in the Quincentennial Year most

recently (last year) I believe brought, and continues to bring, immense pride to people of these Islands. But on these occasions there are many who believe that women ought to be singled out for special mention in the same way that we do, quite justifiably, the seamen of this country who provided the early foundations for the success that we are all so happy to be a part of now.

Madam Speaker, because of what you said to me a couple of years ago, we started a project in the Ministry to research the contributions of women in this country and to chronicle them and we have actually completed a part of that work, certainly in relation to the grant of suffrage to women in 1959, which my colleagues, particularly the mover of the Motion, spent some time speaking about. And we are now moving into the next phase.

We have taken the decision—not just the Ministry, the Government has taken the decision—that a monument should be established in National Heroes Park to mark not just the grant of suffrage to women, but to mark the achievements and struggles of women over the years in this country.

We have in the Ministry just recently appointed a technical committee made up of representatives from the National Museum, the National Gallery and, I believe, the National Trust—I am not certain but I believe so—technical people to form a jury to assist in the commissioning of a sculptor or artist, whatever you want to call the individual, to actually design and create an appropriate monument for the occasion.

The plans, Madam Speaker, are still quite (shall I say) loose. We have not firmed up a number of things, but what we have determined is that the monument would be unveiled on National Heroes Day in January of 2009, with the appropriate ceremony accompanying it.

Madam Speaker, this Motion, I think, causes all of us to think perhaps even a bit more broadly than what we have been doing in the Ministry. I think it would be appropriate for a committee to be formed from both sides of this honourable House, which could suggest perhaps other appropriate means leading up to the unveiling of the monument in January of 2009, and other appropriate ways to mark the contributions of women.

I do not want to suggest any more than that at this stage because I think it would be important that we do hear what other Members of this honourable House say, and perhaps even outside this House, about what would be appropriate ceremonies, occasions, events that we should have to talk about the contributions of women; to make sure that the young people in this country, in particular, understand those tremendous contributions; and to make sure that many who have recently arrived here and perhaps do not fully appreciate the struggles that brought this place to where it is, to assist them in gaining a better appreciation of the strength and resilience of the Caymanian people, in particular, its women folk and of

our culture. So that, Madam Speaker, is a suggestion I would wish to make.

But the work for National Heroes Day in January of 2009 is underway. It has been underway for some time. We want to make sure that we do this properly and that what is created and placed in National Heroes Park is a fitting monument, a fitting testament to the struggles, achievements and aspirations of women in this country.

Madam Speaker, those who have gone before me have spent a great deal of time outlining those tremendous contributions of women, and I do not think that it would serve much purpose for me to spend a great deal of time rehearsing those. But I thought that I should assure the mover and seconder of the Motion, the entire House and, indeed, the entire listening public that this is a matter that has occupied the minds of the Government, and particularly me as Minister, for quite some time, and that we are working.

Work is actually underway to ensure that we do memorialise, that we do pay fitting tribute, lasting tribute, to women in this country so that all in this country will understand how important we as a people regard the contributions of women in the past and the tremendous role they are playing presently and the even more important role they have to play in leading this country into the future.

Thank you, Madam Speaker.

**The Speaker:** Proceedings will be suspended at this time for 15 minutes.

**Proceedings suspended at 11.30 am**

**Proceedings resumed at 11.45 am**

**The Speaker:** Please be seated. Proceedings are resumed. Continuation of the debate on Private Member's Motion No. 1/07-8. Does any other Member wish to speak? *[pause]* Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, in replying formally to the Motion on behalf of Government, we wanted to allow all Members to have an opportunity to speak to the Motion as has been obvious from the mover's presentation. This is a motion that is considered to be extremely important, not only for us as legislators to be able to express our thoughts regarding the contributions made by women in the Cayman Islands over the years, but indeed for the entire country.

As I listened to the various contributions, Madam Speaker, I have to admit, I remembered some things in my early life that I had forgotten many years ago, pleasant things. I was thinking that when we look at these Cayman Islands today and we reflect, while some of us are perhaps a decade apart in age, most of us here—the Second Elected Member for West Bay

is reminding me that some of us are two decades [apart in age] and I am so sorry for him that he is that young. But nevertheless, it reminds us that when we look at today and at yesteryear and see so many ills in our society on a daily basis in different capacities, as Elected Representatives and Official Members who battle to make the Cayman Islands a better place, it is then that it really hits home to us the contributions that the women made in those days.

As it has been said many times over during the course of this debate, in most, if not all instances, women were either both mother and father or both aunt and uncle, but most of all, the only role models we really had that we were with all the time. Madam Speaker, I am sure that I am no exception, but I was thinking back and even in my day memory serves me that I was just shy of 20 years old before I saw my father for more than two months continuously at any one period of time in my life. But you know what, Madam Speaker? He was always there because of how my mother was.

I speak of my own experiences but I am sure those experiences extend to most others that are here today. I can remember whenever something was not quite right I would hear, *'If your father were here. If your father were here.'* So you never forgot. And by being like that it was always like he was always there so he was never a stranger. And in the early days it was really an exciting time when you heard he was coming home. As the Honourable Financial Secretary spoke, we had a lot of hand-me-downs, all of us did because all of us were from humble beginnings. But every time he came home we always had something new. And you think about that, Madam Speaker: there is no way that they could sit out there at sea and know what size to get, what colour to get. They had to be told by mother. That is how fundamental the role of mother was.

So when we think of 50, 40, 30 years ago and we think of the things that used to challenge us then, Madam Speaker, which we thought at that time were troublesome things and we look at the challenges today, they were what we would term 'a breeze' and that was all because of the women folk being there all the time taking care of all the rest. I mean, when I think of when we were growing up, we thought long and hard before we did anything wrong, not just because of a physical punishment that you might endure for it, but because you did not want to disappoint them; you did not want to make them hurt because they were so important in your lives.

So, Madam Speaker, everything that we say speaks to them being the backbone of it all. And while we would say that we should be making a concerted effort of this nature, or should have been doing so from a long time ago, seems to me like it is just one of those things that everyone takes for granted.

Madam Speaker, even as an adult I have experienced the same things with the older women that are here. Some like my own mother have passed,

some are still around, but they still have that influence. The Minister of Communications and Works brought a few examples of when he heard someone's name he was tipping on his toes to make sure not to engage the wrath of that person. And when he said it if one did not really understand, one might think that it was said in jest and it might have been intended to sound like that, but I know deep down he meant every word that he said. His point was simply the influence those people have over our lives today.

Madam Speaker, it is perhaps the best thing that has ever happened to any one of us, and like everyone else I have to say that is not to slight the fathers because if we ran the equation parallel, we would find out that the mothers would not have been able to do what they did if the fathers had not been around to do what they did. So it all works out when we put everything together. But today we speak of the women. Another time we will speak of the men folk.

Madam Speaker, as a government, not only are we very happy to accept the Motion in its spirit, but also in order to ensure that this is not one of those motions that simply hears words of niceties in a debate and gets chronicled in the annals of the Legislative Assembly, but we need to ensure that in accepting the Motion we move forward and do tangible things.

The Minister of Education has stated some of the things that are already entrained through his Ministry and I think we need to enlarge the scope of recording the history of women in the Cayman Islands to ensure that whatever is done through the archives it is done with extended terms of reference, to ensure that that chronological history is something complete in itself, and it is one of the things that will happen.

Across the ministries and portfolios we will find that there are various areas which there will be different responsibilities for, all attached to whatever happens after the Motion receives safe passage. So, Madam Speaker, what we are proposing to do, understanding full well all the thoughts the mover and the seconder have put to bring the Motion forward, is to put a group together which will consult with all Members of this Legislative Assembly. And, wherever and whatever other resources they need to tap into to make specific recommendations bearing in mind all that has been said in this Legislative Assembly by all Members who have contributed so that we can come up, in very short order, with a specific plan of action and a sequence of events which will decide whether some of those events are one-time events, annual events or otherwise.

We want to ensure the resolve section of the Motion—which reads: “**BE IT RESOLVED THAT the Government consider recognising these heroic, patriotic and nation building efforts of Caymanian Women at a national level.**” So we want to ensure that that happens, Madam Speaker. And I am certain from time to time, either through public utterances or

through the media, we will see the progress that is being made.

I certainly want to take this opportunity to commend the Third and Fourth Elected Members of the district of George Town for moving and seconding the Motion. It was also very pleasing to hear all Members make their contributions because, Madam Speaker, after all is said and done this little time of reflection can only do us good and perhaps it might even allow us to do better and be better at what we do.

Madam Speaker, I am certainly not going to wade through repeating all that has been said because I do believe that this has been one thorough debate. But I certainly want to, on behalf of the Government, once again commend the Motion, advise all Members that the Government will be accepting, and from all indications from those who have spoken it will be unanimously accepted when the vote is taken. And the mover and seconder can rest assured that their government, not only in accepting the Motion will accept the spirit of the Motion, but they will also see tangible results as a matter of course.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the mover wish to exercise her right of reply?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you very much, Madam Speaker.

Madam Speaker, my colleague, the Fourth Elected Member, passed part of the newspaper to me and with your permission it reads: The 19 September 1893, and there is a man on a mountain extending his hand to a lady stepping up on the mountain and the insignia on the flag says Perfect Political Equality and it reads: New Zealand the first country to give women the right to vote. I thought that was befitting, in particular, the whole question of the extension of the arm to women. In essence, what this is about, Madam Speaker, is equality, parity, human rights.

I would wish at this moment to thank all my colleagues who have taken me into the annals of history and given me experiences into the whole life of the women in this country and I thank them.

I particularly want to spend a moment to talk about how thrilling it was for me to hear the Leader of the Opposition talk about the thatch rope era. You know, that is where it was. I can share with that experience because my grandmother moved from West Bay to East End. That is where she found her love doing the same thing, going to get thatch.

What I really was impressed with, was the Second Official Member—who really has not experienced this in Cayman with us, but she certainly understands in her first country, Jamaica, how women

struggled there, too. But having to have connectivity with all of this is so that we can bring the young women to understand the struggles and the sacrifices that were made, Madam Speaker, for them. It struck me while I was sitting here that, you know, how is it that the fore-mothers of our time were able to handle 12 children (in my mother's case 11) 9, 7, and our little young women, whose quality of life economically is much better, cannot handle 2.

I understand where my colleagues are coming from when we say we have to record all of this and that pleases me. We have to record all of this so that the new woman in the modern Cayman can learn from the old woman in the Cayman of yesteryear and that is wonderful. It does not take a psychologist to bring all of that together. And I really appreciate that. I certainly am happy that she was able to bring that aspect of it to us. It was also alluded to in different ways by some of our colleagues.

I do not think today that this Motion has not met the ears of the public; it has. I have gotten many messages, several telephone calls, and a lot have been from men. The men out there are with us in here in that it is time we recognise the contributions that the women made many years ago and I am very happy for that.

I would like to draw on something that the First Elected Member for Cayman Brac said. I came in a little late because I had to go outside for something, but I believe that she was talking about the whole question of women in politics, and she said that it is fine for us to discuss and talk about women's contributions but we really need to support the women politics. Now, I think that that is a process we perhaps have to work on, but I do not think that the process of women not getting into politics is because of men. I think that there has to be a confidence building in our women.

I have dealt in many respects with women in my country. I worked in the Education Department and the Ministry of Community Development which worked with a lot of women, and I see that the bright minds, the persons who want to do things, but to take that leap just a little bit to the right or to the left is something that we ourselves as women must inculcate in us. But when I went to Beijing in 1995, Queen Beatrix of Holland said when women vote for women, women win. So I will leave that little part.

Next year, Madam Speaker, will be one of the most historical periods in our time as a new nation; the whole democratisation of the Cayman Islands. It was the time when we had full adult suffrage where women got to vote. And, Madam Speaker, with your permission I would like to challenge the United Kingdom for this auspicious time in our history for us to commemorate this era of political advancement in our country, to bestow on us the highest royal honour to our women. Whether it wants to be a Dame or whatever else you call it, I am really not that familiar with it. But I know what Dame means. I think that that would just cap this process. I believe it will give the young

women in this country something to say, 'Yes, my contribution will have been applauded.'

Madam Speaker, I know that the Honourable Leader of Government Business is looking straight in my eyes, and I would ask him through you, Madam Speaker, that when he goes to London in December to challenge the United Kingdom Government. Here is a country that has had 50 years of universal suffrage from 24 women who were bold and valiant and here is a country that wants to recognise all its women because women hold up half the sky. "Women hold up half the sky" is a saying from Confucius. And if women hold up half the sky you know if they let it go what will happen. As you know, my Honourable Minister likes to joke about things and I can imagine him saying now, 'Take that.'

Women hold up half the sky, and if women hold up half the sky it is us in this place called the Legislative Assembly of the Cayman Islands to put in place all the honours—and not honour, meaning medals and all those things, but recognition for persons who have made us what we are.

I wish to thank the Honourable Leader of Government Business for accepting this Motion and for telling us that he is going to put in place a committee to look at all the facets, things that perhaps were not covered here. And I agree with all those who say we have got to look at the smaller areas, the different facets of the contributions at district level. And I would hasten to say, Madam Speaker, that whomever we put on the committee let it be balanced in terms of men and women and that we are not just looking for persons to give a Queen's award to.

Some years ago I remember the Northwester wrote an article on women and I think the women, with no offence to them, were all women of public office. We must believe that other women besides those of us who have attained such heights can be recognised.

I particularly want to congratulate all of my colleagues who agreed with the parts of the debate on the Motion about the poor suffering women who got divorced from their spouses in that era. I could hear the passion. You know, this was a very difficult time for me as well. It was a difficult time for a lot of us. I could hear people say they could hear this one as if they were crying, that one tears jerked back. That is true! And you know what? There is a healing in this place today. There was a healing in this place yesterday.

I noticed that the Leader of the Opposition was impeccably dressed, well dressed for the occasion, and it went with his speech. It was wonderful to see. And when we were in the dining room, Madam Speaker, it was wonderful to hear all of us chiming in with each other and I said, you know, all of us—all of us—loved our mothers. All of us. And I know as a testimony to him that the Leader of the Opposition and the Leader of Government loved their mothers. I know that and that is wonderful. And I have always said any man who loves his mother and looks after his mother

will do well. I can tell you I have two brothers who did not, and I can also tell you what happens to you when you do not. I am not a soothe sayer of any means, but I believe in the Almighty.

Madam Speaker, I do not know if the Cayman Islands really have appreciated what you did in 1995. When I went to the Beijing conference I heard those senior women, not young women, all those queens from Europe and all those senior ladies, when they talked about the disadvantages that they had given their daughters by suppressing themselves and not moving forward to help them in this movement, but this was the time they said that it would never happen again. At least they would open the doors for their granddaughters.

From 1995, Madam Speaker, to now, there has been a burgeoning of openings for women in this country. And I know we laugh with you and we do not really tell you this every day, but I want to tell you that I know that you have made a mark in the history of our time. I cannot recall who that mover was of the Motion, but whoever it is I asked you to extend my expressions to them.

Thank you very much colleagues. And to the nation, I say on behalf of all women in the past and all women in the present and those in the future: thank you legislators for your support and may God bless all of you.

**The Speaker:** That concludes the debate on Private Member's Motion No. 1/07-08. The question is BE IT RESOLVED THAT the Government consider recognizing these heroic, patriotic and nation building efforts of Cayman Women at a national level. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 1/07-08 is passed.

**Agreed: Private Member's Motion No. 1/07-08 passed.**

**The Speaker:** I think the lunch is here so I think we could take the lunch break at this time instead of getting into a new item. Proceedings will be suspended until 1.45 pm.

*[inaudible interjection]*

**The Speaker:** Thank you, honourable Members, I totally forgot about the 1.30 with the Acting First Official Member, so we will return as soon as that briefing is completed.

Thank you.

**Proceedings suspended at 12.18 pm  
Proceedings resumed at 2.13 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

#### **Private Member's Motion No. 2/07-08**

#### **Openness and Transparency Legislation**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, I beg to move [Private Member's] Motion No. 2 standing in my name, which reads as follows:

**WHEREAS in the interest of openness and transparency, justice and equity to all;**

**BE IT RESOLVED THAT Government Boards and certain committees such as the Immigration Board, the Central Planning Authority Board, the Public Accounts Committee and other such boards and committees, as determined by this honourable House, be open to the public;**

**AND BE IT FURTHER RESOLVED THAT Members and Ministers of Government, or their designates, be no longer allowed to sit as Chairmen of a Government Board.**

**The Speaker:** Is there a seconder?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second this Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, I have tabled this Motion because I believe that we are at a point in the life of our country when we must look critically at all of our administrative systems with a view to improving them in the interests of our democracy. And so, with much adieu about openness and transparency, this Motion is tabled in the interests of openness and transparency.

The substantive action that I would like to see evolving from this Motion is that government boards and certain committees, such as the Immigration Board, Central Planning Authority Board, Public Accounts Committee and other boards and committees such as the Airport Authority, the Port Authority Board, Cayman Turtle Farm Board and some of the others, Madam Speaker, determined by this House, be open to the public.

In putting forward this Motion, I am guided by the fact that this is something that the public has been asking for and so, Madam Speaker, we have heard many times, especially in relation to the Central Planning Authority Board, that this should be done.

I believe that when we talk about transparency and open and accountable governance we must be prepared to accept that this is a necessary and fundamental part of any functioning democracy. Transparency allows everyone who is affected by governmental and administrative decisions to know and understand not just the basic facts and figures, but also to appreciate the mechanisms and processes by which such decisions are carried out.

When people participate in the deliberation of our boards and committees, even by just listening, it opens the way for them to better understand how these bodies function and how they affect their everyday lives.

We all understand that at the political level elected governments have to rely on the appointed boards, committees and other bodies to carry out their policies and programmes. The opening of our boards and committees to the public must be seen as a further means of increasing and improving democratic participation of our citizens in the way we handle the affairs of the country.

While all of us in this honourable House talk about democracy, we can and we should be prepared to engage our people in a process beyond their vote every four years.

I submit that if you want to do more than talk about the concepts of democracy, openness and transparency, then we must recognise that there is room for more dialogue, convergence of different opinions and participation in decision making and shared responsibility. There is no better way to do this, Madam Speaker, than to have public participation in the deliberations and decisions emanating from our public boards and committees. And for most boards, from what I can see, of course the public is not going to be able to go in there and have a discussion. They will be able to go in and listen and, of course, they would know up front what action was taken when, by whom and what for. And when we open our boards and committees to the public, it can give people a greater chance to have a voice in the management of their country and a chance for them to influence the areas that affect them directly.

I believe that this opening up will help people understand how their society and government work, and reduce the sense of alienation from the political processes that some people feel and some people complain about and, most of all, the way some people take advantage of the situations because other people could not know (unless they got hold of the minutes) what had happened. So I feel this is absolutely necessary and we have turned a page in what we want as far as involving our people and having governance that more people can feel part of.

Madam Speaker, ever since we had a government with boards and committees we have had a practice in this country where ministers of government have sat as chairmen of boards, or have appointed their designates to serve. Truly, this government has not done so.

Madam Speaker, that system operated because the Minister and his Permanent Secretary had to work closely with the relevant boards and committees which are charged with making management and administrative decisions that support the policies of the ministry.

The Motion, Madam Speaker, calls for an end to this practice, which, as I said, this Government is not doing it, that I know about, although I have heard some say perhaps that was the best thing to do. But it is not written down in any kind of regulation and so it will not stop anybody else if they were so minded to do.

This Motion calls for an end of a practice which may have served us well in the past but now needs to be reconsidered in order to reduce any real or perceived potential for conflict. And too many people, Madam Speaker, like to use that word, conflict of interest, and use it against us. And while ministers were able to know firsthand what went on in their respective boards, it seems that the public, for now anyway, wants that changed.

I am the first, Madam Speaker, to say that I found it very informative for me. I did not have to go chase anyone and ask them to hold a board meeting. I heard that the Port Authority Board did not meet for five or six months until recently. And so, Madam Speaker, I personally believed that no longer should government ministers/members sit on any bank board or any such institution and we got our Cabinet to agree and abolish that. I believe now that if no regulations should come, some binding regulation, even from a Cabinet level, should be made about it.

I believe that a properly selected board with members who are qualified and experienced, hopefully, can independently and professionally carry out its duties without the need for members or ministers of government to sit as a chairman.

So I ask Members to join in support of this Motion. Take it in the spirit that it is offered, and in the end the people of the Cayman Islands will be the beneficiaries of these changes, which we hope will only serve to improve transparency and to broaden participation in public life.

I believe all of us will agree that this is good for our people and our Islands. And, Madam Speaker, I await to hear the response and will be only too willing, capable and able to respond to Members.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, the intent of this specific Motion is one that has been floating around these Chambers for a while. The specific way that the Motion is worded is what creates some difficulty.

As a matter of principle, the Government certainly, as the mover of the Motion indicated, does not wish for this Government or any government to involve itself in certain practices such as ministers chairing boards, various committees or their designates. But, Madam Speaker, I am sure those of us who were here at the time will remember specifically with private members motions occurring and the word "consider" being so important.

The practical ramifications for any action with regard to this Motion to be taken call for costs to be incurred, costs which at this point in time have not been accounted for or allocated. And I will explain. Let me physically explain, Madam Speaker: Just about every single one of the boards that are indicated by name in the Motion, such as the Immigration Board, the Central Planning Authority, and the Motion also speaks to other such boards and committees which leaves it either all-encompassing or non-qualifying, and one would need to ensure exactly what is meant by those or whether it should be a broad across-the-board policy that is being sought.

Every one of these boards, Madam Speaker (and I can look specifically at the Central Planning Authority and the various Immigration Boards, as I know where they meet) physically the whole operation would have to be set up differently to allow the public to participate by way of just observing, simply because of space, if for no other reason, simply because of space. And while that may seem as nothing to consider, the point that I make about it is that it would mean at this point in time renting more space for these meetings to be held at separate venues to allow space, because a lot of those boards as they are, where they meet now, are in cramped conditions, and we know that.

Madam Speaker, we committed to very seriously looking at the minutes of these various meetings being given public access, and a big part of the freedom of information legislation and the push towards that paradigm shift will involve the public having access to these meetings. So, the first thing that would allow the Government to very seriously look at what is practical and what is not practical would be a simple amendment to the Motion asking the Government to *consider* it.

To accept the Motion as it is worded binds the Government to certain situations which at this point in time is not the right thing to do. And just as the mover has spoke regarding accepting the spirit of the Motion, the Government is saying, Madam Speaker, that we understand the intent and we have no difficulty working with the intent, but we need the latitude to be able to work with it from a practical standpoint. And the word "consider" extends itself further because, while we have seen the Motion, what we do not know factually

here and now is what is practical and what falls in line with freedom of information access as to exactly which boards it would be the right thing to do to allow the public to hear the deliberations and which boards such would not be the case.

I remember a motion in 2001 which was brought by the former Minister of Health when he was on the Backbench in 2001, and that motion named the Adoption Board as the exception in his specific motion and he had his reasons for that. And I do believe that either there may be other boards which would fall into the same category, or one would have to say that certain aspects of deliberations in the boards would not be able to be publicly aired. And the difficulty with the way the Motion is worded, it does not allow for all of that to happen; it simply says that the Government allows these meetings to be open to the public.

Now, Madam Speaker, we can get into long debates, but I would wish for the mover and the seconder to appreciate the point that I am making to allow for us to be able to deal with it in that manner. Speaking on behalf of the Government, I certainly do not have any problems with looking at how far is practical to go to deal with this and what kind of timelines could be set to make it happen because it certainly would not happen by the Motion itself being accepted.

I am not going to go into anymore specifics about that word "consider" because I think those of us who have been here long enough have had enough battles over it. I did not bring that up to say that, I only brought that up to remember how important that word "consider" is. So that small amendment would certainly allow us the latitude to have discussions, all of us legislators, and to come to agreement with a way forward that would satisfy everyone.

So, Madam Speaker, others may wish to make their comments but the official position of the Government will be that if we could have a small amendment to allow for the word "consider" to be part and parcel of the operative part of the Motion, both resolve sections of the Motion, then certainly we would be able to look at it.

Thank you.

**The Speaker:** Does any other Member wish to speak?

**Hon. W. McKeever Bush:** Madam Speaker, before we move on, I would ask that we consider an amendment which would read in the first resolve if you have that Motion—I do not know how you want me to do it—BE IT RESOLVED that Government consider that its boards and certain committees . . . so the words "consider that its" would go in before "boards".

**The Speaker:** Honourable Leader of the Opposition, I would rather suspend for five minutes for us to write this out and get it typed up so that all Members can see what the amendment is that we are moving.

Proceedings will be suspended for five minutes, but I think that we all can sit in our seats.

**Proceedings suspended at 2.36 pm**

**Proceedings resumed at 2.59 pm**

**The Speaker:** Please be seated. Proceedings are resumed. I recognise the Honourable Leader of the Opposition.

**AMENDMENT TO PRIVATE MEMBER'S MOTION  
NO. 2/07-08**

**Hon. W. McKeever Bush:** Thank you very much, Madam Speaker.

Madam Speaker, in accordance with the provisions of Standing Order 25(1) and (2) I, the Honourable Leader of the Opposition, the First Elected Member for West Bay, seek leave to move the following amendment to Private Member's Motion No. 2:

By rewording the first resolve as follows:

**BE IT RESOLVED that Government considers opening to the public its boards and certain committees such as the Immigration Board, Central Planning Authority, the Public Accounts Committee and other such boards and committees as may be determined by this Honourable House.**

By rewording the second resolve as follows:

**AND BE IT FURTHER RESOLVED that Government considers no longer allowing Members or Ministers of Government or their designates to sit as Chairmen of Government Boards.**

**The Speaker:** Is there a seconder?

The Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second the amendment.

**The Speaker:** For the information of the honourable House, I have waived the two days' necessary notice for an amendment.

The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, in the spirit of cooperation and trying to get something done, I think this is the best way to go, as the Leader of Government Business has suggested. Therefore I ask Members to support it.

**The Speaker:** Does any other Member wish to speak? *[pause]*

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, the reworded amendment, which calls for the Motion to actually be reworded, allows for the Government to make the necessary considerations but I feel the need to reiterate and just to make a few points.

I want to go to the second resolve section which now reads:

**AND BE IT FURTHER RESOLVED that Government considers no longer allowing Members or Ministers of Government or their designates to act as Chairmen of Government Boards.**

And while the Leader of the Opposition, in his opening contribution, spoke to the fact that this Government does not engage in this practice, I want to reiterate, Madam Speaker, that we considered from the very beginning by convention this should not be the case, thus we did not go down that road.

In fact, if we were to be very specific, there was only one such board which had a minister chairing and that was something that was totally unavoidable; that was the Human Rights Committee. The Minister of Education, under whose Ministry that subject falls, chaired that until he was able to restructure the whole operations of that Committee to get it functioning properly at which point in time he quickly dislodged himself.

So, Madam Speaker, when the resolve section asks the Government to consider no longer allowing Members, I am taking the word "Government" to mean Government (as the lawyers would say) "generally speaking," because the Government does not do that at this point in time in any case. I just want to make that absolutely clear.

With regard to the first resolve section which now asks for the consideration, Madam Speaker, as I mentioned earlier we talked about the tie-in with the freedom of information legislation and from our manifesto we have already made public utterances about the desire to allow minutes of certain meetings to be publicly aired, or rather, for the public to have access to it. Certainly, looking at some of the boards for the public to be able to sit in on meetings is not something that the Government will not be happy to consider; it is something that we have considered before. But what we have to do is have a look-see at each of the workings and ensure that while we want to be as open as is possible, we have to also protect the rights of individuals and entities, and that is the consideration that we have to be very careful about.

Even in immigration matters, Madam Speaker, not certainly in every application but you will find inevitably with various applications there is certain information which, really, involves individuals and it would not be in the best interest to just have that aired publicly for anyone to be able to have access to, and that is just using it as an example.

So, Madam Speaker, given the way the Motion is worded now, the Government—as it has been doing prior to this—certainly will consider the two resolve sections and will act after taking the necessary

advice, legal and otherwise, on what is practical and what can be done and to what extent we can do it.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]*

The question is that the amendment be accepted. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Amendment passed.**

**The Speaker:** The question is BE IT RESOLVED that Government considers opening to the public its boards and certain committees such as the Immigration Board, Central Planning Authority, the Public Accounts Committee and other such boards and committees as may be determined by this honourable House. AND BE IT FURTHER RESOLVED that Government considers no longer allowing Members or Ministers of Government or their designates to sit as Chairmen of Government boards.

The question is that Private Member's Motion No. 2/07-08 as amended is now open for debate.

Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, when the Government replied in the first instance, I had to wonder why they could not put the Motion as it was to the House and why they wanted the word "consider". I, being the long-serving Member that I am, am wary of things like consider and maybe and may. But I think this is what the country wants at this point. Maybe 5, 10 years from now they will come back and say, '*You should have your Ministers where they know what is going on.*' But for now that seems to be the drift. And why is that, Madam Speaker?

Before I get to that I would hope that the Government will come back and say that space is not an issue, that they could move that meeting, whichever one it is, to a venue that can take people in as an audience. Since they are talking so much about government in the sunshine, they should find a way to make it happen. But I have been around long enough to be wary of this thing called "consider".

Madam Speaker, I have to think back why is it that people say 'now' and you do not know scientifically that it is a majority of our people saying that because I have had people come to me and say: '*Do not*

*do that. You are the Minister and the buck stops with you and so when something happens on your board that you do not know about, you cannot come and tell us that you do not know.*' If you are there you know what happened and you can stand up and forthrightly and honestly say to the public '*This is what happened.*' But I plan to err, if I do, on the side of caution.

Why is it that hollering is going on? Is it the talk shows or is it people that just want to make political hay?

Madam Speaker, in recent times we have seen the tendency among Members of this honourable House—and members of the government—to call into question the decision of people who serve on public boards. They do this, I believe, for political agendas, but in so doing, they degenerate the contributions of these persons, all of whom are decent, qualified and experienced Caymanians and others who are keen to serve the country in this way. This is not to say that boards cannot be questioned because I think that is everybody's right. But when the objective is to denigrate and cause the people to doubt, call into question people's character, I think we are not doing any service to the people of this country.

Madam Speaker, the service that people give to this country through boards the government could never afford to pay for that advice. Boards in this country deal with nearly, if not all, every aspect of life in this country. They have dealt with some of the greatest problems facing this country.

On the Port Authority Board I had the late Mr. David Foster, and that man even in his sickness attended meetings and even wanted meetings when we could not hold meetings and made his contribution. I had Mr. Bing Thompson, a very important business man in shipping in this country. I had Mr. Rudolph Garvin, a very stately and experienced master engineer, on that board. I had Mr. Frankie Flowers. And so, Madam Speaker, these and others—and I do not want to take the time because it is public knowledge who was on the board.

The same for the Turtle Farm Board: Mr. Bob Soto, a man with a vast expanse of knowledge about Cayman and the way things work in this country, and business sense; and I had Mr. Carlyle McLaughlin, a well-known and well-respected finance man, an accountant in this country who had been on that board for 20 years. And a Member of this House as the law states, the Fourth Elected Member for West Bay, as previous MLAs have sat on that board and himself with knowledge about how to run business and to carry out things and do things that are done properly. I certainly have tremendous respect for my colleague, a quiet man but, in his own way, when he sits down to look at things he makes his judgments in a profound manner.

So, Madam Speaker, when we have board members willing in this country to go on the Immigration Board and be cussed and go on the Airports Authority and put in time, and when your character is

called into question, I do not see how we are engendering any confidence in our people to go and serve on a board. If government had to pay for that advice and service in the millions of dollars that they have to pay consultants that they bring in from outside for every conceivable thing in this country—governments in the past and this Government, in particular, have brought consultants for millions of dollars—we could never afford to pay our people.

And so, Madam Speaker, I am saying this to say that anyone must be most careful when they want to attack for political reasons any past government or present Government. We must be careful how we do that because we are a small Island; we are a small community and we do not have a tremendous amount of expertise, so we do not want to frighten our people away.

You see, Madam Speaker, perhaps some governments do not have to sit on a board to get what they want done, and if you do not sit there you question whether that was out of democratic or good governance posture or whether it is because you can put in place close friends and connections, and all that you maliciously and wrongly accuse people of can be done by them without your name, as Minister, being directly called. We have to be careful. I did not move this Motion lightly.

Madam Speaker, people think that I may be afraid to talk about it but I am not because I have been a victim of it. And when you consider that in the past Ministers and Members of government have been chairmen and members on banks, or various other companies and things have happened and you have never heard *quehey!*

Madam Speaker, I was invited by First Cayman Bank to sit on one of their boards, and I did not get the opportunity to sit there a year when the government closed the bank and refused to allow the bank manager back into the country. They closed it with the excuse that it was not viable, it could not pay its way, yet it paid out 60, 70 and 80 cents on the dollar. And if I erred in doing anything it was not getting to any meeting because it was not even a year that that happened.

Ever since, Madam Speaker, my political foes and everyone that can try to use me as a punching bag have been doing that and I have suffered for it, my family has suffered for it. And when I went back into Cabinet we said that no more would we allow this and that Cabinet took that decision. And today that cannot happen to any Minister or Member again—it should not because they should not be allowed to do so. Any young person coming in would not have to worry about any pressures that may be put on them, and we hope in the future to have young professional Caymanians coming into government and going into Cabinet.

And so, Madam Speaker, not that I did anything wrong, I did not, but I suffered for it simply for accepting an invitation to be on that board from an

institution that I had been dealing with for years and years. I thought I was doing the right thing and, as I said, every candidate that believes that they can beat me wants to use that as their guiding post. All of them have been defeated of course, and they will continue to be, because regardless, if I should tap my shoulder myself, regardless of what they say, if you have a pure heart and clean hands nothing that the detractors say can hurt you. And if God be for you who can stand against you? And I believe that. You can try to help people and get your name killed and people use it to do so gladly! I will come to that, too, later.

But those are the reasons why, Madam Speaker. I have had enough of it. And when I decided that I was going out and that I had had enough of the accusations and everything else, I said: no, I am not ready and my people are not ready for me to leave. Put these things in place and speak openly and honestly about them and let people know where you stand. And so these are the reasons why all of my motions are here in this Meeting.

So, I am glad that the Government has decided to accept, but I am concerned that the word “consider” is there. and I hope, Madam Speaker, that if they do so it will not take as long as their so-called sunshine law, which will only come into force in January 2009 and the House dissolves in March 2009. So it would have no effect on this Government. I hope that God can touch their hearts to allow them to move with haste, if they genuinely feel so, to put this in place.

**The Speaker:** The question is BE IT RESOLVED that Government considers opening to the public its boards and certain committees such as the Immigration Board, the Central Planning Authority, the Public Accounts Committee and other such boards and committees as may be determined by this Honourable House. AND BE IT FURTHER RESOLVED that Government considers no longer allowing Members or Ministers of Government or their designates to sit as Chairmen of Government boards. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Hon. W. McKeeva Bush:** Can I have a Division, Madam Speaker?

**The Speaker:** Madam Clerk.

*[Inaudible comment by an honourable Member]*

**Hon. W. McKeeva Bush:** [To an honourable Member] No, I only looked at them when you said you were going to support it and saw their faces.

**The Deputy Clerk:**

**Division No. 4/07-08****Ayes: 11**

Hon. D. Kurt Tibbetts  
 Hon. Anthony S. Eden  
 Hon. Cheryll Richards  
 Hon. G. Kenneth Jefferson  
 Ms. Lucille D. Seymour  
 Mr. W. Alfonso Wright  
 Mr. Osbourne V. Bodden  
 Mr. Moses I. Kirkconnell  
 Hon. W. McKeever Bush  
 Capt. A. Eugene Ebanks  
 Ms. Juliana Y. O'Connor-Connolly

**Noes: 0**

**The Speaker:** Results of the Division: 11 Ayes and 0 Noes. Private Member's Motion No. 2/07-08 as amended is duly passed.

**Agreed: Private Member's Motion No. 2/07-08 as amended passed.**

**Private Member's Motion No. 7/07-08****National Identification System**

**The Speaker:** I recognise the Fourth Elected Member for the district of George Town.

**Mr. Alfonso W. Wright:** Thank you, Madam Speaker. I move Private Member's Motion No. 7/07-08, entitled National Identification System, and which reads:

**WHEREAS the Cayman Islands are now a modern, affluent and progressive Society;**

**AND WHEREAS our population has grown considerably over the past few decades;**

**AND WHEREAS because of our cultural diversification most individuals are no longer easily identified;**

**AND WHEREAS security of the homeland is now of paramount importance;**

**AND WHEREAS many under age individuals are able to beat the system and gain access into night clubs and other similar events and premises;**

**AND WHEREAS the lack of a proper identification system causes considerable problems for law enforcement officers;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers introducing a mandatory Photo Identification System that will assist law enforcement officers, security officers, school officials other related entities in the execution of their responsibilities.**

**The Speaker:** Is there a seconder?

Third Elected Member for the district of Bodden Town

**Mr. Osbourne V. Bodden:** Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable Mover wish to speak thereto?

The Fourth Elected Member for the district of George Town.

**Mr. Alfonso W. Wright:** Thank you, Madam Speaker.

When I moved the Motion on the Flag and National Song Motion on Monday, I read from the *Grand Cayman* magazine, entitled "Editor's Message" and at that time I mentioned that I would table the document I read from and I did not do so at the time. I would like to do so now, if I may.

**The Speaker:** So ordered.

**Mr. Alfonso W. Wright:** Madam Speaker, national identification system is a topic that has been discussed on many occasions in this honourable House. For some reason a motion was moved here in this honourable House sometime in 1987. That motion failed. A motion was moved again in 1989, that motion was passed—not unanimously—13 to 1. That motion called for voluntary adoption of identification system.

In 1994 another motion was brought on the same topic. That motion, again, was passed. As best I can see here that seems to have been passed unanimously. That was for mandatory, or, as the motion was worded then, "compulsory".

It appears to me that a national identification system for the Cayman Islands is something that legislators have talked about for some 20 years now and on two occasions the motion was actually accepted. In all three instances the motion was brought by a backbench Member. It was a private member's motion. At no time did it come through as a government motion. So it appears as if it was one of those motions the Government felt obliged to accept, but had no intention of doing anything about it, otherwise we would have a system in place now.

I understand that a private member's motion is a plea from backbench MLAs to ask the Government according to the Standing Orders. It is the best we can expect from the Government when we move Private Members' Motions asking them to consider these things.

I would just like to read from section 24(2) of the Standing Orders. It reads: "**(2) Except on the recommendation of the Governor signified by a Member of Government, the House shall not proceed upon any motion the effect of which, in the opinion of the Presiding Officer, makes provision for imposing or increasing any charge on the revenues or other funds of the Islands, for altering any such charge otherwise than by reducing it or for compounding or remitting any debt due to the Islands.**"

As a young Member of this parliament, I understand that in moving a motion part of my resolve section must ask the Government to “consider” if it causes the Government to incur expense.

Madam Speaker, this House has seen a tremendous amount of debate on the need for mandatory identification so I do not need to deliberate up here for hours on end to justify why this is necessary. I think the country at large and all MLAs understand full well what is needed, so, I will not take a long time with the few things that I want to say on this Motion.

I would like to make it quite clear, though, that the PPM Government has an extremely vibrant and productive caucus system where any motion that backbench Members bring to this honourable House has been discussed in caucus and accepted by our Government. I say that to say that this Motion will be accepted by the Government and once that has been done something will be done to make sure this is put in force. This will not be the fourth time around and nothing happens.

I believe that we should try to make whatever identification system we accept and want to use for our country as user-friendly as possible; allow it to contain as much useful information as we possibly can, not just simply for proof of age and name but to assist uniformed officers (mostly the police). And I believe also, wherever possible, for things like some form of medical information in the event something happens to someone and they are unconscious and it is a condition where someone will probably be affected with it all their life and will always suffer from a certain condition. I believe that a proper identification card should carry information like that, for instance. I know there are other methods as well, but I believe we can add things like that to our identification system.

One of the major problems we have with the lack of proper identification is the problem of youngsters getting into establishments or premises that many of us believe they are too young to attend. It is extremely difficult to tell the difference between a 16 year old and an 18 year old. Some 14 year olds look like 20 year olds; and some 20 year olds look like they are 13. So there is really no way for people who are running these establishments to simply look at a face and size of someone and size them up and determine how old they are, or believe what they have been told. It is an extremely difficult thing. Police officers can't do it, Madam Speaker! They have to find ways of verifying that themselves. So, before youngsters are at the age where they actually get a driver's licence, there is really no other way for them to have proper identification that is legitimate other than a mandatory photo identification system.

I do not want our youngsters to think that we are out to get them yet again. But this will assist many of them.

I have been in situations where I have gone to the cinema with two of my cousins, both of whom are

older than me. My female cousin was the oldest of the three and the male that was with us was her brother, younger than her. The two of us (and this is many, many, years ago) were allowed into the cinema, but they told her that she could not come in because she did not seem to be old enough and she was oldest of the three! We were all old enough, but that was a really funny occurrence that night.

I am saying that this will not only hinder the youngsters who are younger than they say they are, but it will assist those who are older than they look to give them safe and efficient passage into places that they want to go. So, I am hoping that our young people will embrace this opportunity.

We also need to understand that there are some people (very few, but there are some) who reach 17 or 18 and do not have a driver's licence. There are some that will not drive. Those individuals, until they get around to getting a voter's ID and, again, we are not 100 percent sure they are going to pick up on their right to vote. You cannot force them to carry a voter's card or force them to get a driver's licence. But for the smooth running of our society I believe that we ought to make the carrying of photo IDs compulsory in our country. All or most developed societies have a proper identification programme. Why not the Cayman Islands?

While not in the clauses of this Motion, Madam Speaker, I would like the Government to consider making sure that we include a penalty system for people who produce fake IDs, bearing in mind—this is something that we need to think about very carefully—that the majority of the perpetrators who will try to beat the system will be youngsters themselves. We need to be extremely careful with what kind of penalty we put in place here with what I just said in mind. It is going to be they who will try to beat the system.

Just about anything you do, any business transaction you conduct now, you do not have to use a credit card, a debit card or a check. You can walk into an establishment with a high denomination dollar bill—CI or US, or whatever other currency—and people will require ID. So you are not just asked for ID when you show a credit card, but people have to be very careful the way business is conducted now-a-days. So an ID is a tool that you can use just about every day of your life in anything you do.

If you open a bank account, anything of the sort, you go into a bank to conduct regular business, a lawyer's office, the police station, the hospital, even to buy a phone . . . any of those things require an ID now. So, why not adopt a system that will help with the smooth running of our country?

We cannot expect those individuals who do not have a driver's licence or a voter's registration card, to travel with a passport, for instance. That is a dangerous thing in itself when you walk around with one of them with a visa of some sort in there.

So, I really do not see any reason why we should find it difficult setting up a proper system. We

have a couple of systems in this country right now; the National Emergency Centre has a system that produces ID cards. The Licensing Department has a system of producing ID cards; the Elections Office has a system of producing ID cards. I know back in 1987 when we carried the little book as a driver's licence that some of this stuff may seem to be a little difficult, but in this new age of technology properly laminated ID cards are pretty much a breeze.

So, Madam Speaker, I will sit now and listen to those who will take time to debate the Motion. Again, this Motion is not one that should create any controversy or animosity of any type so I am hoping that we can get through this one without any acrimony and see it through.

Before I sit, I would like to thank the Third Elected Member for the district of Bodden Town for seconding the Motion with me. I know the topic is one that he holds dearly to his chest as well. I ask all Members for their support.

Thank you.

**The Speaker:** Does any other Member wish to speak?

The Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

As the seconder of the Motion I would like to offer my contribution and congratulate the mover of the Motion, the Fourth Elected Member for George Town on [bringing] another timely Private Member's Motion to this honourable House.

This national identification system need is something I have been talking about long before I thought about politics. Indeed, when the Member was discussing the number of motions that he had and asked me which one I would like to second, I said certainly this would be the one since I feel strongly about it just as he does.

Madam Speaker, we have a number of ID systems in Cayman, as my colleague alluded to. Just to recap, we have driver's license, we have voter's registration cards, we have passports, we have gun licenses, and we have EOC (Emergency Operations Centre) IDs and Civil Aviation IDs. You name it, we have laminated IDs. The problem is that no one I know of really has an ID of any merit until they reach the age of 17, which is a driver's license, because even the elector's card is at the age of maturity (at 18), if one chooses to register to vote.

Although in the past it was felt that these forms of ID have been sufficient . . . and it is very interesting because in getting ready for today's motion and looking back at some of the debate that took place back in 1989 and 1994, the *Hansards* of those days, I was looking and trying to rationalise and understand the thinking of the Members at that time for their various positions. Some Members claimed it

would be onerous and that we would create a numbered society and it was as if we were trying to paint a picture of something sinister.

I do not think that there is anything sinister about an ID system at all; it is simply a way for someone to prove without any doubt who they are, and their age and whatever other information we so decided to put on that piece of paper or card. My colleague mentioned that the fact that it could have other information on it such as medical conditions in the event of an accident. That is quite true. Maybe a simple word such as "diabetic", or "heart condition" or something else so that when an EMT (Emergency Medical Technician) looks at that he will know that this person has such and such a condition and we need to treat him in such a way.

Madam Speaker, there were other thoughts in those early debates about the fact that when it came to the police and an ID system . . . and it was quite funny, actually, because at that time the population of Cayman was supposed to be in the region of 24,000 to 25,000 people. You had Ministers who said that our police should know just about everyone!

I see you smiling Madam Speaker! I did the same thing when I read it.

I think that argument was null and void then and I think it is even more null and void now because, certainly, we have at least double that number of people. Certainly we cannot know everyone anymore in Cayman.

That was back in 1989.

*[Inaudible interjection]*

**Mr. Osbourne V. Bodden:** Madam Speaker, I run a business, well, I own a business (I don't run it any more) and I know the issues involved with youngsters. In fact, I have a liquor store and youngsters come in there and try to purchase alcohol. Every time that happens to us we have to make a judgment call. Some of them we know and we say, "Look, get out!" and that is easy enough. We know they are not old enough. But a lot of the kids, especially in Bodden Town where I am from, a number of people have moved into that area. We just cannot know everyone any more. I have hired staff who know fewer than [I do]. They have to do their best and make a judgment call and decide who they serve and who they do not.

Now, suppose a police officer happens to be in the area and he has his feelings about a certain individual we have just dispensed alcohol to believing he is of age because he did not have an ID when we asked him for one, if that were the case, and that officer takes that kid, gets his passport or whatever, and proves that he is underage. Suddenly my establishment is under threat. I am in violation of the Liquor Law. I use that example to say that it can happen to anyone. It can happen at a nightclub, a liquor store, a bar.

Madam Speaker, we know we have youngsters out there, unfortunately many of them drinking before the age of maturity. Therefore, we have to do what we can. It is not to say that this is going to stop them. I do not want anyone to get the impression that I am saying a national ID system will stop the abuse of alcohol in underage teenagers. It certainly will not. But it will at least be one measure to curb their physically getting into premises and acting as adults long before their time. It will be a deterrent. I think whatever we can do in that regard is important.

Another area where a proper national ID card is mandatory at a certain age . . . and I cannot advocate at this time what that age should be, but I would think that when we sit to rationalise and develop this further, we will find that maybe someone as young as 10, 13 at least, should have an ID. It would make sense.

We travel, and a lot of times we need to go and cash a traveller's cheque overseas and locally, and we do not want to have your passport, which is at risk of being lost and which is quite bulky and cumbersome to carry around with you. You need to have a proper ID. Again, usually when we are travelling we produce our driver's license and we are fine. But not everyone is 17; not everyone drives; not everyone votes. So, if we do not have a national identification system, then we will always have a problem with certain individuals.

I do not see where anyone should have a major problem with this motion. I think it should be viewed as a form of advancement in our society. It should not be viewed as curtailing people's rights, as my colleague from George Town mentioned. It will actually help those of us who have the privilege of growing old and looking young. Certainly the ones on the other side of the coin will not be as pleased, but I feel it is a good thing for this country at this time. Therefore, Madam Speaker, it is my privilege to support Private Member's Motion 7/07-08 which calls for a National Identification System and that the Government consider introducing it as a mandatory system.

We have far too many issues with our young people these days and we cry about them all the time and we look for solutions. I beg to say that this may be one small step in the right direction.

With those few words, I support this Motion, and I thank you.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, the Opposition is ready to support the request before the House.

In my time here we made attempts to get such a system. I remember the first time we did it we were called communists trying to get IDs; it was said that we wanted to tax the people because they would have

to give information now, and more excuses. Over the years it seems that various governments found it difficult to do, outside of giving you a voter's registration card, and if you wanted a driver's license you got that if you could pass the test. But there are other areas, as has been said, that we believe we (and Government) need to examine again. I know they have done so in the past. Hopefully it can be successful this time.

When we moved the resolution back then, my children were teenagers. They were making all kinds of complaints to me about being questioned whenever they went to places. Luckily for my son, he is 6'3"; my daughter is not so lucky when it comes to height. So he was not questioned as much as she was. But they had the problems. Many young people say the same thing to me. It is not something to allow young people to do and go as you please but to facilitate, in fact, certain proprietors. The Third Elected Member for Boddan Town mentioned one. But that could easily give those people trouble. You have children today who are still children, but they are bigger and taller than me.

The Opposition believes this is a valuable attempt and hopes that they would consider and not deter matters in getting it done.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

As indicated by the mover of the Motion, the fact that this Motion itself was discussed in caucus and Members have agreed in principle to support it, the Government is certainly happy to lend its support to the Motion and to accept the Motion.

I do not know in the other two attempts that were made (one was made while I was here in my first term) exactly what transpired and why it fell by the wayside. What I do know is that there is a definite need for such a system.

It is perhaps not quite as simple as it appears on the surface, because there are different age groups. While the Motion speaks to the Government considering introducing a *mandatory* system, what will have to be done is to look at what age we begin.

Madam Speaker, the movement of bodies in this country, for whatever reason, means that we will also have to extend the thought beyond citizens of the country. We also have to extend the thought beyond the voters' list and voters' registration cards or drivers' licenses for that matter. I simply say that to say that there will be various aspects that have to be looked at if it is going to be across the board.

We will have to decide on the age group. There have been suggestions that it should begin from the time an individual enters high school. If we are going to go that route we will have to specifically deal with it in such a way that, for instance, that ID would only be valid for, let us say, a three year period

(similar to perhaps a driver's license), because when you are at that age, three years later your looks may be completely different. So, it is going to be those matters that we have to seriously consider.

The system could really work similar to how the driver's license system works when it comes to renewal being on a birthday however many years afterwards. It would have to involve the legal aspects, Madam Speaker, whether we look to omnibus legislation for it, or whether we are speaking to individual pieces of legislation depending on which law you would look to have such a requirement in.

Work permit holders, for instance, have an ID. But permanent residents may not. And those permanent residents would not be, for instance, on a voters' list. So, in using those examples, I am just making the point that we would have to look throughout all the various areas, capture everything. Because it makes no sense if you are going to do it and it only applies to certain people within the society. And a national ID would require all residents, as I see it, to have an ID. What we have to do is find the mechanisms that are as seamless as possible to make sure there is continuity, that the system can work and everyone is able to obtain an ID and everyone knows that they have to have an ID once we decide at what age.

So, Madam Speaker, the Government is quite happy to accept the Motion and we will put in train the necessary research as to how best we can look at how it is done elsewhere and perhaps we can find various examples that will make our lives a little easier in deciding exactly how we are going to do it and to look at the legal aspects of it with regard to legislation. There has to be some penalty involved if you are going to have it as a mandatory system, for the simple reason that if there are no penalties then people will not feel the need to have to do so.

Again, Madam Speaker, the Government is happy to accept the Motion and we will move forward with regard to getting all of the information necessary to decide what we need to have in place in order to begin the implementation.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Mover wish to exercise his right of reply?

**Mr. Alfonso W. Wright:** Thank you, Madam Speaker, only to say thanks to the seconder of the Motion and to the Honourable Leader of the Opposition and the Honourable Leader of Government Business who accepted the Motion on behalf of Government for their contributions to the Motion. I thank all the other Members for their silent support.

**The Speaker:** The question is: BE IT NOW THEREFORE RESOLVED THAT the Government considers

introducing a mandatory Photo Identification System that will assist law enforcement officers, security officers, school officials other related entities in the execution of their responsibilities.

All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it. Private Member's Motion No. 7/07-08 has been duly passed.

**Agreed: Private Member's Motion No. 7/07-08 passed.**

#### **PRIVATE MEMBER'S MOTION NO. 3/07-08**

#### **Anti Corruption Legislation and related amending Legislation**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, I am more ready to deal with Motion 4, which is the review of the Liquor Licensing Law, and would prefer to go forward with that. I am ready and, by the looks of it, I could start and the Government would not have to answer because the hour of interruption would catch me I think.

**The Speaker:** I think I would entertain a motion for the adjournment of this honourable House if the House is in favour of that, rather than start a new item at 4.10 pm.

Honourable Leader of Government Business.

### **ADJOURNMENT**

**Hon. D. Kurt Tibbetts:** Thank you.

I move the adjournment of this honourable House. I advised the Opposition from yesterday, I am pretty certain that we will (and as you well know because we talked with you) not be meeting tomorrow. There is an all day meeting that we have to attend.

So I move the adjournment of this honourable House until Monday morning, the 10<sup>th</sup> at 10 am.

**The Speaker:** The question is that this honourable House do adjourn until Monday morning, the 10<sup>th</sup> at 10.00 am. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it. The House stands adjourned until Monday morning at 10 am.

**At 4.15 pm the House stood adjourned until Monday, 10 September 2007, at 10 am.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**10 SEPTEMBER 2007**  
**10.28 AM**  
*Fifth Sitting*

**The Speaker:** I will ask the Honourable Minister responsible for Communications Works and Infrastructure to say Prayers.

**PRAYERS**

**Hon. V. Arden McLean:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.30 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**House Visitors**

**The Speaker:** I have no messages or announcements, but I would like to welcome to the gallery this

morning a delegation from Montserrat, the Honourable Idabelle Meade, Minister of Communications and Works; Mrs. Sarita Francis, Chief Establishment Office; Mrs. Camille Gerald, Head Public Sector Reform Unit; and Mrs. Katrina Ryan, Principal Assistant Secretary, Administration. I not only welcome the delegation to this honourable House, but I do welcome you to the Cayman Islands and hope it will be a successful visit for you and that you will have some time to enjoy the Caymanian hospitality.

Welcome.

**STATEMENTS BY HONOURABLE  
MINISTERS/MEMBERS  
OF THE CABINET**

**The Speaker:** I have received no notice of statements by Honourable Ministers or Members of Cabinet.

**OTHER BUSINESS**

**PRIVATE MEMBERS' MOTIONS**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Before I move this Private Member's Motion, I want to bring up the matter of the absence of questions on the Order Paper.

Last time we had questions that were tabled, Madam Speaker, during the Budget Session to get information for the Budget: that did not take place. Those were answered this time, although we pulled some answers out of the Budget. There are important questions pertaining to matters current, and the House did not meet Friday—for what reason I do not know—but I would ask the Ministers to please try and get information to us.

Thank you, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition, I think that it a matter you need to take to the Business Committee.

**Hon. W. McKeever Bush:** I will. I will, when it meets the next time.

**PRIVATE MEMBER'S MOTION NO. 3/07-08**

### Anti Corruption Legislation and Related Amending Legislation

**Hon. W. McKeeva Bush:** Madam Speaker, Private Member's Motion No. 3/07-08, standing in my name, reads:

**WHEREAS the public is asking for more legislation to govern public officials;**

**AND WHEREAS a Code of Ethics exists for Members of the Legislative Assembly, but are not sufficiently covered by Law;**

**BE IT RESOLVED THAT the Government considers introducing, as soon as possible, an Anti Corruption Bill;**

**AND BE IT FURTHER RESOLVED THAT Government amend the Public Service Management Law, 2005, to ensure that certain civil/public servants such as Chief Officers (Permanent Secretaries) cannot run for a General Election until at least one year after leaving the service;**

**AND BE IT FURTHER RESOLVED THAT certain public servants declare their interests in the Register of Interests pursuant to an amendment to the Register of Interests Law, 1996, by the Government.**

Madam Speaker, I have moved an amendment, and perhaps I could suggest that we move that amendment and, if it is accepted, the entire Motion could be debated as one.

**The Speaker:** Do we have a seconder?

**Hon. V. Arden McLean:** Madam Speaker.

**The Speaker:** Honourable Minister responsible for Communications Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I do not know where that amendment is, but the Government has not received notification of an amendment to this Motion.

And it would be appreciated that it be circulated prior to this Motion being seconded.

**The Speaker:** Honourable Minister, I totally agree with you, but I thought that the amendment had gone to all Members because it was approved from days ago.

Madam Clerk, can you shed any light on this amendment?

**Hon. V. Arden McLean:** Madam Speaker, if I may. . . I have consulted with my colleagues, and thus far we have received no amendment to the Motion. It appears that the Opposition does not even know there has been an amendment put forward to the Motion!

**Hon. W. McKeeva Bush:** No, no, we know.

**Hon. V. Arden McLean:** Only the Honourable Leader of the Opposition looks like he is aware of it. I guess he . . .

**Hon. W. McKeeva Bush:** We know. No, we know. We sent it out. We did what was right.

*[inaudible interjections and cross talk]*

**Hon. W. McKeeva Bush:** [addressing the Deputy Clerk] That's it, Sharon, you got in your hand.

**The Deputy Clerk:** No.

**Hon. W. McKeeva Bush:** That's not it?

*[Inaudible crosstalk between Hon. Leader of Opposition and Deputy Clerk]*

*[Pause while Amendment was circulated]*

**The Speaker:** Do all Members have copies of the proposed amendment?

Proceedings are resumed. The Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second the Motion.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, as intimated, I gave notice of an amendment and at this time I wish to move that amendment, which reads:

#### AMENDMENT TO

#### PRIVATE MEMBER'S MOTION NO. 3/07-08

#### Anti Corruption Legislation and Related Amending Legislation

In accordance with the provision of Standing Order 25(1) I, the Honourable Leader of the Opposition, the First Elected Member for West Bay, seek leave in accordance with Standing Order 25(2), to move the following amendment to Private Member's Motion No. 3/07-08 as follows –

By deleting the second resolve which reads -

**“AND BE IT FURTHER RESOLVED THAT Government amend the Public Service Management Law, 2005, to ensure that certain civil/public servants such as Chief Officers (Permanent Secretaries) cannot run for a General Election until at least one year after leaving the service;”**

and by substituting therefor the following resolve –

**“AND BE IT FURTHER RESOLVED THAT, during the Constitutional Modernisation Initiative, the Government shall recommend that The Cayman Islands (Constitution) Order 1972 be amended to provide that certain civil/public servants such as Chief Officers shall not run for a General Election until at least one year after leaving the service;”**

**The Speaker:** Is there a seconder?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** I beg to second the amendment.

**The Speaker:** The amendment to Private Member's Motion No. 3/07-08 has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Hon. W. McKeeva Bush:** Madam Speaker, I will make my remarks on the debate of the full Motion just to say that I believe that the resolve is in keeping with the Constitution as the Constitution would have to be amended in order to obtain what we desire. That is that certain civil servants, such as Chief Officers (Permanent Secretaries), shall not run for a General Election until at least one year after leaving the service. So I will make my substantive remarks on the entire Motion.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. As I understand it a vote will have to be taken on this amendment so the Government needs to indicate its position on this specific amendment before we deal with the entire Motion.

Just so that it is very obvious to everybody, this amendment that is being sought, which reads: **“AND BE IT FURTHER RESOLVED THAT, during the Constitutional Modernisation Initiative, the Government shall recommend that The Cayman Islands (Constitution) Order 1972 be amended to provide that certain civil/public servants such as Chief Officers shall not run for a General Election until at least one year after leaving the service.”** That, Madam Speaker, is a very impractical position for the Government to take at this time.

The Government and our backbench have been meeting in caucus and we have had several discussions towards gaining consensus in regard to the Constitutional Modernization process and the various issues that will emanate from that process. This issue is not one which the Government has discussed and come to a position on. Any debate on the motion in

this Legislative Assembly could not reasonably expect the Government to accept this amendment because it asks for the Government simply to take a position that we *shall* recommend—and we are not going to do that.

We might come to the point where the timing may be longer, or shorter for that matter, as a matter of course. So without going into any more detail, just specifically on this issue, the Government cannot accept the amendment.

**The Speaker:** Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the mover of the amendment wish to exercise his right of reply?

**Hon. W. McKeeva Bush:** Madam Speaker, the Government has said it is impractical to accept the amendment. I do not think it is impractical because we are just starting out on the modernization process. I do not know if they have even got off first base in that sense. They said they are going to start from square one. Nevertheless, Madam Speaker, I think it is important that we do so.

Madam Speaker, for far too long in the country certain public servants who have designs on a seat in this honourable House sit with all their responsibility under the Constitution and take out every bit of information they can garner when that time is right for them to move and smear their minister in the worst way possible.

And sometimes they get elected!

So, Madam Speaker, it is good reason why I believe that we should discuss it during the modernisation stage and that is all I am asking. While we said “shall recommend” that is the ideal; but the least the Leader of Government Business could have done was to say ‘we will discuss it’ and move an amendment.

So, Madam Speaker, with your permission—because I think it is so important—I shall ask that we consider an amendment to the amendment to say that it shall be discussed during the Constitutional Modernisation process.

I believe this is important. How should any public servant with designs on a permanent secretary post feel when their colleague mismanages to the extent and is evil enough to take information and change it up when they know the difference. And, Madam Speaker, how should people in their career feel about politicians and how they should accept them to be their permanent secretary? I know what that feeling was like. I witnessed it.

So, Madam Speaker, I can ask the Government to accept an amendment to say—and they like this word “consider” . . . so I would ask you good gentlemen over there to *consider*.

Madam Speaker, with your permission, under the rules you can do it that way, or you can have a

written amendment, whichever one you desire . . . if they are not going to do so, let us not waste the time.

If they are not going to do so . . .

They are not going to do so, Madam Speaker. Just as I figured.

So, Madam Speaker, nevertheless, it is in the record. I have moved the amendment, I have given my reasons and the whole country now knows what it is all about.

If the Government so wanted, they could. But not even to consider it, they say.

Wise guys, since they were the benefit of what I am complaining about.

Thank you very much.

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** [addressing a Member] You don't know what you ever talk about. Rest me man, rest me!

**The Speaker:** Thank you, very much, Honourable Leader of the Opposition.

*[inaudible interjections and crosstalk]*

**Hon. W. McKeeva Bush:** [addressing Members] You don't know what you're talking about! You don't know what you're talking about!

**The Speaker:** Honourable Members, please . . . you are in the House of the Legislative Assembly representing the people of these Islands.

The question is that the amendment be made. All those in favour please say Aye. Those against, No.

#### **Ayes and Noes.**

**The Speaker:** The Noes have it. The amendment therefore fails.

**Hon. W. McKeeva Bush:** Can I have a Division Madam Speaker?

**The Speaker:** Madam Clerk.

**The Deputy Clerk:**

#### **Division No. 5/07**

##### **Ayes: 5**

Hon. W. McKeeva Bush  
Mr. Rolston M. Anglin  
Mr. Cline A. Glidden, Jr.  
Capt. A Eugene Ebanks  
Ms. O'Connor-Connolly

##### **Noes:11**

Hon. D. Kurt Tibbetts  
Hon. Anthony S. Eden  
Hon. V. Arden McLean  
Hon. Charles E. Clifford  
Hon. Donovan Ebanks  
Hon. Cheryll Richards  
Hon. G. Kenneth Jefferson  
Ms. Lucille D. Seymour  
Mr. Alfonso W. Wright  
Mr. Osbourne V. Bodden  
Mr. Moses I. Kirkconnell

**The Speaker:** The result of the division is 5 Ayes, 11 Noes. The amendment falls away.

**Amendment to Private Member's Motion 3/07-08 negated by majority.**

**The Speaker:** Private Member's Motion No. 3/07-08 has been duly moved and seconded. Does the honourable mover wish to speak thereto?

**Hon. W. McKeeva Bush:** Madam Speaker, before I move I gave thought as to whether I should raise this matter. But because precedent can be set and so becomes convention, I had to think, when we were debating what would be a constitutional question, whether the unelected, the civil servants in the House, would have voted. Normally, on anything to do with the Constitution, they normally do not—not that I would take away a vote from either one of them, but normally in the House it has been the practice that they do not vote on anything, any question about the Constitution.

The vote has already been taken, Madam Speaker, and I say let us go on.

Madam Speaker, nearly two months ago I tabled a Motion to introduce an anticorruption bill and I was hoping that when the Constitution is modernized that changes would be made in order to ensure that civil servants such as Chief Officers (what were known as Permanent Secretaries) cannot run in a General Election within one year of leaving the Civil Service.

This motion also seeks to ensure that senior public servants declare their interests in the Register of Interests, pursuant to the Register of Interests Law, 1996.

Madam Speaker, my concern in moving this Motion is that the country should have a clear and proper framework that defines official corruption and against which the actions of public servants can be measured. Members of this House now know, and it was also reported in the press a couple of days ago, the Honourable Attorney General tabled an Anticorruption Bill for our discussion. I said to the Honourable Attorney General at the time that I considered it wide enough not to ask for the law. But, of course, there are areas that have not been touched as wide a Bill as the Honourable Attorney General has brought. Certain areas have not been touched, and that is to do with general public. Because, Madam Speaker, while we have editorials, and I saw one in the *Compass* talking about public servants, talking about politicians, they did not raise the issue of insider trading or any anti-trust legislation or section in the law. And I will come to it, Madam Speaker.

For far too long . . . and we in this House have been our own worst enemies over the years pointing fingers at each other; we have taken the licks, and let some believe that somehow they have been spared. They make a sad mistake. They have not. Not one. None!

The lady Member for George Town the other day I think spoke eloquently in that regard when we said how much we cause damage.

And so, you know Madam Speaker, I am not one of them that gets up in this House or on any soapbox to talk about foreigners versus Caymanians. But, Madam Speaker, I have had cause to do so in the past on a particular issue. But what causes some of this is the continued diatribe in the press written by some people who have everything to tell us how to do things right, and who besmirch our character as Members of this House when they themselves, some of them, have records. And, Madam Speaker, when some of them have gotten away with so much in this country!

I take this opportunity today simply because I have had enough of it. I have had enough of it! I would not carry on because I do not want this thing of foreigners versus Caymanians to get in the way. We do not want that. My Party does not desire any such general discussions, only when a certain point is raised. And for far too long some of those people, Madam Speaker (with halos around them—feeling pious as the Pope), write and accuse honourable Members of some of the worst things. They refer to our homes, if we made an investment it's all wrong, we shouldn't do it; we should all leave it for them, of course, to come here with nothing but a *mini-moke* and a *pair of keds*, to grab it all up and the local people . . . and I shall come to that, Madam Speaker, because there are limits for us and there are parameters set for us which we must abide by.

There are rules of this honourable House, there are standards in Erskine May's. There are practices and conventions of the British Parliament and other Commonwealth countries that we follow. And you have some of them writing the worst kind of articles making accusations and pointing fingers, and I will tell you some of it further.

Perhaps the reason why, Madam Speaker, they skew their articles is because we as politicians *don't messy-messy* with them. We do not accept their advances—and never have!—although we get accused. And never will! Madam Speaker, we never will. Some of them would like you to believe that they are so holy that they live such a good life.

Being a baptized Christian, perhaps, Madam Speaker, I need to look at my Bible carefully. But I tell you this: as a baptized Christian, I am not going to sit back any longer and take what I have taken in this country! Simply because I have dared to stand against some of them! Simply because when I was Minister of Labour I stopped them stealing the gratuities from the poor women of West Bay and in this country when they were proprietors of restaurants and other places of business that collected the gratuity from our tourists and the poor women could not get it.

But as a strong Minister of Labour who believed that the Government had to interfere and put their best foot forward, I said, "if you don't pay it, I'm

going to amend the law to lock you away for 25 years plus charge you \$100,000 or more."

And so poor old "Lach" or "Lock", or "Lack" or whatever he is . . . (I think he lacks!), stands wherever he is on some perch constantly writing for the last couple of years about McKeeva Bush of West Bay and anything that he can get to say and dream up he does it! And to think that good newspapers—because I think we have good quality newspapers, although askance now and then, would even print some of it! Would even print some of it, Madam Speaker!

And the public has never known what the gripe is. Not from me, because I dared not answer. I said, "No" and my Party said, "Leave him alone let him say what he wants to say." My family said, "Pay no heed." My Pastor said, "Let it roll off your back." But the fact is, the public needs to know the reason why the gripe is there. It is because they stole and they stole and they stole the gratuities of the poor women. And this person, who was then Minister of Labour, said it could not continue. Madam Speaker, any legislation must address some of those things stronger than it is anticipated.

The other area, how can an architect in this country receive bids for a client, take his knowledge when he gets that bid, the best bid, let us say, and then take that best bid and compete against it and kick that person off the job. Not insider trading? Not insider trading? What else is it? What else is it, Madam Speaker? What else is it? We have to stop some of it. If you think it is not hurting some of our people you are making a bad mistake.

How is it that one can take a house, as a bank loans officer, or manager, after a person has paid years, 10 years on their loan, and is now delayed three or four months and for want of four months' payment the house is gone? And you see them taking that same house and selling it. And they are buying it.

Madam Speaker, is that not insider trading of the worst kind? Is that not the worst kind that affects some of our people? And they want to get up on a platform and point fingers and question us and bring our wives' names even into business?

Any legislation that comes has to deal with that kind of rot in this country. It must deal with it, Madam Speaker. For far too long they run around with a halo on their heads, pious as Pope Paul, while they want to crucify McKeeva Bush because they say I got something and where did I get it from?

Where did I get it from? I have been working since I was 13 years old, Madam Speaker—13 years old. If I could not build my family a good home—whether they want to call it palatial or otherwise I don't think so—I think it is just a good functional home. After working 40 years next year, Madam Speaker . . . I couldn't? Then I will read what the Bible says: "Worst than an infidel" if I did not provide through the legal processes of your own business—and I have owned a real estate business, licensed since 1978, Madam Speaker.

We also know that as much as we seem to be taking a step further towards anticorruption legislation with the tabling of this Bill, the issue is something that has been around for some time. The Honourable Attorney General has told us that this time around, the discussion Bill tabled recently incorporates the OECD Bribery Convention and the UN Convention against Corruption.

This latter convention identifies a link between corruption and other forms of crime, including organized crime and money-laundering. It also recognises that corruption is not solely a localized matter but an issue that crosses international borders and thus requires transnational cooperation.

In addition, it gives due regard to the notion that the prevention and eradication of corruption is a responsibility of all countries which must work with each other as well as with the support and involvement of individuals and groups within and outside the public sector including civil society and non-governmental organisations.

As one of the leading international financial centres, the Cayman Islands has worked hard over many years and several governments to develop and maintain its reputation as a well-regulated jurisdiction. We have put a lot of resources into this effort because it is essential to our very survival and our ability to attract businesses.

I therefore recognise that any anti-corruption legislation that is enacted, Madam Speaker, can and must serve to enhance the efforts we have been making over time to have a strong regulatory framework through which we also cooperate with international partners to stamp out money laundering and other corrupt practices. It appears that the Bill as tabled covers a multitude of possible corruption scenarios along with punitive sanctions and is certainly one that requires our careful study and support.

We talk often of the need for good governance and accountability and at this time we must recognise that a properly constituted Anticorruption Bill must be seen as part of our efforts to ensure and enhance good governance.

As I said, I believe that in looking at anticorruption legislation we must also pay attention to enacting antitrust laws which will prohibit anticompetitive behaviour and unfair business practices. We must deal with the issue of insider trading, the kind of transactions that take place in breach of a judiciary duty or a relationship of trust and confidence based on the receipt of certain information that is very often a tip off. It is no stretch of the imagination to see how anticompetitive practices, unfair business deals and instances of insider trading not only undermine best practices, but contribute to those things that are not good in which business is conducted.

So, Madam Speaker, for all those who want to point fingers on the outside, I would like to see an Anticorruption Bill that gives and recognizes that corruption is the misuse of entrusted power for private gain,

whether that gain is financial or for political office or political advantage. It has to be the widest one possible so that as a country our efforts must embrace representatives from government, the business community, non governmental organisations, and, of course, civil society.

I expect that all of these elements would agree on a set of standards and procedures against corruption in public and private life. I would like to believe that our efforts should go a far way to making corrupt practices if not impossible, then highly unlikely.

It must include mechanisms for raising public awareness of the issues we are seeking to address when we talk about corruption, whether in the public service or in the private sector. So hand-in-hand with any anticorruption legislation must be mechanisms for strengthening transparency in public life and ensuring that the mechanisms that exist for public officials to declare their interests are up to date and applicable. They must apply not just to elected officials, as I have said, but to those who hold senior office in government and statutory organisations.

Transparency International, an organisation that campaigns against public corruption and some of the effects of corruption, I believe since there has been an increase in the level of attention being paid worldwide, these international organisations have good information. So, Madam Speaker, when we look at what they say to us and access what we want to achieve from our legislation it may well be that it becomes necessary to establish an oversight body as part of our anticorruption legislation. Perhaps we should also consider that our anticorruption legislation should look at the whole issue of how political campaigns are financed.

It is not enough to hold public officials to certain standards without similar guidelines to the private sector who may consider that support of, or donations to, political campaigns should be rewarded with political favour. We need to consider what, if any, new or additional roles the Public Accounts Committee should play as part of any new anticorruption legislation.

I am not suggesting in this Motion that we have to reinvent the wheel in how we should handle issues of corruption and transparency. Within the legislative arm there are already requirements such as those contained in the Standing Orders to prevent Members from moving, amending or voting on matters in which we have a pecuniary interest. In addition, Members are expected to declare their interest as required under the Register of Interests Law.

We have a Penal Code that addresses official corruption, extortion by public officers, public officers receiving property, issue of favour and abuse of office by public officials. There are prescribed sanctions for infractions of these laws.

And I would submit here, Madam Speaker, these areas of the Penal Code if they are not yet ad-

dressed (which I think some of them are) need to be looked at again.

We are mindful that a Bill has been tabled and we will continue to look within the context of some of the issues I have outlined and we will be ready when the Bill comes for a vote before the House.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

I rise to make a contribution to Private Member's Motion No. 3/07-08, Anti Corruption Legislation and Related Amending Legislation. I certainly do not intend to be long, but there are some things that I really believe this country needs to understand or be reminded of when it comes to anticorruption legislation.

First of all, I will begin by reminding the country that months ago we announced that at this Meeting of the legislature we were going to table an Anticorruption Bill. That was earlier this year. We announced it at a Cabinet briefing and it was carried in the newspaper also, for the information of the general public. Madam Speaker, true to form the Second Official Member, when this legislature reconvened at the latter part of last month, laid that Anticorruption Bill for discussion.

This Government and I are somewhat puzzled. Why? 1) the Leader of the Opposition and the Members of the Opposition did not understand that then; and why months following the announcement there is a motion brought to this honourable House asking the Government for the same thing.

Madam Speaker, one has to wonder why such a Motion has been brought, particularly by the Leader of the Opposition, when the Leader of the Opposition who happens to be the Father of this House—he has spent over 20 years in this honourable House. Why has this type of legislation stayed on the backburner, or not been brought forward during those 20-odd years?

I believe the Leader of the Opposition spent some 10 years or more of that 20-odd years in Cabinet.

The PPM Government came into this honourable House, took control of the Government in 2005. During the campaign leading up to the elections we campaigned on that platform. As a matter of fact, Madam Speaker, if the country would just go back, and if we would all just go back a few months/years and listen to the PPM song about corruption we would be reminded that that one of the objectives of this government was to put in place anti-corruption legislation.

So, Madam Speaker, it is, to say the least, a little puzzling that the Leader of the Opposition would now bring this Motion.

Further, Madam Speaker, this Motion asks for the Government to ensure that certain civil servants and public servants, such as Chief Officers (i.e., Permanent Secretaries as they were called before) cannot run for General Election until at least one year after leaving the service. Now, that sounds very much like the anti-Clifford resolve! A little too late maybe, too little, too late.

Madam Speaker, I want to remind the Leader of the Opposition and this country that in 1992 when it was convenient to him and his running mates to have someone out of the government to remove the then government, he, I believe single handedly—and he will have to reply to that if it was not—got the Third Official Member at the time, who was the Financial Secretary (the late Thomas C. Jefferson, God bless his soul), to run in the 1992 General Election.

**Hon. W. McKeeva Bush:** On a point of Order, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition, may I hear your point of order.

**Hon. W. McKeeva Bush:** The Standing Order that deals with misleading the House.

Madam Speaker—

**The Speaker:** Honourable Leader of the Opposition, there is no Standing Order dealing with misleading the House. If you would like to—

**Hon. W. McKeeva Bush:** Well, misinformation . . . Go ahead.

**The Speaker:** If you would like to elucidate and he is prepared to give way, then . . . but there is no Standing Order dealing with misleading.

**Hon. W. McKeeva Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Cannot handle lies, Madam Speaker, because I will say this: he said I single handedly got the then Third Official Member to run in the 1992 Elections. Madam Speaker, that is an outright lie; it is misleading this country; it is no truth. And when I deal with—

**The Speaker:** Honourable—

**Hon. W. McKeeva Bush:** —the winding up, Madam Speaker—

**The Speaker:** Honourable Leader of the Opposition, you will have every opportunity to reply to his debate in your winding up.

Honourable Minister, responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Well, if he did not single handedly, he was part and parcel of it because the late Honourable Thomas C. Jefferson ran with the National Team at that time. Having left, Madam Speaker, I was a victim of the 1992 National Team's viciousness in the district of East End, so I can recall, I have vivid, vivid memories of them coming to East End.

**Hon. W. McKeeva Bush:** National Team viciousness! *[laughter]*

**Hon. V. Arden McLean:** And, Madam Speaker, as I recall, the late Thomas C. Jefferson resigned from Government in May, or thereabouts, of 1992 and ran in the General Election in November.

Madam Speaker, it is so convenient that we suffer from amnesia when we want to blame someone else. And it is a convenient move on the part of some of us to be able to abuse others. Well, we need to remember these issues.

Madam Speaker, in 1984 the then Financial Secretary also left the service, Sir Vassel Johnson, and ran in the General Elections and was successful and made significant contributions as a politician to this country. We are today the recipients of some of his work, such as, the Marine Conservation Law, to name one, landmark legislation.

But all of a sudden, it is convenient for us because of some dispute between the Leader of the Opposition and the current Minister of Tourism that we should never have it again.

Madam Speaker, if that relationship between politician and Permanent Secretary was good, then we would not have to worry about it. Every human being who is a born Caymanian has the right, if he is passed 21—and I trust those who are listening to this rebroadcast understand that you have to be 21, there are a number of people who are looking for some little 19 year olds to run. Once you have passed 21 and meet the requirements constitutionally, you are allowed to run in this country.

Madam Speaker, by curtailing public servants, civil servants in this manner, we are encroaching on their right constitutionally to run in the General Election and represent the people of this country.

It is the people of this country who decide who they elect and it should not be decided from these hallowed Halls. This is not the place for us to do it. If a civil servant wants to resign and go out and run, let him or her do as they please, as long as they meet the requirements in this country to run to stand as a candidate in the General Election. And if the people decide that that is who they want, then so be it.

It just so happens they decided the most recent one was the Minister Clifford [Minister of Tourism]. Prior to that, the Leader of the Opposition had the benefit of others. But all of a sudden, it is not con-

venient and he wants it stopped. I am not going to be part and parcel of that, Madam Speaker. I am not. If my Permanent Secretary or Chief Officer, whatever they are—

**Hon. W. McKeeva Bush:** That's not in this here.

**Hon. V. Arden McLean:** Madam Speaker, the Leader of the Opposition can say anything about it not being part of this, but it is going to be debated here today because that is one of the resolves.

**Hon. W. McKeeva Bush:** Yeah, he voted *[inaudible]*

**Hon. V. Arden McLean:** Now, if he wants to reply, that is fine by me.

**Hon. W. McKeeva Bush:** He voted against it.

**Hon. V. Arden McLean:** That is fine by me. I am not going to be part and parcel of it. He has the right to reply. But the country must be reminded of these things. All of a sudden now his memory has been jogged. If he wants to reply, reply.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** That is fine, I will get it. That is fine. I do not have a problem with that. But be sure that there is always another day. And, Madam Speaker, if they think that my memory is not long, tell 'em come on down.

**The Speaker:** Honourable Minister, can we get back to the Motion, please?

**Hon. V. Arden McLean:** Madam Speaker, I will.

**The Speaker:** Thank you.

**Hon. V. Arden McLean:** Madam Speaker, the Leader of the Opposition spoke of Members of this honourable House being accused of corruption. I, too, in my short time here have been accused of corruption, official corruption. But I stood on the Floor of this honourable House and I laid it out straight because I believe that the legal profession calls it a maxim or something like that. I am not a lawyer, but I understand when they say he who comes into equity must come with clean hands. Madam Speaker, all of us need to have clean hands before we start calling for this kind of legislation. We must all come to the table with clean hands.

I stood on the Floor of this honourable House and I addressed the accusations that were being leveled against me, particularly when it came to the awarding of that scrap metal contract.

You know, Madam Speaker, in a number of times there is no real need for anti-corruption legisla-

tion. All it takes is a nice dose of conscience, and he who has conscience will understand why the people put them here to represent them. That is what it is about. This is not about accusing people when you do not even know.

Madam Speaker, I came into this honourable House and in my maiden speech—and all and sundry can go and collect it and read it—I said I would not support anything frivolous and not in the best interest of the people of my country I have maintained that. And there is not one person in this country that is going to point a finger in my face.

The one thing, Madam Speaker, that I revere, the one thing that I protect is my integrity and my family's integrity.

That is what I talked about conscience, Madam Speaker. There are many who have been accused.

The Leader of the Opposition spoke of newspapers. I spoke of an editor who accused me. Madam Speaker, every man must stand up for himself and defend himself. I defend myself and my family. But too much goes on in this country of accusing politicians of taking "under the table". He who has evidence that I am corrupt needs to come and show it.

Madam Speaker, I challenge and I implore anyone—including the editor of the *Cayman Net News*—to visit the courthouse and research the law records in this country for my name for any fraudulent activities in my country, and particularly against my people. Search for Vincent Arden McLean. But while they are doing that, they must also search to look-see for themselves, too! And come back and tell me who is there out of me and them. That is how this works.

And the Leader of the Opposition is bringing this Motion as if this PPM Government is full of corruption!

**Hon. W. McKeeva Bush:** Nobody said that [inaudible]

**Hon. V. Arden McLean:** Madam Speaker, it is my opinion that that is what this says to me. Why bring it at this time when he has been in power for at least ten years?

**Hon. W. McKeeva Bush:** Mm-hmm.

**Hon. V. Arden McLean:** And three and a half out of those as leader of this country.

Madam Speaker, the same way that the Leader of the Opposition gets out there on his soapbox that he always talks about—because all of us can create those—and tells the country that it was he who asked for the investigation on the Boatswain Beach establishment.

**Hon. W. McKeeva Bush:** That is right.

**Hon. V. Arden McLean:** If he feels like today there are Members of the PPM who are corrupt and doing

anything that is unsavoury and against the country, in their best interest, then he has the same right to go to the Auditor General and request another investigation. And I implore him to do that. I implore him to do that and not only that, Madam Speaker. He has two Members of the Opposition on that Public Accounts Committee, and they direct the Auditor General's work. So if he cannot do it as an individual and as the Leader of the Opposition, he can get his Members on the Public Accounts Committee to do it.

Madam Speaker, Anticorruption: I welcome anti-corruption legislation because I know that it is not going to damage my character. Can we all say the same? That is the question. All of us must stand up and put our hands up. That is how it works. Do not come bringing Motions that are suggestive because they encroach on me, on my integrity.

Madam Speaker, I have been in this honourable House representing the people of East End for six years. I do not have as much time as many in here, but one thing I will be able to leave these hallowed halls with is a clean conscience forever and a day.

And when the Opposition, knowing that a Bill is coming, would bring such a Motion to this legislature, it begs a number of questions: Is it a direct attempt to deflect some of the investigation that is currently going on? Is it a direct attempt to accuse the PPM Government?

Madam Speaker, we will all have our chance to speak. I am just saying what I have to say. And when I sit down he who wants to speak, may speak. The same right I have to speak, all other Members have.

Madam Speaker, the Leader of the Opposition got up and in his presentation spoke about all of us having been accused and what have you. Is that another ploy of his to ensure that we all come behind and support it?

Madam Speaker, how is it that legislation is going to stop us from being accused? Politicians will always be accused. I said a few minutes ago it is about a good dose of conscience, and he who does not have a good dose of conscience let him suffer the price. He or she will have to go home at night and think about what he or she has done to his or her people. That is what will have to happen. No legislation on earth is going to stop us from being accused. We must have a clear conscience. That is what I stand on the Floor of this honourable House today to exercise my right to speak. I have a clear conscience and if I cannot live with what the people of this country are giving me, then I will have to go out and do something else to try to survive. And I am not going to try and get support from the people of this country by going to church and breaking down church doors if it is not genuine. It is a farce. That is how many of us love to get that support behind us. Is that not fraudulent, too, Madam Speaker?

Madam Speaker, as your good self can see, I am a little ticked off with this Motion. I am, because it sends the wrong message. There have been many accusations against even the good Leader of the Opposition. We all remember the First Cayman Bank debacle. The Leader of the Opposition was removed from Cabinet as a result of it! This country is yet to know what happened there. That was about corruption!

**Hon. W. McKeeva Bush:** [Are you] sure it was?

**Hon. V. Arden McLean:** Allegations of corruption, Madam Speaker, pardon me.

**The Speaker:** Honourable—

**Hon. V. Arden McLean:** Allegations, Madam Speaker, that is what we are going to get as—

**The Speaker:** Honourable Minister, there were allegations but—

**Hon. W. McKeeva Bush:** Against who?

**The Speaker:** —are we certain they were for—

**Hon. W. McKeeva Bush:** Against who?

**The Speaker:** —corruption against the Honourable Leader of the Opposition?

**Hon. W. McKeeva Bush:** Huh?

**Hon. V. Arden McLean:** Well, Madam Speaker, I really cannot say because the country has not been—

**The Speaker:** So it is your opinion.

**Hon. V. Arden McLean:** There is no explanation. It is my position—

**The Speaker:** All right.

**Hon. V. Arden McLean:** —that that is what the country was saying: allegations of corruption.

**Hon. W. McKeeva Bush:** Not about cocaine, though.

**Hon. V. Arden McLean:** Now we see there is another one under investigation, again, allegations of corruption. We are going to have allegations against us.

**Hon. W. McKeeva Bush:** Especially if you make them *[laughter]*

**Hon. V. Arden McLean:** Madam Speaker, the Leader of the Opposition says “especially if you make them.” Well, I mean, those who sat in Cabinet must

say why the Leader of the Opposition, being a Minister at that time, was asked to step down.

**Hon. W. McKeeva Bush:** Yeah, after.

**Hon. V. Arden McLean:** Why every single member ostracised him, I do not know, Madam Speaker.

**The Speaker:** Honourable Minister, can we move on from that point now, please?

**Hon. W. McKeeva Bush:** I will answer, though, you know.

**Hon. V. Arden McLean:** Madam Speaker—

**Hon. W. McKeeva Bush:** Oh, yeah, but it was not about cocaine or any kind of drugs.

**Hon. V. Arden McLean:** You know, Madam Speaker, I am going to leave the Leader of the Opposition, right, because whenever it becomes an issue that we are debating in here and it comes a little too close to the foul coop, the chickens start to cackle, squawk, but the fox guards the door.

Madam Speaker, the Leader of the Opposition also spoke about insider trading. You know, I have never been accused of insider trading, but rumours abound about Members of Cabinet in the past having conducted insider trading such as sales of places and they have a vested interest in the companies who are either managing the sale or what have you. You know, again, this is where conscience must play a part.

Madam Speaker, I was elected in this honourable House in the General Elections on 8 November 2000. At 11 o'clock that night the returns declared me the successful candidate in the district of East End representing the people of East End. At 12 o'clock that night my contract expired with my employer. I have not engaged another employer since then.

Madam Speaker, you cannot serve two masters no matter how you do it, and I implore all and sundry not to look to two masters to serve, especially trying to make one of them the Great Architect of the Universe. You cannot. Impossible. You must follow the path that has been laid out for you. Stay between the white lines and never cross the yellow lines.

Madam Speaker, since I have been a Minister—and this is the first time I am saying it publicly—a gentleman in this community came to see me, made an appointment. At the time I was trying to liquidate some property that was passed down to me by my father, and it was passed with the condition that it would be passed on to my two boys. But I had to school my two children too, and I figured if I sold this piece of property I would be able to school them and that would still be passed on to them.

Madam Speaker, the gentleman came into my office on an unrelated matter which involved my constitutional responsibilities. The first thing he said was

that he understood I had a piece of property on Queen's Highway for sale. My reply was simply, yes. And you can imagine, Madam Speaker, this may be an opportunity, someone may want to buy my property. And he said, "*I have \$500,000.*"

I said, '*Well, I was not asking that for it, I was just asking \$250,000 for it.*'

He said, '*I know.*'

Madam Speaker, I really do not want to go through what I said, and the House would not want to know what I said either, nor would this country. It was rather "*un-forensic*" language. You hear what I tell you, Madam Speaker? Very colourful.

But with all of those I got up out of my chair and I said not very calmly—because the staff in the Ministry heard it— '*Out! And if I find you back in this Ministry, I am gonna walk through one of those windows with you.*'

You hear what I tell you, Madam Speaker? I would advise anyone in this country: do not approach me with it. The people of East End elected me to represent them, not to steal from them.

So, Madam Speaker, we can bring any kind of anti—and I do not have a problem dying poor because I figure that is what is going to happen with me anyway. But that is fine. I will have made my contribution to my country. My father went to his grave and he had two little pieces of land to leave for us because of his honesty. I would like to get a little something more to leave for my two children. But I will not, I will not, allow them to live in the future of the people of this country. They have to live among them. And I do not want anyone, Madam Speaker, to be pointing their fingers in my children's faces in the evening of my life. That is not going to happen, not if I have anything to do with it.

So, Madam Speaker, you see why I am a little concerned that this Motion is brought here and the time that it has been brought. It concerns me. It seriously concerns me. Why is it that the Leader of the Opposition is, at this late stage in his political career—

**Hon. W. McKeeva Bush:** Madam Speaker, I am appalled—

**Hon. V. Arden McLean:** —bringing a motion to this honourable House which—

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** —attacks every Member of the PPM Government, when we in our Manifesto talk about anti-corruption legislation and we are here today with it having been laid as a discussion paper. Why is it that he did not withdraw this and then moves an amendment to the Motion telling the Government: the Government *shall* recommend—

**Hon. W. McKeeva Bush:** Madam Speaker?

**The Speaker:** Honourable Minister, that amendment has fallen away so there is no debate on that in this Motion, okay? So I would ask that you totally ignore the amendment.

**Hon. V. Arden McLean:** Thank you, Madam Speaker, I know that but . . . yeah, I should have taken the opportunity to debate that then but I was just waiting. And I understand, and we as politicians all understand how these things work.

Madam Speaker, I believe what has happened here is that the Leader of the Opposition is having personal difficulties with not being able to be out here on this side and he needs some means of making the public know that he is still in control. Well, the public needs to understand that that is not how politics work.

When he was Government, if he had the political will to do this, it would have been in the form of the Bill that we recently brought. All of a sudden has the Leader of the Opposition gotten a little revival of his conscience, maybe, to now bring a Motion that accuses all Members of this honourable House? Madam Speaker—

**Hon. W. McKeeva Bush:** How can you say that I accuse Members of this House? I thought I was protecting the Members of this House.

**Hon. V. Arden McLean:** Madam Speaker, the Anti-corruption Bill that is laid for discussion covers a number of areas that will protect Members of this honourable House and the public as well. We need to look objectively on it and the Opposition needs to also look objectively and bring suggestions and amendments to this Bill that is before this honourable House.

Madam Speaker, you know, I see the further resolve that "**certain public servants declare their interest in the Register of Interests pursuant to an amendment to the Register of Interests Law, 1996, by the Government.**" Madam Speaker, I really do not see the need for civil servants to declare their interests in the Register of Interests in this honourable House because the civil service in this country is governed by a particular law and code of ethics as it stands. Why is it that now the civil servants are being called upon to declare their interests on the Register of Interests? Why? Is it because of the accusations made by the Leader of the Opposition against the Minister of Tourism? Is that it?

Madam Speaker, why would a civil servant be required to declare his or her interests? The civil servants cannot (1) go into business; (2) hold another job without getting prior approval from the Governor. And that is not the Governor in Cabinet, Madam Speaker, that responsibility and that authority lies wholly and solely on the shoulders of the Governor. It is only the Governor or whomever he delegates it to that can give civil servants permission to do that. And if that per-

mission is sought and given, why, then, would there have to be a declaration of interest on the Register of Interests? It is unnecessary, absolutely unnecessary.

Madam Speaker, I really do not think the Leader of the Opposition thought out this Motion, you know, because if he had he has been there, he knows how this works.

Now, Madam Speaker, the three Official Members in this honourable House must, by law, declare their interests in the Register of Interests here in this honourable House. Civil servants have that same process, or a similar process, within their terms of employment. All of a sudden now we want every civil servant to march down here—or the majority of them or those at the top, whichever he is talking about—and declare interests on the Register of Interests every year. Why? I see no need for it. But, of course, maybe the Leader of the Opposition will be able to expound upon it for his reasons for wanting it. We all have different experiences. Therefore he will tell the country why he wants certain civil servants to declare their interests.

Madam Speaker, we will soon have no one in the civil service. The civil service will be void and it will be extremely difficult to replace them. But that is what the Leader of the Opposition wants and it is convenient for him to want it because he is in the Opposition. When he was here as the government we did not hear any cry for it.

**Hon. W. McKeever Bush:** Didn't need it! Need it now!

**Hon. V. Arden McLean:** Madam Speaker, all of a sudden now—I trust that the Civil Service will remember this day, 10 September 2007. I trust that the Civil Service will remember who does not have the interests in them, who does not trust them, because I have heard it recently about price gouging and how the Leader of the Opposition does not trust the Civil Service. Now they must declare their interests.

**Hon. W. McKeever Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** The Member—I do not know whether they call it a speech attack or what it is, but he has made so many misleading and wrong statements, Madam Speaker, that I could not begin to address them all and I am asking you to ask him to bring proof of these things of what he is talking about because it is not true. Nothing I have said against any civil servant other than to say that senior civil servants, permanent secretaries and people who manage companies should bring their interests and put them in the same way we have to to.

**The Speaker:** Honourable Leader of the Opposition, it is not a point of order, there is no Standing Order covering misleading.

Honourable Minister, can we move away from these accusations unless they are in your opinion?

Honourable Minister, continue your debate, please.

**Hon. V. Arden McLean:** Well, Madam Speaker, thank you. I have not proven, nor have any of those been proven in court but they have been said in the public domain—

**Hon. W. McKeever Bush:** Madam Speaker, the Member cannot continue to tell lies on me and that is what it is.

**The Speaker:** Honourable—

**Hon. W. McKeever Bush:** Since I cannot say anything about misleading, I am calling him a liar. Can I call him that?

**The Speaker:** Honourable—

**Hon. W. McKeever Bush:** I say he is telling a lie.

**The Speaker:** Honourable Leader of the Opposition, please.

Honourable Minister, can you continue your debate away from the stream of these accusations that are in the general public unless it is in your opinion?

**Hon. V. Arden McLean:** Madam Speaker?

**The Speaker:** Honourable Minister, go ahead.

**Hon. V. Arden McLean:** Madam Speaker, I do apologise, Ma'am.

Madam Speaker, I knew this was going to get into a heated debate, but the Leader of the Opposition has just called me a liar, the same thing he has done to the Minister of Tourism. Now that is a lack of trust!

**Hon. W. McKeever Bush:** Trust! Trust the two of you?

**The Speaker:** Honourable Minister, would you—

**Hon. W. McKeever Bush:** Oh!

**The Speaker:** —please continue your debate?

**Hon. W. McKeever Bush:** Trust!

**Hon. V. Arden McLean:** And he — Madam Speaker, I am talking about civil service.

**Hon. W. McKeever Bush:** Huh!

**Hon. V. Arden McLean:** And he brought this, you know? He brought this debate in here, not me, and he went on the news media in this country and accused Cayman Airways of price gouging!

**Hon. W. McKeeva Bush:** Cayman Airways! Minister and—

**The Speaker:** Honourable Minister—

**Hon. V. Arden McLean:** That is right, Madam Speaker.

**The Speaker:** —please continue your debate.

**Hon. V. Arden McLean:** He continues to say publicly—

**Hon. W. McKeeva Bush:** Because it is true!

**Hon. V. Arden McLean:** Now, he is saying it is true and then he says that I am lying on him! The only liar in here is him!

**The Speaker:** Honourable—

**Hon. W. McKeeva Bush:** Yeah!

**The Speaker:** Honourable Leader of the Opposition, please.

Honourable Minister of Communications, Works and Infrastructure, you are debating a motion through the Chair. Would you please continue your debate?

**Hon. V. Arden McLean:** Madam Speaker, the one good thing about debate in here is that I have two hours—and I trust that the Clerk is checking my time judiciously—and the Leader of the Opposition will have his two hours to reply to whatever I say. But I am sure by the time I am finished he will want to be able to reply to the Minister of Education because you know he is getting up too! One of us is going to get through. I do not know which one it is going to be! I think I better put that to rest now too, about the contention between me and the Minister of Education that is rumoured that the Opposition is spreading. That is not true either. Now, whoever spread that lie . . .

*[inaudible interjection]*

**Hon. V. Arden McLean:** Madam Speaker, we are talking about civil servants—

Madam Speaker, you know, my life is a clean book. If anyone wants to come and inspect it, please feel free to do so!

Madam Speaker, I was no angel, I did not aspire to be an angel, and if I was perfect I would not be in here!

*[laughter]*

**Hon. V. Arden McLean:** If I was perfect—if either one of us was perfect we would not be in here. But then we cannot come here and talk about the civil servants being imperfect. We cannot do that. That is highly unfair to the same people that we have to work with and not only that, Madam Speaker, that the Opposition (who is the government-in-waiting) would like to come and work with. What are we going to do, clean out the whole civil service? We cannot do it!

But as soon as someone counters what the Leader of the Opposition comes up with, there is a big hue and cry about everything. Well, Madam Speaker, the people of East End did not put me in here to keep my mouth shut.

*[inaudible interjections]*

**Hon. V. Arden McLean:** I am put here in their best interests, and there are many civil servants from the district of East End and this whole country! And then you get the *Cayman Net News* this morning accusing the PPM of getting rid of everybody. But he writes anything whether it is right or wrong indifferent or whatever.

But, Madam Speaker, we need to understand that there is a certain separation of powers. The Constitution is very specific about the separation between policy, which is driven by the politician, and the implementation thereof, which is driven by the Civil Service. And when we have to put a mere employee through the declaration of their interests it does not speak well for this country. The Leader of the Opposition knows this but, you see, he has brought this Motion to see whether or not we are going to turn it down. Well, surprise, surprise! That is what he is going to get today.

Madam Speaker, I may be many things but I am not hypocritical. This country knows that and the Leader of the Opposition should have understood that by now. I am going to say what I have to say. Whether it is liked or is not liked that is my opinion. This is the court of opinions! And he who has the biggest numbers will always win the court of opinion in these hallowed Chambers. That is the nature of politics!

But the Leader of the Opposition will bring a Motion of this nature just to get it aired. Well, I am going to say what I have to say, too, about his attempt to curtail civil servants. We must try to have some respect for the Civil Service. The Leader of the Opposition has worked there with those same civil servants. And the *Cayman Net News* is talking about how many we have gotten rid of. Maybe they need to put on the front page how many he got rid of under his administration! Is that the reason why this Motion is brought, Madam Speaker? He has removed more people from the top of the ladder, from the top of the administration in the civil service than any government will ever be able to do!

**Hon. W. McKeever Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** I am going to beg one more time to have that Minister/Member of this House tell the truth, Madam Speaker.

**The Speaker:** Honourable Minister of Communications, Works—

**Hon. W. McKeever Bush:** You all are going to get as good as you give! We gonna get as good as we give! I hope he knows that!

*[inaudible interjection]*

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, I just told the good Member, the Leader of the Opposition, that he has two hours—he can go into the night, tie a light around his head to deal with it. But I must tell the Leader of the Opposition, maybe we need to save it until I am here because I do have to take the Minister from Montserrat on a tour of Works.

**Hon. W. McKeever Bush:** You can tour all you want but you are gonna get as good as you give whether you are here or whether you are outside.

**Hon. V. Arden McLean:** Well, Madam Speaker, I am saying it to his face, maybe he should save it until I get back.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** That is what he needs to do.

**Hon. W. McKeever Bush:** Stay in here but you are gonna get licks!

**Hon. V. Arden McLean:** That is what he needs to do because I am man enough, Madam Speaker, to stand in this country and to look a man or woman in the face—

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** —and tell them what I have to tell them.

**The Speaker:** Honourable Leader of the Opposition, would you please stop the cross-talk and let the Minister get on with his debate?

**Hon. W. McKeever Bush:** Madam Speaker, he is continuous with repetition.

**The Speaker:** If you want to rise on a point that there is—

**Hon. W. McKeever Bush:** I have done that several times.

**The Speaker:** —tedious repetition—

**Hon. W. McKeever Bush:** I have done that already.

**The Speaker:** Honourable Minister, would you continue your debate, please?

**Hon. V. Arden McLean:** Yes, Madam Speaker, I am just trying to find a quote from the Leader of the Opposition.

Madam Speaker, if I may quote from the *Cayman Net News*, Issue 1471 of today's date, Monday, 10 September 2007.

**The Speaker:** I would ask that you lay it on the Table when you are finished.

**Hon. V. Arden McLean:** Oh, yes, Madam Speaker.

Madam Speaker, in the *Cayman Net News* as mentioned earlier, the Leader of the Opposition is credited with the following and I quote: “**The most recent additions to these Caymanians “put out to pasture,” as termed by Leader of Opposition McKeever Bush, are Charles Parchment and Ken Hydes.**”

Madam Speaker, he started this debate, you know? He said that they were put out to pasture.

Madam Speaker, we need to remember the Honourable Charles Clifford [Honourable Minister of Tourism]—

*[laughter from the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** Harding Watler.

**Hon. W. McKeever Bush:** Yeah!

**Hon. V. Arden McLean:** Angela Martins.

**Hon. W. McKeever Bush:** Mm-hmm.

**Hon. V. Arden McLean:** Lucille Seymour.

**Hon. W. McKeever Bush:** Uh-huh.

**Hon. V. Arden McLean:** But you know what the problem is, Madam Speaker? He is jealous because those same civil servants will go out to the general public and win at the General Elections and he does

not like seeing them on this side! He is no longer in control!

That is why we want the civil servants to truncate them. No, Madam Speaker, he is not going to truncate them. Even if I have to serve some time on the Opposition and they be out here with him, then so be it!

*[laughter from the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** But I am gonna make sure, Madam Speaker, it gonna be a little while before he comes over here.

Madam Speaker, the Leader of the Opposition must admit the real purpose of this Motion, the real reasons why he brought this Motion, and if he is man enough he will stand up before this country and tell them.

It is my belief he brought it to curtail civil servants. It is my belief he brought it to exercise what he has had in his head for a long time and refused to do while he was on this side with the exception of some of it.

Madam Speaker, there is much more that I can say but then I would not be leaving anything for the Minister of Education and the Minister of Tourism because I am sure there will be some revealing debate here in the next couple of days. I do not think it is going to finish today; that is why I will be back. I will be here to sit down and look him straight in the eye.

Madam Speaker, I am not going to go on because I have had said much of what I had to say. However, I would remind this country and my people that for the first time in a long time we, the PPM Government, having been ushered in as a government you can trust; as a government who promised that we would address corruption and these honourable offices; that we have fulfilled that promise.

Further, while there have been one or two accusations in the papers, we have put them all to rest, Madam Speaker. Never before have we seen so little accusation, few accusations about corruption. And those that have come forward have all been refuted with facts.

Madam Speaker, this Government — this here Government — has changed the face of the conduct of public servants, public officials in office. The manner in which we conduct ourselves sets a new standard for those who come behind us because hitherto, there was much to be desired.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* If no other Member wishes to speak—

Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, there is before this honourable House today what can only be regarded, in my view, as one of the most audacious and self-serving motions ever to be brought to this honourable House.

Madam Speaker, it is exceeded in its ridiculousness perhaps only by the previous Motion brought by the same Member entitled “Openness and Transparency Legislation” last week. And why do I say that, Madam Speaker?

Not only is the first thing that is sought, which is that Government considers introducing as soon as possible an anti-corruption bill, not only was that announced well in advance of the Leader of the Opposition bringing this Motion and his follower and second-order, the Second Elected Member for West Bay, having seconded that Motion, but at this very meeting of this honourable House the draft bill was laid on the Table.

So that resolution has been met, leaving only the other two which are, in my view, entirely self-serving for reasons dealt with quite extensively by my colleague, the Minister of Communications, Works and Infrastructure, a little earlier, the one which he, I think quite correctly, entitled the “Charles Clifford Resolve” to ensure that certain—not any, you know, certain—civil servants such as Chief Officers cannot run for General Election until at least one year after leaving the service.

Now, Madam Speaker, if this were being introduced by a freshman politician, a freshman representative in this honourable House, we could all commend them, give them a pat on the shoulder and support it. But when it is introduced by a veteran who is in his sixth term, in his 23<sup>rd</sup> year in this honourable House who served three stints in Executive Council, or Cabinet, who spent the three and one half years of his final term in Cabinet as the leader of this country—however he came by that,—then one really has to ask ‘*what is this all about?*’ It is remarkable, it is almost miraculous, Madam Speaker, that having had 23 years to come to this position all of a sudden the scales have been lifted from the eyes of the Leader of the Opposition and he now wants openness and transparency; he now wants an Anticorruption Bill and he now wants to keep future “Charles Cliffords” from running for office.

Madam Speaker, when I talk about audaciousness, what I mean is the Leader of the Opposition and his government, the government of which he was a part, have been the subject of six condemnatory auditor general reports spanning a mere three and one half years in office. For one of them there is still a police investigation pending.

The Leader of the Opposition has chaired in recent times the Port Authority Board, he has chaired the Turtle Farm Board. But now he is complaining about those things and wants motions to be brought and resolutions to be made by this honourable House to never allow that sort of thing to happen again.

Madam Speaker, what is it all about? Is it merely a platform for him to get up and lambaste the Government, or perhaps to seek to distance himself from some of these arrangements, some of these situations that have existed?

I have struggled, Madam Speaker, to understand myself what this is all about. If the Leader of the Opposition really wanted to do something positive and useful, what he ought to be doing is bringing motions to this honourable House which would have the result that elected Ministers—in particular those who have misused the Country's money and who have been guilty of gross maladministration—can be held truly accountable to the people of this country and be made, quite properly, to repay those monies. That is what he ought to have been doing!

But, no, Madam Speaker, he brings this ridiculous Motion to this honourable House believing somehow that this is going to have the people of the country view him in some better light than the one he is currently standing in.

Madam Speaker, the final report of the Auditor General on financing arrangements for Boatswain's Beach, which occurred in 2003 under the Leader of the Opposition's government—but even more importantly under his chairmanship of the Board—must be the subject of great concern to all. The Auditor General concluded in that report that **“In the course of almost 30 years of government auditing, I have difficulty thinking of any situation which showed such a cavalier attitude to the expenditure of such sums.”**

Now, Madam Speaker, what the Leader of the Opposition ought to be doing is explaining to the country why all of that is wrong; or, perhaps more appropriately, explaining to the country how he and his government are going to make good all of the cavalier expenditure that has transpired under his watch.

Madam Speaker, during the stint at the helm of this country by the Leader of the Opposition there were also three condemnatory forensic reports of the Auditor General on the Affordable Housing Scheme. Now, of course, the Leader of the Opposition will say he had nothing to do with these things. Of course he did! He was a Member of Cabinet; he was the leader.

But an important point from the standpoint of a motion is that this sort of conduct was transpiring on his watch when he was in charge. But there was no call by him for any anticorruption legislation. No call for any means by which government ministers could or should be held accountable for the mismanagement, their maladministration of government funds. And he expects not just this House, Madam Speaker, but the country to take his submissions and this Motion seriously?

It is, Madam Speaker, an abuse of the process of this House, in my respectful view. It is a platform, it is purely a platform for him to get up and spout off. And he has already said that when his turn comes to wind up what he is going to say about the Minister

for Communications, Works and Infrastructure. Perhaps some of those other things he was saying under his breath.

**Hon. W. McKeeva Bush:** You too!

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker, he will say something about me as well!

**Hon. W. McKeeva Bush:** You too, you too!

**Hon. Alden M. McLaughlin, Jr.:** But I tell you what, Madam Speaker, I can hold my head up anywhere I walk in this country. There is no cloud of dishonesty and allegations of corruption—

**Hon. W. McKeeva Bush:** You?

**The Speaker:** Honourable Leader of the Opposition, would you please—

**Hon. W. McKeeva Bush:** You forget, or what?

**Hon. Alden M. McLaughlin, Jr.:** —hanging over my head.

**The Speaker:** —please, Honourable—

**Hon. Alden M. McLaughlin, Jr.:** And, Madam Speaker, no government of which I am a part will have to remove me under allegations of corruption. I serve on no boards of any banks—

**Hon. W. McKeeva Bush:** Perhaps they should!

**Hon. Alden M. McLaughlin, Jr.:** I have no interest in any real estate companies that do business with government and sell government property. Not me, Madam Speaker!

Let the Leader of the Opposition look in the mirror and say if he can answer that question.

**Hon. W. McKeeva Bush:** I got some for you to answer though.

**The Speaker:** Honourable Leader of the Opposition, would you please refrain from the crosstalk? You will have every opportunity in your winding up to reply.

*[Inaudible interjection by the Hon. Leader of the Opposition]*

**The Speaker:** Honourable Minister, would you please continue your debate?

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the Leader of the Opposition continues to provoke.

**Hon. W. McKeeva Bush:** Ha, ha, ha, ha.

**Hon. Alden M. McLaughlin, Jr.:** But he ought to know by now, having had the benefit of knowing me in this honourable House now for six and a half years that his threats, his intimidatory tactics, really mean little to me.

He has said all manner of evil of just about anybody he perceives to be an opponent. So the truth of the matter is, Madam Speaker, that few in this country believe a word he has to say. That is why he is relegated to the Opposition trenches where I believe, Madam Speaker, he shall grow old, infirm and gray.

**The Speaker:** Honorable Minister is this a convenient time to take the luncheon break?

**Hon. Alden M. McLaughlin, Jr.:** A most convenient one.

**The Speaker:** Proceedings will be suspended until 2 pm

**Proceedings suspended at 12.37 PM**

**Proceedings resumed at 2.14 PM**

**The Speaker:** Please be seated. Proceedings are resumed.

Debate continues on Private Member's Motion No. 3/07-08. The Honourable Minister of Education continuing his debate.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

I know things had gotten a bit heated when we took the break, but I certainly had no intention of driving the Leader of the Opposition out of the House. I do hope that he returns so that he may have the benefit of the remainder of my contribution.

Madam Speaker, I spent quite a bit of time talking about the pointlessness or questionability of this Motion entitled "Anticorruption Legislation and Related Amending Legislation." And over the luncheon break I reflected a bit more on this whole matter. And the more I think about it, Madam Speaker, the more audacious I believe the Motion to be.

I spoke before the luncheon break about the number of condemnatory Auditor General reports which have been made on the actions, activities of the Leader of the Opposition's UDP Government from November 2001 to May 2005. Thus far there have been six.

And I reflected on the lack of credible responses to those reports, particularly by the Leader of the Opposition. Instead, Madam Speaker, he did what he is wont to do, and what he will without question do again when it is his turn to wind up. He targets whoever points out the errors that ought to be credited to his account. And, Madam Speaker, I point these things out to say that if this were a bona fide Motion, if

this were a Motion that actually sought to do something positive, or to have this House resolve to do something positive about real important issues of this country—how the country's money is spent or mis-spent; how Ministers can be or ought to be held accountable when either through negligence, or worse, they go on spending sprees and blow the country's money, or worse, make deals which are open to question in terms of whether or not the country got value for money—that is what the Leader of the Opposition ought to have been doing. Those are the sorts of motions that he ought to be bringing.

Madam Speaker, it would be useful for him to bring one of those in relation to the insurance settlement which he negotiated with Cayman General in the aftermath of Hurricane Ivan, when he compromised the government claim of CI\$108 million for \$70 million and then agreed that the government would accept \$50 million of that in cash and the remainder in a 24 per cent shareholding in Cayman General.

The Auditor General concluded his report on that transaction with the following words, and I quote: **"Given that the Government had given up the consideration of between \$20 million and \$58 million, it is my opinion that the Government did not receive value for money in this transaction. It gave up its rights to considerable additional consideration (between \$20 and \$58 million) and received in return shares that were worth less than \$3 million in the fall of 2005."**

Now, Madam Speaker, if ever there was a case that called for a real explanation and, in the absence of a worthy explanation for accountability on the part of the former government—but in particular the Leader of the [Opposition] who led those negotiations—this is it! But instead of bringing those sorts of motions to this honourable House, which would lead to a greater degree of accountability, which would lead to Ministers actually having, perhaps, to cough up some of their own money to repay the country, the Leader of the Opposition brings this sort of nonsense to the House asking the Government to bring a Bill—which it has already brought.

It is not only . . . I dare not say that.

Madam Speaker, if that were the only reference to which the Leader of the Opposition had, or had given countenance in deciding what motions to bring, there are more. Again, his fingerprints are all over another one of these matters which the Auditor General has concluded that at a minimum there has been gross maladministration.

In relation to the Royal Watler Cruise Terminal Project, the Auditor General concluded, and I quote: **"I believe the project could have been completed for at least \$4.2 million less than the final project amount, which is estimated to be \$18.5 million when completed."**

**"It is the opinion of the Audit Office that value for money has not been obtained via the procurement procedures. We stress that, in our**

**opinion, a failed attempt at tendering contributed significantly to the overcharges.”**

**“Given the size of the contract it seems impossible to escape the conclusion that value for money for this project was not obtained in the awarding of these contracts.”**

The Leader of the Opposition has a lot of explaining to do to this country. He has a lot of accounting to do. He needs to spend his time and the most valuable time of this House making those explanations at a minimum. Instead, he ties up this honourable House in the consideration of nonsensical motions such as this, which the Government has already addressed, or matters about transparency and openness to which the Government was committed before it was elected and which it has striven manifestly to ensure since we took office.

The country, Madam Speaker—the House first, but the country—must seriously examine the motivation of the Leader of the Opposition in bringing these sorts of motions to this honourable House.

Madam Speaker, I wish I could say that that was the last such instance on which the Auditor General had commented (that is, the Royal Watler Cruise Terminal). But I regret that that is not the case at all.

In the case of the Boatswain Beach report, the Auditor General said, and I quote: **“So, in the final analysis of the \$2.8 million relating to the financing of the Turtle Farm, I believe that over \$1.65 million was of little value to the residents of the Cayman Islands.”**

And Madam Speaker, it cannot be far from our thoughts that the negotiations for this financing deal involved two of . . . well, one of the associates of the Leader of the Opposition, and one of his employees. It is those sorts of matters that cry out for explanation. It is for those sorts of matters that we need anticorruption legislation. But I noted there was no reference to these sorts of matters in the statements made by the Leader of the Opposition.

In the case of the Affordable Housing Initiative—another key initiative of the Leader of the Opposition’s UDP Government—the Auditor General again found gross maladministration, particularly at that time of the Minister responsible. He said, **“In my opinion the unilateral decision to award the contracts to Staunch Limited by the former Minister, who was also the chairman of the NHCDT at that point in time, was inappropriate and not consistent with the manner that custodians of public funds should discharge their duty.”**

Madam Speaker, is that not curious and wonderfully ironic that in the most recent UDP Government of the Leader of the Opposition (which served for three and a half years, up until May 2005) the Leader of the Opposition was chairman of at least two boards of two entities which were constantly embroiled in controversy about the handling of contracts and the misuse of government funds—the Port Authority and the Turtle Farm. His colleague minister, Dr.

Frank McField, was chairman of the National Housing and Community Development Trust.

Now, Madam Speaker, despite all of the controversy which surrounded these—and this is not something that we learned after they demitted office, this is something that was very much an issue during their term of office. Is it not wonderfully ironic, as I started to say, that after 23 years in this House, after almost 9 years in Cabinet (or Executive Council), the last three and a half of which he was the leader of the country and of the government, that now having been relegated to the Opposition bench and faced with a government that campaigned on openness, transparency and honesty in government, and which has been doing everything in its power to deliver on that Manifesto commitment, the Leader of the Opposition has had an epiphany of sorts and now either he spent a lot of time reading the “little red book” or there is some other reason for it, but we are presented with not one, but two motions in the same meeting of the House calling for openness and transparency on the one hand and honesty in government on the other. Now, is that not a wonderful irony?

Madam Speaker, I believe it is plain for the entire country to see the lack of bona fides in both of these motions. For years—if not for his entire political career—the Leader of the Opposition has been the subject of controversy over business dealings. That is no secret.

In 1997, following the First Cayman Bank collapse, when he was a director of First Cayman Bank, all of his colleagues signed a document requesting his resignation from Executive Council, which he proffered.

He got back into Cabinet (or Executive Council as it then was) in November of 2000. He wrested the reigns from the now Leader of Government Business on November 8, 2001. And, Madam Speaker, for the sake of completeness also ensured that you, ma’am, were also relegated to the Opposition benches as a result of the Revocation Motion brought by, ironically, the Second Elected Member for West Bay, who is seconding this Motion.

So, Madam Speaker, having had all of those things happen in the past, particularly in 1997, and having had three years at the helm, one would have thought if he was concerned about, as he says, protecting the integrity of Members of this House, that is why there is such a need for anticorruption legislation, that he would have proceeded forthwith to bring such legislation.

No, Madam Speaker, we did not see or hear anything about it except from the Opposition, of which I was a member, who chanted as a mantra the need for openness, transparency, honesty in government, proper procurement procedures and the like. And Madam Speaker, I know I do not go too far when I say that the whole issue about honesty in government was a pivotal—if not the pivotal—issue in the 2005 elec-

tions. Our campaign theme was "Government you can Trust."

I do not believe that in the history of this nation any government had been so embroiled in questionable deals and issues. The country was in a constant state of turmoil. There was one controversy, one scandal following another. But the Leader of the Opposition, who was then Leader of Government Business, with a majority in this honourable House and the ability to pass whatever motion or bill he wanted to pass did nothing in terms of bringing legislation. He spent most of his time defending his own actions and those of his colleague ministers.

And now, when the chickens have come home to roost, now that he is facing the charges in the Auditor General's various reports, he has the audacity to take up the time of this House with a motion like this calling for anticorruption legislation and amending legislation.

Madam Speaker, I have seen some ridiculous things in my six and a half years here, but this takes the cake!

Madam Speaker, we know the plot. When I sit down and all of the Members who wish to speak have spoken, and the Leader of the Opposition has his opportunity to wind up, he shall do what he does better than any person I have ever met. He shall seek to dredge up everything he can find. He will fabricate issues, he will say just about anything that you will allow him to say (to use an old Caymanian expression) to *blackgyaad*, those of us on this side of this House, Madam Speaker.

But, Madam Speaker, I know that very well. Of course, because he says it is the truth means it is the truth.

**Hon. W. McKeeva Bush:** It is the truth.

**Hon. Alden M. McLaughlin, Jr.:** Because he was born again.

Well, Madam Speaker, that is not for me to judge. I can only judge the actions. I do not know what is in the heart.

Madam Speaker, I have to say this: If the pursuit of great wealth had been my ambition, I would not be here. Such as I have, Madam Speaker, I have earned honestly. And I can tell you honestly and earnestly, every year that I have been in this honourable House I have earned less than the year before. I have no business interest whatsoever. Not even an interest in my former firm anymore.

What I do and what I say here is based on what I believe to be right. I am influenced unduly by no business interest. I have not gotten rich spending time in this honourable House or, more importantly, in Cabinet.

I have no condominiums at the Ritz Carlton. I have no interest in big real estate firms. I have no yachts, Madam Speaker, and a big part of the anticorruption legislation is, or ought to be, to ensure that

Members of this honourable House have to demonstrate where their income comes from, how they rise from rags to riches on an MLA's or Cabinet Minister's salary. That is what the Leader of the Opposition ought to have been bringing motions here about.

**Hon. W. McKeeva Bush:** Yeah man.

Hey look around you.

**Hon. Alden M. McLaughlin, Jr.:** And so, Madam Speaker, I know full well, as I said, that when I sit down the firefight on the other side will begin. But so be it.

Madam Speaker, I can say this, and I say it with as much certainty as a man can have for things that are not within his control: I am associated with an ethical government; I am associated with men and women of integrity.

**Hon. W. McKeeva Bush:** Ha!

**Hon. Alden M. McLaughlin, Jr.:** While the Leader of the Opposition can say what he will, as he always does . . . and he does not care, Madam Speaker. He goes on the radio shows, he says all sorts of things, levels all sorts of personal attacks without any basis whatsoever, and he does it in the name of the Lord, so it's blessed. That's what he thinks.

But, Madam Speaker, I can walk the streets of this country with my head held high. The only people I owe anything to are the people who elected me to represent them and the Bank of Nova Scotia. That is the extent of my indebtedness.

Madam Speaker, this is an honourable office. And this is an honourable House. It is a pity that at times such as this the privilege afforded to all of us as Members is being so badly abused.

**Hon. W. McKeeva Bush:** Ha, ha, ha, ha.

**Hon. Alden M. McLaughlin, Jr.:** I have never (I don't think) seen a more obvious attempt to discredit the efforts of the Government, in terms of creating honest government, of self-interest and a personal assault on a Minister who used to be the Permanent Secretary of the Leader of the Opposition than this case.

In my view, at least that portion of the Motion ought to have been struck out before it even reached this Floor. But the Motion has provided the Leader of the Opposition, and no doubt in due course his seconder, the opportunity, the platform to say what they wish about Government and Members of the Government. I do know that the Government has had and has exercised its opportunity to say what we think about this particular Motion.

So, Madam Speaker, I regret to advise the Leader of the Opposition and his seconder, the Second Elected Member for West Bay, that this Motion will not enjoy my support or, indeed, the support of the Government.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

It would appear as if the seconder of the Motion does not have a lot of confidence in the Motion. Since he did not decide to get up to speak, I thought I would go first.

Madam Speaker, the judiciary in most jurisdictions frowned upon parliament enacting retroactive legislation. But if there ever was a case, because this Motion is about anticorruption and the Government has tabled an Anticorruption Bill, and if there ever was a case for retroactive legislation, this certainly is it. If the Leader of the Opposition was so inclined to table amendments to his Motion, although this is one as I said that the judiciary would frown upon, he could have at least considered making legislation that may come from this Motion retroactive.

Madam Speaker, we could have taken it back until at least November 2001 because when we consider . . . and I am not going to go into any great detail here today on the several reports—special reports—from the Auditor General on the UDP Administration because my two colleague Ministers who spoke before me certainly covered those issues quite adequately.

Clearly, there are so many unanswered questions, police investigations as a result of these reports, that I think the Leader of the Opposition should have at least considered putting some type of provision in his Motion that would have allowed anticorruption legislation to be retroactive. But I suppose, Madam Speaker, that would not have been self-serving and would have very much been something else for the other side of the House to be anxious about.

Madam Speaker, my colleagues who spoke before me spoke about one of the resolve sections in the Motion which says: **AND BE IT FURTHER RESOLVED THAT Government amend the Public Service Management Law, 2005, to ensure that certain civil/public servants such as Chief Officers (Permanent Secretaries) cannot run for a General Election until at least one year after leaving the service;**

And so that resolve, Madam Speaker, has been termed the “Clifford Resolve”; and if that resolve can be termed the “Clifford Resolve” then, certainly, the Anti-corruption Bill which is before the House could be termed the “McKeeva Bush Bill”.

**The Speaker:** Honourable Minister, I must ask you not to refer to a sitting Member of Parliament by name.

**Hon. Charles E. Clifford:** Well, Madam Speaker, I understand that and appreciate that and I will respect your wishes, but they certainly went down that road with me.

Madam Speaker, I will move on from that.

I want to say, though, that in relation to that particular resolve section of the Motion that it is interesting for more reasons than one. We know that it is all about my resignation back in 2004, but there were many other public servants that left office before me and that ran in elections, some of which were successful and others were not.

Madam Speaker, in the same Election (the last Election), the other side of this House, the United Democratic Party, also had a civil servant on their slate of candidates who had resigned from office not too long before the Elections. You do not hear anything about that issue, but of course because I dared to challenge the issues that were presenting this Country, because I dared to expose corrupt practices, I became the target.

Madam Speaker, I became the target during the Election and it did not work. I have been the target since the Election and it is not working, so it has created a great deal of anxiety on the other side of the House. And let me say that my sources have informed me that the other side of this House, the Leader of the Opposition in particular, has said, *‘Cost it what it will, the current Minister of Tourism must not be reelected in this country because he has caused too many problems for me.’*

*[laughter from the Honourable Leader of the Opposition]*

**Hon. Charles E. Clifford:** Madam Speaker, let me say this: even during Election, because I dared to challenge the administration, all sorts of things were done. There were fraudulent advertisements put in the newspaper claiming that memorandums had been written to me about emergency plans for the country and I had not acted upon them. And I am saying all of this to demonstrate the level that some individuals will go to, to discredit someone when they are challenged.

Madam Speaker, I challenged the Leader of the Opposition during the last Election campaign to produce the records from Computer Services to demonstrate to this country when those memos were written, on whose computer, and the date and the time. I challenged him and the challenge was not answered. And I said to the country what I will say to the country now: I leave them to draw their own conclusions as to why that was not done. What I can assure the country is that those memos were fabricated and put in the newspaper as advertisements.

Madam Speaker, in relation to the resolve section that seeks to prevent civil servants from seeking public office for, as the Motion says, at least one year after leaving office, I want to say that these are issues, and this is an issue that is likely to come up

during constitutional talks because there are current provisions in the Constitution dealing with it and we know that there is currently a timeframe in there for that.

Quite frankly, my personal view—and of course I will be guided by the principles of collective responsibility—is that civil servants once they have left the service should be able to stand for office immediately. There is no reason why they should not be allowed to do so in a democracy.

Any Minister in office who is honest, who is prepared to do what has to be done when it comes [to] contracts—such as making sure that there is openness and transparency and that contracts are tendered and that deals are not made in the backroom or under the table—has nothing to fear from any public servant. Nothing whatsoever. But here is the Opposition proffering a view that civil servants should be further curtailed from seeking public office if they choose to leave the public service. Why, Madam Speaker? Why? There is no reason.

Madam Speaker, there has been much debate and talk about openness and transparency and anti-corruption, and both of these motions—and I know that one has been debated and is closed and I am not debating that motion on openness and transparency, but when we are talking about corruption and anti-corruption legislation, it is difficult to escape talking about issues of openness and transparency. And these motions are coming from an administration that was characterised by darkness and secrecy.

And because we went on the campaign trail and we said we were going to be tabling a Freedom of Information Bill and we said that we were going to be tearing the shutters off of the Glass House so the sun could shine through, they did not want that to happen. You know why they did not want it, Madam Speaker? Because they knew that once that occurred there would be a series of independent Auditor General's reports that would expose the issues that occurred during their administration.

Madam Speaker, anyone who reviews the Red Book, which was very, very popular during the Elections—I do not know how many times the PPM made reference to it but it seems as if the UDP would not go on the platform unless they had this Little Red Book in their hand. And now we see today a lot of the things about openness and transparency that we find in the Red Book, under the section of New Culture of Governance and Government in the Sunshine, that many of these principles are being promoted from the opposite side of this House.

Very interesting. Interesting for so many reasons, not the least of which that the current Leader of the Opposition has sat in this House for upwards of 20 years, has been in government in a Cabinet position for the majority of that term, and has never thought once about bringing a Motion to this House on anti-corruption.

Madam Speaker, let us look for a minute at the timing of this Motion because, clearly, if any other Member had moved this Motion in this Legislative Assembly perhaps, perhaps the Government would have taken a different stance. But we have to see this Motion for what it is, which is to fool the general public.

Madam Speaker, when you look at the historical situation, how is it that at this time the Leader of the Opposition would be bringing an Anti-corruption Motion to this honourable House? Let us look at it. What has prompted this? That has to be the question.

Well, there were several special reports but the last one was on the Boatswain's Beach project, and let me hasten to add that according to the Auditor General that is part one of a two-part report on Boatswain's Beach. The actual awarding of the contracts, which occurred under the UDP Administration, that report according to the Auditor General is yet to come. So that is going to be interesting. So we had the Boatswain's Beach special report from the Auditor General.

That was followed by a call from the PPM, a call from the Leader of the PPM for an investigation into the series of Auditor General's reports and all of the allegations that had been made therein.

Madam Speaker, that was followed by an announcement after the Royal Cayman Islands Police Service had reviewed the latest Auditor General's report. That was followed by an announcement by the Commissioner of Police that he was carrying out what he termed a "fact-finding mission". And I am certainly not one to stand here and question the Commissioner of Police. But I can tell you, Madam Speaker, that in my 17 years of policing, any time the police found it necessary to carry out a "fact-finding mission" that was termed an investigation because at the end of the day it is only the police, legal counsel, and the Legal Department, who can decide if anyone did anything wrong, if there were any criminal offences and whether anyone should be charged. That is a complete and separate matter.

Because the police are charged with investigating the matter, they may very well at the end of the day, in conjunction with the Legal Department, determine that no one should be charged. But so be it. It has to follow the process. And so, we will see, Madam Speaker, whether there is going to be a formal investigation or not.

But all of these things occurred, Madam Speaker, and then suddenly—because, of course, the Leader of the Opposition is, as usual, at the centre of all of this controversy—it is at that point that he then tables a Motion in this honourable House calling for anti-corruption legislation. And again, this is after the Government itself had spoken at a post-Cabinet press briefing to say that we had commenced work and, in fact, we were in the advanced stages of completing work on an anti-corruption bill.

The Leader of the Opposition says that he does not know that. I can hardly understand why he

would not know that because it was carried in the newspapers and we know that he certainly does not allow one day to go by before he reads a newspaper—in particular, *Cayman Net News*.

Madam Speaker, when anyone in this country decides to go up against a corrupt administration or a corrupt politician it seems as if that individual must be prepared to be the subject of an attack, or a series of attacks, from many different quarters.

And so when I consider the information that has come to me (as I said earlier, through my sources) about the stance that I have taken on this issue and the fact that the Leader of the Opposition has said ‘*Cost it what it will, [the current Minister of Tourism] must never be re-elected in this country,*’ I have come across all sorts of information and I have been provided with all sorts of information. I have heard and I have seen and I have witnessed all sorts of negative reports and distortions of information with respect to my Ministry in an attempt to discredit me.

And so we see that certain individuals have been strategically positioned in the media in order to attack and discredit the Government, and me in particular. Madam Speaker, I have seen report after report in several of the newspapers and, of course, on some of the talk shows that are certainly geared at targeting me. I mean, I see, as an example . . . When we talk about people challenging corrupt administrations and what they will have to endure as a result.

If you look at the headlines in today’s *Cayman Net News* Issue 1471/Vol. 8 Monday, 10 September 2007 “Qualified Caymanians Expunged”, the whole story is about Caymanians who, according to the *Cayman Net News*, have left the Ministry of Tourism. It talks about the majority of them leaving the Ministry of Tourism.

No one from *Cayman Net News* bothered to contact me to find out any facts. No one from *Cayman Net News* bothered to contact the HR Manager in the Ministry to find out the facts, because if they had done so—and I know that they know this information but they could have confirmed—and they wanted to do a balanced story, they would have certainly said a number of things, including the fact that the current Permanent Secretary in the Ministry is a Caymanian, Mrs. Gloria McField-Nixon. The current Deputy Permanent Secretary who has just been appointed is Mr. Samuel Rose, another Caymanian. The current Corporate Communications Manager in the Ministry, Mrs. Andrea Fa’amoe, is a qualified Caymanian. The HR Manager in the Ministry, Mrs. Dawn McLean-Sawney, is a qualified Caymanian. And one of the individuals who they list here, Ms. Pat Ulett, as being transferred from the Ministry, has been promoted to a senior position in one of the Ministry’s agencies.

But yet we have Mr. Lyndon Martin, who is a former Member of this House and a member of the UDP—who, by the way, Madam Speaker, is currently before the court on criminal charges—writing these kinds of stories in the *Cayman Net News* and they

expect that the Government is going to sit down and say nothing because they are trying to sidetrack the Government and challenge the Government and target the Government because we dared remove them from office? Certainly, they jest.

Madam Speaker, again, when you challenge a corrupt administration and you discuss publicly reports such as the report on the Boatswain’s Beach project you get talk show hosts attacking you and having the Leader of the Opposition come on the show and call not just me [but] also the current Leader of Government Business all sorts of names and make all sorts of defamatory remarks, do you think they stop him once to say, ‘*We are not allowing this on this show.*’ Or even worse, ‘*If you say it on this show we cannot allow it because it is also a liability for this station.*’ Do those two talk show hosts understand that? Perhaps they do but they do not mind paying the cost because perhaps they have been told that it does not matter, cost it what it will.

Madam Speaker, I understand the law and I understand what remedies are available, and that particular radio show, the Rooster radio show hosted by Elio Solomon and Austin Harris—one of which, by the way (Mr. Solomon) has already declared his candidacy for the next election and clearly he will not be running with this side of the House if you listen to him, so I can only assume he is running with the Opposite side of the House. Neither of those two talk show hosts decided to stop the Leader of the Opposition when he continued with his defamatory remarks on public radio.

Madam Speaker, for them it seems like money is no object and I believe that that again was an attempt to create a distraction because they wanted me to launch out with a public action against the Leader of the Opposition and against the radio station. Perhaps that will come in time because there is still plenty of time to do that. But I certainly have too much work to do on behalf of this country to be distracted by that type of rhetoric. And we will see what happens in the future, but I can assure the Leader of the Opposition and those two radio hosts that that matter is not necessarily over.

Madam Speaker, the whole issue of whether or not this Motion should be accepted is certainly fraught with difficulties. The Government has already stated its position, which is that we are not accepting the Motion because we already have an Anti-corruption Bill laid on the Table of this honourable House for public consultation for a period of 60 days when we expect that it will return for a full debate on the Floor of this House.

Madam Speaker, the other resolve section in this Motion (which I spoke about earlier with respect to civil servants) is not acceptable to the Government and therefore the Government cannot vote in favour of the Motion. In fact, there is no utility in doing so, given the fact that there is already the Bill before this honourable House.

Madam Speaker, I know that because this is a Private Member's Motion, when the Leader of the Opposition replies to the Motion, as he is entitled to as the mover, he will, of course, go ahead in his usual fashion and attack every Member on this side of this honourable House who has spoken on the Motion. That is his usual style and that is where he knows he can operate. When it comes on discussing the issues, when it comes on discussing the provisions in this Bill, as an example, he is going to have some difficulty.

Now, he loves to get involved in a fight because he loves to fight, but when we get into the nitty-gritty of this Bill in a subsequent debate in this honourable House, we will see, Madam Speaker, how much of this Bill the Leader of the Opposition will support and how much of it he will want to amend and how much clarification he will seek from his colleagues on this Bill which is currently before the House.

Madam Speaker, again, because I dared to challenge the UDP Administration, and the Leader of the Opposition in particular, I was the subject of other allegations. I know how it feels. I was out there and all sorts of accusations were being made about me removing files and stealing files out of the Ministry, and I even heard the Leader of the Opposition at one public meeting in West Bay really get carried away. He said, *'Yes, he took the whole credenza out of the office,'* and then he went on to say, *'In fact, he took the whole office!'*

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. Charles E. Clifford:** Madam Speaker, in all seriousness, if it was not such a serious matter I would have still been laughing about it, but I remember quite clearly reflecting on the matter and immediately after the claims were made saying to Governor Dinwiddy—I wrote him a very detailed letter requesting that he carry out an immediate investigation into the allegations by the Leader of the Opposition (the then Leader of Government Business) and that I wanted him to report the findings to the public because these allegations had been made public by the then Leader of Government Business.

Madam Speaker, I was happy that before the Election I was able to get a response from the Governor who informed me that he had carried out an investigation and that not only were the allegations false and no files were missing from the Ministry but that one of the files that the Leader of the Opposition claimed was missing did not even exist and this was laid out in a letter from Mr. Dinwiddy.

And I will never forget. I will never forget. I am going to say this again because I know that when I sit down the Leader of the Opposition is going to make all sorts of false accusations and name calling and all sorts of things as he did during the Election. But let me say this: I was happy that I was able to clarify that

issue before the Election and to speak publicly about it in the district of North Side during one of our campaign meetings because . . . It so happened that the day I got that letter from the Governor saying that the allegations were not true, we had a public meeting in the district of North Side which was televised live and on Radio Cayman. I took that letter to that meeting and I presented it and I reminded the public, as I will do today, of the many occasions that the now Leader of the Opposition said publicly that Charles Clifford, the Minister of Tourism, was such a good Permanent Secretary, one of the best civil servants that they had and that he worked so late in the night at great sacrifice to his family.

**Hon. W. McKeeva Bush:** You?

**Hon. Charles E. Clifford:** All of that, Madam Speaker, and the Leader of the Opposition—

**Hon. W. McKeeva Bush:** What a joker!

**Hon. Charles E. Clifford:** —will now today, because I sit opposite him, take a completely different view.

Madam Speaker, I do not mind that but I want to say to him in relation to this Motion that when he is talking about anti-corruption and making those sorts of claims against me, he must remember the many positive things he said about me publicly, and also remember that there are many members of the public in Cayman that will remember his public statements and will judge him against that.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. Charles E. Clifford:** And so, Madam Speaker, the Leader of the Opposition can rumble all he wants from across the Floor. He should have learned during the campaign that it does not scare me and it does not scare anyone on this side of the House. He is not going to bully anyone on this side of the House. He needs to understand that.

Madam Speaker, the public will certainly see this Motion for what it is—an attempt to mislead the public and to create a distraction from the investigation into the Boatswain's Beach situation and the many other investigations that are going on as we speak.

Madam Speaker, I do not know whether anyone else from the Opposition side of the House will speak on this Motion, but I certainly would expect that the seconder of the Motion would do so. Otherwise, he is certainly not going to be looked at in a good light by the public because I believe that even he, in reflecting on this Motion now, recognises the mistake that it was.

And so as I said at the beginning, I do not see the need for me to go over in any detail all of those Auditor General's reports because they are there for

public consumption and inspection and there has been much public exposure on those issues already in this country and no doubt there will be more.

Madam Speaker, given what I have said so far, clearly I will not be supporting the Motion that is currently before this honourable House. I certainly thank you, Madam Speaker, for your patience because I know that this is one Motion that will test your patience from time to time. Perhaps the debate will end shortly, perhaps it will not. But as I said earlier, it is certainly very interesting that a Motion such as this would be brought to this honourable House by the Leader of the Opposition.

Madam Speaker, some may call it suspicious; some may call it obnoxious; some may call it all sorts of things. I do know that it is misleading and I hope that when the Second Elected Member for West Bay—who we sometimes confuse as the Leader of the Opposition—gets up to speak that he, too, will begin to see the light as to what is behind this Motion and will speak accordingly.

I thank you, Madam Speaker.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? If no other Member wishes to speak—

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, I must say that I am reminded of some words that were spoken last week in the House, talking about Members and being at the head of the class when it comes to taking an issue and making the requisite political hay out of it. I must say that thus far the Government has done just that.

Madam Speaker, the Government Bench and the Ministers that have spoken thus far, I believe, have either greatly confused the role of this honourable House or have conveniently forgotten it because for any Minister to get up and say that a Motion that has been approved by the Presiding Officer and put on the Order Paper by the Business Committee to be a piece of business should not be here simply because they claim that at a particular Cabinet press briefing they made mention that they were going to do something about what they said they campaigned on, would be cause for there not to be any other discussion or discourse.

But, Madam Speaker, it really gets back to where we are politically and where we constantly, constantly simply go along the lines that whoever winds up with the majority in the House sets the agenda and that no other Members, other than their own backbenchers, should bring forward issues for debate is one that I think has existed for quite some time.

Because the Government gets up tomorrow and says whatever they may want to say and intend to do at a particular press briefing, does not mean that similar issues cannot be debated, discussed. Madam Speaker, I would have thought that whilst there is a period of public consultation for this Bill that they would have seen the opportunity to debate a similar topic as being important exercise Madam Speaker. My gosh. Why is it so foreign for the House to get up and debate an issue? Why?

Madam Speaker, I believe that all Members of the House are duty bound to act upon issues that they feel are relevant at the time and are for the best interest of the Country. There were no improper motives.

Madam Speaker, we certainly moved what I believed to be, and still believe to be, a Motion that is worthy of debate—serious debate though, not just political posturing and personally attacks. So far, that is pretty much what I have heard. I have not heard the Government Bench get up and say *'here are the merits of the Motion, here are the points that we believe.'* And so perhaps if it were brought by a Member other than the Honourable Leader of the Opposition, then it would have been received in a different light. My, Madam Speaker, how sad the times in which we live!

Madam Speaker, when we moved this particular Motion we were not aware of any Bill having been sent to the House and being distributed to all Members. So, if the Government had gotten up and said the Bill had been tabled and had been distributed to all Members, yet we still came with a Private Member's Motion, I could start to see the point they were making. But, Madam Speaker, the Motion was moved, it was accepted, and then, yes, we have now seen a Bill that is a discussion Bill that was circulated to us as honourable Members of this House. And, Madam Speaker, it was circulated to us in a letter dated 16 August 2007 and Business Paper No. 6.

What I would have thought was that we would have had a debate that would have been one in which the Government was going to take seriously points which would have been raised by all Members of this House and used that as a platform in shaping what this Bill is going to look like in its final form.

I have sat here and heard so much said, and in my reading of the Bill some of the points that have been raised by Ministers of the Government are not even addressed in their own discussion Bill. So that tells me that either their discussion Bill is woefully inadequate or some of the points that they truly believe, which they have come and said here today, did not meet an approval at the Cabinet level and therefore did not make it into the final Bill.

For example, the Honourable Minister of Education made numerous points where he said if the Honourable Leader of the Opposition was serious then his motion and his debate would have called for certain things to happen. One of them was that there be real accountability for Ministers, and he even men-

tioned the point of Ministers being financially accountable for prior actions.

**Hon. W. McKeeva Bush:** Mm-hmm.

**Mr. Rolston M. Anglin:** Is that in the Bill?

**Hon. W. McKeeva Bush:** No.

**Mr. Rolston M. Anglin:** I would hope that that is one of the hallmark features of the Bill.

Madam Speaker, I have not read the Bill in detail, but I have certainly gone through and I have searched in the relevant sections that those sorts of provisions would be in, and I have certainly not found it to date.

I would hope that in their zest to make the Honourable Leader of the Opposition look bad, that some of the points they actually raised, that the Honourable Ministers now would have a little bit of time to reflect—once they have all calmed down from their little furore and feeding frenzy and the political frenzy dies down now that they have got their load off. Because, let us face it: we can always count on the Honourable Minister of Education, the Honourable Minister of Works and the Honourable Minister of Tourism attacking the Honourable Leader of the Opposition. We can count on that. That is par for the course every day of the week, sunup, and sundown. We know that any opportunity they get they do that.

So, while all that is now done I would hope that some of the points they raised that are perhaps good ideas will make it into this legislation. If it does make it into the legislation I would hope that they would start to see that the Motion may not have been as useless as they have all claimed it to be.

Madam Speaker, this again is reflective of the times in which we live and the level of legislative maturity—or immaturity, as some members of the public have often said—the level of legislative maturity that we have here in the Cayman Islands. So I say to all of my fellow colleagues here in this House, many of whom I know do not appreciate the level of debate thus far, and I say to the listening public and those who will perhaps read the *Hansards* of this debate, that this is simply reflective of the times in which we live. There will be someday a new time and a new era in Cayman where we do not always seek for political one-upmanship and tearing down and castigating each other.

I would have thought that the Government would have been happy to have had this opportunity now for all of us to be able to put forward our views on such an important topic. While I agree with all Members who have said no matter what, once you get into this thing called politics you are going to get a bad name, that is par for the course in terms of politics.

I do not care how lily white you think you may be . . . there may be some people who have not been around here long enough to clearly understand that.

We may all think that we are lily white and pure but the public says different. The public says very different and that is just the way it is. That is not just Cayman. Politicians worldwide get a bad name. In most countries there is that general distrust. It seems that the public elects you to get the opportunity to curse you.

This topic, though, this issue, is one that is of critical importance to us moving forward. We want to put in place as many good mechanisms as possible to make all of our lives as easy as possible when it relates to this whole issue of people saying things about you and accusing you of things and accusing you of official corruption.

And, Madam Speaker, really, days like today . . . as we were coming back into the Chamber I commented to the lady Member for Cayman Brac and Little Cayman that days like today are the days where as a younger Member of the House you say to yourself and you really question in your mind whether or not you have made the right decision to move from your private life into public life. I am sure that any young person who hears this debate who may have a very good contribution to make to this country would quickly say to themselves, *'you know, listening to this debate . . . this is exactly why I do not want to get into politics. This type of acrimony is exactly why I will steer clear away from the political arena.'*

I have never been shy in my short time here to say openly and candidly how I see the system. And I make no bones about that. I say that these are the types of days that are not ones that we should be particularly proud of. Irrespective of how any other Member of this House may feel in regard to his or her deep-seated belief, because this is what we are talking about now . . . this is other Members getting up and telling us that this is their belief of someone else's motives.

Irrespective of how we perceive other people's motives, we should have enough professionalism and enough courtesy to be able to debate the issue and leave the rancour for another day or another time. All Members of this House know that they have those opportunities. If they want to curse me as the Second Elected Member for West Bay, and they want to criticise me, they can move many a motion that can allow that. But to take a motion that has, as I believe, points that are relevant to the times in which we live and points that we should be debating, and to take it and simply go on an attack, so much so that two of the three speakers thus far from the Government bench had to take time out of their time on their feet and absolutely waste the time of this House and themselves judge the Christianity and beliefs of the Leader of the Opposition.

I note that the Honourable Minister of Education, who is a lawyer, is oh-so-cautious about how he brings those points up because he wants to be able to—and he does very successfully—skirt the topic so that he can somehow feel as though he has judged no one. But I think he needs to understand that the Being

we call God is not fooled by the fancy and frilly ways in which he or any of us speak. The God that I believe in . . . I am not sure he believes in any. And if he does I am not sure which one he believes in. But [if] the God that I believe in is the same God he believes in he needs to be reminded that that God sees the motives even of the heart. Even of the heart!

You see, Madam Speaker, what we have seen and witnessed today is what I call downright “gutter style” politics. Every issue that has been raised thus far by the Honourable Minister of Education and the Honourable Minister of Works in particular, those two Ministers, every issue that they raised were issues that can be debated and they will have the opportunity to debate in other settings of other forums.

So what they did was to take what they perceived to be the “sins” of the Leader of the Opposition and use that to then say, *‘if you’re this great a sinner how dare you come to this honourable House and talk about a pure topic.’*

I certainly hope that the Honourable Ministers of Education and Works are two gentlemen that are 110 percent pure! Because for them to take that angle, for them to say that whether or not an issue should be brought by a Member is based on their perspectives of that Member as a person dictates whether or not that Member is even worthy of bringing the motion. Then I say to them that they should be very pure themselves. If they are going to use that type of argument, that type of argument can be made against all of us.

Madam Speaker, there are certain specific points that both of those Ministers have raised, which the Honourable Leader of the Opposition is going to deal with himself because he is best equipped to deal with them specifically. But there are a couple that I think perhaps need a little reflection.

The Honourable Minister of Education mentioned the insurance settlement with Cayman General. If you left what he said without addressing it, he spoke as though the Honourable Leader of the Opposition (who was then the Leader of Government Business) went into some room all by his lonesome along with whoever the other respective parties were and made a deal and came back to the country and pronounced ‘here is the deal.’ He spoke as though there was no one else involved with this insurance settlement. He spoke as though there was no one else in Cabinet that had any bearing on this at all.

I clearly remember when this issue was first brought to the country (in the wake of Hurricane Ivan) that there were other Members involved, persons like the Honourable Third Official Member. And in their zest to paint the Honourable Leader of the Opposition black, to paint him as black as possible and to taint him as much as possible, they wildly pull everything out of their arsenal without, I believe, in some instances thinking ‘who else was involved?’ And the other cute trick, the cute trick always is *‘oh well, I am not afraid of you.’* They always say that over the mi-

crophone to make it seem as though the Honourable Leader of the Opposition is over on their side of the House with some sort of baseball bat behind them. But that is another political trick.

The trick is to continue to paint a person the way that you want the public to perceive them. So, at the end of the day, one thing we have seen is that when it comes to the politics and when it comes to being consistent there is none better than the People’s Progressive Movement in terms of their political agenda and how they want to shape people’s reality. They want people’s reality to always be theirs because if the people’s reality is always theirs, then they feel they can keep the people on their side.

You see, Madam Speaker, other than when I hear the Honourable Minister of Health get up, that is when I can say in my heart that a statesman is getting up who is going to paint a balanced picture and let the chips fall where they may. That is his approach. And I appreciate that.

Madam Speaker, I am not going to stand here and try to say that the Honourable Leader of the Opposition and I are as innocent as two babes who were just born five minutes ago. But at the same time, to not debate the merits or demerits of a Motion and to simply get up and criticize and cause acrimony and to have conjecture and speculation in certain regards, shows me that the Government is not really serious about this topic; the Government is not really serious about anything that is in this Motion.

I see a continuation of a clear political agenda, that is, destroy the Honourable Leader of the Opposition—that makes it easier for us at the next poll. And, Madam Speaker, if anyone else’s name gets called into question, collateral damage. That is all it is written down to.

**The Speaker:** Honourable Member is this a convenient point in your debate to take the afternoon break?

**Mr. Rolston M. Anglin:** Yes, Madam Speaker.

**The Speaker:** Proceedings will be suspended for 15 minutes.

**Proceedings suspended at 3.44 pm**

**Proceedings resumed at 4.05 pm**

**The Speaker:** Please be seated. Proceedings are resumed. Continuation of the debate on Private Member’s Motion No. 3/07-08. Second Elected Member for the district of West Bay continuing his debate.

**Mr. Rolston M. Anglin:** I thank you, Madam Speaker.

Madam Speaker, before we took the brief afternoon break, I was about to go on to another point that is simply a fact of life. Another plank that has been used thus far to support their arguments—that

is, planks used by the Honourable Minister of Education and the Minister of Works—is *why they found it so amazing that this Motion could be here today*, and that while the Honourable Leader of the Opposition was the Leader of Government Business, according to them, *nothing was done and such a bill was not brought*.

Now, Madam Speaker, I find that to be really stretching to make an argument because when we look back and we are honest about all the issues that were faced from 2001 through May 2005, and we look at the attention that those items were given by Government, how can it be that the argument could be made today that simply because a Bill was not brought then, that automatically now disqualifies the Honourable Leader of the Opposition from bringing this Motion?

Madam Speaker, I would go so far as to say that if one of their backbench Members had brought this Private Member's Motion they probably would have gotten up, some of them—at least one of them—and said that the Honourable Leader of the Opposition should not have even debated it—

**Hon. W. McKeeva Bush:** Mm-hmm.

**Mr. Rolston M. Anglin:** —because they, in their infinite wisdom and way of thinking, see it that way. It seems as though there are some people on the Government Bench that still have a problem with the whole issue of the essence of debate, and so when engaged they tend not to appreciate any weaknesses being identified and exposed by any of their Members.

Madam Speaker, I could easily get up and say that based on their campaign promises and the way in which they talked about “Government in the sunshine,” and the way they talked about “honesty in government” . . . I could easily get up and criticise them now and say, *‘How come it is that it is more than two years since being elected and they are only now getting this Bill to the House?’* Two years, three months almost to the day—16 August—that is when it was distributed to Members. We could easily say that but why? Why?

Why would I make that as a point or as a plank of a debate? No need to make that as a point. But the bottom line is they start using all these days and years and months and talking about, *‘Oh, well, when the Honourable Leader of Opposition was the Leader of Government Business he was there for three and a half years and did not do it.’*

**Hon. W. McKeeva Bush:** Yeah, they are going into their third year!

**Mr. Rolston M. Anglin:** Now they have been here two years and three months. It is here now.

There are lots of things that dominated the times of that prior administration. When we look at having to go off to London, part of a Constitution mod-

ernisation process in December 2002, they think that that just happened so? When we talk about the debacle where it was found that the then Honourable Second Official Member and Attorney General had knowledge of the UK Government spying on the Cayman Islands and it taking months to get any settlement with the UK Government to remove him from the territory and have him out of office and the fight that we had with that: I suppose that only took a day.

I suppose that the dramatic fallout in our economy after the attack on the Twin Towers in New York City and where we were economically to where we had gotten to before Hurricane Ivan are all things that took no time.

The European Savings Directive, trying to produce a balanced budget . . .

**Hon. W. McKeeva Bush:** And saving money!

**Mr. Rolston M. Anglin:** But you see, Madam Speaker, what happens is that painting a balanced picture is usually not a part of the agenda of most Members' of this House and not a part of their motive and will not form therefore part of their contribution when they speak.

Now, Madam Speaker I have made no bones about it from the very first time that I spoke in this House after having had the honour of being elected in 2000. I am not perfect. But when I get up I am going to try my best, not just in empty words, to deliver some sort of balance in a contribution to any debate.

I can understand, Madam Speaker, why it is that the Government would feel unease with the Private Member's Motion, because, you know, they feel as though some part of their thunder has been stolen. I can see why they would have some great unease when it relates to the resolve that deals with civil servants and having a minimum required time before they run for an election.

You know what is so hypocritical about that point, though, Madam Speaker? If the Honourable Minister of Tourism was not a member of their ranks—

**Hon. W. McKeeva Bush:** *[laughter]* If he had not given him so much information!

**Mr. Rolston M. Anglin:** If the Honourable Minister of Tourism was not a member of their ranks, in my opinion, Madam Speaker, every Member on that side of the House would be clamouring, saying that that should be something that should be in this country. Every single one of them would be people that would be rationally thinking and saying you know what? Yes, you cannot have a situation where someone who can be so close to an incumbent politician and therefore in being so close be able to go out and say things that the public will naturally buy into and naturally believe because they are going to say, *‘Well, he was the Permanent Secretary. So if he was the Permanent*

*Secretary, then, oh, that is why he left. That is why he did this and did that.'*

But you see, Madam Speaker, they are caught in a fix. The fix is, he is one of their ranks and so at this point in time it will be awfully difficult to support that resolve.

**Hon. W. McKeeva Bush:** Mm-hmm.

**Mr. Rolston M. Anglin:** I know within my heart of hearts that I have absolutely, positively no problems supporting that resolve irrespective of whether the Honourable Minister of Tourism was elected or not. We had this same issue that we talked about at length during the 2000 Campaign because there were civil servants at that time in our district who left the civil service at the eleventh hour and ran. And even then we talked about it and about it not being the right thing to do.

Madam Speaker, you see, when positions naturally have to shift to accommodate one's circumstances is when life can become awfully tricky and, in many instances, awfully uncomfortable.

Madam Speaker, to move on to another point that the Honourable Minister of Works raised and spoke at great lengths to, is this whole issue that if civil servants—senior civil servants, in particular, which is what the Motion speaks to—have to declare and have in a public registry their interests how somehow that . . . it was a rallying cry to civil servants that this Motion and therefore its movers and therefore the Opposition were somehow looking to victimise civil servants.

Madam Speaker, I initially was not even going to address the point, but the more I thought about how preposterous a position it is, the more I realised it was a point that had to be debated.

Madam Speaker, we know about all the talk that has been on the street for years, and not just today, about certain senior civil servants having their departments and/or ministries do business with companies of close relatives or acquaintances or principals or shareholders of, but somehow we talk that talk in the Common Room, we talk that talk and thump our chests when nobody is listening. When the public cannot hear we talk about it and talk about how awful it is and how that cannot be right and we cannot allow that to continue any longer. But as soon as we start talking about let us come up with mechanisms of how to truly make the entire system transparent . . . the Third Elected Member for George Town spoke eloquently about how we get cursed in a recent debate, and I could not agree with her more. All of us live it every day. But the reality is, when we talk about behaviour that goes unnoticed, we have to admit and understand that it happens within our government sector as well.

Or are we going to put on those blinders that we had back in 2001, during our first budget contribution and debate, and it was the Finance Committee

section where we were told—and I will never forget this—that of all the 2,600 (I think it was at the time) permanent established posts in the civil service, when an evaluation was done across the system the last time only one person did not meet expectations.

Now, Madam Speaker, obviously that was the factual position that obtained as it related to the official record, but none of us in this House and in that Committee believed that to be an accurate reflection of reality. There are just certain things that are a part of reality. And the reality is, when you have a \$400 million-plus budget and when you have an organisation that involves thousands of people, we have to be careful and we need to put in place as many checks and balances within the system that make the system firmer and more transparent and more accountable and less prone to any sort of untoward behaviour.

Now, Madam Speaker, we passed the Management Bill that relates to civil servants. There is a code of conduct and yes, we are making strides and we are going down a road that we hope is going to assist with this issue and many other issues as they relate to making the Civil Service more accountable, more transparent and more efficient. But why is it such a terrible thing to talk about the most senior rank of civil servants saying that if you hold that post then you will be held to a higher bar? If you are going to hold that post, well, along with that post come these responsibilities.

You see, Madam Speaker, that sort of debate by the Honourable Minister of Works runs completely contrary, I believe, to the point that was raised by the Third Elected Member for George Town. Yes, we are the ones that are the politicians and we are the ones that get cursed, but I think all of us need to ensure that when it comes to the bureaucracy that runs this country, the engines of this country are not executed by five Ministers; they are but five human beings. That is why there are thousands of civil servants behind them.

That is why when you see a Ministry that has a Chief Officer, a Deputy Chief Officer and a number of Assistant Chief Officers, there is a reason for that. There is a management structure and system in place that needs to execute the policy directive of the government of the day.

What we are saying is that the key players in that exercise need to be held to a higher level of account than your average, ordinary civil servant who may be just answering the telephone.

And so the wild comment that the Minister made that soon there will be no civil servants and there will be no one that is going to work for government because of mentioning these standards, it is just that, Madam Speaker—it is a wild comment that, really, I do not believe the Minister believes himself. I think he was caught up in the moment and sometimes things come out in ways that are not quite the way you intended. That is my hope, Madam Speaker. That is my hope.

**Hon. W. McKeeva Bush:** Hope? *[inaudible]* — for him *[inaudible]* . . . done gone!.

**Mr. Rolston M. Anglin:** Madam Speaker, we also need to reflect on another important piece of this whole puzzle that the three Ministers have tried to paint so far, but in particular the Minister of Education and the Minister of Works. Those two Ministers gave us their rendition of history. They gave us their version of how they remember things and see things.

However, Madam Speaker, I think the country and the House—House first, then the country—need to also be reminded that when they started talking about the government-owned companies and statutory authority boards that the Honourable Leader of the Opposition was chairman of during his tenure as Minister, that we also need to remember that he was not the only person who sat on those boards. It was not like he was a chairman who sat in a room all by himself, talked to himself, came up with directives, came outside the room and said, ‘*And it is so.*’ There were other members. There were other members who were on those boards.

Madam Speaker, any of us that have sat on boards know that in most instances what chairmen try to do is direct the agenda that is set and usually do not even get involved necessarily in voting. You try to build a consensus so that your board is unanimous because you do not want any splitting or splintering of the ranks within your board because soon you are going to get people who will resign from your boards, and that then calls into question your leadership on the board.

Madam Speaker, much hay was made about the Port Authority and the Turtle Farm. Both of those boards, if memory serves me correctly—and I was trying to jot down some of the persons I remember that served on those boards—had a large number of persons I would deem to be responsible, even-keeled, respected members of the Cayman Islands community.

Madam Speaker, if memory serves me correctly, the Port Authority Board had persons like Mr. “Sonny Boy” Bodden (James Bodden) on the board; Mr. Frankie Flowers, Jr.; Mr. Rudolph Garvin, who is an experienced seaman who was a chief engineer and served as a chief engineer on many, many US flagships; of blessed memory Mr. David Foster; and Mr. Rayburn McLaughlin; but even on that board was the then Permanent Secretary of Tourism who is now the Minister. He was on the board.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Rolston M. Anglin:** Madam Speaker, on the Turtle Farm Board there were the likes of Mr. Joel Walton, Deputy Chairman (I think he is now the chairman of the board); Mr. Tim Hubbell; Mr. Carlyle

McLaughlin, a well respected accountant and longtime partner at one of the big four accounting firms; Mr. Bob Soto; my own colleague, Capt. Eugene Ebanks; and again, the then Permanent Secretary with responsibility for that Ministry who is now the Minister.

**Hon. W. McKeeva Bush:** *[laughter]* Who signed the cheques!

**Mr. Rolston M. Anglin:** And so, Madam Speaker, when we look at these boards in a vacuum and simply talk about who the chairman was, I know what the agenda is. The agenda by the Members was to simply leave it out there that the Minister was the chairman; leave it at that so that you leave the impression, and you leave on record the impression that because he was chairman is why all these things that they say have gone wrong and the Auditor General has criticised . . . Therefore let us leave it at that, without fully looking at the fact that these boards had as directors many persons with good business acumen, highly respected in the community and persons who, in their own right, have been extremely successful.

Now I know that they are not going to criticise those people because then that would not be politically expedient.

The agenda, Madam Speaker, is to ensure that the Honourable Leader of the Opposition is weakened, is destroyed, because that then makes the politics of the Island so much easier. And at the end of the day, that is an important consideration and an important motive.

Madam Speaker, getting back to what the Government has dubbed the “Clifford Resolve” I clearly remember the days after the Honourable Minister, who was then the Permanent Secretary, resigned. All sorts of things were being said in public: not running for public office, taking up position in the private sector, all sorts of good stuff. But in my view, it was good political posturing and good maneuvering politically because I certainly was not surprised when all of that was tossed out the window and he was a candidate in the election. I was not surprised at all.

But, you see, Madam Speaker, when we look at what can happen if a civil servant seeks to use his position politically and then enter the political fray, none of us, being honest with ourselves, can truly say that we are comfortable that as things stand it is a scenario and situation that we feel comfortable with and that we feel should continue to exist in the long term.

Madam Speaker, I am about to wrap up.

#### Hour of Interruption—4.30 pm

**The Speaker:** Honourable Member, it is the moment of interruption. I will entertain a motion for the adjournment of this honourable House.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.  
Just to advise honourable Members that the House will not sit on Wednesday.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. D. Kurt Tibbetts:** So, Madam Speaker, I move the adjournment of this honourable Legislative Assembly.

And there is the opening of the Tourism Conference on Thursday morning, so I would move the adjournment until 11 o'clock on Thursday morning.

**Hon. W. McKeeva Bush:** Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** The House adjourned Thursday and was not able to sit on Friday. We were not given an explanation. Can we be told what is happening that we cannot meet on Wednesday?

**The Speaker:** Honourable Leader of the Opposition, that is a precedent that has been set in this House by any government who has a business to carry on over the years.

**Hon. W. McKeeva Bush:** [inaudible] Madam Speaker.

**The Speaker:** It is not the Party's business coming.  
The question is that this honourable House do now adjourn until Thursday morning at 11 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until 11 am on Thursday morning.

**Hon. W. McKeeva Bush:** Yeah, we need to know. I mean, they just cannot come and tell you this.

**An Hon. Member:** I hear you. I hear you.

**At 4.33 pm the House stood adjourned until 11 am Thursday, 13 September 2007.**

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**13 SEPTEMBER 2007**  
**10.35 AM**  
*Sixth Sitting*

**The Speaker:** I will ask the Honourable Third Official Member to say Prayers.

**PRAYERS**

**Hon. G. Kenneth Jefferson:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.37 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** I have no messages or announcements.

**QUESTIONS TO HONOURABLE  
MINISTERS AND MEMBERS  
OF CABINET**

**The Speaker:** Question No. 16, deferred question standing in the name of the Third Elected Member for the district of George Town and is asked of the Honourable Minister responsible for Communications, Works and Infrastructure.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

**Question No. 16**

***Deferred from 5 September, 2007***

**No. 16: Ms. Lucille D. Seymour** asked the Honourable Minister of Communications, Works and Infrastructure to give a detailed explanation of his intended plans for the revitalization of the centre of the George Town district with particular emphasis on the main streets of George Town.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, the revitalisation of the centre of George Town will require a multifaceted, multi-agency approach which involves the Recreation, Parks and Cemeteries Unit, the Department of Environment Health, the National Roads Authority, the Public Works Department, the Planning Department, utility providers, the Port Authority, land owners and other entities. The success of this programme is dependent on all of these stakeholders working together with a common "vision".

In order to carry out this common "vision", a number of infrastructural improvements and/or enhancements are planned for the main streets in the centre of town (commonly referred to as the central business district). For the benefit of the Members of this Honourable House and the listening public, the initial parameters of the central business district have been defined as follows: North Church Street to Eastern Avenue, to Shedden Road, around the western periphery of the Airport to Smith Road, west on Smith Road to Walkers Road, south on Walkers Road to Memorial Boulevard, west to South Church Street, north on South Church Street to Harbour Drive until it joins North Church Street including all of the area located within these boundaries. The following is a

summary of the planned improvements which involve work being carried out by Government entities working under the guidance of the Ministry of Communications, Works and Infrastructure:

### **THE RECREATION, PARKS AND CEMETERIES UNIT**

As a part of the revitalisation plans for the centre of the George Town Business District, the Recreation Parks and Cemeteries Unit will be responsible for various infrastructural upgrades which will improve the way our main streets look and function.

In order to begin this process, \$792,420 was approved in the 2007/2008 Budget for the George Town Pedestrian Facilities and Beautification Programme. The objective is to upgrade many of the pedestrian facilities in George Town, which include sidewalks, pedestrian crossing areas and wheelchair ramps. Also within this effort is the provisions for the construction of public bathroom facilities, presently lacking in the capital.

Pedestrian accessibility will be improved by installing wheelchair access ramps and guard rails on all sidewalks starting from South Church Street, Harbour Drive and North Church Street and along Eastern Avenue, Shedden Road and Elgin Avenue. Some corrective repairs and new sidewalks will have to be installed to ensue that all sidewalks are fully functional. All sidewalks will be cleaned on a daily basis with the assistance of new street/sidewalk sweeping equipment, which, Madam Speaker, arrived recently—about a week ago.

Improvements will be made to the streetscape such as the area around the George Town Clock, Hero's Park, and George Town Public Library. The area surrounding the Town Clock will have the pavement upgrades with concrete pavers, with protective bollards for the Town Clock and landscaping to improve the aesthetics and to transform this area which has historically been used as a parking lot into a more dignified area.

The landscaping of other open spaces and traffic islands will be carried out to enhance the ambience of the town centre. Significant features will be provided with interpretative signage to explain their historical importance where possible. The installation of aesthetically pleasing trash receptacles throughout the main streets will assist with the problem of litter collection and disposal.

Shade structures, trees and benches will be added in George Town which will help to provide areas of refuge for the mixed pedestrian traffic of residents and tourists.

Continued efforts to beautify the main streets and surrounding spaces through art installations and features will be promoted through public private partnerships.

An initiative to upgrade signage along the main streets to a more aesthetically appealing style is

also underway. This will also include working with the Planning Department to ensure all other signage installed along the main streets meets the planning requirements.

Other planned improvements, such as additional parking alternatives including bicycle racks and the installation of additional public restroom facilities will also help to improve visitors and residents experience in the centre of George Town. Currently sites are being examined to determine a number of appropriate locations.

With the co-ordination efforts of the Recreation Parks and Cemeteries Unit it is intended that many of these improvements will be completed within the budget year.

### **THE DEPARTMENT OF ENVIRONMENTAL HEALTH**

The Department of Environmental Health will continue to collect refuse in the central business district.

### **THE NATIONAL ROADS AUTHORITY (NRA)**

The NRA has been charged with the duty of resurfacing all roads in the central business district. To date the NRA has completed resurfacing on Shedden Road, Eastern Avenue, Harbour Drive, Cardinal Avenue, Albert Panton Street, Main Street and Edward Avenue.

Other roads slated for resurfacing include Crewe Road (Jose's Esso to Tropical Gardens), Boilers Road, Smith Road and Walkers Road. The paving of Crewe Road began on 10 September, 2007.

The National Roads Authority will continue to maintain the roads and drains in the centre of George Town.

### **THE PUBLIC WORKS DEPARTMENT**

The Public Works Department, in conjunction with the various ministries and portfolios, will continue to upgrade and maintain the various government owned buildings. Historic buildings such as the George Town Post Office, the George Town Town Hall and the George Town Public Library will be given special attention to preserve them for future generations. These buildings will be washed and repaired on a regular basis. The George Town Town Hall, in particular, is in dire need of repair work and it is this Government's intention to effect these repairs.

Thank you, Madam Speaker.

### **Suspension of Standing Order 23(6) and (7)**

**The Speaker:** Before I ask for supplementaries, I need the suspension of Standing Order 23(6) to allow the Third Elected Member for the district of George Town to have more than three questions on the Order Paper in any one day's sitting. And I need a suspen-

sion of Standing Order 23(7) to allow Question Time to go on beyond the hour of 11 am.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. Do I need to move them separately or . . .

**The Speaker:** No, we can move them 23(6) and (7).

**Hon. D. Kurt Tibbetts:** I beg to move the suspension, Madam Speaker, of Standing Order 23(6) and (7) in order to allow a Member, not only to ask more than three questions for the day, but also to allow for those questions to be asked after 11 am.

**The Speaker:** The question is that Standing Order 23(6) and (7) be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 23(6) suspended to allow more than 3 Questions, standing in the name of the same Member, to appear on the Order Paper. Standing Order 23(7) suspended to allow question time to continue beyond 11 am.**

### Supplementaries

**The Speaker:** Are there any supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I wish to ask the Minister if it is his intention to hire a town manager to facilitate these projects, the revitalisation of the business district in particular, in George Town.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, thank you.

Madam Speaker, the Ministry is in the process of recruiting an assistant manager who will be responsible for the operational management of the unit to ensure that the recreational facilities, parks, public beaches, jetties, public open space, boat launch ramps and cemeteries in the greater George Town area are fully maintained in respect to the central business district.

Madam Speaker, this manager will also be assisted by a supervisor and five other workers. It is anticipated that these staff members will be in place before the end of October.

There is a plan for this entire recreation, parks and cemeteries unit which is still being refined by the

Ministry, but certainly, when it has been completed I will endeavour to make it available to all Members of Parliament in order that they will know what the plans are and the process is for each individual district.

**The Speaker:** Are there any further supplementaries?

Honourable Members, if you have a supplementary, I am going to ask that you stand in your place and then I can recognise you, rather than just holding the microphone.

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, let me congratulate the Minister for explaining in such detail what is going to be done and is long overdue for the business district of George Town. Would he explain to me what is the piece of equipment that he has for the streets of George Town?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I believe all Members of this honourable House have been to some country where the streets are vacuum swept with little machines. You have a single driver and they drive up on to the sidewalks and clean the curbing with large sweepers sweeping the debris inside and then a vacuum pulls it up. That is precisely what we are going to do in central George Town.

The machinery, as I said in my substantive answer, arrived some time last week. It was on special order for some time, and because of that it has taken us a few months to get it. It is a Madvac; I believe that is the manufacturer. We are going to start with one of those. I cannot tell the honourable House what time, but we are going to try different times to see when we can go and sweep the streets. Certainly it will not be during the day. The intent is to either start, like, four o'clock in the morning or maybe 12 o'clock at night. We will have to adjust that to see how long it takes to get the streets swept for the morning commute of residents and tourists into the central district.

But, Madam Speaker, I should also say here now that I am a little disappointed with the merchants in George Town. We paved the streets and we need them to help us keep them clean as well. So maybe that is one of the things they could assist us with.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, the Honourable Minister made mention that the piece of equipment was specially ordered. Can he inform the House of what sort of experience the manufacturer has and what sort of warranty is in place for the piece of equipment?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I really cannot give the House to any degree what the warranties are on the piece of equipment. However, I can say that it is a very popular piece of equipment and is used worldwide. In particular, it is used extensively in America. They are, by all accounts, very reliable. It is not a piece of equipment that has just sprung up overnight; it has some history to its origin.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, the Minister's plea to merchants in regard to (what I understand) caring for the sidewalk in front of their business [places], would the Minister inform the House as to whether or not there is any legal responsibility for those merchants to care for that sidewalk, or is that considered part of the public roadway?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, in a number of instances, the sidewalks are in the public roadway. However, in a number of other instances, there are sidewalks that are much wider, and so the businesses, to facilitate their businesses, constructed their development in that manner.

Those are the things that we are going to be looking to the public to assist us with, to help us with sweeping those because a lot of those this equipment cannot get up on. They are too high and they do not all join together, so there is no continuity with some of the sidewalks.

But if the proprietors in George Town were to ensure that the front of their properties are kept clean or around their properties on the sidewalk, then we can do the street and assist with the sidewalks also.

**The Speaker:** I will allow two more supplementaries.

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Could the Minister say in relation to trucks that dump filth on the roads—and I know he has addressed this before—in particular, from the Port . . . and often times too we see where cement trucks have spilled cement that has hardened on the road and stuff like that. Could the Minister say what is being done in this regard, rather than us just going behind and cleaning up? Is there is any liability in this regard and how is it going to be dealt with?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, before I answer that question, let me welcome two of the young recruits to the Ministry. They are Mr. Perry Powell and Mr. Troy Jacob who are here with us today. It is their very first time being in these hallowed Chambers. And you know how frightening that can be at times. But I would like to thank them for coming as support staff and welcome them to this honourable Chamber, and the Chief Officer as well.

Madam Speaker, in answering that question from the Third Elected Member for Bodden Town, there are some challenges we have with trucks in George Town, particularly those that transport aggregate from the docks.

I met some time ago with all of the importers of aggregate and impressed upon them the need for them to ensure that the transportation of that aggregate, which is usually from the Port Authority dock up to the central Industrial Park, is done in the proper manner.

Now, Madam Speaker, I believe, by and large, they have done a fairly good job since then, but every now and again we will see a little bit of spillage on the street. But since talking to them they have paid much closer attention to it and whenever they spill they tend to get the majority of it cleaned up before the next working day.

On the issue of concrete being transported, Madam Speaker, I too have seen the situation where concrete trucks spill concrete on the street. But the problem with it has always been that it is not reported in a timely manner and we do not know who to hold accountable because there are a number of different types of concrete mixers and trucks on the Island. But it is their responsibility to ensure that the streets are kept clean and there should be no spill because it is definitely overloading of the vehicles.

What I can tell the honourable House also is that we are in the process of reviewing the Traffic Law, and we will be addressing those issues. The other issue we will be addressing is damage that these trucks do to our roads because our roads are not necessarily built for certain weights and we will be addressing that, as well and seeing what can be done to mitigate that.

**The Speaker:** Last supplementary.

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I wish to again thank the Honourable Minister for saying that he would involve the private sector in keeping their businesses, in particular their sidewalks, clean.

I wish to ask the Minister, Madam Speaker, if there is a solvent that perhaps he knows about in terms of removing chewing gum off the sidewalks. In George Town, in particular, if you walk about into business districts of George Town you will see nothing but chewing gum laden on the sidewalks of the business sector.

**The Speaker:** Honourable Minister for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, one thing I can say about the Third Elected Member for George Town, she is always on cue.

One of the pieces of equipment that we are looking to purchase is a steam machine; it is a particular piece of equipment that you walk around the chewing gum with steam and lift it off the pavements.

**The Speaker:** Thank you.

Question No. 17, standing in the name of the Third Elected Member for the district of George Town, is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

**Ms. Lucille D. Seymour:** Thank you.

#### Question No. 17

**No. 17: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Communications, Works and Infrastructure to say what plans are being proposed to ensure proper disposal of garbage and refuse by householders to facilitate proper sanitation hygienic conditions and healthy environment in the Cayman Islands.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, the Ministry of Communications, Works and Infrastructure established a Solid Waste Strategic Management Committee (SWSMC) to assist us in an advisory capacity by researching, reviewing, compiling and updating the Waste Disposal

Options Review report (which was 2003), and by considering and making recommendations for the way forward for the most suitable, municipal solid waste management strategies and procedures as they relate to waste-to-energy, waste reduction, reuse and recycling in the Cayman Islands.

Also, the SWSMC has created a subcommittee dedicated to developing a recycling and educational programme for the Cayman Islands. This subcommittee has diligently worked to prepare a report and within the next week will be presenting it to the SWSMC. This report will detail the best way to proceed with the implementation and promotion of both a recycling programme and a comprehensive educational programme.

Building on this phase, a comprehensive report from the SWSMC is scheduled to be completed over the next three to four months. A consultant team has been selected through the Central Tenders Committee to assist with the evaluation process of the most suitable form of waste-to-energy technology. However, the following is a synopsis of the ongoing works related to the matter.

The Little Cayman Landfill is currently undergoing restructuring and reorganisation. Upon completion, the public will have an elevated drop-off area that will allow them to separate their waste for recycling. To make the site more sanitary an air curtain burner has been purchased and put into operation for disposal of the remainder of the waste stream (garbage) which cannot be separated and recycled. Because of the controlled incineration no more "open dumping" will occur at the site. Additionally, a Bobcat loader with multiple attachments has been purchased to help service the site. It is our intention to construct a new operations building on the site before 31 May, 2008.

As an integral part of a national recycling and educational programme, the SWSMC, with technical and operational support from the Ministry and the Department of Environmental Health will undertake a pilot project in Little Cayman to set up a comprehensive recycling programme. The project will include a new recycling area at the landfill as well as collection bins placed at strategic locations for the separation of selected recyclable products. An extensive public education and promotions programme will be implemented and partnerships will be formed with local businesses on Little Cayman.

The Sister Islands Tourism Association (SITA) has enthusiastically agreed to become our major partner in this exciting new initiative. In addition, new equipment and vehicles are now being sourced as a part of this process. It is also planned that after a certain quantity of recyclable products are collected, they will be shipped to Grand Cayman for further processing and shipment overseas.

In Cayman Brac, the management of the landfill has been greatly improved. The operation of the landfill now includes some separation of materials and a much improved covering regime; thereby, reducing

many nuisances at the landfill. New equipment was also purchased for the Brac operations including a grabber truck, one residential collection garbage truck, one DC6 dozer, one tower light unit with generator and some commercial containers.

Additionally, the Brac landfill is now staffed full time with one worker to instruct the public as to where and what to dump at the site. Currently, there is separation of derelict vehicles, scrap metals, white goods, tires, used oil and other recyclables (batteries and aluminium cans) from the waste. The recyclable products will be shipped to Grand Cayman once sufficient volumes are generated, mostly on an annual basis. It is also planned this fiscal year to expand the chipping and shredding of vegetative wood waste. All of these processes improve the efficiency and operations of the landfill while saving landfill volume/space.

Also in Cayman Brac, a full scale Environmental Impact Assessment is underway to determine any and all impacts of a new engineered sanitary landfill proposed for 100 acre Government parcel on the Bluff. It is expected that the assessment will be completed by October of this year.

On Grand Cayman, all operational procedures have been and are continuing to be improved. Covering of the waste at the landfill is happening on a more rigorous schedule and many more materials are being separated from the waste stream. Reorganisation and rebuilding of the operational structures are well underway. Upon completion, the landfill will have four new buildings and a new upgraded oil recycling facility.

The sale and removal of the scrap metals and derelict vehicles is progressing and will provide significant space and improve operations. Furthermore, the diversion of such waste preserves the limited volume in the landfill for a regular garbage disposal and hence the overall lifespan of the site.

Household waste is still being collected twice a week for all residents and for commercial customers as per the contracted obligations.

Thank you, Madam Speaker.

### Supplementaries

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, the substantive answer just given speaks to [the fact that] the sale and removal of the scrap metal and derelict vehicles is progressing.

Madam Speaker, arising from the controversy of the scrap metal contract and reported up until yesterday in the newspaper, can the Member say how much has been paid to Government from the metal contract?

**The Speaker:** Honourable Leader of the Opposition, I think there is a question before this House by the

Fourth Elected Member for the district of West Bay on that same subject.

**Hon. W. McKeeva Bush:** Okay, thank you.

**The Speaker:** With exactly that wording.

**Hon. W. McKeeva Bush:** Okay, I hope we get an answer, Madam Speaker.

**The Speaker:** Okay.

**Hon. W. McKeeva Bush:** But so far we have not been so successful.  
Madam Speaker?

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Can the Member say how much money has been made from the car-crushing equipment that has been purchased by the Government?

**The Speaker:** Honourable Minister.

**Hon. V. Arden McLean:** Madam Speaker, I do not mind saying, but I do not have it available to me right now. But it is a substantive question by the Fourth Elected Member for West Bay, which I hope to answer by tomorrow—

**The Speaker:** Well, we cannot pre-empt answers to questions that are before the House. So, Honourable Leader of the Opposition, do you have another supplementary?

**Hon. W. McKeeva Bush:** Yes, Ma'am. If it is the one, I hope we soon get it.

Madam Speaker, is the equipment being used?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** The equipment in the form of the . . . what, crusher? Baler. Baler, you mean. Yeah, yeah, yeah. Yes, it is being used, Madam Speaker.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, in the answer the Minister referred to the Solid Waste Strategic Management Committee and the ongoing work that they were doing. I know the Minister would be aware, as we all are,

of the discussions now from CUC concerning the increase in fuel prices.

I am just wondering if he has an idea as far as timing as to when we might see . . . I know he said the consultants have just been hired. I wonder if there is any idea as to timing as to when we may look at some sort of system that will allow some alternate forms of energy to be provided.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, as most honourable Members will know, I have made quite a number of trips overseas with some of the Members here to look at some of these alternative energy sources from solid waste. Madam Speaker, it is my intent to review these in order that members on that Committee and I will get a better understanding of what we are dealing with because we are no experts.

As a matter of fact, we travel to (I think it is) Nevada in the next few weeks to look at products. SWANA (Solid Waste Association of North America) I think it is, their display over there. But on the issue of when we can expect it, I said all that to say, Madam Speaker, these things take a while—they take probably around two years just to build because it is all enclosed and the likes.

What my hopes are is that within, I think we had a schedule of sometime the latter part of next year, which was developed last year, to at least have a contract in place with someone to have a waste-to-energy plant in this country.

Now, we are looking at two years. Madam Speaker, hopefully we should see this thing by 2010, I would like to think. We cannot wait any longer. We need to find alternative methods to dispose of our solid waste and also at the same time to get some credit, green credits for proper disposal and the generation of electricity in the best interest of the people of this country.

**The Speaker:** Are there any further supplementaries? *[pause]* Does the Third Elected Member for West Bay have a follow up to his last supplementary? Will the Second Elected Member for Cayman Brac give way?

Third Elected Member for the district of West Bay?

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker. Just to continue by saying that, having been the beneficiary of one of those visits (not a member of the committee), but having gone and seen the technology that was available, I encourage the Minister to continue pressing forward, hopefully in the near future.

As a follow-up to my question, Madam Speaker, recognising the report in the newspaper concerning the scrap metal, there was a concern

about equipment that was being imported. I wonder if the Minister could give any update as far as the equipment that was being imported that seemed to have caused some controversy.

**The Speaker:** Third Elected Member for the district of West Bay, that is a little bit outside, but if the Honourable Minister is in a position and is prepared to answer it, I will allow it.

Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

We all came in here together. He is just as good as we are on this side. And I must applaud him for that.

Madam Speaker, when this was done the initial controversy over this scrap metal, we said then that there were certain pieces of equipment specialised equipment that had to be brought on a temporary measure to process this metal and one of those is the shears that are not available in this country. There is a specialised piece of excavator with those shears. It is a magnet—again, another specialised piece of equipment—because you have to have a generator on that excavator and a metal grapple to shake out and sort the metal. And they are at that stage now that they need those three pieces of equipment. So it is specialised equipment, it is not excavators in the sense that we know excavators. These are specialised pieces of equipment.

**The Speaker:** Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

I note in the Minister's answer the many improvements that he mentioned about Little Cayman and Cayman Brac. In particular, Cayman Brac has a landfill that is on the low land and for years and years I have heard that the landfill is going to be moved and an environmental impact study had to be done.

In the answer he now notes that he has driven this initiative forward and in October of this year the impact assessment will be completed. Could the Minister say, assuming that the assessment allows the movement of the dump to the 100 acres of government property, when he anticipates that actual move taking place?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, unfortunately, I cannot answer the Member definitively. However, what I can say to the Member and the honourable House is this: as part of the study that I mentioned that the Tenders Committee has just approved,

part of their remit is going to be to look at Little Cayman and Cayman Brac as well, in particular, Cayman Brac, because I think Cayman Brac has about ten tons per day.

We were talking about the possibility, Madam Speaker, that once we get the waste-to-energy plan installed in Cayman there is always that possibility of bringing the household garbage from Cayman Brac to better utilise it for burning here.

So, as much as we are doing the study for Cayman Brac for the landfill, it may be used for different type of landfill other than just putting household garbage in it because you can transport this garbage and barges are going to and fro. And it might be to the benefit of Grand Cayman residents to utilise the rubbish coming from Cayman Brac. So those are the things that the consultant will be looking at and advising us on.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, thank you. I will just try to keep this one—

**The Speaker:** Yeah, just give me a question.

**Mr. Cline A. Glidden, Jr.:** —in line . . .

*[laughter]*

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, just walking into the building today I see some work has started on the Tower Building and I just wonder if the metal from that is going to be sold as a part of that original contract or whether . . . I just saw work started today so I figured I would ask.

**Hon. V. Arden McLean:** Madam Speaker, I have no knowledge, and I really do not—

**The Speaker:** If you had given me the opportunity, we would not have had this supplementary. But go ahead. Answer the supplementary now, please, Honourable Minister.

**Hon. V. Arden McLean:** Thank you.

Madam Speaker, I really do not know. I cannot tell the Member. But what I can tell him is that the only contract I know of is at the Dump and that is what I am spearheading.

Madam Speaker, I should say, with your permission, that I will travel to Little Cayman with some of the members of the committee and the PS next week Saturday to tour the landfill with the Governor and the Leader of Government Business. So we will be there all day next Saturday looking at the landfill there.

**The Speaker:** Are there any further supplementaries? *[pause]*

If there are no—

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, could the Minister say how much in terms of kilowatt hours would be projected for production from a waste-to-energy facility on Grand Cayman? And is he also able to say how that would compare to the total generation of CUC?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, based on the volumes that we currently generate in Cayman, I think we are just over 400 . . . 450, 460. Keeping in mind that when you deduct that which is not usable, we are probably just around 300, 350 maybe. Yes, and then using the legacy, the current “Mount Trashmore”, some of that because that can only be used in small percentages.

Then if we talk about bringing from Cayman Brac . . . Madam Speaker, I would venture to say that plant would produce somewhere between six and eight megawatts. In relation to CUC right now, their peak load is somewhere around 80, 80-odd megawatts, or low 80s. So we are talking just between seven and ten per cent of what CUC's peak load is; the demand. Their *[inaudible]* capacity is over 100 megawatts but, yes, it is going to be significant. It is going to be significant.

**The Speaker:** I will allow one more supplementary. Are there any further supplementaries? *[pause]* If there are no further supplementaries, we will move on to the next question.

Question No. 18 standing in the name of the Third Elected Member for the district of George Town is addressed to the Honourable Minister responsible for Health and Human Services.

Third Elected Member for the district of George Town.

### Question No. 18

**No. 18: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Health and Human Resources to indicate the public assistance in monetary figures which is budgeted and spent by Government in assisting the needy and the vulnerable in our society.

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

The reality is that approximately seventy-seven percent of the Ministry of Health and Human Services' operational expenses is budgeted for and spent on assistance to the needy and the vulnerable in our society. In the 2006/2007 budget year that amount was \$45,545,511. The amount allocated in the current 2007/08 budget is \$51,895,374.

This amount includes services provided by the following departments: Children and Family Services, Counselling Services, Probation and Aftercare, Health Insurance Commission and the Women's Resource Centre. Funding for special programmes provided by the government companies such as CAYS Foundation, and CINICO, as well as the Health Services Authority and non-government organisations is also included.

### Supplementaries

**The Speaker:** Are there any supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, it is awesome to know how much a government spends on its vulnerable in its society, but I would like the Minister to indicate (if he can) some areas which have a high expenditure in the Department of Family Services.

**The Speaker:** Honourable Minister.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

Reflecting on the fiscal year 2007/8, there was approximately \$16,692,000 spent. At that time in homecare for elderly and adult disabled persons, \$3,261,498. And I must correct that. On Children and Family Services, it was actually \$9,759,000. The next area was counseling of individuals and families, which was over \$2.3 million. Community Outreach Services, almost \$0.5 million. Placement and supervision of abused children, another \$0.5 million. And it was, to me, Madam Speaker, quite astounding the amount of money that we spent on providing health for our people, needy and vulnerable.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Can the Honourable Minister say how much of these amounts paid for salaries and benefits, supplies and other such administrative needs?

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Madam Speaker, I do not have that specific information for the administrative part and the other things, but I would give the undertaking to the Honourable Leader of the Opposition to provide that as soon as it is available.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** I am sorry, Madam Speaker, I was talking to one of my colleagues but did I understand the Minister to say he will get it in writing to me?

**The Speaker:** He says he does not have the administrative—

**Hon. W. McKeever Bush:** Okay, thank you.

**The Speaker:** And he will undertake.

**Hon. W. McKeever Bush:** That is what I would like to find out because I believe that is running, like 60 or more per cent of budget.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

In answering the question for the Honourable Leader of the Opposition, I wonder if the Minister could indicate how these salaries are related to the actual work of what is being done in the Ministry. For example, if it is a counsellor, how do you separate the action of the work from the counselling to a client and how is that related and is that beneficial to the client?

**The Speaker:** Honourable Third Elected Member, I just think that the Honourable Minister said that he did not have any figures of the cost of the administration of any of these, so I think that question . . .

Honourable Minister.

**Hon. Anthony S. Eden:** Just to say, Madam Speaker, you know, for the benefit of the House, it would be good knowledge to know the percentage within the different departments; how much is going where and a better understanding for all of us.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you.

Madam Speaker, could the Minister say if he has had any success in communicating with the retail banks in regard to getting the searches done on individuals more speedily? I know that was a point that was brought up during the budget session.

And, Madam Speaker, it relates to the question because that does directly impact government's ability to help the needy.

**The Speaker:** Honourable Member, your words sound great.

*[laughter]*

**The Speaker:** But the question reads, "**To indicate the public assistance in monetary figures which is budgeted and spent by Government in assisting the needy and the vulnerable in our society.**"

I am sorry, I cannot allow that as a supplementary. You could try and reword if it is that important for you to get the information.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, could the Minister in his research on the previous question in regard to how much is being spent in total to deliver these services to the public by way of salaries and expenses, could he also inform us as to what sort of cost impact they may be incurring because it is taking so long to get the information from the class 'A' banks?

**The Speaker:** Honourable Minister, would you add that to your list of that written reply?

**Hon. Anthony S. Eden:** Yes, Ma'am, I certainly would for the benefit of the House. And just to indicate to the honourable Second Elected Member for West Bay that even when—and we are diligently working to expedite the process—people are in need, what we do, and I am getting this brought up to date, is offer temporary assistance which means that finally the people would not have to be suffering. We will do some bridge financing for them and do vouchers or whatever need that they may demonstrate.

**The Speaker:** Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

To the Honourable Minister, there are two ex gratia payments made: one to the seamen of this country; and one to the indigents. Could the Honourable Minister tell the Members what that monthly amount is?

**Hon. W. McKeever Bush:** Oh, that's plenty!

**The Speaker:** Honourable Member, which amount?

**Mr. Moses I. Kirkconnell:** Both. The monthly payment that goes to the seamen.

**The Speaker:** Where is that coming into the question? It says public assistance and monetary figures which is budgeted and spent.

Honourable Minister, if you are in a position to answer the honourable Member. Thank you.

**Hon. Anthony S. Eden:** Yes, Ma'am, I am glad to answer that.

My Chief Financial Officer has provided me with the operating expenditure for 2006/7 and 2007/8 and it is totally amazing when you listen to some of the radio stations and other comments when people talk about how we neglect our needy and those entitled.

We have budgeted, Madam Speaker, for the financial year 2007/8 \$12,114,000 as transfer payments, executive expenses, financing expenses. Specifically for the Second Elected Member for Cayman Brac and Little Cayman, poor relief payments \$4,862,000; poor relief vouchers which I alluded to in a response to the Second Elected Member for West Bay, \$572,000; further temporary poor relief payments for our YPP students, \$38,000; ex gratia benefit payments to seamen, \$4,326,000; benefit payments to our ex-service men, which are the military, \$2,276,000.

I would say, Madam Speaker, we are a very charitable Government and all of us here in this House should be proud of the help that we provide for our people that are in need and we continue to build on that.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, the Minister is right, we are very, very proud that such a programme exists and has existed since you were a part of the National Team, Madam Speaker.

*[laughter]*

**Hon. W. McKeever Bush:** And the Minister of Health and, of course, I think I was part of it at one point, too.

*[inaudible interjections and laughter]*

**Hon. W. McKeever Bush:** Madam Speaker, can the Minister say how this compares to 2004/5?

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. W. McKeever Bush:** Just one figure *[inaudible]*

**Hon. Anthony S. Eden:** I do not have the specifics. The farthest back of the outline they gave me was for the last financial year which was eleven-point-something million.

**The Speaker:** I will allow one more supplementary. Are there any further supplementaries?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

I do not know if it is possible for the Minister to give us an average time that it takes from the time a potential client makes an application to the Department to when a decision is made as to whether they are eligible for help.

**The Speaker:** Honourable Minister responsible for Health and Human Services.

*[Inaudible comments]*

**Hon. W. McKeeva Bush:** *[Laughter]* No, we would not ask it. No, Tony, we would never ask that.

**Hon. Anthony S. Eden:** Madam Speaker, the time may vary, as we alluded to earlier on, for Children and Family Services to get information from the institutions. Unfortunately, there are times when even the clients who want the help are not willing to provide the information, and it is important that before the department and the section within the department make an assessment that we know the financial condition and if the need is justified. But, as I have said, in the meantime we will assist temporarily if the need is genuine and we can help them in vouchers.

**The Speaker:** We will move on to the next question.

Question No. 19 standing in the name of the Third Elected Member for the district of George Town is addressed to the Honourable Minister responsible for Health and Human Services.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

#### Question No. 19

**No. 19: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Health and Human Services to indicate when the National Assessment of Living Conditions survey will be completed for presentation to the public and what consequential actions would flow from the results.

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

The report of the National Assessment of Living Conditions Study will be completed by the end of 2007. This report, which will be available before the Government's next strategic budget retreat, will form the basis for developing policies, action plans and projects across Government, with the ultimate aim of improving the quality of life in the Cayman Islands.

It is expected that a wealth of information will be obtained from this project, some of which will be substantive, and some indicative—that is to say, showing where further research may be needed, before any firm conclusions can be drawn.

**The Speaker:** Are there any supplementaries? Third Elected Member for the district of George Town.

#### Supplementaries

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Would the Honourable Minister wish to say what remains to be completed in the survey?

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Madam Speaker, the data analysis and the syntheses workshops will be held on 4 and 5 October. Then once all of this analysis has been done, we will then go back once again to the public for national consultation. Then the final report will be available for all and tabled in the Legislative Assembly in early November (which will probably be the next Sitting) or December, as soon as the House resumes in the next Sitting.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I wonder if the Honourable Minister would say if in his opinion the survey would flag up factors that have supposedly increased the cost of living.

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Yes, Madam Speaker, this was one of the areas that was looked at. As all of us here know, that CPI (consumer price index) is a bit old, almost 17 years, and this is why the importance of something of this study—which is the biggest one ever undertaken—of so many different areas within

the system, the different organisations that provide the service, institution banks.

It was quite extensive and I am sure that this will be able to give us, Madam Speaker, a better understanding of really what we need to do to better help our people in a very informed position when all of this information is analysed.

**The Speaker:** Are there any further supplementaries? *[pause]* If there are no further supplementaries, that concludes Question Time. We will move on to the next Order of the day.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received notice of a statement from the Honourable Minister responsible for Communications, Works and Infrastructure.

Honourable Minister.

### The Savannah Gully

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, as honourable Members of this House are aware, based on the lessons learned from Hurricane Ivan, this Government has made the protection of the coastal areas on Grand Cayman a priority.

Some of the areas that were identified as a priority were the protection of property and, more importantly, the lives of people living in the area we refer to as the "Savannah Gully".

In order to ensure that Members of this honourable House and the listening public are aware of what creates the problem in the Savannah Gully area, I will now apprise Members and the people of these Islands on the progress of the highly publicised Savannah Gully Flood Wall.

Madam Speaker, please let me begin by outlining in summary the nature of the problem as it relates to certain storm events during hurricane season. There exists, Madam Speaker, certain natural low areas in the iron shore formation adjacent to Sandy Ground Drive in Savannah Acres that have long been known to allow for the intrusion of seawater inland in the Savannah/Newlands area. In the past, during minimal hurricane events (those passing generally on the south side of the Island) this seawater had been able to travel inland with very little impact on development as the area was largely undeveloped. Today the problem is more exacerbated due to the development of many areas in and around Savannah Acres.

Flooding of this nature, Madam Speaker, is typically caused when storm-wind driven waves break through low spots in the coastal iron shore area, and traverse through a natural ravine known as the 'Gully'.

Water generally quickly overtops the Gully and from there travels naturally through the lowest lying areas that include the public roads and residential and commercial properties.

The areas most affected by the flooding include Sandy Ground Drive, Homestead Crescent, Savannah Meadows subdivision, Butterfly Circle and parts of Hirst Road and Shamrock Road. The most recent occurrences of the storm surge flooding, apart from the devastating Hurricane Ivan in 2004, have been from Hurricane Wilma in October 2005 and, more recently, from Hurricane Dean in August of this year.

Madam Speaker, now that I have outlined the problem I will address what has been done since this Government took up office in May 2005 to find a solution to the Savannah Gully flooding problem.

Madam Speaker, a considerable amount of expert analysis has gone into both the study of the problem and the design of an appropriate solution. The original scope of study was to design a sea flood mitigation and coastal defence system in the Savannah Acres area to protect the area in inclement weather from the south especially during the hurricane season. To accomplish this, a United States based firm of consulting engineers, Orth-Rodgers and Associates (ORA) was engaged and in consultation with the National Roads Authority and the Ministry adopted a phased approach as follows:

#### Phase I

This included the gathering of a wide range of information from government agencies as well as information from the National Oceanic and Atmospheric Administration (NOAA) and others pertaining to flooding, hydrology, geotechnical characteristics, topography, et cetera.

Madam Speaker, during this initial phase the NRA and ORA also conducted two public meetings at the Savannah Primary School where gully issues were discussed and critical, empirical information gathered from affected property owners and area residents.

#### Phase II

Under Phase II, Madam Speaker, ORA conducted conceptual engineering and design of a flood wall. ORA developed a preliminary sub-surface boring, sampling and testing programme that included rock core samples of the iron shore and subcontracted an award-winning firm, Baird and Associates, to conduct wave height and wave force analysis on the wall to assist the structural engineers in determining the required wall height and strength.

#### Final Design Phase

Madam Speaker the final design phase, of the wall was completed by ORA on 8 August 2007, just ten days before Hurricane Dean.

The final plans include foundation analysis of the wall, foundation design, final wall design and construction bid documents preparation.

On Tuesday, 4 September 2007 the Members of Cabinet were given an informal presentation by ORA where a recap of the earlier work and the proposal of the remaining works were given. Madam Speaker, during that informal meeting Members of Cabinet requested ORA to report back to them in one month on the cost and other associated parameters relative to a change in the wall design to prevent overtopping during category 3-like conditions as opposed to the current specified category 2-like wave conditions.

The next steps, Madam Speaker, critical to getting a start on this wall, include:

1. Notice to proceed on construction management phase;
2. Property clearance (approval from land owners) and funding for the construction;
3. Central Planning Authority approval or executive order from Governor in Cabinet;
4. Selection of a local structural engineering firm to act as construction inspector and supervisor;
5. Public tender;
6. Construction of the wall trench by the National Roads Authority;
7. Contractor selection (which we hope will be in November 2007);
8. Construction start (we hope to be in December 2007 or January 2008 the latest)

In summary, Madam Speaker, the estimated construction costs for the wall are between CI \$4 million and \$6 million. The wide ballpark is due to the relative uncertainty of ground conditions along the iron shore. Incompetent rock and/or cavities could delay construction and warrant alternative wall design where encountered.

Potential barriers to getting started are property clearance and consent from landowners impacted by the proposed wall, planning approval process and the public tendering process, the Central Planning Authority will require four weeks of advertisement in the local media and service of notice of the application for planning permission on residents within a 500-foot radius of the proposal.

A public meeting to present the proposal will also be required to be held to ensure that the area residents are fully apprised of the application for planning permission.

It is proposed to retain ORA as the project managers with a local structural engineering firm to act as construction inspectors. ORA shall report to the National Roads Authority Board of Directors who will

be responsible for overseeing the project on behalf of the Government.

Madam Speaker and Members of this honourable House, I would like to assure you and the listening public, especially those affected by the flooding that results from storm surge in the Savannah Gully area, that this Government is committed to solving this problem.

This is not just the Savannah/Newlands problem, it is a national one as every time it occurs it cripples the transportation of people trying to get to and from the eastern districts and severely restricts the transportation of goods and services to the people living east of Savannah. This was most evident during Hurricane Ivan, it occurred again during Hurricane Wilma and most recently during the near miss by Hurricane Dean.

I would also like to thank the many persons who assisted during the adverse weather conditions that have impacted the Savannah Gully area and those who offered advice during the information-gather process.

To the people who are most affected by the flooding in the Savannah area, I would request that you give us additional time to get the relevant study completed.

Madam Speaker, I thank you for allowing me to give this statement in the House and I would also like to thank all the Members of this honourable House for the support they have given the Government in trying to come up with a workable solution to this problem. We have the will and now we have the way to mitigate against storm flood damage in the Savannah Gully area.

I thank you, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition.

#### Short Question—SO 30(2)

**Hon. W. McKeeva Bush:** Madam Speaker, under Standing Order 30(2) I would like to ask a question.

**The Speaker:** Honourable Leader of the Opposition, yes, you may ask a short question to the Member for the purpose of clarification.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, I do not know whether the Minister did say so—perhaps he did, I just did not catch it. Can the Minister say how long the proposed wall is?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, the designed wall is somewhere around 2,000 feet.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, have the consultants been looking at how the wave action will impact the rest of the neighbours beyond that 2,000 [feet] as we know what happens with wave action on walls?

**The Speaker:** Honourable Minister responsible for Communications.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, what I can say to the Leader of the Opposition and honourable Members and the public is that this was a very, very extensive study all along the entire shoreline in Savannah and consideration has been given to all those residents and properties along that area. As a matter of fact, the wall is in two sections, to protect one property in particular, to ensure that that one property is protected. And there is a space in between it where the elevation of the rock there is some 30 feet high, so it will not get through between the two.

Madam Speaker, the wall is designed . . . right now it must be somewhere like seven, eight feet above the surrounding ground. But we are looking at it. Like I said, they are to come to us within a month.

**The Speaker:** Proceedings will be suspended until 2.30. I would like to remind honourable Members of a presentation on the Health Insurance Commission by the Honourable Minister responsible for Health in the Committee Room.

**Proceedings suspended at 12.51 pm**

**Proceedings resumed at 3.00 pm**

**The Speaker:** Proceedings are resumed.

## **OTHER BUSINESS**

### **PRIVATE MEMBERS' MOTIONS**

**Private Member's Motion No. 3/07-08**

#### **Anti Corruption Legislation and related amending Legislation**

*(Continuation of debate thereon)*

**The Speaker:** Second Elected Member for the district of West Bay continuing his debate.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, at the adjournment on Monday, I was just about to wrap up and summarise my contribution to this Motion that I seconded.

Madam Speaker, the Motion is one that I believe has many benefits and not just potential benefits to the country if we were to look carefully at some of the other resolves and see how those resolves could be enacted in legislation and policy. As we know, since the Motion was submitted, the Government has put forward a discussion bill.

And it is important that we make that distinction. The Government has not put forward a bill; on the front of that bill it clearly says it is a discussion bill. And the Government has already said that publicly as well, that it is just that—a discussion bill—and they want feedback to inform what will finally come here then to be debated by us as legislators.

I think this Motion gives us a fantastic opportunity, so I totally disagree with the Members who have spoken thus far who have tried to make the argument that because it is a discussion bill, the Motion then has decreased in usefulness. Some have even gone as far so to say that the Motion then should not have even been considered by the House.

I think it is important for this debate to be used as a catalyst and to be used, Madam Speaker, by us as Members of this honourable House, to try to ensure that we elicit and get some response out of the public because we know that there are a lot of times [with] these bills—the discussion papers and white bills and white papers—you do not necessarily get the type of response that you would like to have to try and inform the process and try to come up with as good a bill (and I use the word “good” loosely, Madam Speaker) as informed a bill as possible when it comes back to this House.

This Motion hopefully will cause us to think more about the topic beforehand and will cause us as Members of the House to listen carefully. And perhaps also change our minds on certain points that we may have had a concept on in our own minds by hearing others debate. But also to perhaps look at it and come up with new ideas and items that are not currently contained in the discussion bill.

Madam Speaker, there are those who have chosen, I believe for purely political reasons, to question the whole point of the Motion being brought but saying that the Government had a stated intention to deal with this whole issue in any event.

Now, Madam Speaker, if we simply look at that point and we use just what I would like to think of as good-sense logic, the Government can easily state an intention on many items and many issues. That does not mean, then, that the House should stop there and not think about or not push that particular issue.

The Government is but five Ministers and their support staff and teams within their Ministries, and the Official Members as well. But, Madam Speaker, we need to be continually engaging the public. It is something that I have talked about since I have been here for these short, few years. But it is something that we need to try to do a better job at and come up with

more ways to do it. It is an area that our society is greatly lacking. In that regard, we are still a relatively immature society.

We do not have a lot of NGOs that have agendas that are issue oriented in terms of political issues like a lot of the larger, more sophisticated countries like the UK, Canada, the US have. So, in other words, most of our NGOs are social oriented NGOs. They see a specific social cause or social ill and that is what they tend to focus on. And those are extremely important NGOs because the service clubs and the other organisations, like the Cancer Society, are extremely important to any country period. But we still fall way short when it comes to organisations that are outside of Government, outside of legislatures, outside of sides, teams or political parties—organisations that truly take on particular issues and causes, explore them and push them as issues.

And so, with the country not having that, I think it is very important for us to push issues as legislators. That is what the public wants. They want to hear our views. They want to hear us addressing matters that are relevant to them, matters that are relevant to the country and the long-term good governance of the country. That is what the public wants.

So, to try to make the argument that because the Government said that they were going to act upon an issue should mean that all of a sudden the Legislative Assembly should leave that issue completely alone and not touch it, I think, Madam Speaker, is actually a counterproductive approach.

**The Speaker:** Honourable Member—

**Mr. Rolston M. Anglin:** We are going to meet in this House and we are going to meet for . . .

**The Speaker:** I just wanted to let you know you have eight minutes, because I would hate that you have an important point that you would like to make and you have exhausted your time.

**Mr. Rolston M. Anglin:** Oh, Madam Speaker.

**The Speaker:** You have eight minutes left.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, I must say that that has been—that is a shock. I thought I had been speaking for nothing more than half an hour! I see that the good Honourable Minister of Health was enjoying my contribution so much he thought it was a half hour as well.

But Madam Speaker, having said that, the bottom line is we need to push issues as Legislative Assemblies. And even though Government has a stated intention on the issue, that should be all the more reason for us to really try to engage the public to put that issue out there to debate it in this Legislative Assembly. We know the press will cover it; we know it will be covered on Radio Cayman. Therefore we

should then be able to arrive at a much more informed position at the end of the day. One of which we as legislators are able to look at the bill and not potentially see so many gaps, because in my short time—and it happens all the time irrespective of who the government is—a government comes with either an amendment or a stand-alone bill and within 12 to 15 months a slew of amendments come to it. And when we debate we always say that we know that this is not the fix and that when it starts to be practiced you will find weaknesses. Yes, that will happen. I reckon it will always happen. But I do believe if we start debating issues more and try to engage the public more we will reduce that considerably, Madam Speaker.

**The Speaker:** Honourable Member—

**Mr. Rolston M. Anglin:** Reduce—

**The Speaker:** I hate to interrupt you again and I do humbly apologise, but you have one hour left. There was a miscalculation of your time.

**Mr. Rolston M. Anglin:** I thought so, Madam Speaker. Anyway . . .

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** I hasten to say that I will definitely not even come close to taking another hour. Although, Madam Speaker, I think even the Honourable Leader of Government Business would agree that if I were to go an hour more I would be able to take some time to, you know, try to negate some of the damage that his Ministers did when they got up and made their contributions—because they really did not deal and debate the topic. They really did a much bigger job of trying to attack the Honourable Leader of the Opposition.

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Mr. Rolston M. Anglin:** But I will continue on, Madam Speaker. I will not try your patience from the Chair.

Madam Speaker, whatever comes of the proposed discussion bill, at the end of the day we do need to ensure as much as possible that it is something that we all feel is solid and fair and we want to make sure that it is something the public has confidence in.

The Honourable Minister of Education made the point that if we, the Opposition, wanted to do something we would have had a resolve in this Motion that would have called for there to be the possibility that if an Elected Member was found to have engaged in some corrupt practice they could possibly be made to pay damages. The Ministers brought it up. Therefore I think it is one of those points that I would hope,

when this bill comes back, that the bill addresses that point. But, Madam Speaker, I think the issue runs deeper than that.

While the Ministers tried to paint us as being against the civil service—so, in other words, they were playing politics—any good civil servant and any person with good sense knows that our calling for a public register for certain senior civil servants is not an attack on them but a call for accountability. The accountability cannot just stop at the Elected Members.

One of the points I made on Monday was that we as Elected Members, and not just this class of legislators but ones that have come before us, have done a good job at continuing to feed this whole idea out there that anyone who gets into public office, anyone who gets into politics, has to be corrupt, has to be underhanded.

And the more we say that persons who are close to decision making—and in fact they have full administrative responsibilities in Ministries and Portfolios. The more we continue to say that they should not have a high level of accountability is the more we continue to say that if something goes wrong then it can only be that a politician has done something wrong.

What happens if there is a case and it is found that a senior civil servant has done something wrong? Should they not be held to some of the same standards that the Honourable Minister of Education has said should be the standard for Elected Members?

Let us suppose that someone brings a case against the Government and they have incurred some sort of financial loss. When the case unravels and unfolds, we find out that (as the Honourable Leader of the Opposition has spoken to) someone within the civil service gave away some sort of information or willfully did something that caused that person or company to be disadvantaged either economically or otherwise.

[pause]

**Mr. Rolston M. Anglin:** If you have a case like that, Madam Speaker, and it is found that there was a willful act that caused harm to an individual, I believe that whoever has committed that act should have to be accountable, not just in potentially losing their job.

The bar needs to be set higher, Madam Speaker. This whole process does not just involve the Elected Representatives and we cannot make it seem that way. We must ensure.

Madam Speaker, Chief Officers and Permanent Secretaries, for example, are extremely close to the Minister. That is the person who gives the Minister advice and whom any Minister usually has to place great reliance on and they know what is happening within a Ministry.

So, Madam Speaker, when a person is a Minister and is highly dependant on an individual and that person knows exactly what is happening and is advising you every step of the way, how can it be that we

are going to say that within the scheme of things and within our governmental structure and system that we are not going to try and ensure that those individuals are also held to account. People need to know that with great positions comes great responsibility.

And when you look at the governmental structure within this country and you remove the 18 of us down here in this House, what are you left with but the senior members within the service? And in fact, I can remember from years ago people saying, *'Well, this particular Minister does not really run his Ministry anyway. It's the PS.'* And depending on different Ministers and different personalities, that has been more or less the case.

Madam Speaker, it is important, though, that all persons who work for the government or government-owned companies are reminded and realise that when you make that choice in life that you are not going to be in the private sector, you are going to be in the public sector, you are being placed, irrespective of how high up you are in the pecking order, in a great position of trust and that you are there to serve, serve the public, not the other way around.

And it is sometimes through legislation, in my view, that we can create those possibilities so that people then start to realise how awesome that responsibility is. And we cannot continue to just look at ourselves and say it is only the politicians because the reality is, if we look at the law of averages, who is it that has to come and face the public every four years? Who is it that is going to be held to account?

And so, if you just start doing the averages and saying, *'Who is more likely to do something that may not be legal?'* While that is an individual thing and it is a case-by-case issue, I would quickly argue that because we know that we have to go out on that campaign trail and face the public for everything we have done and not done. In fact, Madam Speaker, with us as politicians, we have to face the public on everything we are accused of doing and that, in a lot of instances, is the biggest battle that a politician has. So just knowing that is a huge deterrent for us that does not exist for other people who are within the governmental structure that is the senior civil servants.

I think that there is much good that will come from this type of motion. I hope that because the Government has said that they are not going to support the Motion that that does not mean they are going to simply ignore the debate altogether. I would hope that they are going to look even at some of the recommendations that they themselves have made, some of which they have made really more sarcastically than seriously, but some of them when you really think about them are potentially good suggestions. I hope that this debate will be used for the good that it can create and that is, it can provide a basis in forming the bill that is presently being circulated for discussion.

Madam Speaker, the last point that I am going to cover gets back to the resolve that deals with the length of time that someone should have to resign

from the public service and run for a general election. Yes, the Government has labelled it the 'Clifford Resolve'. And yes, they have used the Minister of Tourism's circumstances as a basis for debate. But I want all of us to be sober-minded and really think clearly about this.

Are we saying that we should continue to have a system in this country where a person can sit within the civil service, gather information, potentially spread disinformation, but certainly be seen as a person that is in the know, certainly be seen by the public as someone who should know what they are talking about, be able to wait until the last minute, in the worst instance, obviously, or the grossest instance obviously? And that is why they focused so heavily on the former relationship the Honourable Leader of the Opposition and the Minister of Tourism had at the time as Minister and Permanent Secretary.

So, let us take a look at that again. Are we saying that someone should be able to sit there and wait up until the eleventh hour and simply then go out and seek public office, be able to go to the public and be seen by the public as an authority? And let us not play any song and dance and talk about, '*Oh, well, the public is only going to believe someone if they are believable*' and those sorts of things. Let us be perfectly honest about this.

In this little community in which we live, in that type of circumstance a person in that position—that is, a Permanent Secretary—who goes out and runs is going to carry with them a certain level of credibility simply because of the position that they had.

I do not believe that we are encouraging a system that is sustainable and that, long term, is good for this country. In my mind, if it is abused once, that is once too many.

Now, I understand that the Government is in a peculiar position because they will say to themselves, '*Well, if we were to be seen to be supporting this resolve, perhaps we would be seen to be saying that Minister Clifford did something that was wrong.*' And I think that is a shortsighted way to look at this. I think we have to look at this for what it is. We have to look at it and say: is this the type of system we want to continue to have existing in the country? Should someone be able to simply sit within the guts of government and at the eleventh hour just jump up as a candidate, run around and say whatever they want from the knowledge base they have acquired within government and seek political office? Whether they win or not, I do not think that is good. Personally, I do not think it is good and I do not think it is good long term.

Yes, we can argue about whether it should be a year, whether it should be three months, whether it should be two years. There will be arguments about the length of time and there does come an issue of people's rights to seek office. But, Madam Speaker, if the system is clear up front as to what the criteria is, then you will know that if you have designs on political

office what positions you probably should not hold therefore in government.

Madam Speaker, I think that the Government should be more balanced and should be acknowledging that the debate can serve a lot of benefits. I hope that the Government will acknowledge that it will use some of the good from this debate and that it will not be just another debate in this Legislative Assembly that will get completely ignored.

Madam Speaker, as a second term sitting Member of the House one of the things I continue to see more and more every day how—given our Constitution and how our governmental processes work and are organised—little significance this Legislative Assembly truly serves. And now I understand more and more why so many people will do whatever is necessary to try to become a Minister.

Madam Speaker, at the end of the day I seconded this Motion. I think it is a worthy Motion. I think that if the Government is serious about moving this country forward that the good points in this Motion will be used for us to try to create better systems that will police ourselves and the civil service period, and provide greater checks and balances, greater levels of accountability, more stringent penalties in place that will cause people to not do certain things in the future.

I think that if we can achieve that as a Legislative Assembly before this term is over that will be something that we can look at and say that that was good and it was for the betterment of the country, betterment of our people.

I thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak?

Third Elected Member for the district of Bodden Town. *[Pause]*

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

I rise to offer my contribution in relation to Private Member's Motion No. 3/07-08, Anti Corruption Legislation and related amending Legislation.

Madam Speaker, this Motion refers to the code of ethics that exists for Members of the Legislative Assembly and it is asking the Government to consider introducing an anti-corruption bill.

Madam Speaker, this Government from day one in its Manifesto and thereby in the mandate it received from the people of this country, has promised:

- to eliminate corruption in government; conduct the affairs of state honestly;
- insist on high standards of ethical conduct from Members of the Legislative Assembly and Ministers of Government;
- require its Ministers and Members to subscribe to a code of ethics in relation to the exercise of their office;

- have zero tolerance for conflicts of interest between the private business of members of government and their public office;
- regard abuse of office and authority as unacceptable conduct in a Minister or Member of the Legislative Assembly, and this includes deriving profit or benefiting from a transaction or arrangement as a result of holding that particular office.

Madam Speaker, this Government has also sworn to uphold the rule of law and to follow regulations and established procedures and practices.

Madam Speaker, I think that anyone looking at this Government over the past two years can see that we strive very hard in this regard and many of these factors that I have just mentioned are being lived daily by the PPM Administration.

Madam Speaker, we look at government contracts and we ensure that they are properly tendered in accordance with Financial and Stores Regulations and requirements of the Central Tenders Committee, and we have extended those legal requirements to tender contracts to all government-owned companies and statutory authorities.

So, without a doubt, in this day of openness and transparency, a government that has just piloted a Freedom of Information Bill through this House, a government that has just brought a discussion paper to the House in relation to an anticorruption bill, we have shown clearly, Madam Speaker, our intentions and our ability to take governance of these Islands to a higher level and to be held at a higher level of account as individual Members of this honourable House, because I firmly believe that if we are seen to be anything less than people of integrity, then the ordinary man on the street feels that he can do just about anything and no one should challenge him.

No one is above the law, Madam Speaker. No one should be above the law. Therefore people holding such high office in any land should be held to the highest level of account.

Now, Madam Speaker, the Second Elected Member for West Bay in his just concluded contribution, I think he has certainly done his job as a member of his party to defend his leader and to create what I would call some diversion from what the Ministers of this Government in their contributions were espousing.

The Second Elected Member for West Bay said words to the effect that the Ministers in their debate were questioning the Leader of the Opposition's ability or right to bring the Motion. Now, Madam Speaker, I do not see it that way.

The Second Elected Member for West Bay also said that the purported Christian faith of the Leader of the Opposition was being questioned and that was a no-no. Madam Speaker, the problem we have is that it is not that anyone's faith is being questioned, but what comes into question is when one acts

as a Christian one moment and on the other hand becomes a non-Christian when someone challenges that one. That is where we have a fundamental problem and that is where you wonder if the person's faith is genuine. I just needed to address those two points that were raised by the Member for West Bay.

Madam Speaker, the Leader of the Opposition is the Father of this House. He has been here some 23 years. He had three and a half years, I think it was, as the Leader of Government Business.

My question is: why is it now that we have that Member, the Leader of the Opposition, bringing a motion such as this in the twilight days of his parliamentary career? To me it only says one thing and that is it must be a distraction tactic, especially at a time when you have a government that has taken over the reins of this country which has proven itself to be open and honest in carrying out its obligations.

Madam Speaker, the country knows that there are a number of Audit Reports on the Table that have been made public. There are a number of these reports that are calling for investigations, in particular, the report on the Affordable Housing Initiative which the past Minister of Housing is being investigated. We now have on the Table the latest report of the Auditor General on the financing of the Boatswain's Beach Project.

I believe that this was a good opportunity for the Leader of the Opposition to try and [deflect] some of this attention from some of what has been going on in the past. The Leader of the Opposition knows that the discussion bill on anticorruption was being proposed and there will be ample time to debate all that we want to debate in terms of anticorruption legislation in this House because that bill will follow the natural course as it matures through the process.

You see, Madam Speaker, I know that the Leader of the Opposition will not like some of what is said in relation to this Motion because he will take it very personal. And when he replies he, in turn, will get very personal because that is his forte. The Leader of the Opposition loves to get down and dirty when it comes to politics. But this is not a personal attack—

*[laughter from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Boddén:** —against the Leader of the Opposition, this is a personal attack against—

*[inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Boddén:** —this is an attack against the politics of that individual, Madam Speaker.

*[inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Bodden:** And, Madam Speaker, the Leader of the Opposition knows that I do not support his politics and I never will because I believe that it is dangerous to this country.

Madam Speaker, the Leader of the Opposition is always spouting off his Christian faith in this House and I hope that in his reply he will display that Christian attitude, because his Christian brothers will be listening and so will all others in this country.

*[laughter and inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Bodden:** Madam Speaker, my integrity is not in question.

*[inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Bodden:** I have not been involved with a cloud over my head in politics in this country, Madam Speaker.

For so long [with] this individual, the Leader of Opposition, there have been so many accusations of corrupt dealings, underhandedness . . . The system does not allow for a lot of these things to be proven. That is the way the governance system works in the country. But this country, I believe, has had enough of that type of politics and wants to see people that stand here and bring motions and approve legislation being of the highest integrity.

Madam Speaker, the Leader of the Opposition was involved as a director with First Cayman Bank and at that time he was even removed by his colleagues from Cabinet because of the repercussions involved with that. Nothing was done in terms of any sanction apart from the removal from Cabinet.

There are all sorts of accusations in regard to the Ritz-Carlton deal and the building of the Ritz-Carlton. In fact, there is a lawsuit by Mr. Marchant of *Offshore Alert* still pending, which I think the Leader of the Opposition will be called to testify in.

We had the Affordable Housing Initiative while he was the leader of the country (although he was not directly in charge of the affordable housing scheme).

We had the Port development, the Royal Water Port Development, where he sat as chairman of the board and, again, the Auditor General produced a report that says we did not get good value for money in those transactions.

We have the latest Boatswain's Beach report, the financing of the Boatswain's Beach, and it is going to be followed by the awarding of the Tenders Report by the Auditor General as well. In fact, the first report that I referred to, the financing of the Boatswain's Beach report, I would just like to quote from.

The Auditor General says in his summation: **"6.03 I am sure that most residents of the Cayman Islands will find such wanton disregard to the use of their funds to be appalling. I would agree with**

**them. In the course of almost 30 years of government auditing I have difficulty thinking of any situation which showed such a cavalier attitude to the expenditure of such sums. Agreements were signed which clearly were not in the best interests of the residents of the Cayman Islands. Numerous firms were paid vast sums that were either a gross exaggeration of the value of their services or well beyond what would normally be spent in a similar situation. In some cases, there appeared to be no value at all for large sums spent. In other cases, moneys were paid without a clean understanding of how the sums had been calculated or even without documentation that the money was owed to the people it was paid to. I believe that the entire handling of the financing arrangements for the Boatswain's Beach Project was handled in a very cavalier manner and with little regard for financial probity."**

Madam Speaker, I think those words are very clear and they speak to mismanagement of a very large project under the chairmanship of the Leader of the Opposition.

Madam Speaker, also over the career of the Leader of the Opposition there have been many accusations of percentages being taken on deals to get businesses through in this country. There have been the accusations of selling of government property at a discount to relatives or friends, or buying property at inflated prices to benefit those individuals.

**The Speaker:** Honourable Member, I think you are getting a bit far afield with all of these accusations and no proof. So I would ask that you desist from going in that direction. Thank you.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker. I do apologise.

Madam Speaker, never before in the history of this country has there been an administration such as the one that was chaired by the Leader of the Opposition, that had so many negative Auditor General reports and so many condemning reports of mismanagement of contracts in the affairs and administration of this country.

So I have a bit of a problem understanding the motive, and understanding how an individual who has had a cloud, as I say, over his head for so long in this country—although never charged directly with anything—can bring such a motion before this honourable House.

This PPM Administration, as I have said, is an administration that welcomes accountability; that scorns corruption. We do not have any members of our government chairing boards. We do not have any conflicts of interest in this administration.

*[inaudible interjection from the Honourable Leader of the Opposition]*

**Mr. Osbourne V. Bodden:** Therefore, the Leader of the Opposition can trust this Government to bring the required legislation when it is needed, to this honourable House to ensure integrity of its Members.

The Motion goes on with a couple of resolve sections and refers to civil servants running for office and a Register of Interests for certain civil servants.

Madam Speaker, as the Second Elected Member for West Bay was saying a short time ago, there needs to be accountability throughout the system. That is true. It is not just the politicians who need to be called to account because many times the politicians may not even know what is going on. We have to be careful that we do not impose restrictions on a civil service that will interfere with the bridge between us and the civil servants.

If someone is in a high office and he wants to run for political office, as long as that person makes his intentions known . . . and I will not stand here and say that I fully support walking out of one office and into another. I think there should be a gap, but who is to say what that gap should be? It may be three months, six months, nine months, but I do not think that it needs to be much longer. Madam Speaker, if that person is a person of integrity in the Civil Service and he is a capable manager, then as long as that person does not have a self-interest, I would say, if that person is seeking to run for office for the right reason, then there is no reason that that individual should be barred from taking that step and serving his country. Yes, there is a good chance that that individual could get elected.

I think if memory serves me right, we have three that I can think of—Sir Vassel, Mr. Jefferson (of blessed memory) and Mr. Clifford—who have taken that step and have been successful. We need to be careful that we do not put unnecessary barriers in the way of individuals who want to serve at the highest level in their country.

As to a Register of Interests, Madam Speaker, for senior public servants, again this one is debatable but it may be something that can be considered for, say, Chief Officers—

**The Speaker:** Honourable Member, I need to bring to your attention, as I did the Second Elected Member, the Motion does not say “certain senior public servants”. It just says “certain public servants”.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker. Your point is taken but I . . . Yes, Madam Speaker, the Motion says “certain public servants” but what I am saying is that my take on it would be that it would be for very senior public servants only and that is no less senior than a Chief Officer.

So, Madam Speaker, having those individuals declare their interests and the heads of statutory authorities as well would not necessarily be a bad thing. That would ensure that any conflicts of interest could be readily evident to the public who are interested in

looking into that. With the new Freedom of Information Bill on the way that information would certainly be widely available in the event that it was needed.

So, Madam Speaker, I have looked at this Private Member’s Motion and it is not that the Motion itself is bad in its entirety, but I felt it incumbent upon me to explain why I have a problem with the Motion and the mover of the Motion in this regard. I believe that the Motion has been brought with an ulterior motive. I do not believe it has been brought the way that it should have been many years ago, because the Leader of the Opposition is a mature senior politician. He knows full well the need for integrity in the office. He knows that anti corruption legislation is something that this country needed a long time ago. Why wait until now to bring a motion when we are well on our way with a new era of governance in this country?

So, Madam Speaker, I will await with interest the response from the Leader of the Opposition because I know he will likely come personal. But I have nothing to be afraid of in my short time in public office. I have delivered on my promise to be a fair representative and an honest representative and therefore I welcome anti corruption legislation and anything that shows my dealings when it comes to the country’s business.

Madam Speaker, with those short words I close my contribution and I thank you for your patience.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

Madam Speaker, before I actually start to debate I just wanted to make mention that I gather that I was ridiculed on the radio a couple of days ago for my version of “Madam Speaker” and that I, being a proud Caymanian, prefer many times to speak in my dialect and I come across as “*Madam Speaka*” and some people do not like that. But I must say that I was pleasantly surprised. I heard the gentleman referred to as “Number One in Cayman Brac” on one of the talk shows yesterday saying that people should be left alone when they speak the way that Caymanians do. So I will do my best today to try and be as proper as I can, but at times I may roll back into my local dialect and refer to you as “*Madam Speaka*”.

**The Speaker:** I love when you call me “*Madam Speaka*”.

**Mr. W. Alfonso Wright:** I thought so, Madam Speaker, I usually see a little smile on your face when I say that. I will try not to say it too often today.

Madam Speaker, Private Member's Motion No. 3/07-08 speaks about Anti Corruption Legislation and related amending Legislation. I want to say a few words on it, but from the outset I want to make it very clear that like the rest of my colleagues I cannot support the Motion. But I will take advantage of my right to debate it and to say that I find the Motion somewhat confusing.

I know that it has been public knowledge for quite some time that the Government had intentions of bringing a bill on anticorruption; that was part of our Manifesto. We have talked about it in press briefings for quite some time now and utterances that come from the PPM Administration, Madam Speaker, at any level usually make news if the Opposition wants to do that or members of the press. They pick up on things that they want. So no one can really say that in all honesty Members of the UDP or the mover of this Motion did not know that the PPM was bringing an anti-corruption bill. I find that difficult to believe.

So, Madam Speaker, when we heard that the Leader of the Opposition was going to bring a Motion on anti corruption we had some discussions on it and on a few occasions we simply determined that it would not happen, that it could not happen.

Politics being what it is, I am shocked, I simply cannot believe that based on the track record of the things that have gone on in the life of the former Leader of Government Business (the now Leader of the Opposition) that he would think it politically astute to bring a Motion on anti corruption.

Madam Speaker, politics being what it is and if the Leader of the Opposition is as politically astute as we expect him to be, given his years of service in this honourable House, he must understand that once he had knowledge that Government was bringing an anti corruption bill that there was no way that the Government, in all fairness, could accept his Motion. He has been here long enough to know that and I just want to make the effort here today to remind the public that the Leader of the Opposition really did not bring this Motion here today expecting the Government to accept it. I think that is a foregone conclusion that he understood that that would not happen.

So, if he understands that . . . and he has a right to withdraw the Motion. I will always respect his right to bring the Motion. It is a good Motion, Madam Speaker, had the Government not been bringing the Bill. So if the Government was tardy in its responsibilities and was nowhere near bringing the Bill then I think that we would all be hard pressed not to support the Motion. So I am not saying that it is not a good Motion.

If the Leader of the Opposition understands how politics work and that it is not possible for the Government to accept his Motion when they are bringing a bill, then his only reason for bringing the Motion is to encourage debate. Or his ulterior motive—his real reason for bringing the Motion, Madam

Speaker—could simply be to have the last word in here.

I believe that the public ought to understand that this Motion, in my opinion, is really not about the people, it is not about the country; it is simply about a Member playing politics and putting himself in a position to explain his version of how things are and to put himself in a particular position. I think that we ought to make sure that the public understands that.

We can say anything we want about this being a good Motion and that the Government should treat it differently, Government should accept it. But anything that is going into this Motion, Madam Speaker, can come in the Bill. The Members of the Opposition will have the opportunity to debate the Bill and if they are not happy with the contents of the Bill, they also have the right to move an amendment to include the things that they want.

I must say that I had not really planned on speaking on the Motion because I think what could have been said had been said. But I watched and I listened to my good friend, the Second Elected Member for West Bay, struggle to justify. And we all know him. While he usually has a lot to say, Madam Speaker, he usually does not have to go into justifying things. Things usually flow from him. It was obvious to me that he was having some difficulty justifying the Motion, that he thought it necessary that he should go the extra mile to make sure that everybody understands. Usually that Member is very fluent, a great speaker, and does not really have any problem with that.

So, Madam Speaker, in all that has been said and done, in all that has been said so far about the Motion, I really do not know what else the Leader of the Opposition or the Seconder of the Motion could have expected Members of Government to do. This is the House of politics, and I am saying that the Leader of Opposition, in my opinion, was prepared to sacrifice or maybe he figured that because Government was bringing a bill that they would simply not bother to debate and simply leave him alone and give him free rein on opening the Motion and on replying. I really do not think that he anticipated that Members—especially the Members of Government—would have gone into such great length as they did. So I believe that his ploy somewhat backfired.

At the end of the day the Honourable Leader of the Opposition has the right, and I am sure that he will use every minute of his two hours to reply. But again, while the criticisms have been levelled at Ministers of Government for the tone that they use in debating about making it personal, I really do not understand what the Leader of the Opposition was expecting to happen.

Madam Speaker, the Opposition as a whole is a government in waiting, and it is all about on-upmanship of the Opposition trying to show the people that they are a better choice than the Government and whatever the Government has to do, Madam

Speaker, to make sure that does not happen, Government will do.

So I do implore the Leader of the Opposition when the time comes for him to make his reply, rather than simply replying to all of the things that he considers as personal attacks to maybe show us a different side of him, show us his ability to articulate on the matter at hand, and, if he so desires, to step outside of all of the politics that he is accusing us of and debate the Motion as he presented it, but I doubt that that will happen, because the Leader of the Opposition is in his glory when he takes things personal. That is usually the only way that the Leader of the Opposition knows how to debate.

Madam Speaker, the third resolve section reads: **AND BE IT FURTHER RESOLVED that certain senior public servants declare their interests in a Register of Interests pursuant to the amendment to the Register of Interests Law (1996) by the Government.**

The Third Elected Member for the district of Bodden Town spent some time on that and, again, it is part of the Motion that I really do not have much difficulty with. But if we are going that direction, are we going to include people like immigration officers, customs officers, police officers, who are individuals who are probably more so in the line of being approached to do things that are against the law than maybe even politicians themselves?

It is extremely difficult, you know, for a politician to do something on his own. There is usually an accomplice. There is usually somebody else who will probably be a civil servant who will have to assist at some point or the other when a politician decides to become corrupt. Since the civil servants are responsible on the policy end of it, they either have to be convinced that what the politician says is correct or they have to be in agreement and understand what is happening and help them to move it through.

Members of the Police Force, members of the Customs Department, Immigration to a certain extent, and there may be a few more . . . Prison, of course, are all individuals who come in contact with individuals who are corrupt themselves and these are usually the systems that they continually try to beat. Customs in particular is an area that is fraught with attempts to beat the system, to evade customs duty. And if we get corrupt employees of the Customs Department or Immigration or the Police Department . . . you know we have had a few incidents over the years, but these are areas where I think that scrutiny could be required as well.

You know, I must take the opportunity at this time, Madam Speaker, to take my hat off to a lot of these individuals who will give life and limb for the jobs that they have in these departments who are totally, totally dedicated to their jobs and their country. So I am not accusing anybody, but I am saying that if we are going this direction should we not look at the

complete picture and try to fix everything as best as we can?

I have to agree with the Third Elected Member for Bodden Town that we also have to be very careful. We have to do a lot of things in consultation with some of these areas because they know better than us the things that happen and how they happen.

I believe that whatever we do we need to ensure, Madam Speaker, that we encourage them to continue what they are doing—to improve on what they are doing rather than forcing them to scale back because we have somehow sort of accused them of doing something that is illegal.

So, Madam Speaker, I just want to go back to where I first started and say that I do believe that this Motion was something that was well thought out by the Leader of the Opposition and that he saw it a certain way; and to make sure that the entire country understands that there were other options. And at the end of the day, despite what the Leader of the Opposition will try to make us believe, he knew full well that this Motion did not stand a chance and that this was simply an opportunity, something to give him a platform; and regardless of whether or not, Madam Speaker, any Member of the Government got up and debated the Motion, his reply was going to be the same.

I understand that. Members of the Government understand that and they have decided to do what they can to make sure the public understands what they know and to remind them of things that have gone on in the public life of the Leader of the Opposition.

Madam Speaker, I really do not like the acrimony in the House at all, but I have come to understand that at times you have to fight fire with fire. I have been around long enough to understand that at times you have to defend yourself. So one of the things that continues to happen to us in public life is that you have a set of people who will say to you that, *'Oh, when the Leader of the Opposition says these things' or 'I listened to him today and, oh, I cannot stand to hear him speak!'* I hope that you all are going to answer him because when you do not answer him people believe what he says.

Then you have another set of people who, when you do answer him, say, *'You know, you should just leave him alone. We do not really like listening to that kind of talk. The people who have sense understand that what he is saying is not true and we do not want you getting caught up in his style of politics.'* So there are two different sections out there, Madam Speaker, who say to us that we should do two different things. At times, Madam Speaker, I must admit that while I do not like the acrimony, you do have to set the record straight.

I believe that Members of Government have done what they had to do in speaking to this because it was the intention of the Mover of this Motion to use it as a tool for him to bad-mouth the Government. And

I believe you need to take the time to explain that to the general public because not everybody . . . There are many things, Madam Speaker, that I am still learning as a Member of this House, many things that I took for granted while I was outside, things that I hear wannabe politicians now talk about: *'You should do it this way'* or *'I cannot believe they have not done this.'*

A lot of these are things that I thought about that I used to say. The Leader of Government Business will smile at the many times that I pulled him over the coals for things that I thought he should have done or should have been done in government. He would explain to me, *'Well, it does not really work that way.'* But why? I just could not understand. But all of the experts are on the outside. All of the experts. We have all experts outside. They simply do not have a clue.

And you know, Madam Speaker, there are certain individuals in this country who (if it did not mean that I would probably have to sacrifice my seat) I would love to see elected so they could understand what it is all about and come to terms with the ideas that they have in their mind about how you should run government and how things work and how they do not work. You know, I have had many shocks. I have come to many realisations of things that I simply took for granted before.

Madam Speaker, I could say a lot more but I believe I have made my point in that I do believe that the Leader of the Opposition really did not have the people of this country at heart when he brought this Motion. It was simply a vehicle for him to say what he wants to say. And the Government cannot support it. We look forward to the bill as it comes from the Government and hopefully at that time we can call make positive contributions to that.

I thank you.

**The Speaker:** There is approximately five minutes remaining. I will entertain a motion for the adjournment of this honourable House at this time.

Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

I move the adjournment of this honourable House until 10 o'clock tomorrow morning.

**The Speaker:** The question is that this honourable House do now adjourn until 10 o'clock tomorrow morning. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until 10 o'clock tomorrow morning.

**At 4.22 pm the House stood adjourned until 10 am, Friday, 14 September 2007.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**14 SEPTEMBER 2007**  
**10.14 AM**  
*Seventh Sitting*

**The Speaker:** I will ask the Honourable Leader of Government Business to say Prayers.

**PRAYERS**

**Hon. D. Kurt Tibbetts:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.17 am**

**READINGS BY THE  
HONOURABLE SPEAKER OF  
MESSAGES AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Second Elected Member for the district of West Bay; apologies for late arrival from the Honour-

able Minister of Health and Human Services, the Honourable Acting Second Official Member and the Fourth Elected Member for the district of George Town.

**QUESTIONS BY HONOURABLE  
MINISTERS AND MEMBERS  
OF THE CABINET**

**The Speaker:** Question No. 20 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable First Official Member. Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

**Question No. 20**

**No. 20: Hon. W. McKeeva Bush** asked the Honourable First Official Member responsible for Internal and External Affairs and the Portfolio of the Civil Service to say how many work permits are granted each month, broken down as follows:-

- annual;
- temporary;
- renewals.

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Thank you, Madam Speaker.

The answer to this Question is as set out in the attached schedule (or table attached to the answer that I am now reading.) The period for which the information is provided is April, 2006 to August, 2007 (as the Question did not stipulate any specific period.)

But I would beg your indulgence just to share with Members of the House the numbers for the most recent three months of this year.

Namely, in June, there were 698 grants of annual work permits; 1099 grants of temporary work permits; 507 renewals.

In July there were 688 grants of annual work permits; 1205 grants of temporary work permits; 817 renewals of work permits.

In August there were 337 grants of annual work permits; 1205 grants of temporary work permits; and 515 renewals of work permits.

**The Speaker:** Are there any supplementaries?

Honourable Leader of the Opposition.

### Supplementaries

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Is the Honourable Member able to say from what geographic areas these were granted?

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Madam Speaker, I do not have with me information as to the geographic origin of the grants. I can share with the Member geographic information in respect of work permits currently in place if that is of interest to him. If he wants specific information in terms of the grants for a particular period, then I would be willing to undertake to provide him that information.

**The Speaker:** Honourable Leader of the Opposition.

*[inaudible response from the Honourable Leader of the Opposition]*

**The Speaker:** Honourable Acting First Official Member, the Honourable Member would appreciate this information being sent to him or to the House in writing.

**Hon. Donovan W. F. Ebanks:** For the full period that I had given you the other information?

**Hon. W. McKeever Bush:** Yes.

**The Speaker:** Yes.

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, based on the information that was presented in the substantive answer, from May 07 to August 07 between 9,000 and 10,000 work permits have been issued.

In an earlier answer the Minister of Labour told us that since May of this year, under the new system, no waivers from the Labour Office have had to be issued. So I have 2,000, 2,700, 2,300, 2,710, 2,057. So that is why I come up to between the 8,000 and 10,000. It was 2,700 for May, 2,300 for June, 2,700 for July and 2,057 for August.

So, out of that between 8,000 and 10,000 I am wondering if the Member can confirm if those 8,000 and 10,000 permits have all been issued without waivers from the Labour Office, meaning that the Labour Office was not requested to provide waivers or whether that is not a requirement anymore, or how do we get to the point where we have between 8,000 and

10,000 permits issued without the Labour Office issuing a waiver?

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Madam Speaker, I am unable to comment or to respond in respect to the waivers. I have no reason to doubt what the Minister of Labour has previously stated. But I can, again, if he wishes, have a verification of that from the various immigration boards. I can seek that verification and convey it to him.

**The Speaker:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker. I appreciate that information.

Maybe the question I should ask is if the policy has changed in regard to waivers, because as far as I understood, to get a work permit before, there had to be a request to the Labour Office asking if there were any Caymanians that could fulfill those positions. So, I find it strange to believe that we are issuing 10,000 permits without even a request, because assuming that a request was made the Minister has said that no waivers have been given but these work permits have been issued.

**The Speaker:** Could you give me your question, please, honourable Member?

**Mr. Cline A. Glidden, Jr.:** The question is whether the policy still remains—that is, a waiver from the Labour Office required for the issuance of these 10,000 work permits.

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Madam Speaker, the short answer is that to my knowledge there has been no change in the policy in respect of waivers.

**The Speaker:** Are there any further supplementaries?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Can the Honourable Member say, Madam Speaker, if there are any civil servants included in these numbers of permits under the government's new position, or has that not started yet?

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Madam Speaker, these numbers represent grants by the respective boards—either the Work Permit Board, Business Staffing Plan Board or the Chief Immigration Officer, in respect of temporaries—and as such they would not include government employees.

**The Speaker:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, the question is: I need the Honourable Acting First Official Member to explain to me how we can approve 10,000 permits without a waiver from the Labour Board saying that there is no Caymanian qualified to fill those positions? How can the board approve 10,000 permits without at least one waiver from the Labour Department saying that they are satisfied that there are no Caymanians that fulfill the needs of the applicant who is applying for a permit? If we have 10,000 permits being issued—

**The Speaker:** Can I have a question, please.

**Mr. Cline A. Glidden, Jr.:** The question is, how does the board approve 10,000 permits without the Labour Department confirming that there are no Caymanians that will fill the position that a work permit is being applied for?

**The Speaker:** Honourable Member, I think the Honourable Acting First Official Member told you he did not have that information but he would be prepared to supply it to you.

**Mr. Cline A. Glidden, Jr.:** But, Madam Speaker, I am asking him based on the policy, is it possible to issue a work permit without first getting a waiver from the Labour Department saying that there is no Caymanian qualified for that position?

The reason for that question is because the Minister has earlier stated that since May—

**The Speaker:** Yes, honourable Member, we have gone through that, but the Honourable Acting First Official Member said he would supply you with that information because he did not have it to let you know whether these work permits are being issued without a waiver from the Labour Department.

**Mr. Cline A. Glidden, Jr.:** Sorry, Madam Speaker, I understood he was going to give me the information on the waivers, but then I asked him if the policy had changed and he said the short answer was no, the policy had not changed.

**The Speaker:** Right.

**Mr. Cline A. Glidden, Jr.:** So, if the policy has not changed, my question now is, how do we approve work permits without a waiver?

**The Speaker:** Honourable Acting First Official Member.

*[inaudible interjection from the Third Elected Member for West Bay]*

**Hon. Donovan W. F. Ebanks:** Madam Speaker . . .

**Hon. W. McKeever Bush:** Um-hmm. Tell the truth!

**Hon. Donovan W. F. Ebanks:** If I had the answer to his question I would give him the answer.

**The Speaker:** Thank you.

**Hon. W. McKeever Bush:** Yep!

**Hon. Donovan W. F. Ebanks:** I simply do not have it, hence I gave him the undertaking that I would ascertain it and provide it for him.

**The Speaker:** Thank you.

I will allow one more supplementary.  
Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, I recognise that the Member would not have what I am about to ask for, but would the Member provide in writing the category or types of permits granted, for example, the number of lawyers and other professionals and domestic helpers and so on?

**The Speaker:** Honourable Acting First Official Member.

**Hon. Donovan W. F. Ebanks:** Madam Speaker, I will be happy to. I presume he wants for the same period that I had given the other information; April 06 to August 07.

**Hon. W. McKeever Bush:** April 06 to August 07.

**Hon. Donovan W. F. Ebanks:** Yes, Madam Speaker.

**The Speaker:** Thank you.

**Hon. W. McKeever Bush:** And any other information that can be added.

**The Speaker:** That concludes Question Time.

I have received notice of a statement from the Honourable Minister responsible for Education.

Honourable Minister responsible for Education.

## STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

### Recent Incidents at UCCI

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, in light of the value that this Government places on education and the seriousness with which it takes any threat to the peaceable process which must be engendered and preserved so that all students can safely pursue their educational goals, I have decided that it is appropriate that I make a statement to this honourable House in respect of recent incidents at the University College of the Cayman Islands.

Furthermore, I would like to report on the measures that I have ensured will be implemented quickly as a concerted response with a view to enhancing the safety and security of all students and staff in this environment.

Madam Speaker, the University College has grown in leaps and bounds since 2006 and we have gone from 647 students to over 3,500 in that period. Obviously, that growth in enrollment has posed challenges to the University College.

While I am unable to go into precise details in relation to the incidents as these matters are still under police investigation, it is public knowledge that there were two incidents in which young people suffered injuries. Of the five young men involved in these incidents, only one is a registered student at the University College. Madam Speaker, while two had to attend hospital, thankfully, only one was hospitalised.

On learning of these incidents I immediately arranged a meeting at which the Chairman of the Board of Governors, Mr. Conor O'Dea, and the President of the University College, Dr. Hassan Syed, were in attendance, along with my Chief Officer.

Following discussions it has been agreed that campus security will be increased immediately and there will be an RCIPS presence on the campus and regular police patrols day and night in order to prevent undesired elements from entering the campus.

Closed circuit camera surveillance is being installed at various points on the campus and signs posted to alert the general public. I am advised that the quotes for this work will be in place by today and that this will be actioned promptly. A security barrier is also being set up at the entrance of the campus so that visitors can be better regulated through a system of visitor registration. This will come into operation over the weekend.

UCCI staff and students will shortly be issued with car stickers to facilitate their easy access to the campus so they can get on with the business of teaching and learning. These will be available from 21 September.

UCCI identification cards are already issued to all staff and students from the office of the provost, and in light of the recent incidents all members of the UCCI community are being asked to wear their UCCI ID at all times while on the campus.

I believe that collectively these measures represent an effective response. They demonstrate that the Institution has taken ownership of the problem and is seeking to ensure a peaceful and safe learning environment.

The general public can also play its part as we move forward. I would like to remind everybody that the campus is a place for study. If you are not there to study then you have no business there.

Parents of students who are still on waiting lists should not therefore drop off their children and expect that they can remain there unsupervised all day.

In closing, I wish a speedy recovery for those injured and I will continue to monitor the situation so that I am satisfied that we have acted in the best interest of the students and staff of UCCI and the people of the Cayman Islands.

Thank you, Madam Speaker.

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker?

**The Speaker:** First Elected Member for the district of Cayman Brac and Little Cayman.

### Short Question—Standing Order 30(2)

**Ms. Juliana Y. O'Connor-Connolly:** Thank you.

May I seek your permission under Standing Order 32 to ask one short question?

**The Speaker:** For clarification, yes. Go ahead, honourable Member.

**Ms. Juliana Y. O'Connor-Connolly:** Most certainly. Thank you, Madam Speaker.

To the Honourable Minister responsible, with reference to the second page of his substantive statement could he perhaps give the honourable House clarification on what he means when he says that "They demonstrate that the Institution has taken ownership of the problem?"

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, it simply means that the institution acknowledges that there is an issue and that we needed to move quickly and effectively to address it to ensure that incidents of this nature do not occur again.

**The Speaker:** Madam Clerk . . .

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READINGS

##### Trafficking in Persons (Prevention and Suppression) Bill, 2007

**The Clerk:** The Trafficking in Persons (Prevention and Suppression) Bill, 2007, First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Firearms (Amendment) Bill, 2007

**The Clerk:** The Firearms (Amendment) Bill, 2007, First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Private Security Services Bill, 2007

**The Clerk:** The Private Security Services Bill, 2007, First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Companies (Amendment) Bill, 2007

**The Clerk:** The Companies (Amendment) Bill, 2007, First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Suspension of Standing Order 46(1) and (2)

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, on behalf of Government I beg to move the suspension of Standing Order 46(1) and (2) to enable the Insurance (Amendment) Bill, 2007 to be read a first time.

**The Speaker:** The question is that Standing Order 46 (1) and (2) be suspended in order to allow the Insurance (Amendment) Bill, 2007 to be read a first time. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Standing Order is accordingly suspended.

**Agreed: Standing Order 46(1) and (2) suspended to enable the Insurance (Amendment) Bill 2007 to be read a first time.**

##### Insurance (Amendment) Bill, 2007

**The Clerk:** The Insurance (Amendment) Bill, 2007, First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

#### Private Member's Motion No. 3/07-08

##### Anti Corruption Legislation and related amending Legislation

*(Continuation of debate thereon)*

**The Speaker:** Does any other Member wish to speak? *[Pause]*

Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

Madam Speaker, I have listened to the debate surrounding the Anti Corruption Motion that was brought by my colleague, the Leader of the Opposition.

I must say, Madam Speaker, that I did not need to see the kind of bitter debate that came from the Government's side on this Motion. It should not have descended to the level it did.

I heard Ministers talk about Boatswain's Beach and their continued attempt to discredit the project and the actions of the board which arranged the financing for the redevelopment. I would have thought, Madam Speaker, that since there is some review going on—which, of course, was instigated by the PPM Government—that they would have saved their comments until after the review has been completed. Instead they continued to try to discredit the actions of the very responsible members of the board.

Madam Speaker, I felt that I needed to say something on this because as a former member of the board for quite a few years, I thought it got way out of proportion. But since they have spoken about it in the press, in this House and everywhere else they choose, let me say that I have been there and every member of that board acted on his own initiative. They were not forced by any one individual to do anything that they did not choose to do. It was all done in a law-

ful manner, Madam Speaker, and I was appointed to the board under the law.

Anyone can say anything and some politicians will say anything. I can see where some politicians will try to go way beyond the call of duty to tear down what has already been established.

Madam Speaker, even the present Minister of Tourism was a member of the board at the time, being the Permanent Secretary for the Ministry, and he acted according to his own convictions. He was not, as far as I am aware, forced to do anything that he did not want to do.

No one complained and everyone thought we were doing the right thing, Madam Speaker, for the future development of our tourism product and for the Cayman Islands.

I still maintain that Boatswain's Beach is a good project and should be given every opportunity to survive and succeed. It should not be subjected to the kind of politics that are now being played out.

Madam Speaker, I take no part in it. When you discredit and besmirch members of the board and the character of the good people of the Cayman Islands, I have no part in that. This is no way to conduct the business of governance of our beautiful Islands.

Madam Speaker, in closing I consider this a very timely Motion and I give it my wholehearted support.

Thank you.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I rise to make my contribution to the Private Member's Motion No. 3/07-08 Anti Corruption Legislation and related amending Legislation.

Madam Speaker, I have listened carefully to all comments on both sides. I have read the Motion over and over and over to try to understand what the mover's intent was.

I have looked at words like "public official", "Member of the Legislative Assembly", "public service", "Permanent Secretaries", "Chief Officers", "certain public officers". And I have taken the liberty to look at some of these definitions. For example, "civil servant" is a person who works for the Government. A "public official" is a person who is elected or appointed to public office. A "public servant" another name for a government employee, one trained for public. A "Member of the Legislative Assembly"—a Member of the Legislative Assembly (MLA) is a representative elected by the voters of an electoral district.

And then, Madam Speaker, I looked at the word "corruption" and I saw where the definition of corruption is the abuse of public office for private gain.

This can have a devastating social and economic impact on many things. That word strikes to the core of our country's democracy of an ethical government of a healthy country.

Madam Speaker, the Motion says in the first WHEREAS that the public is asking for more legislation to govern public officials. The first thing I will comment on is the Cayman Islands Legislative Assembly registration form, the 'Declaration of Interests' and cite to you that there is a law, the Register of Interests Law, 1996, which, to me, governs in many, many ways public officials. And those officials are the Speaker of the House, the Attorney General, the Financial Secretary, the Chief Secretary, the Members of the Legislative Assembly, quite a number of persons.

And when you fill out your form, in particular as a legislator, on the anniversary of your being voted in, this form is quite comprehensive. It asks you to declare your assets, what you have; what you are connected with; connected with a company; if you have had any gifts from overseas; any gifts from the Cayman Islands; what your family is connected with; what land you have and it goes on and on and on.

Just last week, Madam Speaker, we passed the Anti Corruption Bill.

**The Speaker:** Laid it on the Table for discussion.

**Ms. Lucille D. Seymour:** Sorry, tabled it for discussion. Sorry, Madam Speaker and thanks for your correction.

But I would like to draw your attention, Madam Speaker, to what was discussed to the public, the same public that is asking for all of this legislation on anti corruption where public officials are concerned. I will cite, Madam Speaker, with your permission. It says that we would:

- bring openness and transparency to the public administration.
- end the culture of secrecy in government;
- hold regular press briefings;
- pass freedom of information legislation, which has been done;
- support the role of the Auditor General and make his reports public documents, which has been done;
- support the role of the Commissioner and expand his remit to all the offices of government;
- bring an end to government intimidation of individuals and company;
- end intimidation of public and civil servants by Ministers and Members of the Legislative Assembly;
- eliminate corruption in government;
- conduct the state of affairs honestly;
- insist on high standards of ethical conduct for Members of the Legislative Assembly and Ministers of government;

- ensure that government contracts are properly tendered in accordance with the Financial and Stores Regulations and the requirements of Central Tenders Committee.

And the list goes on and on.

Madam Speaker, the regulations as far as public officials are concerned, to me, I think are quite sufficient. Perhaps the public really does not know what it is that Members of the Legislative Assembly have to do in declaring—if it is true—in declaring their assets each year. Also, Madam Speaker, there are penalties for that. And the House itself regulates the Members. So if you fail, there are opportunities for the House to make a report, to discuss the report and you can fine the Member some \$5,000. So, I think that would be embarrassing if a Member did not sign his declaration of interests; it certainly would be embarrassing. Even better off, it sits in the Legislative Assembly where everybody, including the media, can come and see what you have declared.

Madam Speaker, we have been called a lot of things in this House, but today—and I think sometime this year I stood up in defence of the civil servants, and I am going to do it again. To me, this Motion is about intimidating civil servants. You cannot intimidate the Members of the Legislative Assembly because they can stand up for themselves. They have two hours that they can say their ABCs backwards or whatever they want to say in terms of defending themselves. And this is a crucial Motion you know, Madam Speaker. This is about your integrity; the integrity of civil servants.

Now, Madam Speaker, I worked in the civil service for 33 1/3 years. I spent the greater portion of last night calling up some of my old colleagues. I made sure that I did not call anyone that was in the civil service at the moment. I asked them saying: *'I want you to go back with me in time and I want you to tell me when was the last time a civil servant was indicted for corruption. And if a civil servant was indicted for corruption, what were the penalties?'*

Now, some of the infractions, Madam Speaker, were theft, petty theft, doing other things such as that. But what is important is that they were penalised for it. They were penalised either by being interdicted; they were suspended without pay or with pay; they were put in court and paid the consequences. But the civil servants had their day.

Madam Speaker, in all of my time I cannot remember if it was such glaring corruption—if so, then it must have gone without my notice—because you know why? This civil service is almost flawless when it comes to that, this Cayman Islands civil service. And we as politicians, who are their partners, must stand up and help them, and support them when we become Ministers—and I have to use it in that terminology, Madam Speaker—so that they do not falter in our ways as was purported in this House has happened. And I do not have to go over and over all

the issues. I do not have to do that, but what I have to do as a fair person with a conscience, is to say that this Motion is about intimidating civil servants.

Madam Speaker, why I know it is intimidating civil servants, the Motion only asks—and you can correct me—for example, it says to change the **“Public Service Management Law, 2005, to ensure that certain civil/public servants [and that is almost the same thing] such as Chief Officers (Permanent Secretaries) cannot run in a General Election until at least one year after leaving the service;”**

Madam Speaker, correct me if you may, but I would have thought that the Chief Secretary was also a chief servant, and a Member of this Legislative Assembly. If I am interpreting this right, the Chief Secretary can run, can leave and run. The Financial Secretary can run, too. The Auditor General can run, too. But the Chief Officers cannot. Why, Madam Speaker? Why? Why is this like this? It is biasness. It is intimidation. And that is unfair because they are not here to defend themselves.

Madam Speaker, I do not know if I understand this terminology about ‘putting the fox to watch the hens’ or ‘turning the poacher into a gatekeeper’. It is sometimes said that alleged poachers make the best gatekeepers. And this is how it is, you know. To me it appears that way. But I would remind those who aspire to this position as the gatekeeper of credibility, honesty, loyalty and impeccableness, that the Cayman Islands already has the best gatekeeper in the region. And to me, that gatekeeper is the Honourable Leader of Government Business who heads a government in the name of the PPM. And, Madam Speaker, I have read out all the things that the PPM Government did during the campaign and are still doing, and have said to the people *‘These are the things that we would wish to do because we have been entrusted to mind the purse of the people and the country of the people.’*

As I said, Madam Speaker, just last week we tabled the Anti Corruption Legislation to pursue our goal of good governance in the Cayman Islands, and I also said that we already have a Code of Ethics for the Members of the Legislative Assembly. Then why, Madam Speaker, would the First Elected Member [of West Bay], the Honourable Leader of the Opposition, want to introduce an anti corruption legislation?

I believe this is a delusion to fool the people of the Cayman Islands because it is all there. And I know one thing: the people can read. Now when I was growing up you might have fooled some of the people because some of them may not have been able to read. But thank God today all of the people can read. And even though they may not agree with some of our policies they can read. So they have read all of those things about anti corruption and about openness and transparency.

But, Madam Speaker, I believe that this Motion is about the continuous hounding of civil servants such as was characterised formerly in their day when

they were in charge, with the civil servants as their partners.

Madam Speaker, I would not ask you if you remember those days but I certainly know that some civil servants remember those days. Perhaps I might even go so far as to say that the Glass House could have been like a little prison in those days.

Madam Speaker, I think the mover of the Motion should learn by now that he cannot intimidate civil servants.

Madam Speaker, in my time as a civil servant there were several persons who left the service a month, three months, six months and went into politics. But the civil service is a breeding ground for politicians. That is where your bright minds are. That is where people who understand the logic of this country are. And so, why should I stand up here today and debar civil servants?

I understand now that in the way we are set up, the budget is an open document and everybody knows what is inside the Budget. What is so secretive about that?

I believe perhaps the most secretive things are in the Cabinet and the civil servants, except for three, are not in the Cabinet. So what is there, Madam Speaker, that they are so secretive, that must be so ominous maybe that we have to hide it, that our civil servants cannot leave. If they have that feeling and they want to represent their country, let them do so. If the requirement is that they have three months to notify the government, let them do so. But why should we here, we who have a great opportunity to be politicians—and people comment that we are making a lot of money and not doing anything for our people—why should we not wish for our own Caymanians who are civil servants to come here in these hallowed Halls to represent the people? Why should we not? Why are we going to restrict them, in particular, Chief Officers (because that is what the Motion says)?

Madam Speaker, I grappled with this. I grappled with this and said it is selfishness and unconscionable, as my mother would say.

But why, why at this particular juncture, Madam Speaker are we bashing those civil servants, are we hitting them so hard? Why? I questioned that for the last seven days. I perhaps have the answer, Madam Speaker, but I know you would not allow me to say that, so I will not say that here.

Madam Speaker, this intimidation, this intimidation and saying the people are asking about legislation for public officers, let me tell you something. I would think if there was a poll that went around today that the civil servants would have a higher rating than the Legislative Assembly Members. I think so! I really think so! I do not think that because of what has gone on in the past that we have sat down as an organisation, as a fraternity, not what is in the legislature because there is a lot of legislation here, but the consciousness of us, the moral fibres in us. Can we sit

down as a group and say, *'Listen. This is what people are saying about us.'*

And I referred to it in the Freedom of Information discussion. This is what people are saying about us. What is it that we can do, not legislation, but what we can do as people with good principles of honesty and loyalty and consciousness for our country to know that when we dip our hands in the purse we deprive the poor? And when we dip our hands in the purse we deprive the mothers and their children from getting anything from Social Services. And when we spend the millions unnecessarily we are not advancing the country in a sustainable way.

Why is it that we as Opposition and Government cannot sit down and do that? But yet we exonerate ourselves because we are in here and we are supposed to be the best people. But the poor civil servants are the ones who are the criminals according to my interpretation.

Madam Speaker, these are the reasons I think this Motion should be rejected. I really think so.

Now, do not get me wrong in that I do not understand anti corruption. As a matter of fact, the more we become economically blessed, the more we become this free enterprise, is the more there is likely to be corruption—likely. I said “likely to be corruption.”

So I understand the Bill will deal with all of that and it will subsume some of the points that the mover made, and perhaps even more than what the mover made. But we will have to wait for that and we will have our turn to make our comments.

Madam Speaker, I wonder when I sit down what the mover of the Motion will say about me. Now, under his breath he alluded to people dealing with drugs and cocaine; I heard that myself. Under his breath he said, *'I will fix you when I get up.'* I heard that myself.

Madam Speaker, if you are so infested in anti corruption, why is it that you have to be pointing, doing character assassination in these hallowed Halls?

*[inaudible interjections]*

**Ms. Lucille D. Seymour:** Madam Speaker, I grew up in the Presbyterian Church and from the time I was a little girl I knew the difference between right and wrong. I knew when there was a heartless person, [and I knew] a person with a Christian heart. And the people in my day who had the best Christian heart, poor things, they never went to church. So, I expect that when the mover of the Motion gets up to respond, all that diatribe and all that nefarious type of stuff that he said, all of those things will not be in his retort but there will be consciousness, a good heart, a good Christian man as I know him to be. And don't call me black or big nose, Madam Speaker!

*[laughter]*

**Ms. Lucille D. Seymour:** And don't talk about my sexual preferences, Madam Speaker! Talk about his, too!

*[inaudible interjections]*

**Ms. Lucille D. Seymour:** Madam Speaker, I know this is what he will say. And don't talk about my colleagues like they are the town drunks or they are fooling with this one! Those things are not part of us as Caymanians to represent these Cayman Islands, this beautiful economic miracle. No, Madam Speaker. This must stop! It has to stop.

I am tired of being ridiculed in the kitchen.

**An Hon. Member:** Let it all out.

**Ms. Lucille D. Seymour:** I am tired of it being insinuated that I never did anything in my profession.

Madam Speaker, I was honoured by Her Majesty the Queen for my input in sports, education and community. Granted, it was just a British Empire Medal but it was given to me for my contribution. And, Madam Speaker, being famous in this country, Lucille Dell Seymour, did not come from being a politician. It came from being a good teacher, a good person with a good heart who is altruistic, who loves her country and who would do anything to lift her fellow men and women. So, Madam Speaker, when the Honourable Leader of the Opposition gets up to say something about me, I hope that it will be good. But I am tired of hearing about whether I am a man or a woman! I am tired of hearing about my colleagues, whether they have a wife or not. I am tired, Madam Speaker, and that does not make good governance.

And the people of this country must understand and the people who represent the people and who interpret for the people, like the media, must understand and bear that responsibility.

I take umbrage to the civil servants being intimidated. I take umbrage to that and I will fight for that because that is where I made my bread; that is where my life was and that is where I contributed my living soul and no one at the podium, in the kitchen, outside, again is going to intimidate me because they feel that they can tell me whether I am a man or a woman. They must question themselves, too, because I hear things myself!

Madam Speaker, in conclusion, I want to assure our law-abiding and hardworking civil servants that my government, called the PPM Government, will continue to give them security and protection, which they have enjoyed since 2005.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I have a few comments to make on Private Member's Motion No. 3-07/08— Anti Corruption Legislation and related amending Legislation.

Madam Speaker, I must confess that I did not intend to speak on this Motion because I think I have gotten past that stage where I feel the need still to speak on all Motions that come before this honourable House. I am trying to learn from a statesman on the other side, the First Elected Member for Bodden Town, who explained to me (in my rookie year, I believe) that elections are not won on the floor of the Legislative Assembly, so you must not feel the need to get up and debate each Motion.

For example, the Motion recently with recognition of women, I supported that Motion, I voted for it. But after all the Members had spoken on it, all I would have been able to get up and say was how I respect and appreciate the contribution of the women here as well. As you know, Madam Speaker, I love my mother dearly as well, and like everybody else I think I have the best mother in the world. But I did not think it was necessary to get up to debate on that.

I also thought this Motion was quite straightforward as well. I did not think it was going to be necessary to get up to debate it. I have read the Motion time and time again. I have looked at the resolves and I have had a real difficult time understanding, especially when the Third Elected Member for George Town just made the point that if you believe in anti corruption that there is no need for personal attacks in the Legislative Assembly.

Madam Speaker, I know you have been here before this and I know you have witnessed what went on in here this week. I know you have seen and the public has heard what came from the Government Bench. I cannot believe that a Member on that same side would have the audacity to make those comments, to say that if you believe in anti corruption that there is no need to stand in here and make personal attacks. Maybe she is detaching herself from the rest of her colleagues on that side who made those personal attacks. Maybe the pressure is coming from outside these Halls to say that this is not what we expect from you.

The reason I say maybe that is happening, Madam Speaker, is because I heard the Fourth Elected Member for George Town yesterday, as well, who got to his feet and made those same justifications; who talked about this just being politics, par for the course, and that sometimes you have to fight fire with fire. It sounded to me that there was an attempt to justify the personal attacks that have been, I guess, targeted at the Leader of the Opposition.

Madam Speaker, everything that can be said has been said. Even some things I did not hear him using during the political campaign have been said. And then the Third Elected Member for George Town

has the nerve to get up to say that if you genuinely believe in anti corruption there is no need to stand up and make personal attacks. So, either she is saying that she does not really believe what she is saying, or she is saying that her other colleague Members who have made all those attacks definitely do not believe in anti corruption. So, I really found it confusing when that comment was made.

Madam Speaker, I have listened to the justifications over the last couple of days as to why this Motion cannot be supported by the Government. I have heard that it was because—and as far as I can recollect now without making notes, I have heard three different reasons as to why the Government cannot support this Motion.

First I heard that it was because the Leader of the Opposition, the mover of the Motion, has been in here a long time and he had ample time to bring the Motion prior to this if he wanted to. And so, they are saying that it is because the Member was here before, but if it was a new Member then it could have been brought and maybe it would have been a different outcome from the Government's support. But, because it is the Leader of the Opposition who is the Father of the House, they cannot support it on that reason.

Now, Madam Speaker, the Government is bringing an Anti Corruption Bill. There are Members of the Government that have been here 12, 16 years as well, but the Bill is only now coming. What are we saying, Madam Speaker? Is it because there are Members on that side who had an opportunity to bring the Bill before the Government should have decided now that they are not bringing it? I listened to that argument but I could not make any sense or rationale behind that.

I then heard, Madam Speaker, that they cannot support it because the Government is also bringing a Bill. Madam Speaker, supporting this Motion where an amendment was proposed to consider supporting the Motion, whatever changes in this could have been incorporated in the coming legislation. So, that again, that reason or rationale does not bear any weight.

I have now heard, Madam Speaker, that it is because it victimises the Civil Service. Now I guess part of the reason why I have this problem is because the Fourth Elected Member for George Town made his point yesterday to say that when this Motion was coming it was discussed. Maybe it was even discussed at the retreat that we broke for on Monday to have. But he said that it was discussed by the Government so you would have at least thought that if they had discussed the reasons, those reasons would be given as to why they were not supporting that, which would have been similar. But here we have just about everybody getting up from that side after having discussed this Motion and all giving a different reason why they cannot support it.

The last one, Madam Speaker, when the Third Elected Member for George Town got up she

said that it was victimisation of the civil service. If I read the resolve it says, **“AND BE IT FURTHER RESOLVED THAT Government amend the Public Service Management Law, 2005, to ensure that certain civil/public servants such as Chief Officers (Permanent Secretaries) cannot run for a General Election until at least one year after leaving the service;”**

Now, that was a big problem for her, but yet, one of her colleague Members that she had discussed it with, the Third Elected Member for Bodden Town, said yesterday that he does not really have a problem with that resolve. He said that he can see the rationale behind it, and that he feels there should be a period of time, and he even talked about the time being up to nine months, conveniently just below the one-year period that this Motion is calling for. Now, he is on the same bench as her. He obviously had acknowledged discussions with them. She is saying that her problem is victimisation of the civil servants, but he is saying he recognises the rationale behind giving them a period of time.

Madam Speaker, what we can see here is that these discussions obviously did not come to an agreement amongst the Members. All they knew was that they all have to find a reason why not to support the Motion, right?

Madam Speaker, the Third Elected Member for George Town said that it is victimisation if a Chief Officer was not allowed to run for politics for three months.

Now, I thought she was a reasonable lady, Madam Speaker. But anybody that can say they do not see a problem with someone in the Civil Service at the highest level; the key support to a Minister, the Chief Officer, operating, supposedly in a non-political manner for the Minister and carrying out policies of the Minister—after talking at length about her established career in the Civil Service and then says that she does not see a problem with someone at that level who is supposed to be non-political . . . is she trying to say that a person can have no political aspirations and be totally impartial three months prior to election and then leave and all of a sudden . . .

*[Inaudible interjection]*

**Mr. Cline A. Glidden, Jr.:** It has happened, Madam Speaker, but any reasonable person will recognise that it was obvious prior to three months that that individual had political aspirations. And any reasonable person will appreciate that that person would have had a difficult time in the conducting of his duties to be impartial with the political aspirations that they would have. And I think that is the point the Third Elected Member for Bodden Town was making. Any reasonable person will have to agree that it is ridiculous to expect that a person is going to be totally impartial working up until three months prior to the Election,

walk away from that having no interest or no intent in politics but then decide to run for political office.

Madam Speaker, we all agree, allow the Civil Service . . . and she is right, it breeds a great politician. It can create great politicians and the country should benefit from them. But to say that it is victimisation of the Civil Service, to say that the Chief Officer should have to wait a period exceeding three months before he is allowed to run, I think that borders on ridiculous. There is no rhyme or reason behind that. Obviously, I can only assume—or I hope that she is in the minority on that side who feel that way since her colleague from Bodden Town obviously feels that the time should be extended. I understood that he cannot accept the Motion just because it came from the Leader of the Opposition, but at least if he understands and agrees then we can look at getting the benefit.

Madam, Speaker, the other resolve: “**AND BE IT FURTHER RESOLVED THAT certain public servants declare their interests in the Register of Interests pursuant to an amendment to the Register of Interests Law, 1996, by the Government.**”

I know that the Members in here try to get political mileage on anything that they can, and the Member for George Town made the point yesterday that this is the house of politics. But all of us, Madam Speaker, have been bombarded—and I say that without fear of contradiction—with people who are complaining. And it was mentioned yesterday: Customs Officers who have achieved this, Police Officers who have achieved that . . . so instead of talking about victimisation, in many cases, those Police Officers may have inherited money; they may have had businesses. No one knows about that.

But public perception dictates that if you see a police officer and he only has ‘X’ salary and he makes significant financial achievements, automatically the mind runs to corruption. So, we are not talking about only victimising, we are talking about protecting. If you gave them the opportunity to declare their interests, those that had a genuine method of acquiring the financial benefits that they acquire would have an opportunity to protect themselves from the perception that I am sure all Members have heard, that they are corrupt in some way.

Now, we do not like to talk about those things, Madam Speaker, because politics is such that we like to play the games and say, ‘*Oh, we are protecting and standing up for the Civil Service.*’ So, it is all politics but the reality is that everyone else is faced with that situation. We have heard all the rumours about the police officers who are corrupt and it makes it difficult for them to conduct their business. So, what is being proposed here is that they have an avenue to protect and defend themselves. But how was that spun? It was spun to say that this is victimising the civil servants.

Madam Speaker, I said that I was not going to be long. I just had a few points to make.

Up until yesterday I did not think that it was necessary for me to speak on this Motion but the main point, I guess, that cemented my decision to speak on this Motion was because, to me, yesterday was a historic day in the Legislative Assembly. Maybe it is only historic for me because my history period is a bit younger, but what I heard yesterday, Madam Speaker, was a Member of the Government getting up on the Floor of the Legislative Assembly and saying clearly that in this house of politics the Opposition was the government-in-waiting and that the Government would do whatever it had to do to remain in power.

Now, Madam Speaker, let us look at that statement: When a Member of the Government will say very clearly, no ambiguity, very clearly that the Government will do whatever is necessary to remain in power . . .

*[Inaudible interjections]*

**Mr. Cline A. Glidden, Jr.:** Now, Madam Speaker, instead of me answering who said it, maybe that Member can ask the individual, because the individual knows who said it.

*[To an honourable Member]* Maybe you were in a different parliament than me.

**The Speaker:** Honourable Member, would you continue your debate through the Chair, not across the Floor. Thank you.

Honourable Members, would you all please allow—

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I just remind the Members that if they feel that I am saying—

**The Speaker:** Honourable Member, one moment, please.

**Mr. Cline A. Glidden, Jr.:** Sorry.

**The Speaker:** Can we stop interrupting the speaker?  
Honourable Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, may I just remind my honourable colleagues on the other side that if they feel that I am saying something that in some way is not correct, I challenge them to challenge me and maybe we can get the *Hansards* and then it can be debated. But if not I will continue on with my debate.

Madam Speaker, when I hear a Member of the Government get up and talk about the transparency, openness and the protection of civil servants on one hand, and on the other hand get up and say that the main objective of the Government is to remain in

power at whatever the cost; that to me is a scary day in the Cayman Islands. That is why I started off by saying I had no intent to discuss this Motion. But when I stand in here I feel that the public needs to understand the ramifications of such a statement.

Madam Speaker, I heard the promises and actually I have a little gift that was given to me by the PPM. It is their Manifesto and it talks on page 34 about:

**“YOU CAN TRUST THE PPM TO:**

- “(a) Work to modernise and improve government and democracy;**
- “(b) Improve the terms and conditions of our constitutional relationship with the United Kingdom;”**

Madam Speaker, it goes from (a) to (w). I will not bore the House or the public with all of that, but what I would ask those Members, when they were campaigning, is there somewhere in here where it says, ‘*You can trust the PPM to do whatever is necessary to remain in power*’? I have not been able to find it.

**Hon. W. McKeeva Bush:** Yeah!

**Mr. Cline A. Glidden, Jr.:** I am sure, Madam Speaker, if that was one of their campaign promises they would have not been so well received into office. When we say anything—what does anything include? Anything includes anything criminal.

**Hon. W. McKeeva Bush:** Um-hmm.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, anything includes anything immoral.

They have said that they are willing to do anything. Now maybe a Member will get up and tell me that, again, that Member has distanced himself from the Government. But we have a Member of the sitting Government acknowledging that they will do anything to remain in power. Then we see the justification for the personal attacks, Madam Speaker. Now we see why it was so personal.

Like I say, Madam Speaker, I really request if someone can show me in there where they made that promise or commitment to the public that they are willing to do anything, but if they cannot find it I will understand.

Madam Speaker, now we understand the attacks, not only in the Legislative Assembly, but the attacks that have occurred by the PPM on the Leader of the Opposition because as a part of doing anything it means destroying the reputation of any individual as well.

Madam Speaker, I now realise when I have heard much furore over the Public Accounts reports, the reports of the Auditor General how the system operated in the past, as you are well aware. But for the benefit of the listening public, the Auditor General

would make a report in his investigatory position and with the resources allowed to him. That report would then be presented to the Public Accounts Committee. The Public Accounts Committee would then interview and question, based on that report, to get the additional information that was required prior to the Public Accounts Committee tabling the report. That was a bipartisan group of Elected Members of parliament who would sit, take the report from the Auditor General and decide based on that report which witnesses had to be called, which answers needed to be asked.

Madam Speaker, again, under the pretense of openness that position has now changed. The Auditor General’s report can now become public without that added feature of the Public Accounts Committee having a chance to question—

**The Speaker:** Honourable Member, I must interject here that that was done with an amendment to the Standing Orders passed in this House, brought by the Second Elected Member for the district of West Bay, that the Auditor General’s report became public immediately upon receipt by the Presiding Officer and Members having it in their hand.

**Mr. Cline A. Glidden, Jr.:** Yes, Madam Speaker, and that clarification is a good one. What I said was it was passed to make open, so there was an attempt to give openness or at least the perception of openness. I did not say it was done by this parliament, yes, Ma’am, or the Legislative Assembly and I thank you for that explanation. It was done . . . I do not remember the exact date. Maybe you can tell me exactly when it was done.

I do not remember exactly when it was done, Madam Speaker, but it was done in an attempt to give what was deemed at that time, by the Members here, as more openness. But what that has allowed is that the report now has the ability to become public without the added checks and balance of having this bipartisan group of Members that form the Public Accounts committee, being able to ask questions prior to that report getting tabled or getting made public.

Now, what we have seen is that that is used well for those personal attacks that we talked about. The day before yesterday I heard you telling Members to be careful with these allegations that were being made without proof. But in this court that we live in—the court of public perception—there is no need for proof. You achieve your purpose by simply getting up and casting aspirations [sic] and allegations.

*[Inaudible interjection]*

**The Speaker:** Honourable Member, I have to correct you. When I spoke to the honourable Third Elected Member for Bodden Town was when he was referring to the Leader of the Opposition buying property from his family.

**Hon. W. McKeeva Bush:** Selling.

**The Speaker:** Or, selling property for his family. That was when I interjected about the accusations, because to me that was getting into his personal life.

**Mr. Cline A. Glidden, Jr.:** Yes, Madam Speaker, and maybe I am off somewhere that you do not want me to be. But the point that I was making is that—

**The Speaker:** It is not where I want you to be, honourable Member, so would you please continue your debate. Thank you.

**Mr. Cline A. Glidden, Jr.:** Okay, Madam Speaker, and it was not meant—when I said “not where you want me to be” I meant somewhere that is unparliamentary.

But if I am allowed to continue on that path . . . The point that was made concerning those accusations, when we say that the intent is only to stay in office or to stay in power regardless of what the cost, when you get up and make those accusations that achieves that purpose because the public hears that and they say, *‘Well, they would not be saying that if there was not some truth to that.’*

And so, we look at all of those reports that have been made public recently and we hear about all the accusations and the questions that have been asked and they were listed yesterday or the day before by the Minister of Education. He mentioned the Cayman National Cooperation Insurance report, the special account by the Auditor General.

Now, Madam Speaker, as a member of the Public Accounts Committee, when that report comes to the Public Accounts Committee there will be questions asked as to who negotiated this agreement, who was involved, what was the reasoning behind, and then the Public Accounts Committee would look at that and form an opinion. They would be especially interested, Madam Speaker, because one of the people that is acknowledged as being a part of that is the Honourable Third Official Member, the Financial Secretary, who has a very respected position in this country, and a very respected individual, I might add, who has come forward and said that in his interpretation that was a good deal and something the country needed to do.

Now, Madam Speaker, when the Public Accounts Committee reads that report and questions the Honourable Financial Secretary as to the reasons for it, the Public Accounts Committee will probably decide—unless they are going to say that he is also corrupt or he is also incapable or incompetent of doing his job—that that was a necessary decision for the country to make. But you do not hear about his involvement because it is not convenient at this time.

What is convenient at this time is to say it was done and there is a report that paints the Leader of the Opposition in a bad light. But they do not talk

about their colleague Member, who is still the Third Official Member, the Honourable Financial Secretary. If they are painting the Leader of the Opposition in a bad light they are also painting him in a bad light. But you see, Madam Speaker, that will happen during the Public Accounts Committee. By that time the damage will already have been done.

And so, they are now allowed to play those kinds of games and to sell those kinds of stories to the public, because as we heard in this honourable House they will do anything to stay in power.

Madam Speaker, I recognise the danger. There is an ongoing investigation with the Boatswain’s Beach and I will not go any further than what the other Members have gone.

One of the questions that the Public Accounts Committee would ask is, where was the Permanent Secretary, the Chief Officer, the now Honourable Minister of Tourism, during the time when all of these shenanigans were supposedly being played? You know where he was? He was signing resolutions on behalf of Government because the Minister does not have the signing authority. But why do we not hear that concern? We do not hear him talking about his involvement. We hear the Leader of the Opposition under his chairmanship. You know why? Because again, Madam Speaker, that falls in line with going along with whatever is necessary to stay in power.

We hear about another one of those famous Auditor General reports, the Port Authority financing. Again the question will be asked, where was the Chief Officer? Where was the Permanent Secretary during that time that the Honourable Leader of the Opposition was doing all of these underhanded deals? Where was he? Was he a little fly on the wall? No, Madam Speaker, he was the Deputy Chairman of that board.

All of those things come out during the Public Accounts Committee questioning of witnesses. But until that happens—and now we see that there is no rush for that to happen. There is no rush for that to happen because this fits along with this perception that has been created, this terrible ogre that the Leader of the Opposition is, who runs around beating all the members of these boards into submission, including the Honourable Minister of Tourism; making them do things that they did not want to do. He is operating on his own even though there is a board in place, and there are members of the public, Madam Speaker, who believe that. And when the information comes out it is too late.

Madam Speaker, I have one of those examples to use, too. During the campaign the MC Restoration was a terrible deal, corruption, people were going to go to jail and all the rest that was going on. Right? There were so many questions raised about that report. The Auditor General did his report, came to the Public Accounts Committee, the chief witness was the now Cabinet Secretary. He answered all questions to the satisfaction of the PAC. And you

know what, Madam Speaker? You do not hear the MC Restoration report anymore. But during that time it served their purpose, gained power, fooled the people. But when the report came and the Members sat, discussed it, grilled him and asked him why these decisions were made and who made these decisions, the Cabinet Secretary answered all those questions. There is no more noise about that report; about the people that were involved criminally and about all the money. The report came out to show, if I remember, that 80 per cent of the money that was spent was spent in the Caymanian economy.

**Hon. W. McKeeva Bush:** Um-hmm.

**Mr. Cline A. Glidden, Jr.:** Right? Those are not things that the Government wants to brag about. When some accusations could be made, Madam Speaker, that there was something criminal going on, oh, it was fine. That was the big top word. The buzz word was MC Restoration. And that is the same way with the Cayman General Insurance Report. That will drag out as long as possible because the only person that is remembered about that is the Leader of the Opposition. The Boatswain's Beach Report dragged out again.

And now, Madam Speaker, I finally realized . . . I have to be honest. I have always suspected but I have had the acknowledgment by the Government that they have confirmed they will do anything, anything that is necessary to remain in power. Madam Speaker, I must tell you, in the short time that I have been here that has really blown my mind. People may have thought that before, but I never would have expected to get that confirmation.

I heard all the stuff before. This is the house of politics and we are only going to do what we have to do because, you know, that is the sort of sparring goes on with the two sides. But when I hear that kind of acknowledgment it now says to me that we will spend the country's money regardless of what we spend it on as long as we see it as being essential to maintain power, regardless of whether we are getting good value for money or not.

Madam Speaker, as a legislator and an Elected Member who takes my responsibility seriously, that was like a sad historic day in my short political life. And I think it is important that the public should understand exactly how far the Government will go to maintain power; nothing left out, no caveats, nothing at all is left out.

Now, Madam Speaker, after all the diatribes and all the shots that have been fired at the Leader of the Opposition, I have heard now that we hope that when he gets up to debate that he is a Christian-like person.

*[Laughter from the Leader of the Opposition]*

**Mr. Cline A. Glidden, Jr.:** That he does not respond unkind to how he has been attacked because that would be a bad thing for him to do.

**Hon. W. McKeeva Bush:** Oh, yeah.

**Mr. Cline A. Glidden, Jr.:** He would then be a bad person.

To be a good person he has to sit back and take all the personal attacks so much so that even the Speaker had to interfere about family purchasing and selling land and all the rest of it. Right? But the Third Elected Member for George Town gets up and talks about not having a need for personal attacks in here! What a short memory she has, Madam Speaker.

That is why when I say that I had no choice even in the interest of time, I had to make comment because from now, to get up and expect in some way, or give the impression that my colleague, the Leader of the Opposition, the First Elected Member for West Bay, in his response, is not expected to answer all those accusations and criticisms that were levied or else that will make him a bad person, I think that again borders on that 'ridiculous' that we were talking about. Madam Speaker, ultimately, what we have seen here and heard acknowledged, is that this is a very timely Motion.

Oh, one of the other reasons that was given was that the PPM had promised to bring this anti corruption legislation and so the Opposition knew it was coming. Madam Speaker, we are going into the third year. The Anti Corruption Legislation had not come as yet, so the Opposition decided to bring forward a Motion and we hear that it still cannot be supported because the Government has already tabled a bill for anti corruption.

Madam Speaker, like I was saying, this is a very timely motion. All the Elected Members of the Opposition want to do is to achieve a better standard of living and life for our people who we represent. If by doing that we had to give this Motion to the Government to make them bring it we would have done that. We did not realise that the acrimony in here was to the point that the reason that would be given for not supporting a Motion was simply because it had been brought by the wrong Member. It is a good Motion! I have heard them get up and acknowledge that. It is a timely Motion but it is brought by the wrong person.

But these are the people who have been elected to represent the best interests of the people of the Cayman Islands, Madam Speaker. So, we realise now that if we have a Motion that is going to improve the life of our people who we deem so important, one we really, genuinely, want to be passed, we cannot make the Leader of the Opposition bring it because the Government—even if it is a Motion that is good for the country—cannot pass it because it is brought by him.

Madam Speaker, as I said, this is a real historic day in the Parliament of the Cayman Islands and

I hope that the general public understands and appreciates the ramifications of what has been confirmed and acknowledged by the PPM administration—that is that nothing else, bar nothing—criminal, moral, anything else is . . .

**The Speaker:** Honourable Member, are you saying that the Government is saying that they will do something criminal to achieve what they want?

**Mr. Cline A. Glidden, Jr.:** I am saying—

**The Speaker:** That is your opinion of what the Fourth Elected Member for George Town said?

**Mr. Cline A. Glidden, Jr.:** No, Madam Speaker. What I am saying is that the Government has said that they will do whatever is required, including any of those things.

**The Speaker:** No, they did not say that. You are saying that it includes criminal or otherwise? That is your opinion. I am not asking any other Member. I am talking and dealing with the Third Elected Member for West Bay. Is that your opinion that they will do anything criminal?

**Mr. Cline A. Glidden, Jr.:** No.

**The Speaker:** Okay.

**Mr. Cline A. Glidden, Jr.:** It is my opinion that they will do anything.

**The Speaker:** Okay, thank you. Would you continue with your debate, please.

**Mr. Cline A. Glidden, Jr.:** And, Madam Speaker, anything in my—

**The Speaker:** In your opinion.

**Mr. Cline A. Glidden, Jr.:** No, Madam Speaker. Anything does not remove anything. There was no caveat that was given. The PPM Government has said, *anything they will do*. What I am saying, just for clarification, is that *anything* in the common language includes anything and everything, including something criminal.

*[inaudible interjections]*

**The Speaker:** Would you continue with your debate, please.

**Mr. Cline A. Glidden, Jr.:** So, Madam Speaker, I hope the country recognises that the PPM administration has said that they will do anything and everything, anything and everything including but not limited to criminal, immoral or anything else that is necessary, because all that matters is staying in power.

Madam Speaker, I felt it necessary to explain because there are some people outside of these hallowed Halls that may not have heard or may not be aware of the severity, or the level of desperation that the Government has reached where a Member of the Government will stand on the Floor of this House and express that.

And Madam Speaker, I feel now that I have fulfilled my duty in as short a period of time as possible and I thank this honourable House for the attention that they have provided me.

**The Speaker:** Proceedings will be suspended for 15 minutes.

#### Proceedings suspended at 11.49 am

#### Proceedings resumed at 12.23 pm

**The Speaker:** Please be seated. Proceedings are resumed. Debate continuing on Private Member's Motion No. 3.

The Third Elected Member for the district of West Bay had completed his debate.

Fourth Elected Member for the district of George Town.

#### Point of Clarification

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

I rise on a point of clarification.

**The Speaker:** May I hear your point of clarification, honourable Member?

**Mr. W. Alfonso Wright:** Madam Speaker, the Third Elected Member for the district of West Bay has in many different ways repeated what essentially says that a Member of the Government—he did not call any name—has indicated that the Opposition is the government-in-waiting and that the Government will do anything to stay in power, even to the extent that he believed that they would do anything, even criminal activity.

Madam Speaker, I will read exactly what I said—this is from the *Hansard*: In order, Madam Speaker, to allay—

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker.

**The Speaker:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker, for your indulgence.

Would the Chair be so kind as to enlighten us upon which Standing Order or which ordinance is the Member seeking to make clarification and as to who is

the clarification being sought from, if it is going to involve the controversial matter which I believe needs to be clarified?

And perhaps we could just wait for a second for the Member who was last speaking to be in the Chamber.

**The Speaker:** Honourable Member, I really do not think it is going to be a controversial matter. He is only asking to read into the *Hansard* what he actually said, in contradiction to what the Third Elected Member for West Bay said.

Fourth Elected Member for the district of George Town.

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker, with the greatest of respect to your good self, the Member was in the Chamber at the time that the statement was being made; he had every opportunity to make an objection at that stage. To introduce it at this stage, in my humble opinion, is a personal statement.

**The Speaker:** Honourable Fourth Elected Member for the district of George Town, continue, please.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker. I will read from the unedited *Hansard*.

**“Madam Speaker, the Opposition as a whole is a government in waiting, and it is all about one-upmanship of the Opposition trying to show the people that they are a better choice than the Government and whatever the Government has to do, Madam Speaker, to make sure that does not happen, Government will do.”** [2007 Official Hansard Report p. 408]

Madam Speaker, that is exactly what I said. I was simply explaining the one-upmanship of Government versus Opposition as that is how they operate, not that the PPM Government would do “anything” to stay in power.

**The Speaker:** Thank you.

**Mr. W. Alfonso Wright:** I think that the statements by the Third Elected Member for West Bay were extremely misleading—

**The Speaker:** Thank you, honourable Member.

**Mr. W. Alfonso Wright:** —and that they should be withdrawn.

**The Speaker:** Thank you, honourable Member.

Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, with your kind indulgence there is a contingent of individuals who are outside on a matter of what is very important

to them. So, they have asked if they could meet with the Government and I would ask if you could take the luncheon suspension at this time, please.

**The Speaker:** Proceedings will be suspended until 1.30.

**Proceedings suspended at 12.28 pm**

**Proceedings resumed at 2.38 pm**

**The Speaker:** Please be seated. Debate continuing on Private Member’s Motion No. 3/07-08. Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, the Members of the Government Bench have already indicated that the Government cannot support the Motion. I just wanted to take this opportunity to go through the “Resolve” sections of the Motion to simply give clarity to the reasons why the Government is not accepting the Motion.

Madam Speaker, the first “Resolve” section reads, **“BE IT RESOLVED THAT the Government considers introducing, as soon as possible, an Anti Corruption Bill.”** I have heard from the Members on the other side all the reasons why they think that the Government should accept the Motion. The fact is—and I repeat once more—we have made public utterances on several occasions. In fact, the Honourable Attorney General, in the Budget document under the outputs that were being sought for this fiscal year included as one of the outputs the Anti Corruption Bill being brought to the Legislative Assembly, so it was nothing new. We all know it was tabled in this meeting so the Government really need not consider introducing because we have tabled, albeit for a discussion document.

When I speak to the fact that it is a discussion document, Madam Speaker, the truth of the matter is that it is not to say for one minute that this debate would not be part of any consideration with regard to any amendments on the Bill that has been tabled before it is presented to the Legislative Assembly. Also, I would encourage all Members of the Legislative Assembly to look very carefully at the discussion document and put forward any recommendations that they may have during the 60-day period.

So, in asking the Government to consider introducing, as soon as possible, the Anti Corruption Bill, Madam Speaker, the fact of the matter is that the Government has introduced it. It has given a timeline for input from members of the public and indeed Members of the Legislative Assembly, and it literally makes the first resolve section redundant.

Madam Speaker, we went through the proposed amendment to the second “Resolve” section and the amendment was defeated. I explained why the Government was not accepting that amendment

and I just wish, with your permission, to tie that in with the Motion as it stands just as part of the explanation.

**The Speaker:** Honourable Member, you can, but you cannot get into debating the amendment.

**Hon. D. Kurt Tibbetts:** I certainly will not. Thank you, Madam Speaker.

Madam Speaker, the proposed amendment, which would have read, "BE IT FURTHER RESOLVED THAT during the constitutional modernisation initiative the Government shall recommend that the Cayman Islands Constitution Order 1972 be amended to provide that certain civic or public servants such as Chief Officers shall not run for a general election unless at least one year after leaving the service." The difference with that proposed amendment was, simply, what is in the original Motion speaks to amending the Public Service (Amendment) Law, and what was in the amendment spoke to during the constitutional modernisation initiative. But both of them sought the same end result, which was to have in some statute that a civil servant or a public servant could not run for office until one year after leaving the service.

Much has been said about that part of it but, again, the fact of the matter is that it is something that is a constitutional issue because as of now section 19 (1) (b) of the Constitution speaks to the fact that no public servant is eligible to run or to seek public office while he or she is a public servant. That is the gist of what it says and, Madam Speaker, that is in the eligibility section of electors.

So, what the second "Resolve" section is seeking, first of all, as it stands in the Motion, cannot be accepted because in the Motion itself it speaks to making that happen through the Public Service Management Law, when, in fact, it is a constitutional issue. But when the Motion was asked to be amended to deal with it as a constitutional issue, what the Motion spoke to was that the Government shall recommend.

Madam Speaker, the obvious facts are that the Government has not either in caucus or otherwise sat down, sought relevant resource information, looked at what might obtain in other similar jurisdictions and have come to a position where we could say that we would accept the Motion and that would be our recommendation. The truth is, during the constitutional modernisation process it is matters such as this (not limited to but including this) that all of us will be seeking input from elsewhere, not excluding the public as regards to their view.

So, you see, Madam Speaker, if it were asking for the Government to look at what obtains with a view to making suitable changes one could say that is a position that we could accept. But it speaks to a specific time period and that is not something that we have made any determination [about] yet. And it is not, in our view, the right thing for us to force ourselves to be tied at that point in time, because once

we accept the Motion it means that is the position we would have to put forward and it is not a position that we have taken, hence the difficulty with the second "Resolve" either as it stands in the Motion or with what the proposed amendment was.

Madam Speaker, with the third "Resolve", "**AND BE IT FURTHER RESOLVED THAT certain senior public servants declare their interests in the Register of Interests pursuant to an amendment to the Register of Interests Law, 1996, by the Government**"—

**The Speaker:** Honourable Leader, that was amended to say "**certain public servants**". The word "**senior**" was deleted and the new Motion was sent and supersedes the other one.

**Hon. D. Kurt Tibbetts:** That is fine. That is fine, Madam Speaker, "**certain public servants**".

Madam Speaker, as I understand, what this is seeking is an amendment to the Register of Interests Law, 1996 which has in its first Schedule the offices and occupations the holders of which are required to register interests. Those who are required to register interests are the Elected Members of the Legislative Assembly, the Honourable Speaker, the Honourable Chief Secretary, the Honourable Attorney General, the Honourable Financial Secretary, the Registrar of Interests and candidates nominated for election to the Legislative Assembly. It also goes on to speak to any of those persons acting.

So, what I understand the third "Resolve" section to be seeking would be to add to that Schedule certain public servants, such as whoever they may be to be a part of the requirement to register their interests in that Register of Interests.

Madam Speaker, when we look at the Register of Interests Law and those who have to register their interests, it is clear that that is limited to the surroundings of this Legislative Assembly and those who participate. The point I make about that is not to say that from an accountability standpoint certain public servants may not need, for whoever the authority is, to have knowledge of any of their interests. But what this is calling for is for that interest to be declared as a part of the Register of Interests for this Legislative Assembly. Therefore, certainly, the Government does not agree for that to be a part of it. It would have to be dealt with in some other area.

So, Madam Speaker, again, as a matter of debating the issues at hand, the principle which is being put forward is not one that we would disagree with, but to have it placed in the Register of Interests that exist now, we are saying we do not agree with it being there.

There are certain statutes which exist at present. The Public Service Management Law, with your permission, in Section 5 (1): "**In the course of employment, a public servant must comply with the Public Servant's Code of Conduct specified in**

**subsection (2) and failure to do so in a significant way shall be grounds for discipline or dismissal.”**

And if we look under (2) it has a series of subsections which form part and parcel of the Code of Conduct: In (g) it reads: **“A public servant must disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) with his duties as a public servant, and must not use his official position for personal or familial gain;”** In subsection (h) it reads: **“A public servant must treat all official information and any dealings with the Governor, an Official Member or Minister as confidential, and, unless authorised to do so, must not give or disclose, directly or indirectly, any information about official business or anything of which he has official knowledge;”** So that exists in the Public Service Management Law.

Madam Speaker, it actually goes a bit further in the Penal Code.

Section 95 (1) of the Penal Code reads: **“Whoever being employed in the public service does or directs to be done, in abuse of the authority of his office, any arbitrary act prejudicial to the rights of another is guilty of an offence and liable to imprisonment for three years.”**

So, Madam Speaker, what that section is really saying is that it is a crime for a public officer to abuse his office by prejudicing the rights of another whether for gain or not. So, when we look at that set of information the whole point in reading about that is to say that if we want to go as far as to speak to certain public servants registering their interests, then there are other avenues through which this could happen. And I maintain that the same way we have the separation of the political Arm of Government with regard to the public service, we should not have a Register of Interests which amalgamates both. That is the whole point.

Madam Speaker, again, if we are to be fair in debate we could easily say that we do understand the principle that is being applied, but the way the Motion reads we cannot accept the Motion as it is in this Resolve because again in accepting it, it would be saying that we would be doing as the Resolve wishes to happen, which is to call for the Register of Interests Law to be amended to include certain public servants to have to register their interests in that Register.

So, Madam Speaker, going through the three Resolve sections, outside of all other arguments, I think that I have made the case why the Government cannot accept the Motion that has been put forward. But, again, I want to reinforce that the Anti Corruption Bill which has been tabled, the Cabinet was purposeful in its deliberations to allow for 60 days for public input for the very same reason. It is a new piece of legislation and it is a desirable position to have public input from the various NGOs (Non-Governmental Organisations), and from any member of the public for that matter, and for all Members of this Legislative Assembly. So, there is quite ample time for all of

these points to be taken on board and considered if they are not included in the Bill that has been tabled for public input.

Madam Speaker, having said all of that, and looking at the Motion itself, and I have just explained the reasons why the Government cannot accept the Motion, I do need to reply on behalf of the Government to debate put forward earlier this morning by the Third Elected Member for West Bay.

I do not have the unedited verbatim *Hansard* but I listened to him very carefully because he repeated himself on several occasions. The gist of what that Member was saying, with the point that I am going to raise, is that he wanted the public to know that the Government had become so desperate that we, the Government, had taken the position and made statements in this Legislative Assembly to the effect that we were willing to do anything, and in his own way he reiterated “anything” meaning anything excluding nothing, to keep power—that is, to retain the Government.

Madam Speaker, I can give him a backhanded compliment because as time has gone on he has become a little bit more skillful with his debate, but I know just as well as he knew that what he latched onto was not meant in the way that he expounded. But I also know—because I have been here quite long enough, and I have been just about in all positions you could think about up in here—that when you are in certain positions you take certain positions and when you are in certain other positions you take certain other positions, and that is part and parcel of the debate that goes on.

In the unedited *Hansard*, the Fourth Elected Member for George Town spoke to this situation. With your permission I want to quickly read what he said. He said, Madam Speaker: **“The Opposition as a whole, is a government in waiting, and it is all about one-upmanship of the Opposition trying to show the people that they are a better choice than the Government, and whatever the Government has to do, Madam Speaker, to make sure that does not happen, the Government will do.”** [2007 Official *Hansard Report p. 408*]

Madam Speaker, the operative phrase of “whatever the Government has to do the Government will do” was referring to the fact that in his opinion, the Opposition is simply a government in waiting and it is all about one-upmanship on their part, trying to show the people that they are a better choice.

So, what he meant and what is obvious that he meant, and I do not have to fix it any better, is simply that the Opposition, as they consider themselves to be a government in waiting, will use the one-upmanship on every opportunity to try to convince the public that they are a better choice than the Government of the day. And the Government of the day simply does what it has to do to counteract that to make sure that the public does not think that the Opposition is a better choice. That is all that was being said! But

the Third Elected Member for West Bay had to carve it out totally out of context but, of course, suiting the occasion for him to say that this Government is a desperate government and that we will do anything, excluding nothing, to retain power.

I take issue with that because I speak on behalf of this Government and, Madam Speaker, this Government is as good or better a government than we have ever had, and I say that after two years and three months as the Leader of Government Business. I never have a problem to wonder about what one of my colleagues is doing. So, I do not know where the insinuations will come from. And what I can say, personally (as I know everyone can get up and attest to on this side), is that none of us would ever knowingly be part of, much less participate in, anything untoward with regard to the people of this country, because each of us knows none of the rest would stand for it. That alone is our test every day of our lives.

Madam Speaker, I just want to assure you I will not be tempted, but I have to take issue with that specific point that was raised. I want to take this opportunity to make sure, as I believe, that the public will understand when they hear the Third Elected Member for West Bay; what he attempted to do and that they listen to it all and understand exactly what he was trying to do, and when he was trying to paint the picture of what we purportedly were trying to do. But as I said, it is part and parcel of the process and debate will go on from time to time. That is why you have the Government and that is why you have the Opposition, and that is perhaps why we need to have healthy debate.

To differ does not mean acrimony and not talking when you cross each other in the hall. But the same way he took his position, Madam Speaker, I can promise him I am taking mine because I know better and I know that everyone else knows better.

Madam Speaker, the Third Elected Member for West Bay was at best very crafty this morning, because I know he did not believe a word he was saying. But what I also know and accept is that that is part and parcel of what we call debate. I take my position. I justify it with whatever I have available to me. If you cannot disprove the positions I have taken then I win and I score more points, and that is debate in whatever field we take whether it is politics or otherwise. So, I could not, Madam Speaker, allow the Third Elected Member for West Bay, with that specific point, to simply score his points and figure the scorecard was just going to be on one side.

Madam Speaker, for him to say . . . and he made a very strong argument for it, and I listened to him very carefully as he climbed the rungs on the ladder to get to his point. He was building his platform very well except for the fact that what he quoted the Fourth Elected Member for George Town as saying, the Fourth Elected Member for George Town had not really said that. Unfortunately at the time no one had the *Hansard* to be able to speak to it one way or the other.

So, Madam Speaker, again, because he said it so many times as he did, I have to reiterate that the Third Elected Member for West Bay when he referred to this Government as being a government who was willing to do anything to retain power, the truth of the matter is that this Government understands very well that if the public is going to re-elect us as a government, we have to deserve that re-election. Therefore during our tenure we have to perform notwithstanding the Opposition, because when they were the Government we were the Opposition, I understand all of that. And when we were the Opposition we took the positions we thought were the best positions given the Westminster system that we deal with, to ensure to keep the Government on its toes. So, I do not expect any less from them.

The truth is, I am not going to jump up every day of the week and reply to everything that they say either, but this one could not pass, Madam Speaker. Because while the Third Elected Member for West Bay said that we were “casting aspirations” I know he meant casting aspersions but he did say “casting aspirations”—and he can check the *Hansard* for that one.

Certainly, I cannot just leave him alone to cast his own aspersions by insinuating that the Government would even resort to illegal acts. Madam Speaker, he knows better than that. But in tying all that into his debate, you see, it was an attempt to insinuate that we, the Government, do not wish to be tested by way of an anti corruption law. But nothing could be further from the truth. It would not have crossed Cabinet and tabled in the Legislative Assembly if that was not the desire of the Government to have that under statutes.

As the Honourable Second Official Member explained when he spoke to the Bill as he tabled it, it would have been brought earlier, but the fact that we were awaiting the UK's (United Kingdom's) legislation to be able to cross-reference ours with, they have delayed for so long we decided not to wait any longer on them. The Bill itself in draft form was prepared quite a while ago. So, Madam Speaker, the fact that it is coming to the Legislative Assembly to be tabled now is because we have decided not to wait any longer.

Madam Speaker, getting back to the Motion, I have explained why the three “Resolve” sections cannot be accepted by the Government. I have also said that that is not to say that the relevant points raised in the debate during this Motion should not, and would not, be considered in part of the review process after all of the input has been taken during the discussion period.

In fact, I am sure that the Honourable Acting Second Official Member is hearing what I am saying and already making a note to say that we must get those *Hansards* as part of the review. We will do that, absolutely, and if there are more to come then I want Members to feel free and I encourage Members to do that.

But, Madam Speaker, taking the Motion and accepting the Motion was not going to bring us an anti corruption bill any quicker. It was not going to get us a better bill and it was going to cause in the other two "Resolve" sections for the hands of the Government to be tied by accepting those "Resolve" sections the way they were presented, and that is not what we consider to be in the best interest to get the right end result.

So, Madam Speaker, the Government cannot accept the Motion as it has been put forward and I think that ends our story.

Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, can you tell me what time it is?

**The Speaker:** According to the clock, it is 3.14, 3.13. According to my watch, 3.15. What is the time on your watch?

**Hon. W. McKeeva Bush:** Let's go by your watch and we will see where we go from there.

Madam Speaker, before I get into the debate let me just deal with what the Leader of Government Business has said in his short address here to this House.

The Third Elected Member for West Bay used the word "anything" and the report of what the Fourth Elected Member for George Town says "whatever it takes". So the difference is the difference between the definition of "anything" and "whatever", so the Government has to decide what that is. That could be anything.

Madam Speaker, my colleagues on this side of the House did their part in assisting with the debate on this Motion and I thank them. I think it is some of the best debate that they have done as Members of this House considering the onslaught by Government and its extension cords.

Madam Speaker, I recognise that I only have two hours and if I had to answer everything and every charge and every insinuation in what came forth from the Government, I would take the best part of all of this afternoon and all of Monday. But I do not have that.

Madam Speaker, when we tabled this Motion we did not know anything about the Government bringing a bill on the subject. I have heard them get up one after the other, talking about why I brought this bill when they said they were going to do it. We are sure that if the Honourable Attorney General had made any announcement we would have seen it or heard of it. I

checked the newspapers and none of them carried it. It seems therefore that if the Government had made any such announcement then the press did not take them seriously enough, as we were not informed by the press or any other section of the media that this was going to come.

As I said to the Honourable Attorney General who I believe has never taken any political sides and is not doing so now, certainly when he brought the draft bill and when I presented this Motion on Monday, I said to him the bill is wide ranging and covers most of what I would like to see covered. However, like I said, it does not cover insider trading or any anti trust activity. This is all counted as illegal in many other jurisdictions and no matter what this Government says they have not made one iota of reply on these matters and I have to wonder why. If they are so mighty about openness, any government that has pounded its chest so much about honesty and integrity, accountability and good governance should have seen to it that such draft legislation was included in the draft bill.

Madam Speaker, I asked the question of them about these things. Is it because they realise that certain people close to them would be exposed by the long arm of the law? We cannot see that there is anything about this Motion that should be puzzling to anybody with any sense of decency and understanding. It therefore deserves to be passed in this honourable House for more reasons than one.

Madam Speaker, I cannot believe, I cannot believe, the kind of debate that I heard from the Government on this Motion. I cannot believe that they carried on to tell the kind of lies and spew out such misinformation and make the type of misinformed accusations that the Member for East End, the Second Elected Member for George Town and, indeed, the Third Member for Bodden Town and, of course, the Third Member for George Town . . .

**The Speaker:** When you are referring to the Second Member for George Town you are talking about the Honourable Minister of Education?

**Hon. W. McKeeva Bush:** That is the same guy!

And the Second Member for George Town was allowed to spout out in this honourable House. Well, Madam Speaker, I promise to stay within the bounds of decency but, to give as good as I got.

When I brought the Motion, Madam Speaker, I did so because as Leader of the Opposition I recognised that there was no such legislation and there are far too many accusations by any one who feels they should malign, for any reason, any Elected Member of this House without themselves having to go through any kind of test as is currently being carried out in this country. It is my responsibility to the people of these Islands and to those in particular who elected me to do all that I can whenever I can to ensure probity and good governance.

There are people who are willing to improperly discredit and accuse people of corruption and I, in particular, have been maligned and accused so many times wrongly for political reasons and some other reasons that I hope I can address during the course of this Motion. But I do not believe that we should just continue in a way that the young people of these Islands can be left in any doubt because of these types of accusations and the maligning of my character and anybody else's character in this honourable House without those accusers having to stand and provide proof. I have recognised for some time that there is far too much cynicism by the young people in this country towards representational politics because of the attempts by people who are suspects themselves, to tarnish the reputation of elected representatives.

There is no current and sufficient framework against which the actions of public officials can be measured and to shed light on those making the accusations. The Member for East End was hollering about conscience. But, having a clear conscience as I know I have, does not stop the evil voice of baseless accusations and that is evident by how he and his colleagues have carried on.

What we must ensure, Madam Speaker, is that within the law there are provisions to test those accused and those bringing the accusations. It must be judged by the law and nothing else, not conscience: by the law. God help many of us if we were to be left to the conscience of people like the Member for East End and the Second Elected Member for George Town, the Minister of Education.

Madam Speaker, I tried to call for amendments to the Public Service Management Law through ensuring in a modernised constitution that civil servants such as Chief Officers cannot run for a general election until after one year of leaving office. Well, if they did not want to say one year they could have said another period. But I think some of them understand and at least they had that much conscience to say, *'well, it was perhaps needed'*.

Madam Speaker, the Member for East End, even though he read the Motion, said that I wanted all civil servants to come down to this honourable House and declare their interests. He knows full well that that is not so, because the Motion is there clear for one and all to see. He also said that I did not want civil servants to run for political office. How in the world could anyone with any ounce of sense after having a clear and simple document in front of them say such things? How could anyone twist anything in this manner, Madam Speaker, and then say that they are honest and that they have a conscience. A conscience? It must be asleep.

The Member for East End and the PPM would love for all civil servants to believe that I want to penalise them but that is not so and the Motion does not say so. Of course, this just shows the people of this country how much the PPM can try to shift blame. The Third Elected Member for George Town got up and

said the same thing: pandering to the votes of civil servants.

Madam Speaker, this draft legislation that comes before us speaks to some elements of how you deal with some of this, so how are they going to say that this is victimisation? If it is victimisation then they have brought it. All I am saying is that I am looking to expand some of it. How is it that they are going to say that? Or did they not read what they had in front of them in the Cabinet?

Madam Speaker, the Motion does not besmirch civil servants in any shape or form. We have many thousands of good, decent, long-serving civil servants and otherwise, who have no interest in politics and only care about what is good, right and proper, and they do it conducting themselves in that manner. And I have been in government long enough and have sense in my surroundings long enough to know that that is so in this country.

But, Madam Speaker, we can see and we have seen what can happen when a senior civil servant, such as the Permanent Secretary, leaves the service in short order to seek political office or set oneself up for a seat while still a civil servant because they have designs on the seat of the Minister they should be assisting.

This has led to such a person using sensitive information from his time in the civil service; six months, three months after he left the civil service, a month after he left the civil service to stretch it, to give it to the press and use it to gain political office. We know, and I know firsthand because of what my Permanent Secretary did, the one who is now in the House, the one who is now the Minister of Tourism. They say that this is an 'Anti Clifford' amendment. This is not about the Minister of Tourism, but it was because of what he did that I feel that such a practice should not be allowed.

And if only he had stopped there, Madam Speaker, but he carried on his tirade and his campaign into this House and has been carrying it on ever since, and the PPM and their leader have allowed it to continue. This cannot be fair-minded, nor can anyone say that it is good democracy. No, they cannot say. Furthermore no Elected Representative of the people should have to put up with what he did in order for him to get into office.

Let me ask, Madam Speaker, the Leader of Government Business and the PPM: Would the PPM Members of this House condone his behaviour if their party was not a beneficiary of it; if they did not say, *'Oh, we have the right man now to smear McKeeva'*? Would they be so quick to jump to his defence if he had done what he did to someone else, except McKeeva Bush? I have to wonder. Any party that would accept, condone and be happy to benefit from this kind of behaviour while making the noise about transparency and honesty must themselves be regarded as suspect to say the least.

If the then Permanent Secretary or any Permanent Secretary wanted to run for representative politics, then he should have been prepared to get out there and work in the constituency he wished to represent, do things for his people. He should have worked to show the people that he cared about them rather than to try to tear down people's character and ability at a time when people are heated up three or four months before a general election.

Madam Speaker, the aftermath of the Auditor General's report on Boatswain's Beach and the PPM's use of it for political mileage demonstrates to me that the issue of former civil servants using privileged information before the full facts are known for political advantage must be addressed as part of any anti corruption legislation and the legislation tabled does not address it.

In this day and age when Crown corporations such as the Shipping Authority, the Airports Authority, the Port Authority, Boatswain's Beach, the Monetary Authority, Pedro Castle and the Botanic Park, the NRA and the Education Ministry where hundreds of millions of dollars are involved, [chair-persons] and heads of those authorities and the department heads that guide them should make a declaration for the Register of Interests.

This is not besmirching heads of Crown corporations or department heads. I heard the Leader of Government Business in his weak reply talk about it is already there. Already where? Where is it covered in the Register of Interests legislation? Where? Can he show me? No. It is not there. He should have said it was not there. Instead he picked up a piece of legislation which does not cover what I am talking about, Madam Speaker. He is lost.

[laughter]

**Hon. W. McKeeva Bush:** This is not besmirching heads of Crown corporations or department heads. This, too, should be part of the sunshine laws and it cannot be said to be otherwise!

The Member for East End, Madam Speaker, told another lie when he said that I had single-handedly got the then Third Official Member to run in 1992.

Well, Madam Speaker, let me say firstly that Sir Vassel Johnson ran and ran on a team that I was part of in 1984. But I did not ask him to run. He must have felt it was his duty to do so and I am sure that if there was such a law he would have still run but he would have followed it to the letter of the law. Also, no one saw any twisting of information from him. He did not go on any computer and take down any information out to twist and stretch it for his own devious agenda. That is what this Minister of Tourism did.

I had no hand in getting him or the late Mr. Tom Jefferson to run. Both of them ran in different administrations with me. That accusation is another part of the PPM's dishonesty. But my philosophy has

always been that if a civil servant is good, then the country would need him more as a civil servant, and I have never encouraged any of them. I had two in West Bay who ran against me. Both wanted to run with me and I said: *'You are civil servants. I am not going to encourage you to run.'*

The Member for East End went on to make much ado about his candidacy in that district, saying that the National Team (which you, Madam Speaker, were a part of) campaigned against him viciously in 1992. You know that is not true, Madam Speaker. Madam Speaker, you know we campaigned against him but it was clean. What he should remember is that it was the First Elected Member, his illustrious leader now, and the Minister of Education—his leader and deputy leader—who campaigned against him in 2000. It was him, that same Member for East End, who said then that the two of them pushed the knife in his back but forgot to turn it. So, what is his point, Madam Speaker? What is his point?

He also made much ado about me being Father of the House and questioned why we did not bring the legislation when I was in Executive Council. And, of course, every one of the extension cords, failing none, went on to do the same thing. I think my colleague, the seconder of this Motion, has answered that question adequately. However, Madam Speaker, how much do they expect me to have done in that time that I had executive authority? The only time that I have had executive authority, I could not tell any Minister what to bring or not to bring. That is not how it works; it still does not work now.

Whether it is so or not, that is what we hear and they still do not have that kind of responsibility because the Leader of Government Business does not have that kind of responsibility. You cannot tell a Minister what to do, any Official Member what or what not to do. Yet they get up there and blame me and blame me. How can they do so, Madam Speaker?

However, let me add that it was our administration that faced the fallout of the 9/11 in 2001 and its negative impact on our tourism. We were the ones who had to contend with a changed world due to terrorism, the SARS problem. We faced the effects of two wars in the Middle East and the impact that they had on the United States, which affected our economy. Plus the financial problems and unemployment that his now leader said was a leftover from the 1996-2000 administration which, according to him (the now Leader of Government Business, and the then Leader of Government Business) said left a bankrupt country. Well, you were part of that, too, Madam Speaker. You were a part of us so you know what I am talking about.

Madam Speaker, we had to deal with the fallout from David Ballantyne and what was then called the "Spying Operation" on our financial industry and the bugging of the Chief Justice's telephone. All the fallout from that and the pressure put on to me by the Foreign and Commonwealth Office (FCO) and the

pressure put on to me by the Member for East End, the present Leader of Government Business, the then Minister of Education and their colleagues during a time of national crisis.

What I cannot forget, Madam Speaker, is not to mention that the current Minister of Education who was the then member of opposition and the general secretary for their party, getting on national radio and saying that he went to see Ballantyne in his professional capacity. Anything that they could have done to destroy me then they were doing and saying, even the present Leader of Government Business then accused me of wanting to go independent. Can you believe that, Madam Speaker?

We had to deal also with the OECD (Organization for Economic Co-operation and Development) that was left in my lap to take on the political side of it—that is, myself, the Honourable Attorney General and the then Honourable Financial Secretary. We also had to tackle the EU Savings Directive and how many statements were made by the bunch of them and harassment that I got every time I got up in this House to inform the public of this country. They think people forget. You can build a road from me to the heavens and people will remember what you have done.

And last but not least, ours was the task to deal with the havoc wreaked upon us by Hurricane Ivan which caused \$4 billion of damage to this country. These are some of the major problems that our administration had to deal with, with no help from them, not one suggestion on how to deal with those problems. Yet, instead, Madam Speaker, I had to address their disruptive behaviour on every one of those issues—every single one of those issues when they were trying to throw me off course during our tenure as a government.

But I am happy to say that even at the worst of times for these Islands, because I am a hard worker and can lead the country, and I know how to deal with the issues, and they know so, that is why this attempt at character assassination. They know that. They know. And I had ideas on how to turn the country's economy around. We pulled out, Madam Speaker, pulled it out, all of that. We got out of all of that and put the good ship Cayman back on an even keel. And if it were not for their lies, we would have been elected, but I cannot deal with liars. There is one thing, Madam Speaker, my grandma used to say, *'You can lock up from a thief but you cannot lock up from a liar.'*

Madam Speaker, we saved the financial sector. We left it in good condition and people were making money. My colleagues and I were able to leave close to \$90 million in the Government's bank accounts. What have they done with it? Where is it?

With all of this, how can anyone expect me or any government to bring every piece of legislation that they say was lacking about freedom of information? *Is that going to feed anybody? Is that going to pay anybody's bank loan?*

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [To an honourable Member] Oh, yes! I don't think so! I don't know if he's even going to get it.

The Honourable Attorney General quite adequately explained the history of the Anti Corruption Bill which we started. Madam Speaker, they have accused me of doing nothing. That is what they said: *'You have done nothing with this and you should have brought it.'* The Member for East End and the Member for George Town, the Minister of Education, and the Minister of Tourism and their extension cords.

Madam Speaker, let us read what the Honourable Attorney General said. I am reading from the *Caymanian Compass* of 6 September 2007:

**"Mr. Bulgin noted that enacting the anti corruption legislation was an ongoing effort that spanned many years.**

**"Indeed, some of us will recall that some years ago a draft was distributed to honourable Members of the Legislative Assembly for discussion."**

That was during our time. However, he goes on to say, and he says when:

**"That was in fact as far back as 2003.**

**"He explained that the delay in implementing the legislation occurred when the UK Government subsequently signed the UN Convention against corruption in December 2003. 'We were then quite properly advised by the UK that we might wish to consider the principles of that Convention with a view to taking steps to incorporate the relevant provision into any proposed domestic legislation of the Cayman Islands.'"**

He goes on to say:

**"Cayman also delayed moving forward with the bill because it had been tracking the progress of the UK's similar bill and this is due for another reading in October."**

And they are going to say that we did not do anything, Madam Speaker? Here is the Honourable Attorney General explaining why. But they will have this country believe that I was doing something nefarious. In fact, they made accusations, Madam Speaker, that that is why we would not bring the legislation.

Now, tell me something, Madam Speaker: if I was not bringing the legislation because I was doing something nefarious, then tell me why Kurt Tibbetts [the Leader of Government Business] did not bring it when he has been Leader of Government Business since May 2005? Were they doing something corrupt and they did not want the strong arm of the law to reach them? *Tell me. Tell me Bobo! Tell me.*

**The Speaker:** Honourable Member, I know you are getting *'word-cally'* but you need to refer not by name.

**Hon. W. McKeever Bush:** The Leader of Government Business.

**The Speaker:** Thank you.

**Hon. W. McKeeva Bush:** Yes, I did say that, though.

**The Speaker:** But you called his name.

**Hon. W. McKeeva Bush:** Um hmm, to be more certain. Thank you, Madam Speaker.

I have said that even at this late stage there are still some areas that have not been covered and that is the purpose of having a draft, so that Members can put questions, bring a Motion, such things as we can do, asking for more and put in writing anything else they feel is necessary.

Madam Speaker, we did that. I did not expect (and that is the truth) to hear the kind of dirt—dirt!—in this honourable Legislative Assembly the first time that I got, because they did not debate the Motion. They debated and accused McKeeva Bush of everything under the sun. They did not debate the Motion.

Madam Speaker, the Member for East End also accused me of getting rid of civil servants. I do not know how he could beat his chest and talk about being honest when they know they are lying.

See, they are all gone out of here. They can talk, Madam Speaker, but they cannot take the licks either. They cannot take the truth. That is why they run out of here when I start to debate what they said. Yeah, they can run but they cannot hide.

Madam Speaker, I will say this: I have completed my book, *Purpose to do Good*, and that tells my whole life story up until the General Elections of 2005. I will be satisfied that the people of this country will know about the facts of my 53 years of life backed up with letters and statements and affidavits and you can believe the people will know also about my time between 2000 and 2005 when I served as Deputy Leader and Leader of Government Business.

Madam Speaker, they have been accusing me every which way they can about civil servants but this is what they do. *'Let us lick McKeeva because he is the one that we can lick. He is the leader and people will believe us. And if we can smear him the rest of them will fall apart.'* And they have been trying to do that from day one because it was them talking about telling the civil servants, *'Hold on,'* they say, *'Help coming.'* Help came yes, help to get them out of office! Help to get themselves a raise; not much for them the lower ones!

Madam Speaker, the Member for East End and the rest of the PPM of course, in their ignorance said that I got rid of Mr. Watler who was my then Permanent Secretary. I have a letter that I want to read from Mr. Watler dated 13 June 2001 and I will lay this on the Table:

**"Dear Mack,** [This is addressed to me properly but he did call me "Mac"]

**I am sorry that your schedule and overseas travel did not allow me to catch up with you over the past week and a half. That's a clear indi-**

**cation of how busy our own public and private lives have become.**

**"As you are now aware, I have decided to avail myself to an attractive retirement package from the Cayman Islands Government after 33 years of public service. I will therefore retire from the civil service on 31 August 2002, after one year of pre-retirement leave which will commence on 1 September 2001. In the meantime, I have decided to take some of the annual vacation leave to which I am entitled [and he was entitled to that] and which had been deferred over a number of years. Accordingly, my last day in office is today.**

**"I would be remiss if I vacated office without formally recording my thanks to you for the courtesies you extended to me since your election to office last November, and in fact over the years in your position as a legislator. I would like to believe that I have managed over the last six months to have served you equally well, but it is clearly time for me to move on after 33 years in the service.**

Madam Speaker, it goes on to say:

**"May I wish you every success in your endeavours to provide the strong leadership that this Country needs and deserves, particularly in the highly competitive tourism industry. May God bless you and your family.**

**Yours sincerely,  
Harding O. Watler, JP  
Permanent Secretary"**

Now, Madam Speaker, I am going to lay that on the Table of this House. Does that sound like we had something bad going on as they said? That we did not have good relations? That I had fired him? It says specifically the opposite, the opposite.

That letter speaks for itself and it says what a liar, what a liar the Member for East End is. I got rid of no one in the Civil Service. It was the obverse. I did everything I could to help them, including the now Minister of Tourism. That is the job of the Governor, Madam Speaker, and I could say to the Governor as Minister who was doing their job and who was not. But so could the staff in my Ministry, Madam Speaker, and some did make their reports over the years and complaints.

Madam Speaker, the Member for East End also accused me of getting rid of the Third Elected Member for George Town, but she did not get up to say that because she knows that I would have dealt with it. But I am not going to take the time because I want to save my two hours for something else. But I can tell you, Madam Speaker, my book is going to say it all. I did not get rid of her; she got rid of herself. Mario wanted her job and he did everything to frustrate her, but she was ineffective and the Governor knew so. But like I said, I am not going to get into it.

He also accused me of getting rid of other people. The staff complained about her, as I said, in-

cluding, ha, one of the vice presidents of the PPM who wanted her position, as I said, and is now a colleague, Mario Ebanks. I consider that she got an opportunity that she would never have gotten from anyone else because she was on banana skins. But McKeeva, with his good heart, said, 'No. No. She is a Caymanian. Let us give her a chance.'

Madam Speaker, the Member for East End had much more to say, but I will not continue that road with him because he will say anything and think that he is a statesman. Far from him being a statesman! He is a bad man state, but he is not a statesman! I will only say to him, *he who knows not and knows not that he knows not is a fool and I will not follow him! He who knows and knows not that he knows is asleep. I should wake him.*

If the PPM cannot come here and tell the truth about what I said after seeing the Motion and listening to my presentation, how can they be trusted even in more complex matters facing this country?

Madam Speaker, the Third Elected Member for George Town made all kinds of remarks, and I was wondering just where she was headed but I certainly do not know where she was.

Madam Speaker, I am a Christian but being a Christian does not mean you must stand by and allow people to tell lies about you. Being a Christian is about truth. I want to say that also to the [Third Elected] Member for Bodden Town who spoke.

They can pander to the public service if they want; I ain't criticising them, I have already covered that. This is no delusion to fool the people. If anybody has been deluded, it might have been them that elected her here because she has not done anything for them except dance up a storm in every front page of the *Cayman Net News*.

Madam Speaker, we in this honourable House over the years have never mentioned anything about anyone's wife or spouse, not even in the heated debates in here, nor in the kitchen, nor in the hallowed Halls of this Assembly anywhere, nor anyone's sexual preferences. We have never and will never make such remarks and we have never and never will make any racial remarks. Because she is right; that is not good governance, nor anything to do with it. Not in this House, nor in the kitchen.

Whatever one wants to do with his life is his business. But do not believe that because they live such a life, do not believe that we are doing it. I do wonder how much more they are going to insinuate. But I have said since Monday that if they would accuse me and say the things that they said about me, then they would murder me, Madam Speaker. That is the way I feel. And when the Third Elected Member for George Town spoke there is no doubt in my mind, whatsoever, that they could or would because that is so far the only thing that they have not done to me.

Madam Speaker, I have not cussed her. You can believe that—that is not true. I may have poked fun at her and told her that she had a big nose. And I

can tell you this: she is a good dresser and she is very comely at times, but McKeeva don't want anything to do with her.

[laughter]

**Hon. W. McKeeva Bush:** And so, Madam Speaker, the only time that I heard her cussed was when the present Leader, her illustrious leader, did so after his good mother's funeral when she was handing out her candidacy card. That is the only time that I heard her cussed and called any names, not by McKeeva Bush.

Tell the truth man! Tell the truth and your soul will be free. Tell the truth and your soul will be free. You can make any kind of accusation. I have been married 32 years and I have been a good boy, Madam Speaker.

[laughter]

**Hon. W. McKeeva Bush:** Madam Speaker, the Minister . . . you see, they get up with this thing about Christianity.

[inaudible interjections]

**Hon. W. McKeeva Bush:** After making all kinds of accusations on me, Madam Speaker, they said they know I would come back but that the people should pay me no mind as I said they were not concerned with debate here, they were talking to the people, you see, as if they were in a public meeting. That is the Minister of Education.

You know what, Madam Speaker? They sounded like this: the group of young boys who beat up their neighbour's child but when that child started to defend himself they hollered out, 'Mama! Mama! Come quick. See him beating me up?'

Or another analogy I have thought about, they made many pronouncements about me answering them in a Christian way. They are like a boxer, Madam Speaker, challenging another. Come on! Take your licks! Take my insults! Take your licks! You ain't any good! Take your licks! 'But, please, please, please, Boxer, do not fight back.' Oh yeah! Not this one.

Madam Speaker, the Minister of Education has never failed to accuse me and try to tarnish and malign my character. He knows why. And it has nothing to do with politics. It is just that he is a bad person. He and the Member for East End and the rest of the PPM would seek to demonise me because for everything that they have pointed a finger at me—and this is why—people are pointing a finger at them. Every one of them, save for the good Minister of Health.

He said that this Motion was audacious and self-serving and that my intent was to try to turn the people's attention away from the police investigation. Madam Speaker, what the police have said, and I know that Minister of Tourism talked about when he was a police. When he was a police he was policing

West Bay. Ask some of the druggies down there about him!

What the police have said, Madam Speaker, is that it is—

**The Speaker:** Honourable Leader of the Opposition, can we not make such remarks about people's personal . . .

**Hon. W. McKeeva Bush:** Madam Speaker—

**The Speaker:** We can—no, no. We will deal with whatever was said on a public office level, but not personality.

**Hon. W. McKeeva Bush:** Madam Speaker—

**The Speaker:** I mean, to me you are saying—that insinuates to me that he was with these druggies.

**Hon. W. McKeeva Bush:** I never said he was. I said ask them about him.

**The Speaker:** No, but that is what it insinuates. So let us not—

**Hon. W. McKeeva Bush:** No, no, no, no.

**The Speaker:** —get into people's personal lives, please.

**Hon. W. McKeeva Bush:** Madam Speaker, that is not what I am saying, that he is—I am saying ask them about him if he thinks he has got such a good record.

Of course, Madam Speaker, they are trying to make the people believe that it is something criminal—that was three minutes between me and you, Madam Speaker—and that this is about me.

*[inaudible interjections and laughter]*

**Hon. W. McKeeva Bush:** That it is something criminal and it is about me, Madam Speaker, when the police have said otherwise. He also attacked the CNB Cayman General Insurance matter.

Madam Speaker, how could my Motion be self-serving? It is as much protection for them as it is for me. If there is a review going on, it will go on until the Commissioner finishes the job. Unless, with all that the PPM has said in this House and in the newspapers and other forums, they are trying to interfere with that review by all that they are saying publicly while it is ongoing. Is that what it is about?

What the Second Elected Member for George Town needs to understand is that when his colleague, the Minister of Tourism, started to make those allegations and tried to blame me and say that he had no part of it; that I had a mortar pestle beating him, making him sign cheques and doing all the other things

that he did and said, as the Member for West Bay said today, who was also a member of that board.

What the Minister of Tourism needs to know is that when those allegations were aired and they were blaming me, I asked the Auditor General for an audit because I wanted the truth to be known. And the Auditor General has said that in his report. But they did not say that, you know, Madam Speaker, because they want everybody listening to them to believe that McKeeva is something so bad. But they cannot fool the people in this country again. They had their day with that. No, no. *That not gonna work!*

I wanted the truth to be known and because I did not have anything to hide. I did not have anything to hide then, I do not have anything to hide now. But if it covers me, Madam Speaker—what a bunch of nin-compoops!—it must cover the Minister of Tourism since he had such a great part to play as permanent secretary and a member of the then board. He would now like to have the people believe that he had nothing to do with it and that I dragged him screaming and kicking into it and forced him to do what the minutes prove—the minutes said he willingly did. But I am not going to go further with this for there is a review and there will be time to debate this again and it will be debated. I do not want anyone to believe that I am interfering in any way, shape or form with the police review.

He said that we should bring a Motion to stop Members from gross mismanagement—that is, the Minister of Education—and to question and make Members pay when they have not given value for money. The question I want to ask the Leader of Government Business, who is sleeping, and the rest of them, or his eyes shut, I want him to be clearly awake when I ask this question. Is this in the draft bill?

You would think that a government that talks about these things—transparency and value for money, and good governance, and one that gets up and says that that is what my Motion should have been about—would have put that in the legislation that they are tabling for public consumption. And might I ask why is it not there, or is it that they like to talk about it but do not want it to affect them, Madam Speaker? Which one? Or both? Why did they not put it there? No, no.

You see, Madam Speaker, they are good at this. They spent thousands of dollars of the public's money making much ado about the Freedom of Information Law, how good it is for the country. With every bit of red. . . the only time that I saw more red, Madam Speaker, was when I was in Cuba and it was not the Cuban flag. And how they want the sun to shine in and open up the doors and windows at the Glass House so that everybody can see! But lo and behold, what have they done?

They spent three years and more to get a law, bring it to this honourable House and it only comes into effect two to three months before the House dissolves in March or April of 2009 before a general elec-

tion, when it would have very little or no effect on them.

Uh-huh. That is good government. A government you can trust. Is this what they call openness and transparency? Is this the government you can trust? Trust to do what? To say much, to make promises and only to hide plenty!

Madam Speaker, the Minister went on record, again, to bitterly criticise the CNB (Cayman National Bank) and Cayman General Insurance settlement. And we had our differences on this, even in our group. But we did the right thing. We did have a situation that the government had a claim of \$108 million first but they could not get that. They could not get it! It came down to \$70 million then. Cayman General Insurance, by all accounts, was in trouble. The bank, CNB, had already stepped in and according to the team that came to government from the bank, could not do anymore. If Cayman General went bankrupt then CNB would be in severe financial problems or go belly up as well.

This was the scenario that was put before government because it was not only me, Madam Speaker. The Minister of Education wants people to believe that it was only me, and so does the Minister of Works and the Leader of Government Business. They would like people to believe that it was only me. And when we looked at all the scenarios we could not allow that to happen.

The international fallout would have severely affected the Cayman Islands' financial sector at a time when we were struggling with the aftermath of the national disaster that Hurricane Ivan had left us. If Cayman General had gone down and CNB fell into trouble, this would have affected thousands and thousands of Caymanians, other residents overseas, depositors and clients.

Those Caymanians and others would not have been able to get paid for their vehicles, get paid for their roofs, get paid for damage to their houses and get paid for damage to contents and other insured valuables. What was I to do? Allow that to happen?

Government itself, Madam Speaker, do they not have the sense to understand this? If the bank went down or the company went down, government itself would have lost out on the \$50 million cash it was paid. We would not have gotten that claim. Therefore many government plants and other properties would not have been restored and the country would have been that was off without that \$50 million that it got paid. For the want of \$20 million? I said, Madam Speaker, it was better to take the shares and hope that it would grow into something over the years, which was not offered to us at first but then they agreed. Now they say that was gross maladministration. I ain't gonna listen to what any Auditor General who comes from Canada with what? Any knowledge of what obtains in this country? I am not going to listen to what he says, Madam Speaker, because he is com-

pletely wrong. He is wrong on all counts and I will get to that point.

They say it was gross—as far as the Minister of Education and the PPM says, gross maladministration and a tremendous loss of value for money according to them, including the Leader who was a beneficiary of that settlement. I was not, Madam Speaker. If I was the kind of self-interest person that they talked about, my mother and I, both being insured with Dyoll, I would have went and helped Dyoll.

And if I was a dirty person and evil minded, although I speak loud when I am heated or when I am in debate, but God knows the goodness in my heart and the people of these Islands do, too. If I was that kind of person, Third Elected Member for George Town, I would have said Benson Ebanks and Truman Bodden, two people that tired to murder me and are still trying to murder me; I must let them get away scot-free? No! Let them suffer. But I did not. I said, 'No, no, no. Faith Bush didn't bring me up this way and my aunts that helped raise me didn't bring me up this way.' You got to do what is necessary to help those people. Good common sense judgment told me that it was better to get \$50 million for government out of the \$70 million than to get nothing; that's not good common sense? Yet they want to make people believe that I am fool-fool! Oh yeah!

What would have happened if CNB, Cayman General had gone belly up? Who were we going to sue? Who was the government going to sue and what would have happened to all the people working and having them as clients for CNB and Cayman General?

I suppose, Madam Speaker, the PPM Leader would have gone out to get a consultant who would have taken months to get a report. Then the PPM Leader would have taken many more months to reach a decision, and so while *Nero fiddled, Rome would burn*. Or better yet, while they played dominoes and cooked turtle stew Cayman would have lost and Caymanians would have been devastated.

I suppose, Madam Speaker, that is why the PPM is so hot on this subject. It is because I did not accept the overtures from a bank that one of their candidates was involved with who said, 'Let them go belly up. We will buy them out.' And then a foreign entity would have owned CNB and all that went with it. Is that what they wanted? Perhaps that is why they are still making noise. But they wouldn't make any big money out of that! That still belongs to who it belonged to.

Madam Speaker, the Minister of Education has from the word "go" done all he can to besmirch my character because he sees me as the person who stands in his way of getting to the top. There is no way about that. I know the fight that went on amongst them. The day that he gets any more power in his hands than he has today . . . you see, Madam Speaker, the truth is I am not scared of the Leader of Government Business and he knows that. He knows that. But I am scared of a power hungry individual like

the Minister of Education. The day that he gets any more power in his hands than he has today, Cayman's destruction will pale in comparison to what democratic socialism did to Jamaica.

He went on in his hatred and his bitter anger to make allegations about the Ritz-Carlton development and my involvement as a real estate company, charging that this was some kind of corruption. This is the kind of talk used by him and other detractors outside this House and inside about corruption, Madam Speaker. There is no law or rule which says that a legislator cannot conduct business or own property.

Madam Speaker, Lord Nolan's recommendations on the changes to parliamentary rules in the United Kingdom and for the Commonwealth, on how members are expected to carry out their lives as public servants, says that members should be able to have a business and conduct business. It says that it is not a member's duty to be above board. Of course, we can and will be accused, especially living in a small community such as ours, but the rules must exist to help protect either way.

So, Madam Speaker, our rules tell us what we can do. What our Standing Order rules say is: "If we conduct business that impinges upon our work", it is not that we cannot do it. If we conduct business that impinges upon our work, we must declare it publicly in this House. And the law that guides that is our Conflict of Interest legislation. We must also say in the Register of Interests what that business is. That is the legal way we can conduct business. If we do not declare it then we are being illegal.

I have two real estate companies and both of them are according to the local law. I do not have anybody fronting for me and taking my shares and hiding them. None! My life is an open book and I have been criticised from the day I entered politics because I was not supposed to be here.

As the Minister who was responsible for tourism, because I was conducting real estate business I declared to both Governors in Cabinet, Smith and Dinwiddie when the matter of the Ritz-Carlton arose, that I was engaged in such business and I did have a contract with the developing company. That was the proper and legal way for me to conduct such business, Madam Speaker. And the records are here and I am going to table them again so that they will see them; that I declared in this honourable House properly, properly, in the *Hansards*. Every time that motion and a resolve section came I wrote the Speaker and told him about it (it is somewhere here in my bundle of papers); that I had an interest in it and I did not vote, I did not vote. Every time I did not vote.

It would be improper for me—or any legislator—to see an opportunity and go out and start a business so I could gain from it. Therein, Madam Speaker, would exist the conflict. Therein would exist the conflict. And I want to table that, Madam Speaker, because they're making it sound like nobody knew what

I was doing and I was going against the rules. But they are all here. I did what I was supposed to do.

Madam Speaker, I have been engaged in that real estate business since 1978, when the late Jim Bodden told me: *'Bush, stop criticising me. Let me sit down and tell you what you should do. Too many foreigners in the insurance business, you go out and get yourself a licence.'* I was a real estate agent then.

Twenty years—1978, Madam Speaker, 20 years before the Ritz-Carlton came into Cayman and sought planning permission and six years before that I became a Member of this honourable House. I did not get that business because I was a Cabinet Minister. I was able to secure that contract because my company had been successful in selling real estate for the Britannia development. Ninety odd condos and 25 house lots did we successfully sell for the Britannia complex.

The Ritz-Carlton contract with the government for the sublease from Benson Greenall's lease was done in 1998 and was properly executed by the then government. I did everything legal. I was not part of Cabinet. I explained that in the House, declared my interest and so on, as required by the rules of this honourable House. My company sold 90 condos and 25 house lots in the Britannia development. I had that contract a long time before I got into Cabinet.

I also had a small maintenance company, Madam Speaker, which I gave to my sister and then gave to my daughter a long time ago. I have never done anything wrong with my real estate licence.

I was the only Caymanian on Seven Mile Beach and perhaps why I got criticised so severely was because I was the only Caymanian down there and I was successful. You do not hear the Minister of Education talking about them. Uh-uh!

As I said, there are detractors, such as the Minister of Education, inside and outside of this House who seek to use it against me because of his jealousy and because he was never a success as a lawyer so he accuses me. That is the only way that they believe they can get me defeated.

When legislators such as the Minister of Education point fingers against another, it does that individual who is making accusing remarks no good and smears a system and all Members of this honourable House. They do not even stop to look at their record.

Madam Speaker, I heard the East End Member, the George Town Member and the Third Member for Bodden Town. The Third Member for Bodden Town who, I must tell you, would have been the last one that I expected to get out there and say the things that he did, accusing me of getting my family to buy land, my poor family who, Madam Speaker, are otherwise drinking (some of them) and could not afford anything, or those who worked hard can just barely survive. I got my family to buy land? Where? What kind of lies will they think up and concoct? Him, Madam Speaker, accusing me, can you believe that,

when government money is being used to build a boat ramp by a gas station in Bodden Town?

*[inaudible interjection]*

**Hon. W. McKeever Bush:** So that they can sell more gas, so they can sell more beer, so that they can sell fish bait . . . if they ever can get out of that place because of the way it looks—I do not know if any boat will ever get out there. But anyway . . . And perhaps provide car parking for that business. Is this not taking advantage of government money? Yeah, it sure is. It sure is.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [To an honourable Member] A joker? People know you now, though. They gonna flog you, too. You have been *weighed in the balance and found wanting*.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** Yes. Anyway, Madam Speaker, make him get hot out there!

*[inaudible interjection]*

**Hon. W. McKeever Bush:** To an honourable Member] Like me? No. No.

They talk about they would not want to be part of a government where questions could be raised about their conduct and they are pointing their fingers at the UDP from one Minister to the next and anybody that was along with us. And they pointed their fingers at the Cayman Turtle Farm and they implied that I was somehow involved in some kind of corruption, Madam Speaker.

The PPM—and the Minister of Education, in particular, followed now by the Member for East End—have a penchant for accusing the UDP and me. They said in their debate that I should listen to their campaign song, which was about corruption in the country and was written by Fab Five and it sounds very similar to the tune I heard in the recent Jamaican elections for the People's National Party. But today the public sees and knows what is going on in this country. They dare make accusations at the UDP and me, Madam Speaker?

Madam Speaker, would it be corruption I ask them if there existed two sales' contracts for Sammy's Inn, one for \$1.2 million and the one that it sold for, more than double? Would that be corruption? Would it?

Was it corruption for that law firm to take four suitcases of US dollars which another law firm would not accept in breach of our treaties? Who did the counting of that money and what was the money used for? Was that UDP? No, Madam Speaker, it was headed by a lawyer. Where are they today?

Is it good governance or value for the public's money to sell government's property, Mr. Leader of Government Business, for less than they could get for it, as they did on Eastern Avenue when that was valued at \$5 million some years ago? Was that corruption?

Is it corruption for the government to build a road for a good friend and support a subdivision, then for someone to walk away with two lots in that subdivision, or at a greatly reduced price? Let the PPM answer that?

Was it corruption or undue influence or an abuse of executive power to derail or stop a land purchase using their political assistant to witness a signature which did not appear in that document? Was that official corruption, Madam Speaker? They talk about police investigation? Uh-huh. Was that corruption? And I want to lay that document on the Table, too, and see who it was, who it was? Who leads the PPM?, Not McKeever Bush! Lay that one on the Table for the public to see.

**An Hon. Member:** Who is it under investigation?

**Hon. W. McKeever Bush:** Madam Speaker, who it is under investigation? I am going to come to that.

They talk about police investigations. Who was it that stole the money from Her Majesty's customs and why was there not an investigation into that? Was it done two times? And which PPM Member of this honourable House is the perpetrator related to? Let them answer that.

Yes, they will try to make people believe that I had done something nefarious, Madam Speaker, but I await the investigations of the Auditor General on their record if you can find it, because what they do, everyone barring none, is put their business in somebody else's name.

They talk about the Ritz-Carlton, the Benson Greenall sales—that land was sold a long time. That was not something new, Madam Speaker.

Tell me about Governor's Square. Does the Leader of Government Business have shares in that? Big talk, but is it so? Huh? Somebody else holding the shares, they say? How much did government get out of that deal? Any road gone through, did they pay for it? Ritz-Carlton paid for their road and paid for more and government is getting money from it. I do not know how much money government is going to get out of that. And when they get a good place if they can sell better than Fosters or anybody else I will be shopping there if they have good deals. But was it right? Was it corruption?

Is it not cronyism and nepotism to put family members into position while chasing out others? Is that not official corruption? And he dares talk about being self-serving. The Minister of Education should run and hide, Madam Speaker, for accusing me of not doing good for the people of this country.

Is it corrupt for Ministers to get staff to clear their land? In my opinion, that is wrong.

Is it corrupt for Ministers to get turtle meat and give it out for special favours? In my opinion, that is wrong. Yeah.

Madam Speaker, you see, it seems a good political tool for any government who itself is under extreme scrutiny to accuse its main opposition of corruption. That is the best tool that has been used in the Caribbean and the bunch of you have one who is good at it—Hartley Hendry. You see, you have not told anybody who he is yet but he got a work permit! How much [are] they paying him, [and] whether government's money is paying him. That would be official corruption.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [To an honourable Member] Who? Tell me.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** Madam Speaker, yes, it is a good political tool for any government who itself is under extreme scrutiny to accuse its main opposition of corruption and get it collaborated by someone who is seeking favours from them. They do not have to be corrupt, just get it mentioned and set tools in motion so that the general public will question.

Madam Speaker, some of them just got into the government.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [To an honourable Member] Yeah, and you are buying up land and buying brand new cars. You get a salary. So did I, and my wife. So did I, and my wife, Madam Speaker, and they dare to question and make accusations and tell lies.

Madam Speaker, one of them just bought a condo up in . . . where? Where?

**The Speaker:** You are not talking to me.

**Hon. W. McKeever Bush:** Madam Speaker, it is up by you so you might know. Well, you might not know but it is up in Rum Point. Is that wrong?

When they could not pay the pizza bills the cheques were being bounced for pizzas! Uh-huh.

Madam Speaker, they got the nerve to talk about me, but be careful.

[To the Third Elected Member for George Town] I already told you, you are comely sometimes, but not all the time.

Madam Speaker, they do not have to be correct with their accusations, they just get it mentioned and set tools in motion so that the general public will question. There does not have to be any truth in what they said. They just make matters so that people will

question and doubt. And when that government gets it going, they sit back and mention it any time they have to answer for their negligence and mismanagement; that's the PPM. It is a dirty political tool for a ruling government. It is used all over the Caribbean and much government time and money are wasted to satisfy and pay for the aims and the political mileage of an incompetent administration aimed at making themselves look good in the eyes of the public.

Madam Speaker, they also had their say about First Cayman Bank. What they ought to learn is that the people of this country are not fooled and they should take stock of what happened to the ministers who closed First Cayman Bank because they said it was not viable even when it was able to pay 65 and 70 cents on the dollar and pay their liquidators.

It was clear that the people of this country could see the hatred they had for me and that they tried to destroy me. If I had been guilty of any form of corruption, the liquidators and the police would have dealt with me according to the law. Instead they confirmed, Madam Speaker, that I had done no wrong. In fact, I had no police to talk to me about it and this is their statement.

**“The official liquidators of First Cayman Bank Limited and Gulf Union Bank Limited have reached a settlement with Mr. Bush arising from Mr. Bush's involvement as a director of those companies. The official liquidators' claim is essentially under the Directors fiduciary responsibilities toward First Cayman Bank and Gulf Union Limited.**

**“Mr. Bush had accepted no liability under the settlement and the settlement is in full and final satisfaction of the official liquidators' claim. The official liquidators do not have any other claim against Mr. Bush.”**

And they want to talk about corruption. Everyone knows, Madam Speaker, I never tried to hide any of this.

If you can accept such an appointment then you are liable with or for fiduciary responsibility and that is what I had to settle for. There is no corruption in that, Madam Speaker. They would have killed me if they could have, and that is what the PPM are trying to do.

I did put this Motion before the House so that the question of who sits on boards is official, not that I did anything wrong, but my enemies saw an opportunity to use it against me and they had no compunction about doing it as the Minister of Education continues to do.

I do not want any young person in this country to go through what I went through or their families to suffer as mine did. Simply to get at me, my political enemies destroyed the bank and if they could they would have destroyed me, too.

So, Madam Speaker, in due course and in good time, the Minister of Education will have some answering to do and his time will come.

Madam Speaker, one of the dirtiest charges was that I came *from rags to riches*. Certainly, improving one's lot in life is not a crime. What I want him to know is neither did I have any father to take anybody's land by moving fence posts in the night so he could leave any property for me.

**The Speaker:** Honourable Leader of the Opposition, I think we are getting a little bit too far afield now into personal matters, so can we—

**Hon. W. McKeever Bush:** Oh, Madam Speaker, I am just reminding them.

**The Speaker:** Please move away from personal accusations.

**Hon. W. McKeever Bush:** Being a salesman—

**The Speaker:** Honourable Leader of the Opposition, would you please listen to me?

**Hon. W. McKeever Bush:** I have.

**The Speaker:** But you are talking while I am talking.

**Hon. W. McKeever Bush:** Check the time. I am not talking. I thought you allowed me to go on.

**The Speaker:** You can go on but let us move away from that, please.

**Hon. W. McKeever Bush:** Being a good salesman is no crime.

Now, if you are a public servant and if you are smart enough and have the common sense to build your company, it must be all done above board and that is what I did. My life today is, and always has been, an open book. People knew that when they elected me and when they keep electing me.

One of the problems with the Minister of Education and people like him, is that they believe that people like me who come from a different strata of society from them, a privileged few, should not be in this House and should not improve themselves. What the Minister of Education likes to do is practise the politics of envy and hate, politics of jealousy and prejudice.

They talk about the UDP was so bad when as the government we would not allow Bermuda—just allow me to finish, I know we are close to that time, Madam Speaker—and you might remember this, Madam Speaker, the UDP or the National Team would not allow a Bermuda law firm to come here to compete against our Caymanian lawyers and law firms.

But in a fronting arrangement, could the Minister of Education through his Firm do sign offs on his local law firm letterhead? Of what benefit is it to these Islands if a Caymanian lawyer is willing to sign off on opinions prepared in other countries like Bermuda by

Bermudan lawyers and sent here to be signed under local law? Yet he wants to come here and claim piety, trying to make people believe that they are for Cayman and young Caymanians. How many young Caymanians did he take as an articled clerk?

Madam Speaker—

### Hour of Interruption—4.30 pm

**The Speaker:** Honourable Leader of the Opposition, I am of the opinion that you are not going to complete your debate within a few minutes and it is the hour of interruption. I gave you back your one minute and you have 44 minutes remaining of your two hours.

Honourable Leader of Government Business.

### ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the adjournment of this honourable House until Monday morning at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Monday morning at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House do now adjourn until 10 am on Monday morning.

**At 4.30 the House stood adjourned until 10 am, Monday, 17 September 2007.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**17 SEPTEMBER, 2007**  
**10.27 AM**  
*Eighth Sitting*

**The Speaker:** I will ask the Honourable Leader of the Opposition to say Prayers.

**PRAYERS**

**Hon. W. McKeeva Bush:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

*Let us say The Lord's Prayer together: Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated.  
 Proceedings are resumed.

**Proceedings resumed at 10.29 am**

**READINGS BY THE HONOURABLE  
 SPEAKER OF MESSAGES  
 AND ANNOUNCEMENTS**

**Launching of the Legislative Assembly Website**

**The Speaker:** Members of this Honourable House, I seek your indulgence to say a few words on the Legislative Assembly website.

As Honourable Members know, the website for the Legislative Assembly was made available to Members on 16 August.

It gives me great pleasure to announce that the site will be officially launched and made available to the public today at [www.legislativeassembly.ky](http://www.legislativeassembly.ky).

The Legislative Assembly website will provide both Members of the House and the public with easy access to House documents (Questions, Motions, Bills), Official Reports (the Hansards) of the Legislative Assembly, as well as an enormous amount of archival information, such as Parliamentary Questions asked, by category, since 1997; Bills considered by the House from 1990-2006; and Government and Private Members' Motions moved from 1990-2006.

I extend an invitation to all Members of this honourable House and the public to visit our website and put to good use the enormous amount of information contained therein.

**Apologies**

**The Speaker:** I have received apologies for absence from the Second Elected Member for the district of West Bay, and apologies for late attendance from the Honourable Minister of Health and Human Services.

**PRESENTATION OF  
 PAPERS AND OF REPORTS**

**Traffic (Public Transport Appeals Tribunal)  
 (Amendment) Regulations, 2007**

**The Speaker:** I recognise the Honourable Minister responsible for the Ministry of Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Traffic (Public Transport Appeals Tribunal) (Amendment) Regulations, 2007.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Charles E. Clifford:** Thank you, Madam Speaker, just very briefly.

These amendment regulations speak to the reduction in the total number of members required to serve on the appeals tribunal and also to deal with the number of members required to constitute a quorum.

If no Member of this honourable House moves a motion to debate these amended regulations, they will come into effect within 21 days.

Thank you.

### **Public Service Pensions Board – Annual Report 2004**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Public Service Pensions Board – Annual Report 2004.

**The Speaker:** So ordered.

Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker. I wish to make a brief contribution.

The annual report just tabled consists of two main parts: the first part is essentially a narrative section at the beginning of the report that contains, amongst others, the chairman's and managing director's report along with the financial overview. The second part of the annual report consists of the financial statements.

Madam Speaker, the legal entity that holds the assets detailed in the financial statements component of the report is the Public Service Pensions Fund. That Fund vests in the Public Service Pensions Board. The financial overview is shown on page 11 of the report and it indicates that the net assets of the Public Service Pensions Fund increased by C1\$26.5 million, or a 22.4 per cent increase during its financial year, which ended on 31 December 2004.

The net assets of the Fund stood at C1\$144.5 million at 31 December 2004.

Madam Speaker, in terms of the operating activity of the Fund during the year to December 2004, the following summary is pertinent:

- The Fund received total contributions during the year of \$28.9 million.
- The Fund paid out pension benefits during the year of \$9.7 million.
- It received investment income of \$7.7 million, and it had other operating income of \$1.4 million.
- Its operating expenses and investment expenses were \$1.8 million.

These items net off to \$26.5 million, equal, that is, to the increase in net assets that I stated earlier.

Madam Speaker, the financial statements component of the report has been examined by the Auditor General and he has issued an unqualified or clean opinion that the financial statements present fairly, in all material respects, the financial position of

the Fund at 31 December 2004, and the results of its operations and cash flows for the year then ended.

The financial statements in respect of accounting periods after 31 December 2004, including those up to the year ended 30 June 2007, are now with the Auditor General's office for examination.

Thank you.

### **Report of the Standing Business Committee for the Fourth Meeting of the 2006/07 Session of the Legislative Assembly**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Report of the Standing Business Committee for the Fourth Meeting of the 2006/07 Session of the Legislative Assembly.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** No, Madam Speaker. The report is self-explanatory with the requisite notes, minutes, and copies of the Order Papers.

### **Report of the Standing Business Committee for the State Opening and Budget Meeting of the 2007/08 Session of the Legislative Assembly**

**The Speaker:** I recognise the Honourable Leader of Government Business

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. I also wish to lay on the Table of this honourable House the Report of the Standing Business Committee for the State Opening and Budget Meeting of the 2006/07 [sic] Session of the Legislative Assembly.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Madam Speaker, forgive me, it should have said the 2007/08 Session—not 2006/07.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** No, Madam Speaker. Similar procedure as the previous one.

**The Speaker:** We move on to Questions by Honourable Ministers and Members of the Cabinet.

Question No. 21 stands in the name of the Honourable Leader of the Opposition.

## QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

**Hon. W. McKeever Bush:** Madam Speaker, before I ask the question, I want to make note—and I think it affects the privilege of the House—that there are numerous questions which should be simple information to get, for instance those about the Royal Watler [Cruise Terminal], names of people who have rented space there; Cayman Airways, in regard to the evacuation and the cost of tickets; and arrangements for people who might be renting at the National Heritage site, Pedro Castle.

**The Speaker:** Honourable Leader [of the Opposition] I would ask that you write to the Chairman of the Business Committee.

**Hon. W. McKeever Bush:** Madam Speaker, I am a member of the Business Committee and I must say that the Chairman keeps saying that he has spoken to his Ministers, and I think he has. But these questions, some of these, are from the last Meeting. The House will adjourn today, Madam Speaker, and when they are answered in a letter then we cannot [ask] supplementaries.

So, I just want to bring to the attention of the House that I think it is long past politicking for a government who says they want to be open and transparent. I really believe it is beginning to affect the privilege of the House. Certainly in a democracy when we cannot get information it affects your work.

### Question No. 21

**No. 21: Hon. W. McKeever Bush** asked the Honourable Third Official Member responsible for Finance and Economics to give the total Government debt, including all Government entities and related companies.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

The question does not specify a date on which the information is sought. The Portfolio of Finance and Economics chose the date of 30 April 2007. As at 30 April 2007 the total Government and public entities debt was CI\$314,296,266.42.

Below is a detailed listing of each type of debt by entity. The table, as Members will see shortly, is composed of a section that deals firstly with loans and secondly a section that deals with bonds. In respect of the loans section (and these amounts are all in Cay-

man Islands Dollars): *[the Honourable Third Official Member read the chart]*

| Loans                                | Amount owed as at 30 April 2007 |
|--------------------------------------|---------------------------------|
| Cayman Turtle Farm                   | \$13,800,000.00                 |
| Cayman Airways Ltd                   | \$32,029,838.00                 |
| Cayman Islands Airports Authority    | \$9,446,867.00                  |
| Cayman Islands Development Bank      | \$4,207,340.56                  |
| Central Government                   | \$69,930,226.00                 |
| Port Authority of the Cayman Islands | \$19,036,419.00                 |
| Water Authority – Cayman             | \$11,830,000.00                 |
| <b>Total Loans</b>                   | <b>\$160,280,690.56</b>         |

| Bonds                                        | Amount owed as at 30 April 2007 |
|----------------------------------------------|---------------------------------|
| Cayman Turtle Farm 15-Year Bond              | \$42,915,000.00                 |
| Cayman Islands Development Bank 5-Year Bond  | \$5,000,000.00                  |
| Cayman Islands Development Bank 10-Year Bond | \$5,000,000.00                  |
| Central Government Bond                      | \$100,231,983.00                |
| <b>Total Bonds</b>                           | <b>\$153,146,983.00</b>         |

| Overdrafts                | Amount as at 30 April 2007 |
|---------------------------|----------------------------|
| Health Services Authority | \$868,592.86               |

|                                                               |                  |
|---------------------------------------------------------------|------------------|
| Total Government and public entities debt as At 30 April 2007 | \$314,296,266.42 |
|---------------------------------------------------------------|------------------|

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

### Supplementaries

**Hon. W. McKeever Bush:** Madam Speaker, can the Honourable Member say what it is expected to be a year from this date? If that is not possible, I would accept it in writing.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

With a brief reference to the 2007/08 Annual Plan & Estimates Document, I would be able to comment on the percent of Government's portion of these amounts, but not, for example, on the other public entities' portions. If you would bear with me a few seconds, I could make reference. [pause]

Taking the information from the Annual Plan & Estimates document for the financial year 2007/08 (and this document was tabled in the Legislative Assembly on 27 April 2007 when we did the 2007/08 Budget), page 310 of that document shows the balance sheet of the Government. There is a section within that that lists the current liabilities, which would be liabilities that would be payable within one year. In respect of borrowings that would be repayable within one year, there is a figure of \$16.8 million. There is a

further section of non-current liabilities, which would be liabilities payable beyond or after one year. There is a figure in there for borrowings of \$278.93 million.

When we add those two figures together, we arrive at a figure for central Government that is expected of \$295.7 million, approximately. That is, of course, the figure that would arise if the full borrowings appropriation for the 2007/08 year of \$129.8 million were drawn down. If that figure was drawn down, the \$295.7 million would be the expected figure at the end of June 2008.

Obviously, if the Government did not draw down the \$129.8 million, the June end balance would be less than that.

Madam Speaker, that is in respect of the central Government component. Thank you.

**The Speaker:** Are there any further supplementaries?  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, thank you.

So, at the period this time next year, we should have a total Government position, that is, Government and public entities debt, of just about \$450 million, if you add what you say of Government to the public entities. Am I correct in that accounting?

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

Madam Speaker, I did say that I was only able to comment on the central Government portion. I do not have information as to the expected balances of the public entities' position at 30 June 2008 so I am unable to confirm or deny the \$450 million mentioned by the Honourable Leader of the Opposition. I simply do not have information about other public authorities and how their debt is expected to be at the end of June 2008.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, thank you. I will talk to the Financial Secretary later, but what I was doing was taking what he said will be \$295 million and adding that to the total Government bonds and other debt. I did not include in that \$448 [million] what would be, for instance, the Airports Authority when that comes on line. So it will be over that amount. But I will get that understanding from him later.

I do have another supplementary if you will allow it.

Madam Speaker, how is the Port Authority Cayman Islands loan being paid?

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

Madam Speaker, if I could just beg your indulgence for a short moment to just refer to a comment just made by the Honourable Leader of the Opposition. The central Government figure of \$295 million, I cannot agree with the comment that that will be the debt balance at the end of June 2008.

I did actually say that that \$295 million position would be dependent upon the Government drawing down \$129.8 million during the course of this year. If that happens, then the resulting figure was likely to be \$295 million. But if the Government does not draw down the full proceeds of the \$129.8 million during this year then a different debt figure would result at the end of June 2008.

Madam Speaker, certainly, I would answer the Honourable Leader of the Opposition's question by saying that the Port Authority's loan is not paid by central Government, it certainly would be paid by the revenues and cash flows of the Port Authority itself.

**The Speaker:** Are there any further supplementaries?  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, in making reference to the \$19 million of the Port Authority loan, some of which was existing, but most of which has come for the redevelopment of the Port Authority and is supposed to be being paid by the cruise association FCCA given certain numbers of passengers . . . maybe it is far a field, and maybe I can talk to him later, but that is what I was trying to get at. How much is being paid by Government? How much is being paid by the Port Authority? How much is being paid by another entity through a contractual arrangement?

**The Speaker:** Honourable Leader of the Opposition, maybe you should bring that question directly to the Minister responsible for the Port Authority.

**Hon. W. McKeeva Bush:** Oh Lord!

**The Speaker:** I will allow one more supplementary. Are there any further supplementaries?

If not, we will move on to the next order of the day.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received notice of statement by the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

### Recent Layoffs and Other Serious Allegations at Two Local Condominiums

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, late last week the Government was made aware of allegations of layoffs and serious regulatory breaches at two local condominiums along Seven Mile Beach, namely, Lacovia and Regal Beach Club condominiums. The elected Government met with the affected employees to get a better understanding of what had transpired at those two properties from the employees' perspective.

It has been alleged, among other things, that Caymanian employees have been laid off in favour of outsourcing housekeeping jobs to janitorial companies. Such a practice is against longstanding policy and is wholly unacceptable to the Government.

Consequently, the Government commenced an investigation to determine whether any breaches of law occurred at these properties as alleged and, secondly, who authorised the lifting of restrictions which had previously been attached to the Trade and Business Licences of janitorial companies. The restriction prohibited them from providing housekeeping services at tourism properties along Seven Mile Beach.

Madam Speaker, the Government and the country owe a duty to those Caymanians who have dedicated their careers to serving in the tourism sector. We understand that when they do their jobs faithfully, we owe it to them to do our jobs in ensuring that they continue to have an opportunity to earn a living in this growing sector.

As a policy, the Government will not allow the outsourcing of tourism jobs to occur where we have willing and able Caymanian workers available to do these jobs. We are prepared to defend this policy even to the extent of introducing legislation, should that prove necessary.

Madam Speaker, the Government is not alone in its goal to protect Caymanians in the tourism industry. Both public and private sectors are united. We are grateful to the Cayman Islands Tourism Association for joining the Government in condemning this shortsighted corporate philosophy allegedly adopted by two condo properties on Seven Mile Beach.

As I deliver this statement, a joint task force consisting of representatives from the Department of Employment Relations, the Department of Tourism, the Pensions Office and the Health Insurance Commission are on site at these properties carrying out necessary investigations.

While regulators do their jobs, the Minister of Employment Relations and I will also meet with the management of Regal Beach condominiums and Lacovia in an effort to help displaced Caymanian workers get reinstated. I am also aware that the Cayman Islands Tourism Association has commenced an active search for employment opportunities for the affected employees at alternative properties.

Madam Speaker, this is a most unfortunate situation. However, the Government is committed to a thorough investigation of what occurred and to working with all parties to ensure that this matter is re-

solved and that Caymanian jobs in tourism are preserved for present and future generations.

Thank you, Madam Speaker.

### Short Questions —SO 30(2)

**Hon. W. McKeever Bush:** Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Standing Order 30(2)—

**The Speaker:** Short question for clarification?

**Hon. W. McKeever Bush:** Yes.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** The policy is an old one which derived from a similar problem back in the 1990s. The Minister has named the condos in his statement. Can he say who would be providing the new workers and where are they from?

**The Speaker:** Honourable Leader, do you mean if it is going to be outsourced, who would be providing that service?

**Hon. W. McKeever Bush:** Madam Speaker, the complaints I had is that some of them have already been let go and people have been taken on board.

**The Speaker:** Honourable Minister.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

I started the statement by saying that we had been made aware of certain layoffs in the sector. We have also been told that at least one local janitorial company has been employed to provide the service, but we know too that the employees of this particular company are work permit holders. So therein lays the concern.

As far as the restrictions placed on the Trade and Business Licences are concerned, that is also a part of this investigation that is currently being conducted to determine why those restrictions were removed from the licences, who removed them, and on whose authority. As soon as we have that information, Madam Speaker, we will be reporting that to the public as well. So it is part of the ongoing investigation.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** I thank the Minister for that information. I am still waiting to hear who the companies were and whether people are in place now, as I had the complaint that people had been hired.

**The Speaker:** Honourable Minister.

**Hon. Charles E. Clifford:** Madam Speaker, we have been told of one company, which I understood was Reliable Industries. But we have also had information—and this is really recent information—that there have been issues between that company and one of the properties. So we do not know whether that company is employed or not. The investigation has really just begun and I do not have any more information than I have already provided to this honourable House.

**Hon. W. McKeeva Bush:** Mm-hmm.

**The Speaker:** Government Business, Bills.

## GOVERNMENT BUSINESS

### BILLS

#### SECOND READINGS

##### Trafficking in Persons (Prevention and Suppression) Bill, 2007

**The Clerk:** The Trafficking in Persons (Prevention and Suppression) Bill, 2007, second reading.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I seek leave of the House to move the second reading of a Bill entitled, The Trafficking in Persons (Prevention and Suppression) Bill, 2007.

**The Speaker:** Are you moving the second reading, or are you moving it to another point on the order paper?

**Hon. Samuel W. Bulgin:** [inaudible response]

**The Speaker:** Okay.

The motion has been duly moved and is open for debate. Does the Honourable Second Official Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Yes, Madam Speaker.

Madam Speaker, as mentioned before, the Bill is entitled A Bill for a Law for the Prevention and Suppression of Human Trafficking, 2007. Of course, in the second reading I will endeavour to put some perspective on this issue as well as highlight the main provisions of the Bill for honourable Members of this House as well as the listening public.

The principal aim of the Bill itself is to prevent and suppress the trafficking of persons and, in particular, women and children who are invariably the target of this scourge.

As an Overseas Territory of the United Kingdom the Cayman Islands is a party to the International

Convention for the Suppression of Trafficking in Women and Children by way of extension.

The international community first denounced trafficking in the Trafficking Convention which was approved by the General Assembly of the United Nations as far back as 1949. The Convention calls on state parties to punish traffickers and to protect all persons against such abuse. It also calls on state parties so far as possible to make suitable provisions for trafficking victims temporary care and maintenance and to repatriate trafficked persons only after agreement with the state of destination, and, where such persons cannot pay the cost of repatriation, to bear the cost as far as the nearest frontier.

In order to be able to give full effect locally to the Convention, it is necessary for the Cayman Islands to enact domestic legislation. The significance of this Bill is to create the offence of human trafficking and to facilitate efficient investigation of cases of trafficking. If enacted into law, it also seeks to promote cooperation between the Cayman Islands and other Territories in a bid to prevent and suppress trafficking.

Madam Speaker, there are several working definitions of trafficking in persons. The one most frequently used is the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and is one of the three Palermo Protocols. It defines “trafficking in persons” as follows: “. . . **the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.**”

Exploitation, according to the definition, shall include: “**Exploitation shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;**”

Madam Speaker, this draft Bill seeks to make provision for the prevention and suppression of trafficking in persons particularly aimed at the exploitation of women and children for the purposes of slavery, servitude, sexual exploitation, including prostitution, forced labour, as well as illicit removal of organs, and, in effect, to sort of capture the contemplation of the other Convention itself.

The Law, importantly, will also complement section 109 (I think it is) of the Immigration Law, 2007, as it relates to the issue of human smuggling, which is different from human trafficking. That provision states that: “**109. (1) Whoever, in contravention of this Law and whether for financial or material benefit or not, assists or facilitates the transportation, harbouring or movement into or out of the Islands, of an individual is guilty of an offence and liable**

**on summary conviction to a fine of fifty thousand dollars and to imprisonment for seven years.”**

The detailed provisions of the draft Bill are as follows: Clause 1 provides for the short title; Clause 2 will create certain definitions and interpretations of various provisions including “child”, “child pornography”, “exploitation”; definitions of “controlled drug”, “forced labour”, “servitude”, and “illicit removal of organs”, among others.

Clause 3 of the Bill creates the offence of trafficking in persons. It covers in detail the offence of trafficking to include not only persons who for the purpose of exploitation recruit, transport or harbour persons within, or transport persons outside the Islands, but persons who also facilitate the offence. So persons who receive financial or other benefits knowing that it results from the offence, and persons who whether or not know the specific nature of the offence would also have committed an offence. The penalties are quite substantial, fine of \$5,000, imprisonment for a term of up to 10 years, or both.

The Bill also criminalises the activities of bodies corporate in certain circumstances.

Clause 5 speaks to the issue of restitution where persons are convicted of the offence of trafficking in persons. The court may order that person to pay restitution and compensation, and medical and psychological treatment of the victim; compensation for emotional distress, pain and suffering, and any other loss suffered by a victim which is considered applicable by the court including loss of income.

Clause 6 of the Bill deals with issues of forfeiture to the Crown of all property obtained in the course of the crime.

Part III of the Bill deals with the Assistance and Protection of Victims. We will find, for example, that clause 8 provides that the Government shall take all reasonable steps to identify victims in the Islands and whilst identifying shall provide reasonable protection of these victims to prevent them from being recaptured, intimidated, or becoming the objects of reprisal by traffickers and their associates.

Clause 9 deals with the appropriate steps to be taken by Government, where practicable, to assist the victims of the offence and these steps may include understanding the laws of the Islands, the rights of the victims and, where applicable, obtaining relevant travel documents and replacing or providing passports and other travel documents.

Clause 10 of this Bill defines the circumstances which proceedings involving a victim shall be held in camera and they may include where the victim is a child, or has been traumatised by the experience of the exploitation, or the victim is mentally or physically challenged.

Clause 11 provides that the Governor should establish a system for the return of these victims to their territory of citizenship or permanent residency. And Clause 12 deals with immigration regime for victims in cases where the victim does not have the right

to remain or reside in the Islands. This section deals with the granting to the victim the appropriate visas or other authorisation to allow them to remain in the Islands for as long as it is necessary for immigration officers to carry out their identification and to deal with judicial prosecution where that is being undertaken.

There is a provision in the Bill, clause 13, that authorises entry, search and seizure pursuant to a warrant.

Madam Speaker, I have endeavoured to highlight the main provisions of the Bill. Having done so may I now, with you leave, just sort of help to put this in a bit of perspective so that we understand exactly what it is we are up against here?

Madam Speaker, like all other atrocities, trafficking in persons has a human and social cost to it. Accordingly, victims of human trafficking pay a horrible price. They would usually be subject to psychological and physical harm including diseases and stunted growth with permanent effects. Additionally, victims forced into sex labour can be often subdued with drugs and subjected to extreme violence. They are invariably exposed to emotional damage from forced sexual activities, forced substance abuse and exposure to sexually transmitted diseases including HIV AIDS.

The psychological damage is and can be exacerbated when these victims are trafficked to locations where they do not speak or understand the local language and, therefore, suffer from the additional trauma of isolation.

Indeed, trafficking of children contravenes the inherent right of a child to grow in a protective environment and the right to be free from all forms of abuse and exploitation. Trafficking, as we know it, Madam Speaker, tears children from their parents and extended family and contributes to social breakdown.

The practice of trafficking in persons fuels international organised crimes across several borders. The profits from the activities are often used to sponsor other criminal activities. Indeed, Madam Speaker, according to the FBI, trafficking in persons generates an estimated \$9.5 billion in annual revenue and is inextricably connected to money laundering, drug trafficking, document forging, and human smuggling. And we need not be reminded that where organised crime flourishes governments and the rule of law are undermined and weakened.

Finally, Madam Speaker, to put this into context in respect of the Cayman Islands, I mentioned early in my presentation that invariably those who are trafficked are women and children because of their marginalisation, their limited economic resources and predominance in the invisible formal sector; also, people from impoverished and low income households, people who live in slums, as well as women engaged in low status work and services, such as vending, petty trading, et cetera.

Then, Madam Speaker, there are the ethnic minorities, indigenous people, refugees and illegal

immigrants, young girls running away from families that expect their daughters to financially contribute to their support. These people are trafficked because, like other commodities—which is how these victims are perceived by their traders—there is a demand side and a supply side; that is, there is a demand by employers and enterprises for cheap labour. In this context, the literature highlights the fact that female labour is usually seen as low status work in the domestic and entertainment spheres, thus putting them at risk.

Adding to that, Madam Speaker, is the phenomenon that there is an expanding commercial sex industry in the sub-region and an increased demand for the services of sex workers where male client preferences are for younger women and girls because of the fear of HIV infection. Sadly enough, this is also the male attitude and perception of women in society and women's unequal socio-economic status.

All these demands are then addressed by what we call the supply side, which often goes like this: Women are in the minority and, of course, they are of the poorer set and the poverty is increasing. Then there are economic disparities within countries and between countries and regions which fuel the demand from trafficking from low income to high income areas. Then there is the globalisation factor, that is, globalisation and economic liberalisation have released controls, opened borders between countries thus facilitating population mobility.

Couple the above with factors such as civil and military conflicts, which have pushed people to flee their countries, thereby encouraging cross-border trafficking, erosion of traditional family values and the pursuit of consumerisation which well encourages the sale of women and children. Of course, Madam Speaker, this is aided and abetted by weak law enforcement mechanisms and the absence of measures to penalise offenders. Couple that with exploitation by corrupt law enforcement officials.

Madam Speaker, this is somehow assisted by the increasing ease and frequency of international travel to get over the growing phenomenon of temporary migration for work. All of this has increased the opportunities for trafficking. The growth of transnational crimes involving a variety of forms of trafficking including drugs has led to the expansion of these networks into trafficking for the purpose of prosecution and of forms of exploitation.

It is therefore crucial that from a Cayman Islands perspective, even though there is no evidence that the activities detailed earlier might be occurring here, that as a jurisdiction we put in place the necessary legal and institutional frameworks to prevent these atrocities and, equally important, that we be able to cooperate with other countries to prevent our borders being pierced by unscrupulous agents who are adept at deceiving parents, luring women and girls with false promises of well paid work or, of course, marriages to new partners, thus resulting in trafficking.

As a jurisdiction we need to be vigilant in ensuring that our travel documents are not forged or falsified to facilitate the movement of trafficking in persons. We need to be very astute in assuring that our financial services are not used to launder or otherwise facilitate the use of the proceeds from such activities, and that, if it is so used, we are able to provide the necessary cooperation in the prosecution of the offenders and the confiscation of the proceeds.

Finally, Madam Speaker, where possible we need to be able to assist in having these victims repatriated, reunited and reintegrated into their original communities and with their families.

Madam Speaker, I have endeavoured to explain exactly what is contemplated by this piece of legislation and the rationale for it. I hope that I have succeeded in sufficiently explaining and highlighting the need for it, and with that sort of background I now commend it to all honourable Members of this House and enlist their support in favour of its passage.

Thank you.

**The Speaker:** Does any other Member wish to speak? (pause) Does any other Member wish to speak? (pause) If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I imagine that I must have done such a good job at explaining the content of the Bill that it was not necessary for anyone else to contribute. But I do appreciate honourable Members' support for the Bill. Thank you.

**The Speaker:** The question is that a Bill shortly entitled the Trafficking in Persons (Prevention and Suppression) Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Trafficking in Persons (Prevention and Suppression) Bill, 2007, has been given a second reading.

**Agreed: The Trafficking in Persons (Prevention and Suppression) Bill 2007 given a second reading.**

#### **Firearms (Amendment) Bill, 2007**

**The Clerk:** The Firearms (Amendment) Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Second Official Member.

### Motion to change the Order of Business

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I seek permission of this honourable House to make a slight amendment to the Order of Business, and, instead of doing the second reading of the Firearms (Amendment) Bill at this stage, if I could take instead the second reading of the Private Security Services Bill.

**The Speaker:** Honourable Second Official Member, at what point would you then be doing the Firearms Bill? At the end of the second readings, or at a later date?

**Hon. Samuel W. Bulgin:** No, Madam Speaker. I hope to be able to do that after lunch today. I just want to clarify certain issues that have emerged over the weekend as it relates to the Bill. But I certainly would be able to have those clarifications dealt with during the lunch period today.

**The Speaker:** The question is that the Orders of the day be changed, whereby the second reading of the Firearms (Amendment) Bill is moved to a later time during this Meeting. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Order of Business changed to allow the Firearms (Amendment) Bill, 2007, to be taken later during the Meeting.**

### Private Security Services Bill, 2007

**The Clerk:** The Private Security Services Bill, 2007, second reading.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I beg to move the second reading of a Bill entitled, A Bill for a Law to Provide for the Control and Regulation of Private Security Services; and for Incidental and Connected Purposes.

**The Speaker:** The motion is duly moved and is open for debate. Does the Honourable Second Official Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Yes, Madam Speaker.

The Bill before this House entitled, The Private Security Services Bill, 2007, has as its main aim the formal regulation and control of private security services operating in the Cayman Islands. By way of background, the genesis of the Bill was that in July

2005, representations were made by private security companies to Government requesting that consideration be given to regulating the provision of security services and highlighted a number of concerns in the industry, including the absence of a licensing system and the need for greater oversight.

The representations also included issues which were not properly matters to be dealt with by virtue of this Bill, but were immigration matters and labour matters germane to the Department of Employment Relations—rates of pay (as low as \$2.50 per hour), monies deducted for pension contribution but not placed into funds, employees not paid on time, and so on. All of these are matters that were canvassed with Government when the representations were made back in July 2005.

Understandably, these other matters were referred to the appropriate agencies to be dealt with.

Following up on this representation instructions were given for a Bill to be drafted after, of course, discussions in Cabinet. The Bill was dealt with in 2006 and Cabinet instructed that the Bill be distributed for public consultation.

Comments were received in the main from securities companies as well as the police, and issues such as extending the proposed regulations of security guard services to the provision of electronic security systems were raised as part of the consultation phase.

Submissions were also made to Government that the onus should be on the employer, and not the employee, to apply for a security guard licence and that the better course would be for an annual rather than an initially contemplated five-year licensing regime.

The Bill in its present amended form was published as a green bill on 25 June 2007. The central tenet of the Bill is the requirement for the Commissioner of Police to be the principal regulating authority for security service providers. He would be responsible, among other things, for ensuring compliance with licensing requirements. It would also enable him to require appropriate due diligence background checks by means of antecedence and to assure himself of the competence of the applicant before granting a licence.

The main provision of the Bill is Part I, which contains the short title and commencement provision. Part II, which includes clauses 4 through 11, deals with the licensing regime under the legislation. Clause 4 is a primary clause, and this prohibits a person from providing security guards and security technicians without a licence. It means that everyone engaged in such a business or providing such a service must be licensed, and persons who carry on these activities without the proper licence would be liable, on summary conviction, to a fine up to \$5,000.

Clause 5 provides for lodgment of applications for licences with the Commissioner of Police who may investigate the applicant's criminal record, competence, and character. Clause 6 empowers the Com-

missioner to grant licences on prescribed grounds on which he may, of course, decline to grant a licence.

Clause 9 is of some importance. It allows the Commissioner to grant a licence of short duration. For example, three months, to a security technician or a guard so that he can work while his application is being processed, and a licence to someone for no more than 45 days so that he can protect a person who is visiting the Islands.

Clause 10 is an important provision as well, Madam Speaker, it would allow the Commissioner to cancel or suspend a licence where a licensee is in breach of the legislation or the condition of his licence, or has been guilty of certain offences. But such action may only be taken after the licensee has been given an opportunity to be heard.

Part III of the Bill, which is clauses 12 through 19, constitutes various offences under legislation. Clause 13 requires a security firm to ensure that all its electronic security technicians and guards are licensed and failure to do so would render the offender liable to a fine of up to \$2,000.

Clause 16 requires the security officers to carry their licences and produce them for inspection by police and other officers where appropriate. Again, failure to do so is an offence.

Clause 18 creates an offence in relation to applications, statements and records and the making of false or misleading statements and failing to keep proper books and records, or impersonating a guard or technician, which is, in itself, an offence.

Clause 19 enables a court to disqualify a licensee from holding a licence for a maximum period of 12 months where he is convicted of an offence under the law. And clause 21 provides that a licensed security guard may be authorised by the condition of his licence to carry specified weapons.

Now, Madam Speaker, I seem to recall that there was some concern about this particular clause, although we have not had any official communication from anybody. But I know there were some concerns about the scope of this clause. So, clause 21 provides that a licensed security guard may be authorised by the condition of his licence to carry specified weapons. However, such persons must first obtain the requisite authorisation under the Firearms Law. Clause 21 (4) makes that quite clear.

I think for completeness I had better read the entire clause 21 (1) and then (4). It says, **“21(1) Without limiting the generality of section 7(2), the conditions of a security guard’s licence may authorise the carriage by the security guard of such weapons (in this section referred to as ‘authorised weapons’) as may be specified by endorsement, under section 7(2)(a), upon his licence.”**

Section 21(4) says, **“Nothing in this Law shall be construed as authorising the importation, manufacture, sale, possession or carriage of, or**

**dealing with, a firearm otherwise than under and subject to the Firearms Law (2006 Revision).”**

Meaning, Madam Speaker, that simply by virtue of being a security guard will not entitle one to be able to carry a firearm; one still has to satisfy the Commissioner of Police under the Firearms Law—as he is required to do now as we speak—to be able to be issued with a firearms licence.

So, what the provision does in 21(4) is to remove any implication that, by virtue of standing up as a security guard, will authorise one automatically to be able to be issued with a firearms licence. You would still have to satisfy the Commissioner of Police under the Firearms Law that you are a fit and proper person to be issued with a firearms licence. That is the position as we speak today, and this Law does not change that. What it does is reinforce that position.

Madam Speaker, that deals with clause 21 of the Bill. There are some other clauses of course. Clause 22 enables the Commissioner to maintain a register showing the name of every person licensed under the legislation. [Clause 23] provides for certain averments by certificate of the Commissioner for the purposes of legal proceedings. And finally, clause 25 contains transitional provisions. These provide for a six-month window after the passing of this Law to make the required application, commencing not later than three months after the commencement of this Law. So it has sort of a transitional period for existing entities.

This Bill, therefore, aims to provide a comprehensive mechanism for oversight of the security industry. The aims and objectives of the Bill are sound and it is recognised that it is appropriate that there be regulation in the form of guidelines and standards which are to be observed and, thus, accountability if there is a failure or departure from these set standards.

However, Madam Speaker, such regulation has to be balanced against need for care to be taken that in attempting to regulate the provision of such services this does not result in eliminating or affecting the kind of competition expected in a free market economy which, in turn, will ensure that the services remain affordable to those who wish to employ these services. The Bill therefore seeks to ensure that these interests are balanced in a manner which is fair to private interests and to the interests of the general public.

With those comments I would commend this Bill to honourable Members of this House.

**The Speaker:** Does any other Member wish to speak? (pause) Does any other Member wish to speak? (pause)

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, we have heard concerns from several people on the matter before us. In reading the Bill some of those concerns

fall away. Some of the smaller companies believe that this will drive them out of business because it will become so cumbersome for a small business. I believe that will happen.

What we can say is that no one can say that regulations are not needed. There are firms cropping up all over the place doing this kind of business.

We do not know what people pay their staff, but nowhere in our economy can a person live off of \$2.50 or \$5.00 per hour. I just cannot see how people can live off that kind of salary. So, I think an effort to clean up the whole sector is good. I hope that small businesses will not have such a difficult time that they cannot cope with what is required.

**The Speaker:** Does any other Member wish to speak? (pause)

If no other Member wishes to speak, does the Honourable Second Official Member wish to exercise his right of reply?

**Hon. Samuel W. Bulgin:** Thank you.

Madam Speaker, again I wish to express my thanks to honourable Members of this House for their support of this Bill. Thank you.

**The Speaker:** The question is that a Bill shortly entitled, the Private Security Services Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Private Security Services Bill, 2007, has been given a second reading.

**Agreed: The Private Security Services Bill 2007, given a second reading.**

**The Speaker:** Proceedings will be suspended for 15 minutes.

**Proceedings suspended at 11.38 am**

**Proceedings resumed at 2.07 pm**

**The Speaker:** Please be seated.

Proceedings are resumed, and I do apologise for the late restart of Parliament, but there happened to be a misunderstanding between the deputy and myself. I had an appointment that unfortunately ran late.

Honourable Second Official Member, are you ready for the Firearms (Amendment) Bill at this time?

**Motion to defer Second Reading of Bill**

**Hon. Samuel W. Bulgin:** No, Madam Speaker. After some discussions during the luncheon adjournment, it was proposed that we might seek the leave of the

House to defer the second reading of this Bill probably until October. I will speak to the Leader of Government Business before a formal request is made.

**The Speaker:** Honourable Second Official Member, Companies? (I think we need to put a little note next to these so I will know which Official Member is bringing them.)

**Hon. Samuel W. Bulgin:** Okay.

Thank you, Madam Speaker

**Companies (Amendment) Bill, 2007**

**The Deputy Clerk:** The Companies (Amendment) Bill, 2007, second reading.

**Hon. Samuel W. Bulgin:** I beg to move the second reading of a Bill for a Law to Repeal and Replace Part V of the Companies Law (2007 Revision) in Order to Reform the Law Relating to the Winding up of Companies; and for Incidental and Connected Purposes.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Second Official Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Yes, thank you very much.

Madam Speaker, the background to this matter is as follows: The Law Reform Commission, as we all know, was established pursuant to a law passed in this House in 2005. Among his first projects was the review of the insolvency laws in the Cayman Islands and, more particularly, Part V of the Companies Law.

By way of historical context, the review of the insolvency laws commenced as long ago as 1999 when the UK and the Overseas Caribbean Territories, as well as Bermuda, commissioned an independent review of financial regulation in the respective Territories. The review at the time was carried out by KPMG to assess the extent to which the Overseas Territories complied with international standards and best practice in the way they regulate their international financial sectors.

Each Overseas Territory was analysed individually and the review focused on the range of financial businesses conducted and the strength and effectiveness of the regulatory regime. The Law Reform Commission thereafter eventually assumed responsibility for reviewing this important area of the law and thereafter invited a private sector committee to submit its report and recommendations, which was done in September 2005.

The private sector committee was headed by Mr. Andrew Jones, QC, and included Mr. James Cleaver. The report of the Commission is therefore based to a substantial extent upon the research and recommendations of a broadly based private sector committee comprising the insolvency practitioners and

lawyers involved with capital markets and asset finance business.

The recommendations of the Commission may be summarised as follows:

- the existing Law relating to corporate insolvency is unduly complex and out of date and should be repealed and replaced;
- the practice of attempting to apply foreign insolvency rules to the Islands does not work satisfactorily and there should be established an Insolvency Rules Committee which would be charged with the responsibility of enacting insolvency rules which specifically meet the needs of the Cayman Islands and the financial services industry;

They also recommended that there is currently a considerable degree of cross-border cooperation in respect of insolvency matters, but the basis upon which this cooperation is afforded depends largely upon judicial practice and it is therefore recommended that the law relating to international cooperation in respect of insolvency matters be codified and included in the new Part XVI of the principal Law.

During the time that the Law Reform Commission was undertaking this review there were several areas in which there were, understandably, differences of opinion, especially as it relates to the jurisdiction of a Grand Court to set the fees for liquidators. This particular issue was litigated all the way to Her Majesty's Privy Council in the United Kingdom after which the Court there upheld Government's contention that the Grand Court does have the power under the existing Law to issue guidelines in insolvency matters for fees and rates, to give directions regarding the fees, costs and time chargeable, and the procedures to be followed in winding up and liquidation proceedings.

Following the settling of this point by the UK Privy Council, the Law Reform Commission then revisited the issue and this involved them having consultation with the judiciary as well as the private sector comprising lawyers and professional accountants.

[pause]

**The Speaker:** I can't believe this.

**Hon. Samuel W. Bulgin:** Sorry, Madam Speaker.

**The Speaker:** That's okay, Honourable Second Official Member. It is not your fault. We are vacuuming during the proceedings of Parliament.

**Hon. Samuel W. Bulgin:** Oh.

**The Speaker:** Please continue.

**Hon. Samuel W. Bulgin:** Thank you.

Following the settling of this point by the UK Privy Council, the Law Reform Commission revisited

the issue including, of course, having consultation with members of the private sector, namely, attorneys, accountants and others, as well as consultation with the judiciary as was suggested by the Privy Council.

The Commission, thereafter, as a result of that process, issued an amended draft bill, which is the Companies (Amendment) Bill, as part of a supplemental report. And the instant Bill that is before this honourable House today is the culmination of that exercise.

Madam Speaker, before I turn to the main provisions of the Bill I understandably would wish on behalf of Government to thank the Law Reform Commission for its hard work and dedication in completing this review. As I said, it is something that has been ongoing since 1999. The Commission in doing its work endeavoured through its consultation process to obtain the best advice it could receive. I would also like to thank members of the financial industry for their expert assistance given to the Commission in modernising this vital area of our law.

The work of the Commission is especially valuable as it allows any interested member of the public to contribute to the policies of lawmaking in these Islands. Madam Speaker, permit me to also on behalf of Government say thanks to the members of the private sector who gave of their time and efforts to contribute to this process.

I wish in particular to thank Mr. Andrew Jones, QC, Mr. James Cleaver, as well as attorneys from Maples, Appleby, Ogier, and Walkers, as well as other attorneys. Thanks also to members of CISPA (Cayman Islands Society of Professional Accountants) as well as others.

Thanks and commendation also need to be made to the Honourable Financial Secretary and his Portfolio, including the effort of the Deputy Financial Secretary, Miss Drummond, for having the foresight to initiate this process, and for their continued participation and guidance throughout.

This Bill represents the cumulative efforts of private sector/public sector partnership and is indeed a confirmation of what can be achieved with this sort of partnership.

Madam Speaker, clause 1 of the Bill provides for the short title and commencement provision.

Clause 3 repeals and replaces Part V of the principal Law, which is really the thrust of this discussion before the House this afternoon.

The main provisions under Part V are as follows: Section 89 inserts a definition section, so the definition of "company" applies to Part V only because it would become possible for local branches of foreign companies to be liquidated under this legislation by virtue of section 91(d).

We just need to cast our minds back to what happened with the Dyll Insurance Company that was operating here, Madam Speaker, not too long ago.

Section 91 specifies the kind of companies which may be wound up by the courts in the Cayman

Islands and, in short, it provides that the Court will have jurisdiction to make winding up orders in respect of:

- an existing company;
- a company incorporated and registered under the Companies Law;
- a body incorporated under any other law; and
- a foreign company which has property located in these Islands or is carrying on business in the Islands.

Again, I make reference to Dyoll as well as other insurance companies that provide that sort of satellite arrangement, for want of a better word.

Section 92 widens the circumstances under which a company may be wound up by the Grand Court, and section 94 deals with the application for such a winding up. At present contingent and prospective creditors cannot present a petition. These sections therefore extend the right to present such a petition to the Court.

Section 100 specifies when a winding up by the Court is considered to have begun. Section 101 deals with the company's statement of affairs. Where the Court has made a winding up order, or appointed a provisional liquidator, the liquidator may require certain persons to prepare and submit to him a statement in the prescribed form as to the affairs of the company.

Section 102, of course, deals with the investigations by a liquidator where a winding up order is made by the Grand Court. Section 104, importantly, deals with the appointment and powers of provisional liquidators. It provides, for example, that **“subject to the provisions of this section any rules made under section 155 the Grand Court may, at any time after the presentation of a winding up petition but before the making of a winding up order, appoint a liquidator provisionally.”**

I mentioned the fact that a certain issue was litigated all the way to Her Majesty's Privy Council in the UK. Section 109 of this Bill before the House seeks to address some of the issues that were litigated and provides for the remuneration of official liquidators. The expenses properly incurred in the winding up, including the remuneration of the liquidator, are payable out of the company's assets in priority to all other claims. **“It is also provided that there shall be paid to the official liquidator such remuneration, by way of percentage or otherwise, that the Court may direct acting in accordance with the rules made under section 155; . . .”**

And, Madam Speaker, **“if more than one liquidator is appointed such remuneration shall be distributed among them in such proportion as the [Grand] Court directs.”** Not the creditor's committee.

Section 115 of the Bill **“provides that the court shall, as to all matters relating to the winding up, have regard to the wishes of the creditors or contributories and for that purpose it may direct reports to be prepared by the official liquida-**

**tor and meetings of creditors or contributories to be summoned. The manner in which meetings are summoned and conducted will be addressed in the Rules.”**

Madam Speaker, with you leave, may I just pause to make an observation in respect of this issue? because some of us will recall that there was an article appearing in (I think it was) *Bloomberg* on 10 August 2007 in which very derisory comments were made about the Cayman Islands Judicial System.

The article is entitled, “Bank of Cayman Islands Hedge Funds Shielded from US Suits.” The authors, Jeff St. Onge and Bill Rochelle, made some very unfortunate comments. In fact, the article is entitled “Setting a Bankruptcy Precedent.”

It says that **“Bear Stearns [Cos.] decision to liquidate two bankrupt hedge funds in the Cayman Islands instead of New York may limit creditors' and investors' ability to get their money back.**

**“While most of their assets are in New York, the funds filed for bankruptcy protection July 31 in a court in the Cayman Islands, where they are incorporated. The bank also used a 2005 bankruptcy law to ask a U.S. judge in Manhattan to block all lawsuits against the funds and protect their U.S. assets during the Cayman proceedings.”**

Madam Speaker, this is the offensive part: **“The Bear Stearns cases may establish a precedent that would let other failed hedge funds liquidate in the Caymans, where judges have a track record of favoring management. The local monetary authority estimates that three out of four hedge funds globally are incorporated in the western Caribbean Islands.”**

It goes on to say that the **“Caymans courts make it 'difficult to take legal action there' and are 'much less transparent than American courts.’”** This comment was attributed to a Mr. **“Jay Westbrook, a professor of University of Texas Law School in Austin, who helped to author the [2005] law.”**

Madam Speaker, this is the sort of unfortunate and jaundiced comments to which this jurisdiction is often subjected. We note with interest this statement that is attributed to these people. It is unfortunate, it is indeed regrettable, that in doing so, in commenting on what could have been a very useful commentary and a very legitimate court proceeding, this sort of bigoted comment this sort of unfortunate and jaundiced comment has diminished the substance of the article completely. The unfortunate nature of it is exacerbated by the fact that in putting forward this view not one iota of evidence has been put forward to support this argument. It was one of the most reckless comments I have ever read.

All these people need to do is purchase copies of the *Cayman Islands Law Report*, and read the cases that have been reported there that have been litigated all the way to Her Majesty's Privy Council, and they would have seen that these courts, the

Courts of the Cayman Islands, have always been very vigilant and astute in protecting the best interests of creditors, shareholders, and all interested parties. The court plays by the rules.

There is nothing to say that this Court is more in favour of management or is less transparent than the United States Court. What is interesting about this article is that the code that Mr. Westbrook mentioned is being used to shield the asset, is one that is co-authored by him. He does not seem to have much confidence in his own work and he does not seem to have confidence in the courts of the United States.

Well, from a Government perspective in the Cayman Islands, we have full confidence in our Grand Court to do the right thing and we have full confidence in the courts and the judges of the United States and the interests of creditors are protected as they ought to be and will continue to be. It is only hoped that when people—like those to whom the quote in *Bloomberg* is attributable—rush to put pen to paper that they would take the opportunity to inform themselves of what obtains in these jurisdictions.

Madam Speaker, moving very quickly through some of the provisions of the Bill, section 135 deals with transactions by officers or professional service providers to defraud creditors. Section 136 deals with misconduct in the Court of winding up; and section 137 provides, **“Where a company is being wound up, whether by the Court or voluntarily, any person, who is or was a director, an officer or manager or a professional service provider of the company, commits an offence if he makes any material omission in any statement relating to the company’s affairs, with intent to defraud the company’s creditors or contributories.”**

Section 150 deals with the currency of the liquidation. The section provides, **“In the case of a solvent liquidation, a company’s creditors are entitled to receive payment of their debts in the currency of the obligation.”** All these are quite an enlightened approach to dealing with insolvency matters in the Cayman Islands.

Section 153 deals with unclaimed dividends and undistributed assets. It provides for the holding upon trust of such assets or dividends by the liquidator or former liquidator for the benefit of the contributories or creditors for a period of one year after the dissolution of the company. At the end of the one year after the dissolution of the company, the former liquidator shall transfer any funds or other assets held on trust by him to the Financial Secretary, who shall manage them in accordance with Part VIII of the Public Management and Finance Law (2005 Revision).

Of course, section 154 establishes what we call the Insolvency Rules Committee, a concept which was recognised by Her Majesty’s Privy Council in the case I mentioned before. The Insolvency Rules Committee will comprise:

- the Chief Justice or other judge nominated by the Chief Justice who shall be chairman;
- the Attorney General or his nominee;
- the legal practitioner members of the Grand Court Rules Committee;
- a qualified insolvency practitioner appointed by the Chief Justice upon the recommendation of the Cayman Islands Society of Professional Accountants; and
- a person appointed by the Chief Justice who, in his opinion, demonstrates a wide knowledge of law, finance, financial regulation or insolvency practice.

So the Insolvency Committee would be as broad based as one would have expected. And the powers of the Insolvency Rules Committee are going to be set out in section 155 of the Law which includes the power to make rules for the purposes of Parts IV, V and XVI of the Law itself.

Section 255 deals with the publication of foreign bankruptcy proceedings. Again, talking about transparency. It is not uncommon for a company incorporated under Part II or registered under Part IX of the Companies Law to become the subject of a foreign bankruptcy proceeding. The fact that a company registered under the Companies Law is the subject of a foreign bankruptcy proceeding should be a matter of public record. It is therefore provided in section 255 of the Law that such companies should make a filing with the Registrar of Companies.

The powers set out under Part XVI are based upon the corresponding provisions of the United States Bankruptcy Code with which local practitioners are familiar.

We have more confidence in the American proceedings than Mr. Westbrook has in his own, Madam Speaker!

The provision here also contains in clause 8— we are moving from sections to clauses, Madam Speaker, because the sections are in the provision where we repeal Part V and put in an entirely new Part V, hence the reference to sections there; and then flipping back to clauses where we are amending other provisions.

Clause 8 contains savings and transitional provisions in the Bill itself.

Madam Speaker, this is an attempt by me to highlight some of the main provisions of what is an extremely complex piece of legislation and very tedious legal language for just about anybody. I hope I have done some justice in trying to explain some of the main import of the Bill.

I now, after that exercise, wish to commend the Bill to honourable Members of this House. If enacted in its current form it will modernise in a significant way the insolvency regime in the Cayman Islands, and the significance of that certainly has not been lost on any Member of this House or the public

given what has been happening in today's financial circles.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Second Official Member wish to exercise is right of reply?

**Hon. Samuel W. Bulgin:** Thank you.

I wish to express my thanks to honourable Members for their support on the second reading of the Bill.

**The Speaker:** The question is that a Bill shortly entitled the Companies (Amendment) Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Companies (Amendment) Bill, 2007, has been given a second reading.

**Agreed: The Companies (Amendment) Bill, 2007, given a second reading.**

#### **Suspension of Standing Order 46 (4)**

**The Speaker:** The Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

On behalf of the Government, I wish to move the suspension of Standing Order 46(4) to enable the Bill shortly entitled, The Insurance (Amendment) Bill, 2007, to be read a second time.

**The Speaker:** The question is that Standing Order 46(4) be suspended. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 46(4) suspended to allow The Insurance (Amendment) Bill, 2007, to be read a second time.**

#### **Insurance (Amendment) Bill, 2007**

**The Deputy Clerk:** The Insurance (Amendment) Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you.

I beg to move the second reading of a Bill shortly entitled, The Insurance (Amendment) Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you.

The Bill that is now before this honourable House is very short and it seeks to amend the Insurance Law (2007 Revision), which I shall refer to as the principal Law, to restore that portion of the Fee Schedule that was inadvertently omitted when the fees were last amended in June 2006. This opportunity is also being taken to make other small amendments to the principal Law.

In the course of the 2006/7 Budget formulation a number of fee increases were made, including increases to the fees for Class A and Class B insurers which were effected by the Insurance (Variation of Fees) Regulations, 2006. An unintentional consequence of this, which only surfaced with the principal Law, was that instead of line item replacement of the new fees in the existing Fee Schedule in the Insurance Law (2004 Revision), the Regulations operated to substitute the entire Schedule with just the increased items. Therefore, when we examined the Schedule in the principal Law we saw that only four fee items appeared in the Schedule to that Law; whereas the correct position is that there should be many more—in fact, 12 items—in the Schedule.

It is necessary to rectify this and to simultaneously validate the collection of other fees based on the original fee schedule. Clauses 3 and 4 of the Bill achieve this by the reinstatement, including the incorporation of the relevant 2006 fee increases of the original 2004 fee schedule and the validation of fees already collected under the other fee categories that were inadvertently extinguished.

The other provision of the Bill is contained in clause 2. Section 7 of the principal Law was amended in 2006 to enhance the requirements applied to domestic insurance companies relating to financial provisions for their Cayman Islands policyholders. Two clarifications to the amended section 7 are being sought to assist in its proper and effective application. Specifically, clause 2 of the Bill at (a)(i) effects the removal of the retail qualifier under requirement for domestic insurers to hold certain funds on trust in a segregated account in a retail Class A bank, as this is proving unnecessarily restrictive and inhibiting implementation.

Clause 2 of the Bill at (b) provides for the addition of the words "to policyholders" to make it absolutely clear that funds that an insurance company is required to hold in trust in relation to its domestic business obligations means its obligations under ac-

tual policies as opposed to other expenses that may be connected with such obligations.

In addition, clause 2 of the Bill at (a)(ii) and (a)(iii) reinstates language from the original section 7 that was omitted in error.

Lastly, the implementation deadline in section 7(2) of the principal Law is proposed to be moved from 14 November 2007 to 31 May 2008, which will give the Cayman Islands Monetary Authority the additional time requested to issue the necessary implementation guidance to industry so that all domestic insurers will be compliant by the start of the 2008 hurricane season.

This Bill deals with a priority matter and I commend the Insurance (Amendment) Bill, 2007, to this honourable House for passage.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Third Official Member wish to exercise his right of reply?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, only to say thanks to all honourable Members for their silent support.

**The Speaker:** The question is that a Bill shortly entitled the Insurance (Amendment) Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Insurance (Amendment) Bill, 2007, has been read a second time.

**Agreed: The Insurance (Amendment) Bill, 2007, given a second reading.**

**The Speaker:** The House will now go into Committee.

**House in Committee at 2.44 pm**

## **COMMITTEE ON BILLS**

**The Chairman:** Please be seated.

The House is in Committee. With the leave of the House may I assume that as usual we authorise the Honourable Second Official Member to correct any minor errors and suchlike in the Bill?

Would the Clerk please state the Bill and read the clauses?

**Trafficking in Persons (Prevention and Suppression) Bill, 2007**

**The Deputy Clerk:** The Trafficking in Persons (Prevention and Suppression) Bill, 2007.

|          |                                      |
|----------|--------------------------------------|
| Clause 1 | Short title.                         |
| Clause 2 | Interpretation.                      |
| Clause 3 | Offence of trafficking in persons.   |
| Clause 4 | Offences by bodies corporate.        |
| Clause 5 | Restitution.                         |
| Clause 6 | Forfeiture.                          |
| Clause 7 | Immunity of victim from prosecution. |

**The Chairman:** The question is that clauses 1 through 7 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 7 passed.**

**The Deputy Clerk:**

|           |                                                         |
|-----------|---------------------------------------------------------|
| Clause 8  | Protection of victims.                                  |
| Clause 9  | Assistance to victims.                                  |
| Clause 10 | Proceedings to be in camera.                            |
| Clause 11 | Return of victims to home territory, etc.               |
| Clause 12 | Immigration regime for victims.                         |
| Clause 13 | Entry, search and seizure.                              |
| Clause 14 | Offence of threatening, obstructing, etc., a constable. |
| Clause 15 | Regulations.                                            |

**The Chairman:** The question is that clauses 8 through 15 stand part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 8 through 15 passed.**

**The Deputy Clerk:** The Schedule, procedure for forfeiture.

**The Chairman:** The question is that the Schedule form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Schedule passed.**

**The Deputy Clerk:** A Bill for a Law to Make Provision for the Prevention and Suppression of Trafficking in

Persons, Especially Women and Children; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

### **Private Security Services Bill, 2007**

**The Deputy Clerk:** The Private Security Services Bill, 2007.

|           |                                                             |
|-----------|-------------------------------------------------------------|
| Clause 1  | Short title and commencement.                               |
| Clause 2  | Interpretation.                                             |
| Clause 3  | Exemption of certain persons.                               |
| Clause 4  | Security businesses, technicians and guards to be licensed. |
| Clause 5  | Application for licence.                                    |
| Clause 6  | Determination of application for licence.                   |
| Clause 7  | Form and issue of licence.                                  |
| Clause 8  | Renewal of licence.                                         |
| Clause 9  | Temporary licence.                                          |
| Clause 10 | Suspension or cancellation of licence.                      |
| Clause 11 | Appeals.                                                    |

**The Chairman:** The question is that clauses 1 through 11 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 11 passed.**

**The Deputy Clerk:**

|           |                                                  |
|-----------|--------------------------------------------------|
| Clause 12 | Unlicensed activities.                           |
| Clause 13 | Unlicensed employees.                            |
| Clause 14 | Cessation of business or employment of licensee. |
| Clause 15 | Name of business.                                |
| Clause 16 | Identification of security guards                |
| Clause 17 | Information.                                     |
| Clause 18 | Offences in connection with documents.           |
| Clause 19 | Disqualification of licensee by court.           |

**The Chairman:** The question is that clauses 12 through 19 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 12 through 19 passed.**

**The Deputy Clerk:**

|           |                                |
|-----------|--------------------------------|
| Clause 20 | Functions of the Commissioner. |
| Clause 21 | Authorised weapons.            |
| Clause 22 | Register.                      |
| Clause 23 | Evidence.                      |
| Clause 24 | Regulations.                   |
| Clause 25 | Transitional provisions.       |

**The Chairman:** The question is that clauses 20 through 25 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 20 through 25 passed.**

**The Deputy Clerk:** A Bill for a Law to Provide for the Control and Regulation of Private Security Services; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

### **Companies (Amendment) Bill, 2007**

**The Deputy Clerk:** The Companies (Amendment) Bill, 2007.

|          |                                                                             |
|----------|-----------------------------------------------------------------------------|
| Clause 1 | Short title and commencement.                                               |
| Clause 2 | Amendment of section 2 of the Companies Law (2007 Revision)-definitions.    |
| Clause 3 | Repeal of Part V and substitution-winding up of companies and associations. |
| Clause 4 | Repeal of section 200-winding up of an exempted limited duration company.   |
| Clause 5 | Amendment of section 232-definitions in this Part.                          |
| Clause 6 | Insertion of Part XVI-international cooperation.                            |
| Clause 7 | Repeal of the Second Schedule and insertion of new Schedules.               |
| Clause 8 | Savings and transitional provisions.                                        |

**The Chairman:** The question is that clauses 1 through 8 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 8 passed.**

**The Deputy Clerk:** A Bill for a Law to Repeal and Replace Part V of the Companies Law (2007 Revision) in order to Reform the Law Relating to the Winding up of Companies; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

#### **Insurance (Amendment) Bill, 2007**

**The Deputy Clerk:** The Insurance (Amendment) Bill, 2007.

|          |                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------|
| Clause 1 | Short title.                                                                                            |
| Clause 2 | Amendment of section 7 of the Insurance Law (2007 Revision)-general requirements for licensed insurers. |
| Clause 3 | Repeal and substitution of the Schedule.                                                                |
| Clause 4 | Validation.                                                                                             |

**The Chairman:** The question is that clauses 1 through 4 form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 4 passed.**

**The Deputy Clerk:** A Bill for a Law to Amend the Insurance Law (2007 Revision); to Repeal and Replace the Schedule; to Validate the Collection of Certain Fees; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

**The Chairman:** The question is that the Bills be reported to the House. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Bills to be reported to the House.**

**House resumed at 2.51 pm**

### **REPORT ON BILLS**

**The Speaker:** Please be seated. Proceedings are resumed.

Reports on Bills.

#### **Trafficking in Persons (Prevention and Suppression) Bill, 2007**

**The Deputy Clerk:** The Trafficking in Persons (Prevention and Suppression) Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to report that a Bill entitled, The Trafficking in Persons (Prevention and Suppression) Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is and set down for third reading.

#### **Private Security Services Bill, 2007**

**The Deputy Clerk:** The Private Security Services Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to report that a Bill entitled, The Private Security Services Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is and set down for third reading.

#### **Companies (Amendment) Bill, 2007**

**The Deputy Clerk:** The Companies (Amendment) Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to report that a Bill entitled, The Companies (Amendment) Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is and set down for third reading.

#### **Insurance (Amendment) Bill, 2007**

**The Deputy Clerk:** The Insurance (Amendment) Bill, 2007.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** I beg to report that a Bill entitled, The Insurance (Amendment) Bill, 2007, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is and set down for third reading.  
Third Readings.

### **THIRD READINGS**

#### **Trafficking in Persons (Prevention and Suppression) Bill, 2007**

**The Deputy Clerk:** The Trafficking in Persons (Prevention and Suppression) Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to move that a Bill entitled The Trafficking in Persons (Prevention and Suppression) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Trafficking in Persons (Prevention and Suppression) Bill, 2007, be given a third reading and passed. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Trafficking in Persons (Prevention and Suppression) Bill, 2007, given a third reading and passed.**

#### **Private Security Services Bill, 2007**

**The Deputy Clerk:** The Private Security Services Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to move that a Bill entitled, The Private Security Services Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled, The Private Security Services Bill, 2007, be given a third reading and passed. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Private Security Services Bill, 2007, given a third reading and passed.**

#### **Companies (Amendment) Bill, 2007**

**The Deputy Clerk:** The Companies (Amendment) Bill, 2007.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to move that a Bill entitled, The Companies (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Companies (Amendment) Bill, 2007, be given a third reading and passed. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Companies (Amendment) Bill, 2007, given a third reading and passed.**

#### **Insurance (Amendment) Bill, 2007**

**The Deputy Clerk:** The Insurance (Amendment) Bill, 2007.

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** I beg to move that a Bill shortly entitled, The Insurance (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Insurance (Amendment) Bill, 2007, be given a third reading and passed. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Insurance (Amendment) Bill, 2007, given a third reading and passed.**

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

#### Private Member's Motion No. 3/07-08 Anti Corruption Legislation and related amending Legislation

*(Continuation of debate thereon)*

**The Speaker:** The Honourable Leader of Opposition continuing his debate. And just to remind the Honourable Leader of the Opposition, he has 44 minutes remaining.

**Hon. W. McKeeva Bush:** Madam Speaker, on Friday (when we adjourned) I had to deal with most of the accusations and slander of the PPM.

Madam Speaker, in the introduction to the Motion I never raised any rancour in this House, nor did I bring any personalities into the debate. I stuck to the content of the Motion. There is no way anyone can now say that there were personal references inside this House on the introduction of this Motion. The records will show that.

I repeat, Madam Speaker, when we introduced the Motion we never slandered or mentioned any Member of the Government in a bad light. In fact, I was defending all Members of this House from the way that certain people in the public write letters and accuse us. But the Government's (the PPM) idea was they must go out on a killing spree. You see, Madam Speaker, they cannot honestly beat me. I can debate as good as any one of them—and better than most of them. My record in this House as a Member stands the test of time, and I can run the country better than I think it is being run today.

So, they attacked my character and they carry on this thing about corruption—with no proof, just say it and let people believe what they want. But this is not a campaign, Madam Speaker, where the people are hyped up. The people have seen how the Government can be disingenuous.

The Government went far a field about the police review, putting their own spin to it. As I said, I refuse to get into what the police call a review and what the Minister of Tourism called something else. I cannot understand why they do not leave the police alone to do their job. I have to question why the PPM has gone into this House, as they did elsewhere, in so many attempts to say and outline what the police must or must not do, or what is going to be the result. How would they know this? They certainly leave an impression that they have hands-on on the matter. However, I am going to complain to the Governor and the Commissioner of Police, who I recognise cannot stop the PPM from saying whatever their evil hearts and

their loaded mouths lead them to say. But I am going to put my complaint officially on record to them.

You see, what I am concerned about, Madam Speaker, is when the Minister of Education goes to great lengths to the press screaming about stopping the police's money. The country has to wonder and worry what is the plot. Why such a hullabaloo when the Governor could so easily bring the Commissioner into Cabinet to brief Members on any matter of Cabinet Members' concern?

The country has to wonder. I shutter to think that if the PPM grabs that kind of control the country will be in a state of chaos. Rights and justice would then be thrown out the window, and I am concerned about their threats to withhold the funding of the police services if they do not get their way.

I did say, Madam Speaker, I welcome the review; but we must leave the police to carry on the job. I am confident when it is done, right would survive. I will then have my say. I will check the legalities, as I am now doing, on what the Government did and what the Government said publicly.

Madam Speaker, the Motion is a good one and the Government knows this. But there are things that are not in the Draft Bill presented by the Attorney General and they certainly did not tell the country they were bringing it. My Motion did not come in a vacuum; it couples with the other motions I brought to bring real sunshine into the governance of these Islands with boards and committees being made open for public attendance.

The Leader of Government failed in his duty to this country when he allowed his Ministers to carry on in the way they did. Obviously it was set up between them. Certainly, the Minister of Health and the Second Elected Member for Cayman Brac and Little Cayman would have no part in it.

In his debate, Madam Speaker, the Leader of Government Business said what it comes down to, and why they could not support the Motion is that we should not tie the Government's hands when we said in the Motion that the Government *shall* put it in the constitutional review process.

Madam Speaker, the hands of the Government would not be tied because they could amend that section. That is what they did on the other motion, to say the Government would *consider* the matter. So, if the Leader of Government Business thinks it best for the country, then accept my call for an amendment to the Motion. I would support it so that the constitutional process would consider it. I would support it, although I believe that the present Motion should stand. But I would support it.

I listened to what he said, Madam Speaker, but he, too, joined the accusatory line to say he is surrounded by honest Members, insinuating that there were people who were not or are not. But does he not hear what the country is saying about him and his Government, that there is a so-called "Kurt Cartel" which runs smack full of land deals, road deals, pur-

chase of building deals and the shares are held by somebody else? My company shares are listed and registered under local law for one and all to see. I have never hidden anything about what I owned. As I said, certainly the Sammy's Inn deal leaves much to be desired, as did the Governors Square deal, a piece of land filled and compacted for nearly 40 years, nearly ten acres of commercial land, and the lease is sold for little or nothing—\$1.2 million—for 100 years. Something that must have a value of close to at least \$30 million when you look at the property up along Seven Mile Beach, and they talk about value for money and they accuse the United Democratic Party.

Where is the Government's value for money in the Governors Square deal? That is what the Auditor General should be saying is scandalous. Scandalous!

And by the way, Madam Speaker, the Third Elected Member for Bodden Town, who talked about me selling government land to my family—which is a downright untruth—would know and must have been talking about his own leader's behaviour.

You see, the Minister of Education, who was the chief accuser in this Motion and says that he is lily white, should hang his head in shame because the man heading up the Governors Square deal is the first cousin of the Minister of Education. And I have to ask this question to the Member for Bodden Town: did he declare that to the Governor in Cabinet when the lease came before them?

**The Speaker:** Honourable Leader of the Opposition, can we move away from family members as I requested the Third Elected Member for Bodden to do?

**Hon. W. McKeeva Bush:** But this is something that happened with Government, Madam Speaker. This is not something that I am making up, this is something that happened. And I am therefore asking the question: were there any declarations?

Certainly none were made in this House. And is that not going to be deemed corruption and nepotism?

By the way, Madam Speaker, by the way, Government is now renting 3,400 square feet of the same building at an awesome and costly rental.

I have no family member doing any business with Government and they talk about me having an employee coming and doing business before an entire board and they call an investigation on that. Uh-huh! Well, why do they not call one on this to see if someone owns something somewhere about?

So people are asking about that cartel. They talk about the UDP? My job was to help people whenever I could, however I could, and not for family.

There is much ado, Madam Speaker, about Benson Greenall land because that land would include the Ritz Hotel and all of SafeHaven from the North Sound to Seven Mile Beach. Why has this not been explained to the public that there are negotia-

tions going on now for a new 99 year lease carried on by the same cousin of the Minister of Education? These are complaints from the public.

Is this not nepotism?

Is there this cartel existing?

Where is the Auditor General's report on all of this?

The public is awaiting the Auditor General's report on this—if it ever comes, because the PPM does not want its reports on their Administration to come out. Cleverly they have fixed that. In fact, it is blatantly demonstrated by the fact that they will not hand over the Public Accounts [Committee] chairmanship as they said they would do.

Madam Speaker, while the Leader of Government Business made his accusations about which people are honest and who surrounds him, the Member for East End also made a great revelation in this House last week. He said that someone had come to his office and offered him \$500,000 for a piece of land he wanted \$250,000 for. If they are above board and as honest as they say they are, then that person's name should have been called since he and the PPM have no compunction about beating up Lyndon Martin and Elio Solomon and others whose name they have dragged through the dirt in this House.

Since they are so honest they should have taken the matter to the police, as what he was saying in this House was that someone was offering him a bribe. He should have gone to the police and asked for an investigation into that. Why did he not do so? Yet they make much ado about a police review and they cuss and *blackgyaad* the UDP.

I owned my companies before I got into this House, and everything that I have done with my companies is in accordance with the rules of this House and laws of this country. After working for myself since I was 13 years old, if I could not provide my family with a good standard of living from an honest day's work then I would be, as the Holy Scripture says, worse than an infidel.

I have nothing to be ashamed of, Madam Speaker. I have done more to help people in this country than any one of them on that Government Bench. Anyone! Perhaps the next one to me is the Minister of Health. And, Madam Speaker, your good self did quite a bit in your time here in this House.

Madam Speaker, the Minister of Education has said that I will be relegated to the Opposition Benches for the rest of my life. I do not know how he has so much knowledge. Maybe he has some power from God.

I do not intend to stay here for the balance of my life, whatever the Almighty gives me. I leave my political fate in the hands of the good people of these Islands. And while the PPM may make a mockery of the fact that I am the longest-serving Member and the Father of this honourable House, I want the Minister of Education and the Member for East End to know that I never got here by bankrolling any drug dealer, ganja

or cocaine dealer. Look at what that has done to the country! Look at what that has done to families. Look at the state of some of our young people because of that.

I have been elected six terms by the good people of West Bay and I can tell the two of them that it is those people who will have that say again.

I also want to tell them, Madam Speaker, as the late Bob Marley said:

**Them a-go tired to see we face;  
They can't get me out of the race;  
Oh, but they are a big disgrace.  
Them a-go tired to see me face.**

**Hon. W. McKeeva Bush:** Madam Speaker, the Minister of Tourism, who somehow now thinks he is some kind of giant, also took time to lambaste me. But I am not going to take too much of the House's time to deal with him. People in this country already know him and know what he represents and have found out his incompetence. He has not performed and the country's economy is suffering because of his mismanagement and ineffectiveness.

He came into this honourable House making a speech in which he sought to absolve himself of the situation with him moving from my office. But he cannot be absolved from the rascality that was performed when he left my Ministry—like Nicodemus—in the middle of the night.

Madam Speaker, people now know that he has a problem with the truth. He tried to say in this House that Governor Dinwiddy had written him a letter clearing him. I do not see how that could happen, but maybe it is true. I never did put anything passed Dinwiddy. Dinwiddy told us through the Chief Secretary, after a staff member had given him a written affidavit saying what files had been taken out of the Ministry by him and other related matters, that they would have someone from the UK do an investigation. Of course the election caught us and that never happened after the PPM took office.

I had cause on 5 February 2005 to write to Governor Dinwiddy regarding the missing papers from the Ministry of Tourism, and I want to read what I said to the Governor: **"From the Minister of Tourism [Environment, Development & Commerce]"** It is in memo form.

**"Subject: Alleged missing papers in the Ministry of Tourism.**

**"I am amazed at the memorandum under reference which I received yesterday. What is most amazing is that you would conduct this 'inquiry' without reference to me, or to the officer who acted as Mr. Clifford's personal secretary. Not having had sight of either your letter to Mrs. McField-Nixon or her reply to you, I can only tell you the result of my own actions and my own investigation.**

**"As you are aware, Mr. Clifford gave me approximately 15 minutes notice that he had resigned. I immediately called the Chief Secretary, Mr. Ryan, to ensure that Mr. Clifford had returned keys, etc. for the Ministry office. I was assured that 'he had done all he needed to do.' In truth, he did not return the Ministry and Government Administration Building keys, his computer and his government credit card until three weeks after his resignation.**

**"I am well aware of the location of files in Mr. Clifford's office. In fact, I have been present in that office more than once when he pulled files. The fact that we found empty file jackets in the Permanent Secretary's office immediately after his resignation, and that these files were separate and apart from the Ministry's own files which are still intact, leads me to the conclusion that he took files.**

**"There is also the fact that the general filing index of the Ministry does not include the files located in the Permanent Secretary's office. This begs the question as to what can be considered 'personal' files. I am of the opinion that information gleaned in the course of one's employment as a public servant, whether it is information obtained as a member of a board or otherwise, is not the employee's personal property but the property of his employer.**

**"Then again, Mr. Clifford's premature and hasty departure, followed the next day by the discovery of missing files and of Computer Service records which show that he loaded his computer's files on to floppy disks over the period of four hours that he was logged on and then wiped the files clean, are exceedingly suspicious.**

**"If you had indeed been doing an investigation of Mr. Clifford's complaint you could have easily ascertained the above from Computer Services, a source entirely independent of the Ministry.**

**"I do not believe it is my place to carry out such an investigation. Suffice it to say, that to the best of my knowledge there are no protocols in place in the civil service on procedures for demitting office. I agree with you that there is no need for the matter to be further investigated from a civil service standpoint because all that would be discovered is that Mr. Clifford had no guidelines to follow.**

**"However, now that Mr. Clifford has thrown his hat into the political ring, as far as I am concerned there is no reason for me to hide facts which can be supported by sworn affidavits.**

**"As far as your statement that you do not propose to make the outcome of Mrs. McField-Nixon's enquiry public, that matters little as I am sure Mr. Clifford is quite capable of making it public himself on a political platform."**

And of course he came here the other day, Madam Speaker, saying that he did and he went on here to talk about it.

**“Sir, you have given me fair warning, and for this I thank you. I shall get my facts and figures together, and complete my own investigation so that this time when I speak I will be able to state what happened as a fact, rather than an allegation.**

**“Rest assured that my Ministry will put systems in place so that an ex-civil servant is unable to challenge or embarrass the political directorate based on confidential information gleaned while on the job.”**

Madam Speaker, I did have a memo from the Chief Secretary dated then 22 April. My letter was February—

**The Speaker:** Are these confidential documents?

**Hon. W. McKeever Bush:** I am going to lay this, Madam Speaker.

**The Speaker:** But is it—

**Hon. W. McKeever Bush:** And the letter, too.

**The Speaker:** No, no.

Honourable Leader of the Opposition, are they confidential documents?

**Hon. W. McKeever Bush:** Well, Madam Speaker, mine is not confidential. I can lay that one.

**The Speaker:** Well, that is fine.

**Hon. W. McKeever Bush:** The Chief Secretary’s—

**The Speaker:** If it is a confidential document we cannot read it into the *Hansards* of the House. That matter of precedent was set by the last Speaker in this House.

**Hon. W. McKeever Bush:** Madam Speaker, I do know what Erskine May says about . . .

**The Speaker:** Laying documents?

**Hon. W. McKeever Bush:** Yes.

**The Speaker:** But I am talking about a confidential document. If it is stamped confidential—

**Hon. W. McKeever Bush:** Well, it—

**The Speaker:** I know your letter can be laid.

**Hon. W. McKeever Bush:** And I am going to lay that.

**The Speaker:** But the Chief Secretary’s memo, if it is a confidential document—

**Hon. W. McKeever Bush:** Uh-huh.

Well, Madam Speaker, it does not say that, but I will take your cautioning.

**The Speaker:** Thank you.

**Hon. W. McKeever Bush:** And I will not lay it, but I am going to show it to the newspapers so that they can verify that it is a bona fide document.

**The Speaker:** Thank you.

**Hon. W. McKeever Bush:** Madam Speaker, on that same date that I said, 22 April, a staff member from the Ministry provided an affidavit which I will quote from (I will not go into the whole affidavit). It says: “At the time when I was secretary to the PS I can confirm that the files within the credenza contained various minutes, copies of Executive Council extracts and other copies of correspondence. From time to time when correspondence was given to the PS, for example extracts from Cabinet, he would ask me to make a copy for him and I would observe him putting the correspondence in the credenza in the subject file it pertained to. In my humble opinion, the files within the credenza were not personal files. They contained office correspondence as a result of him being appointed on the various boards and committees in his capacity as PS for the Ministry of Tourism.”

And the staff member went on to say, Madam Speaker, that when she came back to work on the Monday she heard an exclamation from another staff member in the PS’s office that all the files were gone and that the credenza was empty. I got up from my desk and went into the office and observed that the credenza was indeed empty.

She would go on to say, Madam Speaker, that the records on the computer showed that Mr. Clifford had logged on at eight o’clock and logged out at 11 pm on Saturday, 31 July, the last day as a civil servant.

You see, Madam Speaker? I will not go further into the affidavit.

**The Speaker:** Honourable Leader of the Opposition, I am getting a little bit concerned here. This is a staff member accusing a PS . . . if this reaches the press and it is not the truth. So I think you better—

**Hon. W. McKeever Bush:** Say that again. Sorry, Madam Speaker, I did not catch that.

**The Speaker:** This is a staff member giving an affidavit, that if this reaches the press and it is not correct—and the now Minister proves it is not correct—at what disadvantage are we putting that civil servant who gave the affidavit?

**Hon. W. McKeever Bush:** Well, Madam Speaker—

**The Speaker:** So could you move away from the affidavit?

**Hon. W. McKeever Bush:** I am moving away from it.

**The Speaker:** Thank you.

**Hon. W. McKeever Bush:** I am moving away from it, but I do not know if any more could be done than what had already been done because numerous civil servants were kicked out of his office just after he took over.

Madam Speaker, the Minister of Tourism went to great lengths—

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [addressing an hon. Member] What are you calling Desmond's name for?

I am not mentioning Desmond's name or the *Cayman Net News*, Madam Speaker, so I do not know what the Minister of Tourism wants. I never mentioned anyone's name.

The Minister of Tourism went to great lengths to say that I had praised him and should not now criticise him. He is right! In the very first month of his employment as the PS at the Ministry I thought that he would do the best job. And I sought every occasion to boost him because in those very first months he was working hand-in-hand with me and the others in the Ministry. He got the opportunity, the best opportunity any young Caymanian could have wanted in the civil service—a promotion from where he was for years to the top, to lead the Ministry.

But when he became too big for his britches and started to take three-hour lunches and the staff complained about no staff meetings and the difficulties with guidance from him as the PS, it was a different situation. And when he used another name to do whatever he wanted to do in another place and use the Department of Tourism as an excuse, I recognised that he had gone astray.

Dinwiddy knew about it. I did not do anything about it, but Dinwiddy did not do anything about it when I complained to him because of the complaints that I was getting.

But when he completely went astray was when he said he wanted to run and I told him my slate was full in Bodden Town. I told him if that was where he was thinking he should think about George Town because that is where he came from.

Well, I did not hear anything else, Madam Speaker. Although different people told me different things I did not hear anything else until all of his shenanigans began to appear in the newspaper trying to derail me. Then I recognised that he had completely gone astray from being a good civil servant, as he had begun in those first few months of his tenure in the post of Permanent Secretary. Yes, I was proud to boost him in those first few months because I felt

good to see another young Caymanian move up the ladder of success in a ministry for which I was the minister.

Madam Speaker, the time that they take to criticise me and to besmirch my character they should deal with the country's problems. That is what they should be doing. Where are the ideas and solutions to effect positive changes to tourism, to the terrible state that this country is in?

Where are the ideas from the Leader of Government Business, the Minister of Education, the Minister of Tourism and the Minister of Works to bring down the cost of living in this country?

Why have they not reduced import duties that affect the cost of living and the very poor people of this country?

Why have they not brought down the cost of electricity from CUC?

Just look, Madam Speaker, in the *Caymanian Compass* of Tuesday, 11 September. It is a shame and disgrace what the people of this country have to endure with the cost of electricity, and they sit down and play dominoes while the people suffer.

Is it true that CUC was one of their supporters in the campaign and gave them such a humungous donation? I do not know. People say so. But why has not anything been done to date—going into three years of their management of this country—about cutting down on the cost of electricity?

They talk about Auditor General's reports, Madam Speaker. The Third Elected Member for Bodden Town should be ashamed of himself. He is the Chairman of the Public Accounts Committee.

Where are the reports of the PPM's stewardship and when are they going to be made public going into the third year of their term?

Where is the report on CUC?

[To an honourable Member] I have no letter from you.

Where are their ideas?

Where is the political will?

Where is their care and concern? instead of trying to crucify McKeever for the good I have done in these Islands.

Madam Speaker, presently we have a system. They made one . . .

I want to find out where the audit is on CUC from the Auditor General.

Where is it, Mr. Third Member for Bodden Town?

Where is it, Madam Speaker?

**An Hon. Member:** Two thousand and three.

**Hon. W. McKeever Bush:** Two thousand and three. It was not completed, but you cannot say from 2003 all the way to here now that something should not be done.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** They have one! Where is it? Where is it?

Do not come here and say from 2003. You think the public is buying that in this day and age? There are certain things you can criticise us on but you cannot criticise us on the fact that we wanted the cost of electricity down the same way that we took down the cost of telephones in this country.

Whatever you want to accuse but do something, Mr. Minister! Whatever you want to say but do something about the cost of electricity in this country.

*[inaudible interjections]*

**Hon. W. McKeever Bush:** All right, we will wait. But so far you have not done anything.

**The Speaker:** Honourable Members—Please, Honourable Leader of the Opposition, would you continue your debate through the Chair and not across the Floor. And Honourable Ministers and Members to my right, would you please stop the crosstalk.

**Hon. W. McKeever Bush:** Start making it happen. That is what they need to do.

Madam Speaker, I want to challenge the Government while addressing legislation to effect politicians, the legislature and civil servants, that they should avail themselves of the opportunity to take matters to a full extent and include legislation to regulate private sector practices as well.

We have a system where the bigots can always question the honesty of legislators and make mockery of us because there are some of us in here who believe they are lily white and that nobody is ever going to point a finger at them. But they are doing so. They are doing so presently, Madam Speaker.

Anticorruption legislation is not only for civil servants and legislators but should be extended to the private sector where anti trust and insider trading exists. The legislation should address the many double standards where some would have us believe that alleged corruption is exclusive to politicians and the legislators. There is a glaring need for antitrust legislation and insider trading, and there is none.

The Draft Bill laid on the Table by the Attorney General goes a far way with the exception of antitrust and insider trading. It does not cover these areas.

Madam Speaker, we have them constantly criticising us. We see the letters and we hear about the wooshy-head person who took two accounts of clients who left their money and could not claim it because it was bad money. He knew about it and he got it and could build an edifice on West Bay Road that is second only in wonder to the Great Wall of China! Palatial homes on Seven Mile Beach. Yet this same person gets out there and writes letters accusing and belittling a legislator who has done nothing criminal, a legislator whose only mission is to work and help oth-

ers, as they come here with a pair of kids and a mini moke—

*[laughter]*

**Hon. W. McKeever Bush:**—living on Crab Hole Road in West Bay with one white shirt and black pants and today is rotten rich. And they are going to accuse legislators of this honourable House?

Well, I do not think that I will sit down any longer and take it.

I would also hope, Madam Speaker, because, you know, I see this thing today of politics. Every time something comes up the Government gets somebody to say somewhere that I made it political or that UDP made it political. It is funny because what do they expect. You see, when the PPM was *blackgyaading* me in 2001 to 2005 and saying all manner of evil about anything, anywhere, anyhow, it was not political. They were being Opposition. Well, what am I? I am Her Majesty's loyal Opposition.

And I would also hope that the press would take this opportunity to regulate itself by establishing standards of responsible reporting rather than sensationalism and organise a press association with a code of ethics that will stop some of the headlines and the practice of dishonest reporting in this country.

**Some hon. Members:** Aw.

**Hon. W. McKeever Bush:** My greatest concern, Madam Speaker, is not whether something is political but whether a matter is true or correct, and that I am responding and carrying out the public's business as I was elected to do. This is my only concern.

I am not saying anything bad when I am asking for a press association. I think it would be good because they do have a responsible position in this country and it is not one newspaper anymore, like how it used to be the *Compass* years ago. It is the *Compass* and it is *Net News* and it is *[Cayman] Observer*. And then we have about five radio stations and then we have numerous people who have magazines and all sorts of things that can be counted as the media.

And I think that we are moving forward. We cannot say that we are a Third World country. Nobody can say that. We are moving forward. We are a developing country and, certainly, I believe that these things are necessary.

*[inaudible interjection]*

**Hon. W. McKeever Bush:** It is also a mockery of justice and equity for any government to talk about democracy and Sunshine Laws with such piety as the PPM Government. And the very law that they brag about, they put in force 14 months away, in January of 2009.

**The Speaker:** Honourable Leader of the Opposition, you have approximately five minutes remaining.

**Hon. W. McKeeva Bush:** Oh, my God.

Madam Speaker, I was hoping that you would call me on the fifteenth minute.

The House dissolves in March 2009 so that its so-called honest Government would feel no effect of that Sunshine Law. That is a mockery if not downright dishonest.

Madam Speaker, I want to appropriately and effectively affect all the relevant top managers of the public sector and in the private sector where antitrust oversight is needed and where insider trading is carried on. That is what we need to do, and that is what this Motion is asking for.

Madam Speaker, I had two more points to raise but I am only going to take the four minutes I have left to deal with this matter of my Christianity.

There have been attacks here, because that is what they have been—attacks. The PPM does not even realise that they have taken this matter and made it a divisive one, a divisive force, because religious people have engaged with government since Moses confronted Pharaoh. They attack me about this when I am simply trying to be a better follower of Jesus Christ.

Madam Speaker, they have made all kinds of allegations in this regard. You see, everyone knows me in this country. I enjoyed my worldly excursions as much as anybody. I have had my fun for 40 years. But I decided it was time to change focus and that I had been there and done that.

I realised, Madam Speaker, that I needed to bring myself closer to God. My motivation for doing so was that one of my closest cousins passed away at age 70 after suffering with cancer, and he had been one of the most fun-loving people I knew and was ever around.

I told myself that I did not want to go out into eternity not being prepared because there is, in case the PPM does not realise it, a heaven and a hell. And I wanted to be prepared and to go to heaven. But Madam Speaker, I have a public duty, too, as I am given that charge by the good people who elected me, and I have that responsibility to do what is right and proper.

And so, Madam Speaker, when they beat me to pieces in this House I am reminded that the Good Lord himself had enough. When he was not listened to he said, *I will send the floods to destroy you*, and so he did. Did he not get vexed and say *I will destroy Sodom and Gomorrah for their sins* when he had had enough? And he did.

Did not Jesus, who himself was castigated and accused of wrongdoing, rip the establishment of the day and chase the money changers out of the temple for their greed, for their skullduggery and their wickedness?

And did not the prophet say other things?

Madam Speaker, I will stand in this honourable House and face my accusers because I am doing my duty representing the Caymanian people. And I take comfort in the words of Jesus himself who said, Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely.

Madam Speaker, I know my life, I am but a sinner saved by grace. And I want to encourage, not to attack; I want to encourage each one of my colleagues to take that bold step that I took and to change their lives and stop their hatred and malicious intent and do good for the people of these Islands who put them here.

And I say come to Jesus. Come to Jesus. He will save you. He will save you.

Madam Speaker, I believe that I have answered the questions and answered the allegations, and I have made some of my own. Let us see what they do with them.

**The Speaker:** The question is: BE IT RESOLVED THAT the Government considers introducing, as soon as possible, an Anti Corruption Bill;

AND BE IT FURTHER RESOLVED THAT Government amend the Public Service Management Law, 2005, to ensure that certain civil/public servants such as Chief Officers (Permanent Secretaries) cannot run for a General Election until at least one year after leaving the service;

AND BE IT FURTHER RESOLVED THAT certain public servants declare their interests in the Register of Interests pursuant to an amendment to the Register of Interests Law, 1996, by the Government.

I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes and Noes.**

**The Speaker:** The Noes have it.

**Hon. W. McKeeva Bush:** May I have a division?

**The Speaker:** Madam Clerk.

**The Deputy Clerk:**

**Division No. 6/07-08**

**Ayes: 3**

Hon. W. McKeeva Bush  
Mr. Cline A. Glidden, Jr.  
Capt. A. Eugene Ebanks

**Noes: 8**

Hon. D. Kurt Tibbetts  
Hon. Alden M. McLaughlin, Jr.  
Hon. V. Arden McLean  
Hon. Charles E. Clifford  
Ms. Lucille D. Seymour  
Mr. W. Alfonso Wright  
Mr. Osbourne V. Bodden  
Mr. Moses I. Kirkconnell

**The Speaker:** The result of the division is 8 Noes; 3 Ayes. The Motion therefore fails.

**Private Member's Motion No. 3/07-08 negated by Majority.****Private Member's Motion No. 4/07-08 Review of the Liquor Licensing Law (2000 Revision)**

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, I beg to move Private Member's Motion No. 4/07-08, standing in my name which reads as follows:

**WHEREAS the Liquor Licensing Board and the Liquor Licensing Law (2000 Revision) have been the subject of much debate and concern in recent months;**

**AND WHEREAS there is much concern in regard to the number of liquor licenses granted and existing in the Cayman Islands;**

**AND WHEREAS there exists much concern about the amount of youth and underage drinking that takes place in the Islands;**

**BE IT NOW THEREFORE RESOLVED THAT the Government undertakes a full-scale review of the present Liquor Licensing Law;**

**AND BE IT FURTHER RESOLVED THAT such review be completed by April 2008 or earlier;**

**AND BE IT FURTHER RESOLVED THAT, upon completion of the review, any proposed amendments to the Law be brought to the Legislative Assembly at the first ensuing sitting of the House;**

**AND BE IT FURTHER RESOLVED THAT in any such review, this honourable House mandates that no further liquor licenses be granted to any person, body corporate or otherwise, within three thousand (3,000) feet of any Church, public or private school, homes for the elderly, civic centres, public beach or any other such public establishment;**

**AND BE IT FURTHER RESOLVED THAT all Laws affecting the Liquor Licensing Law be also reviewed as part of this exercise.**

**The Speaker:** Is there a seconder?

Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you Madam Speaker. I would like to second the Motion.

**The Speaker:** The Motion is duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

I brought forward this Motion for a review of the Liquor Licensing Law because I believe that certain factors in our society make a need for such a review at this time.

We are operating with a Liquor Licensing Law that had its basis in the 1974 Law, which was subsequently amended in 1977. We had a revision of the Law in 1985, another in 2000, and a more recent one in 2004 which dealt with changes to opening hours of licensed premises.

Over the years there have been several amendments, proposed amendments, and private sector motions for amendments to the Law. I, myself, have been a proponent of some of these. They have included the Liquor Licensing (Amendment) Bill, 1989. The amendments mainly covered the companion legislation, the Music and Dancing [(Control)] Law.

Such amendments dealt with the appointment of an inspector of licensed premises. They also looked at a new definition of the distributor's category of licence to replace in litres the provision existing for gallons. Also included was an amendment to the distributor category by restricting the sales to persons who are licensees.

The package licence category was proposed to be amended to prevent holders of package licences from trading in areas reserved for the distributor category and amendments were also proposed to the definitions of the retail category. These included limiting the sale by retail licences to consumption on the premises only, except where the quantity exceeds 6.82 litres.

Another part of the amendment to the retail licence was to prevent a retail licensee to sell to other licensees. A similar provision and restriction was inserted for hotel licensees in that such licences would not permit the sale of alcoholic consumption off their premises except in quantities specified or to trade with other licences or with the public.

Private Member's Motion 26/90, moved by me, was passed unanimously. This called for an amendment to the Liquor Licensing Law, 1985, to impose a moratorium of three years on the granting of new liquor licences with the exception of new hotels and restaurants.

Private Member's Motion 6/96, which was passed, called for the restoration of the restriction for establishments applying for a liquor licence to be a minimum of 1,500 feet from a church and sought a moratorium on the issue of liquor licences in residential communities.

Private Member's Motion 18/98, which was moved by me, called for a moratorium on liquor licences being granted in West Bay, also called for a review of the then Liquor Licensing Law to rectify, update and strengthen the Law where anomalies exist.

October 1998, a law passed which placed a moratorium on the grant of all liquor licences with the exception of occasional licences. The moratorium would remain in effect until such date as determined by the Governor.

In 1999, a bill which sought to give the moratorium imposed in 1998 more flexibility and for hotels to be exempted was also passed. An amendment bill,

Protection of Minors, in 1999, which looked at provisions under which persons under 18 could be employed in a licensed premises, among other changes, and were not able to serve alcohol.

My Motion today is a continuation of a process where we have periodically reviewed this Law as changing circumstances in our community dictate. After a studied consideration, I believe that we are at that point again where certain critical factors make a review a necessity. I will cite three areas that have helped to move me to present this Motion at this time.

Anyone in this country who has paid keen attention to public issues over the past year would quite readily agree that the issue of liquor licences has been on the public agenda a great deal at this time. The recent debate and public outcry against the relocation of Jacques Scott licensed liquor outlet from Red Bay to the Countryside Shopping Centre in Savannah, only serves to highlight many of the concerns people have had for a long time with how we handle liquor licences in this country.

One of the concerns we heard coming out of the Savannah/Newlands residents who opposed the liquor store in that area had to do with preserving the community as a dry area, one without the kind of licensed liquor premises that Jacques Scott represents. We heard also concerns about youth drinking over the years and the ready availability of alcohol in the residential areas such as Savannah/Newlands.

Whether we came down on the side of those for or against the liquor store in Savannah, many of us could and should relate to some of the concerns relating to the proximity of the outlet to schools, churches and areas where young people congregate. As a community, all of us need to consider these issues, especially when we take into account the data that is emerging about underage drinking. We have findings from our own local drug agency, but I will come to that in a moment. In the meantime, let me highlight another issue which makes a review of the Liquor Licensing Law imperative.

We are hearing from a broad cross-section of our people, questions being raised about the number of liquor licences that are in force or being granted by the board. There is a breakdown of licences that are currently in force:

- Music and Dancing, 206;
- Retail, provisional, 34;
- Retail, tasting, 20;
- Retail 145;
- Restaurants, 39;
- Beer & Wine, 5;
- Hotel B, 16;
- Hotel A, 5;
- Hotel A, provisional, 1;
- Package, 32;
- Package, duty free, 20;
- Package, provisional, 13;
- Distributor, 13;

- Distributor, provisional, 2;
- total, 551.

In putting forward this Motion for a review of the Liquor Licensing Law I am naturally mindful of the economic context in which we operate and how the sale and consumption of liquor factors into that. We accept the fact that Cayman is a major tourist destination and, indeed, that sector contributes over 60 per cent to our Gross Domestic Product.

We recognise that we cannot successfully compete as a tourist destination without the sale and consumption of alcohol in cases like the hotels, restaurants and bars that provide the accommodation and entertainment for our visitors. We are well aware of the important contribution that this sector makes to Government revenue, and that it plays an equally important role in providing employment.

We expect that the tourism sector will continue to be the important second leg of our economy for years to come. We expect that investments in the sector will continue and that new properties and new attractions will come on stream. Further, we clearly need to improve our performance in our stay over tourism market.

What this means is that our tourism planning and management for the future must take all these factors into account and how we plan for our tourism growth must be at the forefront of our minds when we seek to review that Liquor Licensing Law.

Members of this House and the general public will recall that this is not the first time that we have been forced to contemplate whether there are too many liquor licences in force for an island of our size and population. In fact, this Motion represents a return to such contemplation for me, because in 1990 I brought to the House a similar Private Member's Motion for a moratorium on new liquor licences and an amendment to the Music and Dancing [(Control)] Law. It was generally agreed by Members of the House at that time that such a move was a necessary and welcomed one.

At the time we were dealing with a total of 154 licences. Compare that to today's number and we can understand the growth in licences as reflected, Madam Speaker, in the growth of our economy. It has become necessary yet again to bring this Motion to the House because I sincerely believe that there are issues that we need to consider now within the Liquor Licensing Law and related legislation when we look at the future development of the country.

Let me say to this House that our government began to contemplate such a review and did get some recommendation from a committee set up to look into some areas because we felt it necessary then—as we still do. We were not able to implement and complete such a review due to the pressing of many other urgent and critical plans for the country and the then Governor in Cabinet felt that there should be a more thorough review than what I had done. Well, we never got any further with it.

Very often I took a personal and active interest in the granting or consideration of certain licences as Minister, particularly those that belonged to establishments that are close to churches and other such social activities. I have voiced my concerns against the granting of such licenses and I did get the board to refuse applications.

The evidence is there also that underage drinking is on the rise in our community—has been for some time. Not since any particular government got in. That is the state of our development. I cite the National Drug Council's Drug Use Survey, which has been conducted in middle and high schools since 1998. The 2006 Drug Use Survey showed that binge drinking among our students has been on the increase over some time. By binge drinking the research explains that this is consuming five or more alcoholic drinks in one sitting.

Quite alarmingly, the results of the 2006 survey show an increase to 15.2 per cent of students engaging in binge drinking. This was up from 12.6 per cent in the 2002 survey. The 1998 figure was 7.2 per cent. This increased to 12.7 per cent in 2000 and remained steady for 2002.

It was not just binge that was on the increase, according to the 2006 data, general drinking among students increased when compared to the 2002 data. Almost half of those surveyed reported some form of alcohol use over the year previous to the survey. In 2002 the figure was one-third.

What the 2006 survey also revealed was that there was little difference between boys and girls in terms of the amount of alcohol consumption and their likelihood to take a drink. Needless to say, this increasing use of alcohol among our youth is an issue that needs to be tackled by our entire community. This becomes a matter of collective responsibility particularly when we realise that within this same survey students report that it is very easy to obtain alcohol. The most common methods for them to get it was either it was given by parents, buying it, or being given it by friends.

Now, Madam Speaker, we all know that the Liquor Licensing Law has provisions governing the sale of alcohol, and under the Law it is an offence for a liquor licence to sell to anyone under the age of 18 or to allow someone under 18 to consume alcohol in certain premises. It is an offence for someone under 18 to attempt to buy alcohol and an offence for someone to buy liquor for anyone under 18. But we know that we have a problem because that was borne out here the other day in that motion talking about IDs. There is a problem with the size of the children and so on. Hopefully, when that is instituted—and we've been talking about that for years—that will be another form of assistance to help licensees stop the sale to big children, but children who are not 18.

Madam Speaker, my son is over 6 feet and only 17. No one would say that he was not of age. I look around and see many others who are tall and

husky young men and women, but not of that age. So, I do not expect that the review can solve our problems with youth drinking. But I believe in reviewing the Law we can begin to think of new ways that we can best deter young people from drinking.

The resolution section of this Motion calls for a review to be completed by April 2008 or earlier. I believe that gives the Government more than enough time to get the job done and to make any necessary changes to the Law at the Sitting of the House closest to that April 2008 deadline.

I will also say that the review considers no more granting of liquor licences to persons or entities within 3,000 feet of any church, public or private school, homes for the elderly, civic centres, public beaches or other such public places. This kind of provision was at one time entrenched in the Law and was subsequently removed to give the board discretion in granting a licence. That is what the government at that time felt should happen. Nevertheless, I believe that if such a restriction were to be included we would be sending a signal about our respect for institutions, such as the church, and places where families congregate, and we can be practical about it. If not 3,000 feet then maybe something else will be determined by Government.

The government at that time felt . . . and it was removed in 1984 or 1985. I think it was the government that was elected in 1984 with an Executive Council of Benson Ebanks, Norman Bodden, Sir Vassel Johnson, and Capt. Charles Kirkconnell.

I remember the late Mr. Dennis Foster, who was then Chief Secretary and responsible for it giving his reasons and saying that it was better to put the discretion in the hands of Members so that when they come they could deal with it whichever way it went, and convinced the House that that is what we should have done. So, Madam Speaker, that happened.

I do not know what the Government is going to say. I know they made some mention in the press that they were not going to support it. Be that as it may. I attended that meeting in Savannah to support my two colleagues in the House, the Minister of Health and the Minister of Tourism, and to hear what people had to say about it. I heard the cry of the Minister of Health—it was passionate—about the granting of that particular liquor licence.

Government may also wish to consider when they review the Law, as they say they are now going to do . . . and, Madam Speaker, they will probably come by and say this is a case of "we" as a government did not get it done and I was the Minister responsible; and they will probably say that it is one upmanship. But it has nothing to do with that. They can say whatever they will.

Government may wish to consider reintroducing a moratorium on the granting of licences or introducing a quota on the number of licences. In either case, any licence granted for premises other than hotels, I think we should look at having them auctioned.

Auctioning, as it was explained to me, allowed the market to see the value of a licence rather than the Government. And to complement this, licences should be transferable. This would allow marginal operators to cash in their licence and get out of a business not doing anything as a small business and just not making it. They are not paying very much for the licence (and I guess Government is going to have to increase that fee for a licence), but if someone else wanted to buy, they could throw their licence in recognising *'Boy, we're not making it so let us throw our licence in and let the Government auction it off'* then perhaps they could even make back what they lost as a business.

Perhaps this is something Government will look at.

As I said, as many times as we have gone through this Law and asked for revisions we have always done it because of the changing circumstances in our Islands. More than once we had to change and then change back again because of a certain situation.

When we changed the Music and Dancing [(Control) Law] (because it was not the Liquor Licensing Law, it was Music and Dancing [(Control) Law]) the tourism sector came to us and said *'Look, we need more entertainment. There is really nothing happening here. Why should bars on Seven Mile Beach close at 12.00 to 1.00 during the week?'*

And then we pointed out another situation that they were having tremendous problems with, and that was the sessions. So they would close up quarter to twelve or quarter to one and then go out in the sessions which were a whole lot of problems for the communities they were in and for the police because these were illegal sessions sometimes in a residential neighbourhood.

All sorts of things happened around those sessions. And that was the time we saw the advent of the shooting up and the carrying on. Some of that stopped when we gave the establishments permission to keep open for an extra hour. The thought was that if you are drinking you would have to cut off at quarter to one, but you would take time and move out and not everybody would move out at one time.

That, perhaps, now needs to be changed. As I said, that was the cry back then but our community has constantly changed. So, we try to keep pace with that change taking advice from police, taking advice from the tourism sector in particular.

Madam Speaker, I do not know whether they are going to use a mortar pestle to lick me over the head with and say I should have done it (as I did have a review. Not a full review, because the Governor said, in fact, we need to have a complete and thorough review.) Whether they will beat me over the head and say I should have done it, or whether they will take my comments on board when they are considering their review we wait to see.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you very much, Madam Speaker.

Madam Speaker, I rise to state the Government's position on this Private Member's Motion, and I must say from the outset that I am a bit disappointed that the mover of the Motion, the Honourable Leader of the Opposition, did not move an amendment to the Motion prior to his debate, because he is well aware that there is, in fact, a problem with one of the resolve sections in the Motion. As a result of that the Government is not in a position to support the Motion.

Notwithstanding that, Madam Speaker, there is no need—as apparently the mover of the Motion has suspected—for this to be an adversarial situation and I am going to explain. I am going to go through the Motion paragraph by paragraph so that the mover of the Motion, the Honourable Leader of the Opposition, can understand very clearly the Government's position.

We know, Madam Speaker, that this matter has been given currency as a result of the recent situation with respect to the Jacques Scott application to move into the Countryside Shopping Village.

Madam Speaker, it is somewhat unfortunate now that the Leader of the Opposition has made reference to the 2003 review that was carried out under his administration. It is, in fact, unfortunate that no action was taken on that review because had that review been implemented, the Liquor Licensing Board would not necessarily have had to struggle with some of the issues they had to struggle with, with respect to the Jacques Scott application.

Madam Speaker, the Motion says: **WHEREAS the Liquor Licensing Board and the Liquor Licensing Law (2000 Revision) have been the subject of much debate and concern in recent months.** [And, of course, that is absolutely correct and the Government agrees with that.]

**AND WHEREAS there is much concern in regard to the number of liquor licenses granted and existing in the Cayman Islands.** And again, Madam Speaker, this particular section of the Motion is one which, as we all know in this honourable House, there are very strong opinions on both sides. But, technically speaking, there is nothing wrong with that paragraph of the Motion.

The third paragraph goes on to say: **AND WHEREAS there exists much concern about the amount of youth and underage drinking that takes place in the Islands.** And, Madam Speaker, we all have concerns about this. We have all spoken about this at length and we have had many debates about this issue both inside this House and outside of the House so we know that this is certainly a concern not just for Members of this honourable House but, indeed, for members of the wider community.

Madam Speaker, the first resolve section in the Motion says: **BE IT NOW THEREFORE RESOLVED THAT the Government undertakes a full-scale review of the present Liquor Licensing Law.**

This first resolve, Madam Speaker, is a resolve that the Government would normally take the position that in accordance with convention and generally accepted practice that this resolve section should read that the Government should *consider* undertaking a full-scale review of the present Liquor Licensing Law. But we are not even going to insist on that, Madam Speaker, with respect to this resolve because of the fact that the review of the Liquor Licensing Law has already in fact commenced.

I know, too, that the Leader of the Opposition and his colleagues on that side of the House are well aware of that. I announced the review back in June this year—in fact, on 8 June this year—and it was carried as a front page story in the local newspapers. So there is no need for us to insist that the word “consider” or “considers” be inserted in this particular resolve because, as I said, the review is already underway.

It goes on to say, Madam Speaker: **AND BE IT FURTHER RESOLVED THAT such review be completed by April 2008 or earlier.** Again, Madam Speaker, the Government has no issue with respect to that resolve section because we feel that it is certainly possible and it is our intention to bring the amending legislation prior to April 2008.

Madam Speaker, it goes on to say: **AND BE IT FURTHER RESOLVED THAT, upon completion of the review, any proposed amendments to the Law be brought to the Legislative Assembly at the first ensuing sitting of the House.**

Again, Madam Speaker, this is certainly the Government’s intention so we have no issues with respect to that resolve section of the Motion.

The next resolve section, Madam Speaker, which is the problem section, says, **AND BE IT FURTHER RESOLVED THAT in any such review this Honourable House mandates that no further liquor licenses be granted to any person, body corporate or otherwise, within three thousand (3,000) feet of any Church, public or private school, homes for the elderly, civic centre, public beach or any other such public establishment.**

Madam Speaker, as I said, this is the problem with the Motion and the mover of the Motion, the Leader of the Opposition, himself, has acknowledged that this is an issue. He has done so publicly and it has been carried in several newspapers that he indicated that he realised that 3,000 feet is perhaps not practical and we might need to look at an alternative.

But, Madam Speaker, that is not the only issue with respect to this particular resolve section and the fact that the mover of the Motion has not moved an amendment to this particular Motion to deal with that problem. The Government is in a difficult position with respect to whether or not we should have ac-

cepted this Motion—and clearly we cannot because of the difficulties with this particular resolve section.

The 3,000 feet is not only excessive, and I think that most if not all Members of this honourable House would agree with that. But the provisions which were in the Law before (which were removed back in '84, I believe) and I know that the mover of the Motion spoke about this . . . And, Madam Speaker, I believe it is also true, although he did not say so, that he was a part of the government in 1984 when that particular section was removed from the Law.

But the category of establishments for which that particular section applied has been expanded in this Motion because it goes beyond churches and schools and it includes homes for the elderly, civic centres, public beaches or any other such public establishment.

Madam Speaker, “any other such public establishment” is obviously something that could be interpreted in many, many different ways. I do not know as an example that we would necessarily object to a liquor licence being granted, or to a public establishment for that matter, being situated close to a liquor licensed premises if it is, as an example, a police station.

We also have, Madam Speaker—and we are well aware of this—a number of public establishments—that is, establishments owned by the Government which are available to the general public that require liquor licences, such as Boatswain’s Beach and the Botanic Park, and Pedro St. James and, of course, more recently, the Royal Watler Cruise Terminal.

Madam Speaker, we also have situations—and this has been occurring for many years in this country—where annual Pirates Week activities take place on public beaches, and we have always granted what we call “occasional liquor licences” to various operators in order to sell alcoholic beverages at these functions during Pirates Week.

So, there are some difficulties with this resolve section, Madam Speaker. Before I conclude my thoughts on that, I want to go to the last resolve section which says: **AND BE IT FURTHER RESOLVED THAT all Laws affecting the Liquor Licensing Law be also reviewed as part of this exercise.** And I want to advise this honourable House, and indeed, members of the public—and, in particular, the mover of the Motion, the Leader of the Opposition—that the review that is currently underway also includes the Music and Dancing [(Control)] Law and a number of other laws that may be affected as a result of the amendments to the Liquor Licensing Law.

Madam Speaker, I want to come back to that second-to-last resolve section and say to the mover of the Motion that if this particular resolve section is amended so that it speaks within the context of having enough flexibility to allow the review to determine, in the first instance, what the distance should be and then for the final say to be given to the Members of

this House when the amending legislation comes before it for debate, then the Government has no problem with that.

Or, alternatively, that resolve section could be completely removed because I can assure the mover of the Motion that this matter is being catered for in the review of the law and that there will be a prescribed distance that liquor licences will not be granted within close proximity to churches or public or private schools. But we just do not know at this point what that distance is going to be. Madam Speaker, I will leave that with the mover of the Motion to consider whether or not that particular resolve section should be amended or completely removed so that the Motion can be accepted. But in its current form the Government cannot support the Motion.

Madam Speaker, I know, too, that comments were made about the meeting in Savannah with respect to the Jacques Scott application, and we know that that was an opportunity for the Opposition side of this House to do some grandstanding. We understand that, and no one was surprised when that happened. The Leader of the Opposition came to the meeting and said what he had to say. And he also made reference in introducing this Motion to that issue in Savannah and, in particular, to the comments from my colleague, the Minister of Health.

I am not sure whether the mover of the Motion is aware that following that meeting in Savannah the Honourable Minister of Health and I wrote a joint letter to the Liquor Licensing Board advising them of the outcome of that meeting and the position held by the individuals in that meeting. I drafted that letter and it was agreed by the Minister of Health and me, signed by both of us, and sent to the Liquor Licensing Board.

Madam Speaker, we were very, very careful on the position we took. We explained to them what happened at the meeting, the feelings of the community as expressed in that meeting, and we made it very, very clear that we understood that it was their responsibility to consider the matter in accordance with the Liquor Licensing Law and to make a decision thereon in accordance with that Law; that it would not have been appropriate for either the Minister of Health or I to direct them to make a particular decision—as the mover of the Motion indicated he had done in the past when he was responsible for the Liquor Licensing Board.

Madam Speaker, this matter came up during the public meeting as well in Savannah, and I explained that issue to the members of the community who were present at that meeting. I explained to them that the legal position was, and is, that if either Minister Eden or myself—or indeed any other Member of this House—had directly gone to the Liquor Licensing Board and said to them, *'You are to take the particular decision on this application'* that that would have been a victory for Jacques Scott. And if the individuals in the meeting did not want that, then clearly that is not something that Minister Eden or I should have done.

And I went on to explain, Madam Speaker, that the reason for that is that Jacques Scott would have simply taken out an application for judicial review; they would have gone to Court and the Court would have simply said that the two Ministers acted ultra vires the Law; they instructed the board to take a decision. It would not have been our responsibility to do so and, therefore, we would have usurped the authority of the board and made the functions of the board redundant.

Madam Speaker, perhaps other Members of this House—and the Leader of the Opposition has indicated that he has done this in the past—may prefer to take that position. But I know that the honest position is that people need to be told that if a Minister does that, it is not in the best interest, in this case, of those who are opposing the application because, ultimately, the people that they are opposing are going to win and, clearly, it offends the principles of good governance.

Were that the case, Madam Speaker, that Ministers could direct decisions of statutory boards, then there would be no need for the statutory boards to exist. The Ministers would simply sit in their offices and make all of the decisions.

Madam Speaker, the other thing I want to say with respect to the review of the Liquor Licensing Law is that there is currently a moratorium in place. I know that the Leader of the Opposition is going to understand very clearly what I am about to say because he and I had discussions about this whole issue of a moratorium many years ago when it was occurring.

Madam Speaker, what has happened as a result of the moratorium—and I do not think the mover of the Motion, the Leader of the Opposition made reference to it—is that it has created a black market and individuals are out there selling their licences and transferring them to other individuals at extremely high costs.

We are aware of licences being sold for as much as \$200,000. And when you consider the licensing fees that we have in place now and you consider the fact that there are individuals out there that are prepared to pay that amount of money for a liquor licence, then, clearly, Madam Speaker, we understand that the fees need to be reviewed.

But I mention the moratorium, Madam Speaker, because not only has it created a black market which cannot be in the best interest of the industry, but it has also had to be lifted from time to time for various reasons.

Madam Speaker, I can think of it having to be lifted, as an example, so that certain government attractions like Boatswain's Beach could get a liquor licence. I remember it having to be lifted so certain tourism properties could get a liquor licence.

Madam Speaker, my view on it—and we know that the review has not been completed—is that applications should be non-transferable and that each applicant should have to apply, in their own right, to ob-

tain a liquor licence from the Liquor Licensing Board and go through the full process. And I believe that a Liquor Licensing Board operating with very, very clear policy directives with non-transferable licences makes more sense than what currently exists.

**The Speaker:** Honourable Minister, it is the hour of interruption.

**Hon. Charles E. Clifford:** Madam Speaker, yes. I have some more to say so I would prefer if you would adjourn at this point.

**The Speaker:** Honourable Leader of Government Business.

September. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House stands adjourned until Thursday morning, 20 September, at 10 am.

**At 4.32 the House stood adjourned until 10 am, Thursday, 20 September 2007.**

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, we had indicated in Business Committee that we were going to attempt to finish this evening, but I have to advise that the Bill deferred by the Honourable Attorney General needs some more time for consultation with the legal fraternity. And, of course, all Members in the House have received their invitation from the Honourable Minister of Education for the sojourn on Wednesday to the three new high school properties. So we will have to finish on Thursday, Madam Speaker.

With your permission, just taking the time out to remind all Members that we are to meet at 9 am on Wednesday morning (as the invitation indicates on the back by way of the map) just outside of the Truman Bodden Sports Complex, where we will all be taken by bus to those three sites, accompanied by the Minister of Education and his staff.

So, Madam Speaker, with your kind permission, I move the adjournment of this honourable House until Thursday morning at 10 am.

**Hon. W. McKeeva Bush:** Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, I am not rising to object, but this is several times this has happened in this Meeting. And when we have an agreement, the least that can be said to me or one of my colleagues throughout the day is that we are not going to do what we had planned, because we have things to plan for as well. And so as we had not been told, we planned to be here after 4.30.

I think we should get back to that point where what we say in Business Committee is going to happen. If not, as the Leader of the Opposition and a Member of the House and Business Committee, I [should] be told.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am on Thursday, 20

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**20 SEPTEMBER 2007**  
**10.40 AM**  
*Ninth Sitting*

[Hon. Cline A Glidden, Jr., Deputy Speaker in the Chair]

**The Deputy Speaker:** I will ask the Honourable Minister responsible for Health and Human Services to grace us with Prayers.

**The Deputy Speaker:** I have received apologies for absence from the Honourable Speaker, and also from the Second Elected Member for the district of Cayman Brac and Little Cayman, who are away on official business; and also for the late arrival of the Second Elected Member for the district of West Bay.

**PRAYERS**

**Hon. Anthony S. Eden:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

*Let us say The Lord's Prayer together: Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.43 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**ADMINISTRATION OF  
OATHS OR AFFIRMATIONS**

**Oath of Allegiance**

*(Administered by the Deputy Clerk)*

By Mr. Donovan W.F. Ebanks, MBE, JP

**The Deputy Speaker:** I call on Mr. Ebanks to come to the [Clerk's] dais, and ask that all Members be up-standing.

**Mr. Donovan W. F. Ebanks:** I, Donovan Ebanks, do swear that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II, her heirs and successors according to law, so help me God.

**The Deputy Speaker:** Mr. Ebanks, I welcome you back to this honourable House as the Honourable Temporary First Official Member and invite you to take your seat.

Please be seated.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Cayman Islands Influenza Pandemic Contingency  
Plan**

**The Deputy Speaker:** I recognise the Honourable Minister responsible for the Ministry of Health and Human Services.

**Hon. Anthony S. Eden:** Thank you, Mr. Speaker.

I beg to lay on the Table, the Cayman Islands Influenza Pandemic Contingency Plan.

**The Deputy Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Anthony S. Eden:** Thank you, Mr. Speaker, just briefly.

We are dealing with what I call a rather peculiar beast. By that, I mean a flu pandemic. If it should occur it would have consequences for a country,

every bit as devastating in human terms and on economies as a natural disaster. The three pandemics of the 20<sup>th</sup> century vividly illustrate this fact: Twenty million to fifty million people died worldwide; in 1918-1919. In 1957-1958, and 1968-1969, about 70,000 and 34,000 deaths, respectively, occurred in the United States of America.

The present danger now stems from the spread of the H5N1 strain of the flu, or Avian Influenza, to humans. Two hundred and fifty-six people have been infected in ten countries resulting in one hundred and fifty-one deaths over the past three years. A pandemic could result if the H5N1 Influenza virus mutated to the point where it could be contracted from human to human. In any event, we are satisfied that our current measures through the Department of Agriculture will prevent importation of birds infected with the Avian Influenza.

Mr. Speaker, no system is perfect and so something might slip through. But we have other procedures to detect and contain its presence very quickly and most of this is set out in the plan. On the other hand, if a flu pandemic were to occur, like any other tourist destination in the present global market, we would be at risk. Accordingly, this plan has been devised to put in place when and where it may be necessary, God forbid, preventive steps to protect our Islands' economically and socially.

Since my initial statement to this honourable House in October 2005 on this subject, much has been done to reach this far in developing preparedness. In consultation with His Excellency the Governor, it was decided to establish two committees to prepare the plan. His Excellency kindly agreed to chair the National Influenza Planning Committee to guide the process strategically.

Under that umbrella the Pandemic Health Task Force, chaired by me, has developed operating plans for surveillance, prevention and treatment and risk communication to the public.

Mr. Speaker, at this time I would like to offer special thanks to Dr. Kumar and the people who work with him to put together this very detailed plan. Also, I would like to place on records my deep and sincere appreciation to His Excellency and all members of these committees for this important piece of work. We of course hope, as with any disaster preparedness plan, we will never have to implement it. But woe betide us if we were to need it and did not have it.

Mr. Speaker, following the tabling of the plan there will be a public launching on 24 September (which is Monday) at the Marriott Beach Resort at which His Excellency and I will take part. We encourage as many honourable Members and members of the public who can make it to come out for the presentation.

Finally, Mr. Speaker, I would like to say a special thanks to Sagicor General who was the main sponsor in helping to get this document published. And just a little note on the back of it, which I will read,

"Sagicor General realises the importance of good health and is pleased to support this important publication as part of our community fight against viral infection such as the pandemic influenza."

Mr. Speaker, this is the kind of thing we like to see the private sector doing, partnering with Government to make these Cayman Islands a better place in which we may live.

Thank you.

**The Deputy Speaker:** Questions to Honourable Ministers and Members of the Cabinet.

Question No. 15 was deferred from 5 September 2007. I recognise the Honourable Leader of the Opposition.

## QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

### Question No. 15

*(Deferred Wednesday 5 September 2007)*

**No. 15: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Communications, Works and Infrastructure, if any of the present road-works are being carried out on Sundays or at night and, if so, would the Honourable Minister set out the reason for doing work at such times.

**The Deputy Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker.

Some of the present road works are being carried out on Sundays and at night. As Members are aware, I announced in this Honourable House that a number of infrastructural improvements/enhancements were being planned for the main streets in the centre of George Town, commonly referred to as the Central Business District. I also made several public announcements to all utility companies, including the Government's statutory authority (Water Authority – Cayman), to complete any major repairs/upgrades to the pipelines prior to the commencement of road works in George Town.

Initially some of this work was being carried out during the day. The reasons the decision was taken to carry out the majority of this work on Sundays and at nights is as follows:

- 1) Working at night is the most viable solution to help minimize traffic disruption on the busy roadways throughout George Town.
- 2) It serves the best interests of the motoring public that rely on these initial roadways through the town centre to access their work places in a timely manner.

- 3) It minimizes risks and adverse impacts on the cruise line tourist sector during the daylight hours.

It is common practise in other jurisdictions where congested road conditions persist for the city to have most or all of the roads and utility related activities carried out at night. Both the National Roads Authority and the Water Authority (Cayman) endeavour to conduct road works at night-time wherever those works create disruption to traffic by dictating temporary closure, lane reductions and route diversions.

There are advantages and disadvantages to night time and weekend road work, such as:

#### Advantages

- Less traffic disruption
- Cooler working conditions
- Work frequently completed much faster
- Road closures/diversions easier to facilitate
- Less distraction so work flows faster.

#### Disadvantages

- More expensive
- Requires high intensity lighting (night)
- Overtime wage rates apply

The National Roads Authority has recently carried out road resurfacing work at nights and weekends on the following roads: Shedden Road, Eastern Avenue, Harbour Drive, Cardinal Avenue, Albert Panton Street, Main Street and Edward Avenue. In addition, the National Roads Authority has also undertaken the following work on the Esterley Tibbetts Highway: work on the bridge and from SafeHaven to Raleigh Quay.

Other roads slated for resurfacing include Crewe Road (Jose's Esso to Tropical Gardens) Boilers Road and Walker's Road. Paving of Crewe Road began on 10 September 2007.

**The Deputy Speaker:** I recognise the Leader of the Opposition.

#### Supplementaries

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

Obviously speaking to work carried on through the regular week, the Minister gave some advantages. But I do not know if he said anything about the work on Sundays or weekends. And the reason given is less traffic disruption, cooler working conditions, and so on. Is there still work being carried on through the regular week?

**The Deputy Speaker:** The Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** I do not think this is a new phenomenon. Work during overtime hours has forever been a part of road works in this country.

When we were building the Esterley Tibbetts Highway it was easier for us to work on weekends. We conducted works there. We continue to do it when it is needed or it is advantageous for us to carry out these works on weekends and during the night.

Mr. Speaker, there is no way the Water Authority or the National Roads Authority would have provided such beautiful roads and infrastructure in the central business district during Monday to Friday, 7.00 or 8.00 to 5.00. It is impossible to do that.

We would have continued to hear and have letters written in the papers about disrupting George Town and the tourist traffic and we were going to be liable for danger with cuts in the roads. We could not do it, Mr. Speaker, it was impossible to do during the week.

One only needs to drive through George Town during the week and we would understand why it is impossible. Those are the ones we cannot get out of, the ones where we are working, for instance, on the West Bay peninsula, the Esterley Tibbetts Highway Extension, and now it the East/West Arterial. Those are absolutely necessary in the sense that we need to get these roads in place.

When we were doing the Esterley Tibbetts Highway we had to do it to try and relieve some of the traffic. It was not that we had traffic problems there that would prevent us from doing it during the week, but it was necessary for us to do it, and it is now necessary for us to do some work during the weekends at the East/West Arterial as well. For instance, during the weekends you can get much better delivery of materials to these sites.

So these are some of the reasons why we have to do it on the weekends and we cannot do it during the week.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

Was the work carried on during the week and is there still work carried on during the day during the week? And is their work carried out on weekends, Sunday included?

**The Deputy Speaker:** The Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Yes, Mr. Speaker, there is work being carried on during the week and there is much less now on weekends being carried on. But when it is required to carry it on during the weekend we are going to do that, such as those circumstances that I explained earlier. But we work during the week. I mean, you know, I really do not know where the

Leader of the Opposition is going, whether he is in opposition to the works being carried out . . . I know he stood up strongly against the extension of the Esterley Tibbetts Highway, but I do not know where this is going. All I can say is that we are going to do what is necessary.

Yes, it is going to cost us a little more, but it is not that much more than this weekend and overtime work costs us.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Mr. Speaker, any time that I can get anything done for my constituency in such hostile times with such a hostile Government, I welcome it. So the Minister is absolutely wrong to say that I was against the work of the Esterley Tibbetts Highway. And if he carries on, I will tell them exactly what I said and why.

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** The *Hansards* bear out nothing of the sort.

Mr. Speaker, what I am trying to ascertain is if the Minister is saying that all the advantages would be the reason why the work was carried on during the weekend and the nights . . . well, I am trying to ascertain if that same work is carried on during the day because it would counter what he is saying.

Anyway, I am trying to also find out what the cost is. I do not know if that will take as long to get answered as was the question.

**The Deputy Speaker:** Honourable Minister, I am not sure whether you have information on costs, but could you . . . Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker.

I am a little surprised that the Leader of the Opposition (if I may comment, before I answer, on his comment) said that “in this hostile environment” he is appreciative of anything he gets for the people of West Bay. I take offence to that because I have . . . and this country knows. To my own political detriment I went into West Bay

**Hon. W. McKeeva Bush:** Humph!

**Hon. V. Arden McLean:** —when the Eastern Districts had dearer traffic woes. But we didn’t hear anything then about the overtime I was working on the Esterley Tibbetts Highway.

All of a sudden now, because it is the East/West arterial and George Town, we are hearing a lot of questions with me being put through the wringer and being interrogated in this honourable House.

Anyway, Mr. Speaker, the people will have to be the judge of that.

In reply to his question: If we work during the day . . . I thought I had said this already and tried to explain. Mr. Speaker, the work that we can carry on during the day we do, and I am very appreciative of all those people who work on the road and in those utility companies because we have put a lot of pressure on them over the last two years—me, in particular—and they have met all the demands. Sometimes we are delayed and then we have to appreciate that.

But what can be done during the week, you cannot cram two weeks into one, and, further, as I said, where it is necessary for us to work overtime . . . we do not work overtime just to have it said we work overtime, we work it because it is impossible for us to do that work during the week. It is impossible. We cannot come in the middle of George Town and do it. We cannot.

If you think that we take enough criticism now, we would really get it then.

Anyway, Mr. Speaker, let me explain. He asked for costs. Let me give him some of it, a brief understanding of the cost for some of the works we did. For instance, the Esterley Tibbetts Highway: To get that done in as timely a manner as possible, we expended 8 per cent of the overall cost on overtime.

The North Sound Way, because it is a much smaller job, there was 17 per cent of the cost in overtime. Again, because it is in George Town and we could not close Eastern Avenue down because Eastern Avenue is one of the busiest streets in this country—we had to do it on the weekends: one side, partial (and slow up and inconvenience people for that amount of time), and then go back the next weekend and at nights when it slowed down.

The East/West Arterial: Thus far we have expended 2 per cent of the overall project on weekends.

Windsor Park: 8 per cent, and doing it off regular hours.

Shedden Road: again we will see it go up because we have to do it on Sundays, 15 per cent.

Eastern Avenue . . . Mr. Speaker, the first one was North Sound Road: 17 per cent. Eastern Avenue, though, again 17 per cent in overtime costs.

Randyke Gardens: 11 per cent, because it is a little less congested.

But, I think it is quite good on the part of the utilities and statutory authority to keep that cost down there, Mr. Speaker, and I defend those works being done on weekends and at night.

**The Deputy Speaker:** Any further supplementaries?

If not, we move on to question number 22, standing in the name of the Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Mr. Speaker, I promise the Minister this will be his last question for today!

**Question No. 22**

**No. 22: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Communications, Works and Infrastructure to give the reasons for the increase in the Water Authority's rates.

**The Deputy Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker, I promise the Leader of the Opposition whenever he asks questions I will answer them truthfully.

Mr. Speaker, the answer: The Authority has not been privy to an increase for the past 12 years, yet has managed to successfully control administrative and operating expenses in an economy where the CPI (Consumer Price Index) in the Cayman Islands has risen approximately 35 per cent in the same period.

Based on the Government and Authority's congruent objectives to expand the distribution and collection system for the benefit of all residents, the Authority required immediate action to address the 1995 water distribution and sewage collection rates, and approval was subsequently given for an increase of 6 per cent the usage over 12 cubic metres per month (approximately 3,200 gallons) in Grand Cayman. This adjustment will affect 46 per cent of all piped water supply customers.

In recent years, the Water Authority has completed numerous projects in support of local development. Bringing piped water to the Eastern Districts, replacing an outdated wastewater treatment plant, and commissioning and doubling water production capacity in George Town, among many other projects necessary to keep pace with the needs of residents.

Some of the future projects include a new water production plant and pumping facility in North Side, expansion of the wastewater collection system, water distribution systems for the Sister Islands, and additional water production and storage facilities. Over the next ten years nearly \$90 million will be invested for these planned, demand-driven capital works.

Being aware of these future plans of the Authority and after carefully reviewing its projected financial position a rate increase was recently approved so that the Water Authority can continue to meet the rapidly growing demand for water and wastewater infrastructure as well as to keep pace with inflation.

In order to ensure that the Water Authority can sustain itself while providing water and sewage services to its customers at the most economical rate, the Government has instructed the Authority to carry out an independent "Cost of Service and Rate Design Study". The purpose of this study is to determine appropriate rates based on various factors inclusive of capital investment in water and wastewater infrastructure to keep pace with the economic growth and development of the Cayman Islands.

**The Deputy Speaker:** Any supplementaries?  
Honourable Leader of the Opposition.

**Supplementaries**

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

I do understand that, and we will recall that rates were not increased for 12 years and various governments over that period were still able to expand works and services for the country.

What bugs me at this time is that there is an increase. In the same months that the Water Authority increased their water rates, they announced in the press that they had enjoyed one of the best financial years in terms of profit.

I just want to ask the Minister if he can verify that they had record profits—their best year for profits.

**The Deputy Speaker:** Honourable Minister for Communications and Works.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker. I was trying to consult with the director. She has no recollection of that press release. That is why I was consulting with her, because I did not see one either.

Now, it may be Cayman Water Company that he is talking about. If that is who he is talking about I cannot . . . that is not us.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Mr. Speaker, can the Minister say whether the Authority has recorded any profits in the last year?

**The Deputy Speaker:** Honourable Minister for Communications and Works.

**Hon. V. Arden McLean:** Mr. Speaker, yes the Water Authority has recorded profits. But it has been reinvested in the infrastructure, that is, in capital works really.

I think the biggest problem with the Water Authority over the years has been that every minister responsible for the Water Authority has had his fingers in it as a chairman directing it. Not fingers taking anything from it, but directing it. And the Water Authority was truncated in its services to some extent with the minister sitting there, and that should not be because it is an authority, an entity that must be run with a profit base objective to ensure they can maintain the infrastructure and assert the very valuable service for this country. And the quality of service must be maintained and that is what the Authority is now being able to spread its wings a little more without that political influence. Certainly, it is the Government that gives approval for these expansion programmes and the letters of commitment and what-have-you in order that

these capital works can be achieved in the interests of the residents.

Mr. Speaker, there is much to be done.

Before the Government approved that 6 per cent increase that we are talking about, there was a lot of consultation with the board. It took us months and months to be able to agree with it because we required that they justify the increase in rates in order that the Water Authority could proceed and we could justify it to the country.

Mr. Speaker, say what we want, the Water Authority has been there for this country over the last 17, 18 years since its inception. This is the very first time that the Minister responsible is not chairman. And I have no intention of being chairman. I want them to do it in the best interests of this country.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

I would ask the Minister to say if he can where the Authority was, as he called it, truncated; and just to say that when we were chairmen of the Authority, the Authority was increasing services throughout the country and we would not increase the rate.

**The Deputy Speaker:** Honourable Minister for Communications and Works.

**Hon. V. Arden McLean:** Mr. Speaker, I do not know if he understood what I said when I said they were truncated. If a minister who sends policy sits as a chairman of a board, psychologically the other directors are truncated.

**Hon. W. McKeeva Bush:** Uh-uh.

**Hon. V. Arden McLean:** Without a doubt.

I mean, if the policy driver sits and dictates the practicalities of getting those policies in place, the implementation . . . you cannot have your cake and eat it too.

Of course, that sets a . . . regardless of who those directors are—and they are appointed by the same member—regardless of who they are, you must be able to trust them and let them open their wings and use their . . . well, if you did not think that they had the capacity, you should not put them on the board. So that is what I am talking about.

And, yes, Mr. Speaker, I hear him saying that over the years the Water Authority could expand without having to increase rates, because the rates were good at that time. But time has passed on, Mr. Speaker.

The Leader of the Opposition will know that the Water Authority was borrowing money based on their rates at the time to expand that infrastructure. But over time we have to review, have a comprehensive look at where we need to go and how we need to

raise that money and the timing required. That is over a 10 year period. Over the next 10 years all these projections are in place.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Just an explanation, Mr. Speaker.

When the Water Authority was expanding it was saving money at the same time and not increasing the rate.

**The Deputy Speaker:** Honourable Leader of the Opposition, do you have a question?

**Hon. W. McKeeva Bush:** No, I said an explanation.

**The Deputy Speaker:** Honourable Minister for Communications and Works.

**Hon. V. Arden McLean:** Mr. Speaker, the Leader of the Opposition should then explain his chairmanship.

**Hon. W. McKeeva Bush:** Mr. Speaker—

**The Deputy Speaker:** Honourable Leader of the Opposition, if you have—

**Hon. W. McKeeva Bush:** Since I am asked . . .

**The Deputy Speaker:** This is Question Time, if you have a question . . .

**Hon. W. McKeeva Bush:** Yeah, I have a question.

**The Deputy Speaker:** Go on.

**Hon. W. McKeeva Bush:** Just to explain my question first . . .

**The Deputy Speaker:** Okay.

**Hon. W. McKeeva Bush:** When I was chairman, we expanded water throughout this country and gave other services and we had full employment—nearly 90 per cent or more Caymanians there. And, during that time the present person who is now the chairperson or the head of the Authority became very qualified with her Doctorate, and we were very proud at that time. And, when I was chairman, we did not increase the rates.

The question is, can perform the same?

**The Deputy Speaker:** Honourable Minister for Communications and Works.

**Hon. V. Arden McLean:** Mr. Speaker, I do not want to get into any major discussion back and forth with the

Leader of the Opposition. But . . . performance, Mr. Speaker?

I do not claim to be the best, and I never claimed that I was God Almighty. We are doing the best we can with what we have. The Water Authority has just refinanced all of its outstanding debts and borrowed more money to get these things done. This is done based on a business plan in the interests of this country and the people of the country.

Only time will tell what the performance of all Members of this honourable House will be. Time is our enemy. And so too will it be all [to] those who were there before.

**The Deputy Speaker:** Thank you, Honourable Minister.

We have reached the hour of 11 am, and I if we are to continue, I need a motion for the suspension of Standing Order 23(7) and (8).

### **Suspension of Standing Order 23 (7) and (8)**

**Hon. D. Kurt Tibbetts:** Mr. Speaker, I move the suspension of Standing Order 23(7) and (8) in order to continue Question Time after the hour of 11 am.

**The Deputy Speaker:** The question is that Standing Order 23(7) and (8) be suspended in order to continue Question Time after the hour of 11 am.

I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**Agreed: Standing Order 23(7) and (8) suspended.**

**The Deputy Speaker:** Question No. 23 is standing in the name of the Honourable Leader of the Opposition.

### **Question No. 23**

**No. 23: Hon. W. McKeever Bush** asked the Honourable Minister responsible for Tourism, Environment, Investment and Commerce if the Ministry leased one of our National Heritage sites, Pedro Castle's Restaurant, to be used as a commercial bar and, if so, what are the arrangements.

Mr. Speaker this my last question on the Order Paper. I have questions from the last Meeting not answered and will not, therefore, be answered. I am asking that those questions be carried over to the next Meeting.

**The Speaker:** the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you very much, Mr. Speaker.

The answer: During the past six years the café at Pedro St. James has produced financial losses totaling C\$314,825. In order to address this unsatisfactory situation the board was faced with three options: 1) to enter into a partnership with a lease of the café and bar; 2) request increased output funding from Government; or 3) close the café.

The decision to try and lease the café is not new. In 2001 a similar decision was made by the board and government. Following a period of local advertisements the board received three proposals. Regrettably, none of the proposals were successfully completed at that time. One of the main reasons given for not reaching an agreement on leasing of the café in 2001 was that the site did not have a liquor license. Subsequently a liquor license was obtained in 2002 by the previous administration.

The first attempt at leasing Pedro's Café was undertaken during the time that the Honourable Leader of the Opposition was Minister of Tourism. Therefore, he should not be surprised that the board decided to pursue this option again.

Following the review of Pedro St. James Café operations in 2007, it was determined that the café was continuing to experience financial losses. The Tourism Attractions Board decided that the most feasible option to reduce losses was to put the café and bar up for lease to more experienced restaurateurs.

There were subsequently two rounds of advertising by the Tourism Attractions Board in the local newspapers to solicit interest in leasing the café and bar, first in March 2007 and then in July 2007. The only proposal received to lease the café and bar was in August 2007 from Red Bay Café Ltd., trading as Dirty Reid's Ltd.

Although it was received late, Mr. Speaker, the board reviewed the proposal and on Monday, 17 September 2007, the Red Bay Café Ltd, signed a two year lease to operate the café at Pedro St. James National Historic Site.

Red Bay Café had previously been operated by Reid Dennis under the name of Dirty Reid's, the popular sports bar known for its tasty food. The official name at the new site is Reid's at Pedro, and it will be run as a family-style restaurant in a smoke-free environment. The enhanced family oriented business model is more compatible with the Tourism Attraction Board's brand and firmly demonstrates progress in transforming an area of the Tourism Attractions Board's business which has consistently lost money into an area which will now generate positive financial contributions.

Thank you.

**The Deputy Speaker:** Any supplementaries? [pause]

If not, we will move on to Question No. 24, which stands in the name of the Fourth Elected Member of West Bay.

### **Question No. 24**

*(Deferred)*

**No. 24: Capt. A. Eugene Ebanks** asked the Honourable Minister responsible for Communications, Works and Infrastructure: (a) What is the current status of the Matrix International Contract for the removal of scrap-metal from the Cayman Islands; and (b) How much has Government received so far from Matrix.

**The Deputy Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Mr. Speaker, according to Standing Orders, I beg to defer this question. There is some information still coming out and I would ask leave of the House [to defer it].

**The Deputy Speaker:** The question is that according to the provisions of Standing Order 23(5), Question No. 24 be deferred until a later Sitting. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**Agreed: Question No. 24 be deferred until a later Sitting.**

**Hon. W. McKeeva Bush:** We'll never that question answered!

**The Deputy Speaker:** Question No. 25 is standing in the name of the Fourth Elected Member for the district of West Bay.

#### **Question No. 25**

**No. 25: Capt. A. Eugene Ebanks** asked the Honourable Minister responsible for Communications, Works and Infrastructure, if the crusher purchased by Government is in operation and, if so, can the Honourable Minister say how much revenue Government has collected from its rental.

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Mr. Speaker, prior to answering this question I would like to remind Members of this honourable House of the reasons for the purchase of this crusher baler, as it is known.

As Members will recall, following Hurricane Ivan there were substantial derelict cars and other scrap metals at the George Town Landfill that we thought prudent to be shipped off the Island. The Department of Environmental Health has projected rental costs for equipment required to bale or compact the metals of the George Town landfill to be in the region

of \$350,000 to \$500,000 per annum. This Government took the decision to provide the Department of Environmental Health with the necessary equipment to reduce the volume of metals at the George Town Landfill thereby eliminating the rental cost to Government on an annual basis.

This crusher baler was purchased for the Department of Environmental Health to continue the processing of hurricane generated metals as well as any other metals and cars that would enter the landfill from time to time.

In 2006, after a public tendering process, the Government took the decision to contract with the company Matrix International, the highest bidder, to remove the scrap metal. Following this, Matrix International contracted with both the Department of Environmental Health and the private sector company for rental of balers.

Mr. Speaker, I thank you for giving me permission to supply this information as I felt that Members of this House needed to be informed of the above prior to my answering the question.

Mr. Speaker, the new Government crusher baler purchased from Iron Ax, Inc., has been in operation from March of this year. However, some mechanical and operational problems were experienced over the period which caused the unit to be operated infrequently. These problems have since been resolved. As of Friday, 10 August 2007, the baler was back in full operation.

As at 1 September 2007, Matrix International Ltd., used the baler/crusher unit for a total of 178 operational hours. Of these hours, Matrix has been billed for the period March 29—April 30, 2007, for 72 hours; May 1—June 24, for 36 hours; and June 24—August 31 for 70 hours. This amounts to a total of \$33,820. The baler is rented at \$190 per hour.

A cheque for \$15,180 was received on September 7 and was applied towards the outstanding amount. A late payment fee of 1 per cent is applied to any outstanding amounts as per the contract.

The total revenue from the baler is projected to increase from this month, provided there are no more problems with the unit.

**The Deputy Speaker:** Honourable Leader of the Opposition.

#### **Supplementaries**

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

Can the Minister say whether the machine was damaged and how it got damaged? (question (a)) and question (b) is, Why is the company not paying in full the outstanding to Government who it seems is paying them on time for their contract.

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Mr. Speaker, before I answer that maybe the Leader of the Opposition can tell us what Government is paying them because I do not know.

He seems to know more than I do, and I really cannot answer that part of his supplementary question.

**The Deputy Speaker:** Honourable Minister of Communications, would you answer the remaining part?

**Hon. V. Arden McLean:** Mr. Speaker, as I said in the substantive answer, the baler has had its problems. There is a discussion as to whether it is operational or mechanical, and we have been trying to work with Iron Ax, Inc., out of the United States on these issues. The most recent position they are taking is that some of them have to come down here because there are certain warranties on this equipment.

It is a matter of trying to decide where and how we get it fixed. But recently we have done quite a lot of work on it and it is mechanically quite sound again.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you Mr. Speaker.

I am happy to hear that it did not get damaged by anybody driving it or anything like that.

Why is the company not paying in full the outstanding to Government?

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Mr. Speaker, again, that is another thing. Because of the problems we are having with the baler, whether mechanical or otherwise, Matrix contested the billing that we have given them and it is being worked out. One is saying that [it is that] amount and we are saying it is that amount based on the hour metre on the machine. But because of the timeframe that it was down—and that is how these things are done, based on the hour meter on the machine—and based on the time it was down, there is some contention as to whether or not the billings we gave them are correct.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Mr. Speaker, can the Minister say who keeps the time on its use?

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Mr. Speaker, I just answered that. He was not listening. I can tell him again, it is the hour metre that is used.

**Hon. W. McKeever Bush:** No body? No timekeeper?

**Hon. V. Arden McLean:** Mr. Speaker, how these things work . . . I have to give you a mechanical lesson now.

**Hon. W. McKeever Bush:** Yes.

**Hon. V. Arden McLean:** How these things work is that you register, you record, you mutually record the hours on that metre when it starts up, and then at the end of that period you mutually record it again and you do a calculation to see how many hours it was run.

However, if the machine is just sitting there running, it is still hours on the engine. If it is not doing the work, then you get a disagreement as to how much time it was working. That is basically what happens, as you well know, Mr. Speaker.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Mr. Speaker, is the Minister saying that a company does such work for Government and the Department that it is contracted through is not present to know how much work is being done and if the work it says it is doing is actually being carried out by the machine that has to be paid for it?

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Mr. Speaker, the \$190 includes an operator, which is Government's employee. So the contention is between the person that leased the equipment and us, whether or not either one of them is right. So we are trying to work that out now.

**The Deputy Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Last question, Mr. Speaker, unless the Minister opens up for supplementary. So, as far as Government is concerned, Government knows the amount of time it has been used?

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Well, what I said earlier is that we write down the time at the start of each day on the hour metre. At the end of that day we (the operator, that is, not us) . . . the operator would then submit that to his boss, that he did eight hours today. But then the person who is leasing it says it was shut down because they had mechanics there for two hours. Now that is not the operator's business. That needs to be worked out with the bosses. But he was

on the machine and it said eight hours, but he probably had the engine running during that period to do the mechanical work on it. So that is the way you get the differences in billing versus what should be paid.

**The Deputy Speaker:** The Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Mr. Speaker.  
Can the Minister say what the cost of the crusher was when they bought it?

**The Deputy Speaker:** Honourable Minister of Communications.

**Hon. V. Arden McLean:** Thank you, Mr. Speaker.  
The total cost of the baler is CI\$349,510.43, inclusive. This is itemised as follows:  
-The baler unit was \$333,320  
-Freight and shipping was \$14,417.19  
-Other fees (ports and trucking) \$773.24

**The Deputy Speaker:** If there are no further questions we will move on to the next order of business.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Deputy Speaker:** I have received notice from the Minister of Tourism.

### Recent verbal abuse and intimidation by the Publisher of Cayman Net News – 20<sup>th</sup> September, 2007

**Hon. Charles E. Clifford:** Thank you, Mr. Speaker.  
Over the past weekend, Government was made aware of allegations of verbal abuse and intimidation tactics used by a member of the local media against employees of Cayman Airways. According to airline employees, the publisher and Editor-in-Chief of *Cayman Net News*, Mr. Desmond Seals, came to the company's headquarters on Saturday morning, 15 September 2007, demanding to know why his newspapers were not shipped to Cayman Brac on Friday evening, 14 September 2007.

Mr. Speaker, Mr. Desmond Seals knew exactly why his newspapers were not shipped to the Sister Islands. He had been advised that the bank returned a cheque paid by *Cayman Net News* on 17 August. As a result, Cayman Airways has insisted on payment by cash or certified cheque by 4 pm on Wednesday, 12 September. This deadline was met and shipment was resumed.

However, the regularly scheduled payment on Friday, 14 September, was late. It was in fact made, but after CAL Express office closed for the weekend resulting in no shipment of the *Cayman Net News* on

Friday evening, thus the reason for Mr. Seals' rage on Saturday.

Mr. Speaker, it is the Airline's policy to give priority to passengers over cargo to the Sister Islands, especially on the weekends when passenger numbers tend to be very high. When told of this, Mr. Seals proceeded to threaten the staff. He told the agents that he would take their photos along with their names and publish them on the front page of his paper.

Mr. Speaker, this might be seen as a trivial matter; however, when accompanied by profanity in a very loud voice it was quite intimidating and frightful for the staff. Mr. Seals was, in fact, so loud that his foul language could clearly be heard from the second floor of the building.

Despite the aggressive nature of Mr. Seals, the Cayman Airways cargo agents continued to process Mr. Seals' newspapers. His behaviour was quite disturbing to the other customers who were in the building at the time. Before leaving Mr. Seals made a public announcement to the entire cargo office and customers that they should make sure to read Wednesday's edition of *Cayman Net News* for the full account of what had transpired.

Mr. Speaker, as I have said before, verbal abuse, intimidation, threats and false accusations will not be tolerated. The staff of Cayman Airways is a dedicated group of professionals and should be treated with the respect they deserve. There was no real basis for the attack, abuse and threats to Cayman Airways and its staff.

Mr. Seals has been given much latitude by Cayman Airways in relation to his outstanding debts. Since 9 July 2007, there has been an interest-free payment plan in place to cover the current and past debt. This plan includes regularly scheduled payments by 4 pm on Fridays. It was agreed by both parties that if payment was not received on time shipments would suspend immediately. That condition also applies to return of bounced cheques.

Mr. Speaker, the board therefore has advised Mr. Seals that he has 14 days to pay all outstanding debts in full. Effective immediately all shipments of *Cayman Net News* on Cayman Airways have ceased. Once all debt has been repaid, Cayman Airways is willing to resume shipment under the condition that all shipping costs are paid up front and in full by cash or certified cheque.

We hope, Mr. Speaker, that Mr. Seals will reflect on his reprehensible behaviour and will be driven to publicly apologise to the employees of Cayman Airways for his very public abuse of them.

I recognise that public discussion of a commercial arrangement of a customer is unusual, but this situation is very unique and it is critically important that the public is provided with the facts about what actually happened with *Cayman Net News*. The publisher of *Cayman Net News* has proven that he will use his publication to distort the facts and to attempt to intimidate the staff of Cayman Airways—even as he

has substantial outstanding debt with the national airline, and notwithstanding their extraordinary efforts to try to work with him.

Mr. Speaker, the publisher will no doubt continue to make false accusations against the Government, Cayman Airways, and Ministers of Government, in particular, and will probably accuse the Government of attempting to censure the media. He is reminded that he has other options for bringing his newspapers to Cayman, and we are confident that those other service providers will require timely payment of their invoices just as Cayman Airways does.

Cayman Airways has obviously gone above and beyond the call of duty to work with the management of *Cayman Net News*, however, the board of directors feels the treatment staff received at the hands of Mr. Desmond Seals on Saturday is reprehensible and, in fact, the last straw. They feel the time for concession on the part of the National Airline has to end and the resumption of business as usual to begin. Mr. Speaker, I wholeheartedly agree with the board's decision.

The team at our National Flag Carrier performs very important duties daily. I would hope that my fellow legislators on both sides of this House would agree with this sentiment and continue to support the hardworking staff of Cayman Airways.

Thank you, Mr. Speaker.

**Hon. W. McKeever Bush:** Mr. Speaker, under Standing Order 30(2) . . .

### Short Questions (Standing Order 30(2))

**The Deputy Speaker:** Yes, Honourable Member. It allows you to ask short questions.

**Hon. W. McKeever Bush:** Just one question, Mr. Speaker. Did *Cayman Net News* make good on any part of this agreement they had with Cayman Airways in regard to payment?

**The Speaker:** Honourable Minister for Tourism.

**Hon. Charles E. Clifford:** Thank you, Mr. Speaker.

As I said in my statement, there were some payments that were made on time, but there were also cheques that were returned. And, given the latitude that *Cayman Net News* has been allowed by the National Flag Carrier, and the fact that *Cayman Net News* has been put on a payment plan—an interest-free payment plan—that given this latest behaviour by the publisher on Saturday morning, where he very publicly abused the employees of Cayman Airways, the management and board have taken the decision to suspend doing business with him, as I said in my statement.

And, Mr. Speaker, I have also said that if *Cayman Net News* decides to pay off the debt in full,

that Cayman Airways will resume business with him. We certainly hope that he will reflect on his behaviour and that he will be driven to apologise publicly to the employees of Cayman Airways.

Thank you.

**Hon. W. McKeever Bush:** There goes your good relationship with him!

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

#### Private Member's Motion No. 4/07-08 Review of the Liquor Licensing Law (2000 Revision)

*(Continuation of debate thereon)*

**The Deputy Speaker:** Honourable Minister of Tourism, Environment, Investment and Commerce.

**Hon. Charles E. Clifford:** Thank you, Mr. Speaker.

When we adjourned on Monday, I was concluding my remarks and my response on behalf of the Government to the Private Member's Motion. I have gone through the Motion in detail clause by clause and I indicated that, with the exception of one resolve clause, the Government did not have a problem with the Motion and I had urged the mover of the Motion, the Honourable Leader of the Opposition, to consider moving an amendment to the Motion so that it could be accepted by the Government. I am aware that he has tabled an amendment to the Motion and we will speak to that in due course.

Mr. Speaker, the remaining thing I have to say is with respect to the tourism sector, and the Leader of the Opposition (mover of the Motion) acknowledged in his opening remarks the difficulties faced in the tourism sector with respect to the current provisions of the Liquor Licensing Law, and how he had received representation when he was the Minister that resulted in the opening hours being extended from what they were, which was 1 am to, in some instances, 2 [am] and as late as 3 am. So, I am grateful for the mover acknowledging that.

I am sincerely hoping that when he tables his amendment to the Motion we will be in a position to support the amendment and move forward with approving the Motion because the truth of the matter is, as I said in my opening remarks, that the review of the Liquor Licensing Law is well underway. It started in June this year. So, there really is no reason for the Government to not accept the Motion provided there is an amendment to that resolve clause.

I will simply conclude by saying that in relation to the resolve clause in the Motion which speaks to licenses not being granted to establishments within 3,000 feet of a church, school, et cetera . . . the mover of the Motion, the Leader of the Opposition, has ac-

knnowledged himself—both in the press as well as in his opening remarks on the Motion—that that distance is probably not practical and he will have to look at an alternative to that.

With those few remarks, I will say that we will wait to hear from the Leader of the Opposition, the mover of the Motion, on an amendment to the Motion. We hope the Government will then be in a position to accept the amended Motion.

Thank you.

**The Deputy Speaker:** Honourable Members, we will take a 15 minute suspension.

**Proceedings suspended at 11.49 am**

**Proceedings resumed at 12.12 pm**

**The Deputy Speaker:** Please be seated.

Proceedings are resumed. Does any other Member wish to speak?

I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeewa Bush:** Mr. Speaker I gave notice of an amendment, which you have allowed, and I would like to move that amendment at this time.

**Amendment to  
Private Member's Motion No. 4/07-08, Review of  
The Liquor Licensing Law (2000 Revision)**

**Hon. W. McKeewa Bush:** I, the Honourable Leader of the Opposition, the First Elected Member for West Bay, seek leave, in accordance with Standing Order 25(2), to move the following amendment to Private Member's Motion No. 4/07-08 as follows:

By deleting the penultimate resolve which reads -

“AND BE IT FURTHER RESOLVED THAT in any such review this Honourable House mandates that no further liquor licenses be granted to any person, body, corporate or otherwise, within three thousand (3,000) feet of any Church, public or private school, homes for the elderly, civic centre, public beach or any other such public establishment;”

and by substituting therefor the following resolve –

AND BE IT FURTHER RESOLVED THAT Government considers mandating that no further liquor licenses be granted to any person, body, corporate or otherwise, within fifteen hundred (1,500) feet of any Church, public or private school, homes for the elderly, civic centre, public beach or any other such public establishment;

**The Deputy Speaker:** Is there a seconder?

**Capt. A. Eugene Ebanks:** Thank you, Mr. Speaker. I beg to second the amendment.

**The Deputy Speaker:** For the information of the honourable House, I have waived the necessary two-day notice of amendment. The [amendment] has been duly moved and seconded and is open for debate. Does the mover wish to speak thereto?

**Hon. W. McKeewa Bush:** Mr. Speaker, the matter speaks for itself. When I am closing the debate I will refer to the amendment.

**The Speaker:** Does any other Member wish to speak? (pause)  
Honourable Minister of Tourism.

**Hon. Charles E. Clifford:** Thank you, Mr. Speaker.

In debating the substantive Motion, I urged the mover of the Motion to move an amendment to it, so I am grateful to the Leader of the Opposition for the amendment he has moved to the Motion and the Government is in a position to accept the amendment.  
Thank you.

**The Deputy Speaker:** If no other Member wishes to speak, the question is that the amendment be accepted. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Amendment to Private Member's Motion No. 4/07-08 passed.**

**The Deputy Speaker:** The Motion as amended is now open for debate. Does any Member wish to speak thereto?

Honourable Minister of Health.

**Hon. Anthony S. Eden:** Thank you, Mr. Speaker. I will speak very briefly.

In reading from my little *Instant Quotation* book. . . and for those of you who were at that meeting in Savannah held by the community when we contested Jacques Scott coming into the area which up until that time was alcohol free, and Mr. Speaker you were there along with the Minister of Tourism. I will just read this quick quote by George Savile, “**The sight of a drunkard is a better sermon against that vice than the best that was ever preached on the subject.**”

Mr. Speaker, I can vouch that on that occasion some of the youngsters in that area carried on holding up signs supporting the people moving in there. I am pleased to support my Government in ac-

cepting this Motion. I am pleased to say that when we were going through that crisis, my colleague (the Minister of Tourism) said that he was going to do a full investigation into the necessary amendments in all legislation pertaining thereto.

Mr. Speaker, as my colleagues will know, I will settle for nothing less than a proper and thorough review of this legislation.

For too long, Mr. Speaker, we have been dealing with emasculated laws, toothless legislation, where it says one thing and when changes need to be made you are referred to another area and then told you have to look at another law that also affects the same thing. I can assure the people of these Islands that I will settle for nothing less than proper amended legislation to whichever law has to be done, not necessarily the Liquor Licensing Law but also the Planning and the Music and Dancing [Control Law] and whatever else.

I will continue to abhor what took place in Savannah. Precedent has been set in regard to the churches. But when our people take the view that they will allow a liquor licensed facility to go within a few hundred feet of a primary school . . . that is a sad indictment on the way some of our people think.

Mr. Speaker, this Motion has to be bipartisan. It must know no political boundaries. It is too important for our young people. We must stop talking out of both sides of our mouths. Many young lives have been ruined by alcohol abuse. As a legislature, let us all do something about this scourge and draft sensible and effective legislation.

I am very pleased that I am part of a Legislative Assembly that is now taking this seriously. Unparliamentary though this may be, we have been pussy-footing around too much with some of this legislation, Mr. Speaker. And please forgive me.

I will briefly close by reading once again from my little quotation book, a quote from President Lyndon Baines Johnson, the former, now deceased, President of the Great United States, and I quote: **“Alcoholism is tragically high on the list of our nation’s health problems. Five million Americans are alcoholics. They bring incalculable grief to millions of families. They cost their families, their employers, and society billions of dollars.”**

Thank you, Mr. Speaker.

**The Deputy Speaker:** Does any other Member wish to speak? (pause)

If not, does the mover wish to exercise his right of reply?

**Hon. W. McKeeva Bush:** Thank you very much, Mr. Speaker.

The Minister of Tourism has more or less answered for Government and has made several observations to which I must answer.

The Minister tried to make the case that because I did not get a full review completed and passed

into law that the board was left in a disadvantaged position. That is something like what he said.

Mr. Speaker, I did before, but I want to remind the House again of what our Administration faced since 2001–2005, because every time we draw attention to something that needs to be done the Government comes back with *‘well, why didn’t you do it before?’* That is all fine and dandy to be asked when you do not have to deal with what the previous Administration had to deal with.

As I said, I want to remind Members of what we had to deal with. We could not deal with every piece of legislation that you could ever think up. Certainly, when we did get to legislation that we thought we needed, sometimes we just did not get it through before elections fell upon us.

We had to deal with the fallout of September 11, 2001, and its negative impact on tourism and, therefore, our economy. We had to contend with a changed world due to terrorism, then there was the SARS problem also.

We faced the effects of two wars in the Middle East and the impact that had on the United States, which affected our economy. Plus the financial problems and unemployment that the Leader of that time said was a leftover from the 1996–2000 Administration, which, according to him, left a bankrupt country.

I see my good friend, Mr. Truman Bodden, writing another letter. But he should go back and get the front page of the paper and see what the then and present Leader of Government Business had to say about what he left—a bankrupt country.

Also, Mr. Speaker, we had to deal with the fallout from what was then called the spying operation on our financial industry and the bugging of the Chief Justice’s telephone, all the fallout from that, and the pressure put on the Government by the Opposition then, during a time of national crisis. Not to mention, Mr. Speaker, a slow economy.

We had to deal also with the OECD. That was left in my lap to take on the political side of it—myself, the Attorney General, the then Financial Secretary. We also had to tackle the EU Tax Savings Directive. Between the two of them, the OECD and the EU Tax Savings Directive took nearly all of government’s time trying to deal effectively with the request and things that various countries wanted Cayman to put in place while they, themselves, were not willing to put those things in place. They wanted to destroy our financial industry. If it were left to them, today we would not have anything.

So, we had to deal with all of that and every week, Mr. Speaker, there was some meeting—locally or overseas—that required some of us to be at.

And last but not least ours was the task to deal with the havoc dealt us by Hurricane Ivan which caused \$4 billion in damage to this country.

So these are some of the major problems that our Administration had to deal with, with no help from the Opposition at the time. The country can well re-

member the state of affairs existing at the time. And every time now that you see something that needs to be done, the Government jumps up and says 'You should have done it.' Well, we just could not do everything.

But we saved the financial industry, left it in good condition and people were making money. We were able to leave \$90 million or close to \$90 million in the Government's bank accounts. And so, it says that work was being done, but we could not do everything.

Mr. Speaker, the Member spoke to the review that—

*[inaudible interjections]*

**Hon. W. McKeever Bush:** I do not know what they are calling about, Mr. Speaker. They have to know that if they are going to raise a matter they are going to be answered!

So what are you quarreling about?

Rest me, man. Just rest me!

*[inaudible interjections]*

**Hon. W. McKeever Bush:** Mr. Speaker, the review that the Minister of Tourism mentioned that had been done under our Administration took place in 2003. We received the report, I think around July of 2003 or there about. We left office in May of 2005—a total of 22 months after the report. I said clearly to the House that the Governor in Cabinet at the time said that we should do a thorough review because the review that we did did not cover some major areas of the law.

I had nothing to hide. I came out and told the country exactly what obtained.

The Minister has now said that he had done something. I do not know whether he can say who the chairman is, or who the committee members are. Mr. Speaker, if he does have a committee, then he obviously has a chairman and he has members. It would be good for him to tell the House who they are so that we can make representation beforehand or during the next couple of months.

*[inaudible interjections]*

**Hon. W. McKeever Bush:** [addressing a Member] Well, you can tell me.

Mr. Speaker, the two Members are chattering at one time, and I would like to give them leeway because the more he chatters the more he opens up the Government to question.

Mr. Speaker, as I said, that was a total of 22 months after that report. I clearly said to the House that the Governor in Cabinet said we should do a thorough review. And I think the Minister of Tourism will agree that what was done was not a thorough review.

But this Government that is thumping its chest and blaming me about why I did not do something, has had from May of 2005 until today—a total of 28 months—to have a complete review carried out, or to put in place the 2003 review, since the Minister himself says that the review done in 2003 could have done some good. Well, I repeat, they had from May 2005 until now to have a complete review carried out.

Certainly, Mr. Speaker, if he is trying to blame me for what he says or anybody else says is some good not being done, then he needs to look at his own performance.

I have to wonder, Mr. Speaker, if I had not called for a review at the Savannah meeting as I did, whether they would have jumped on the bandwagon. The fact is that nothing has been done in the last 28 months.

Mr. Speaker, the Minister said that I went to the Savannah meeting to grandstand. Mr. Speaker, this was a very interesting meeting, one that we were invited to by people from the Savannah area. So we went there to offer him and the Minister of Health our support. There was nothing to grandstand about, and the position I took at that meeting, if I was grandstanding, I was grandstanding for him! I was trying to help him.

Mr. Speaker, I am hearing that they support the Motion. Of course they do. But I am addressing what he said. So, there was nothing to grandstand about. My fear was that the PPM through the Minister of Tourism was going to do all it could to help a company that was associated with one of their chairmen or vice presidents, or whatever he is, but somebody who they are associated with.

And the Minister himself was quoted in the newspaper as saying that the board had resolved the matter as planned. I would like to know what that meant.

The Minister said that he wrote a letter to the board but that it was not appropriate for him to tell them what to do. He claims it is bad governance for a Minister to tell a board what to do. Well, Mr. Speaker, that is his position. But I do hear that they tell boards what to do. And perhaps they should.

When I was Minister and was informed by the Liquor Licensing Board that there was an application before them for a licence for an establishment that was close to a church, or a civic centre, or such public area, I took a position against it as the then Minister and so I advised the board. I did that with an application for a licence in West Bay central which would have been close to the United Church and the Church of God Full Gospel Hall. I told the applicants how I felt and so—

*[inaudible interjection]*

**Hon. W. McKeever Bush:** [addressing a Member] You going to check with anybody?

Mr. Speaker, there was no question about judicial review, as the Minister claims. And I do not believe that his line about judicial review is valid.

Any decision made by any board is subject to a judicial review, yes—if the applicant feels that his rights are being infringed upon. And Jacques Scott may well have done that. But many issues would have to be aired before any court could make any decision to say they were right.

Savannah/Newlands has traditionally been a dry area. And the citizens of that area have been determined to keep it as dry as possible. There was a licence for Pedro Castle, but that was not a full licence, Mr. Speaker. And they are not telling the public that.

What was done for Pedro Castle was a licence for any time that they had a reception or any such thing that required liquor being dispensed. But that was not that anybody could go up there to a bar and buy. But you see the question answered this morning, Mr. Speaker? You see how cleverly they put it together to say, *'Oh, it was done while he was there.'* Yeah, it was done to help that business, the Pedro Castle, get ahead. But it was not done to be sold as a bar or where you can go to just buy liquor and go there and be there all the time. It was for the time when something was being held there.

So, Mr. Speaker, Savannah/Newlands has traditionally been a dry area and the citizens of that area have been determined to keep it as dry as possible. So the Minister's defence in any judicial review would be that they are protecting the community which has asked for such relief.

Also, Mr. Speaker, Government's policy would have to be taken into consideration by the Court. And any government can and is duty bound to make policy directives and put them in place, or change them for the good of the community. The community also has rights. And when a company or a person can ask for judicial review, saying that their rights are impinged upon, rights also apply to the community as a whole.

And the law . . . the day when the late Mr. Dennis Foster, who was then Chief Secretary, moved that amendment, it is plain what he said, and the law substantiated, gives the board the discretion to say yea or nay. So, there should be no excuse from him about judicial review.

There are regulations also, Mr. Speaker, that could be changed for the good of the community if he so desired. Regulations attached to that law.

So, Mr. Speaker, as a representative of Savannah/Newlands the Minister had a duty to carry out the wishes and desires of the people of that community. The law gives the board full discretion and no judicial review could fault the board for doing what the law empowers it to do. There is a school, there is post office, and there are at least two churches, three churches, right there. So the board could have considered it because the board has full discretion.

This was a business, Mr. Speaker, moving from one district to another; not a business moving within the same district. If the Third Elected Member for Bodden Town had tried to move his bar licence from Bodden Town central down to Savannah, he might have had more of a case because he was within that district. But this is a business moving from one district to another, not a business moving within the same district. So the board could, if the Minister so wanted, have considered the concerns of the community which were well represented.

As the Minister of Health said, the communities' concerns were well represented at that Savannah meeting and at the board's meeting which dealt with the licence. My position is that if the Minister wanted to represent his district by assisting them in not having Jacques Scott move to Bodden Town from George Town, then he had all right and authority to do so and be well within the law and be well within good governance.

I did so in West Bay. I told the applicants *'I cannot support you because it is close to two churches, the United Church and the Church of God.'* I had every right as West Bay's representative to do so. I had every right as Minister to do so. My position is he could have done so. I do not see how he can say it would be bad governance for a Minister to tell his board what he expects from them for the public good. This is just a poor excuse on his part and perhaps for him to say that I have done some wrong because I went and did so. But I did no wrong. None!

Mr. Speaker, the Minister has tried to counter my recommendation about the auctioning of licences by saying that what he wants to do is stop transferring licences, and that he cannot agree with auctioning a licence, something about people paying \$200,000. But that only holds up what I said.

**An hon. Member:** The moratorium.

**Hon. W. McKeever Bush:** I will come to the moratorium.

That would be good if we would not have to take every other issue into consideration. As a businessman, I would think that it would be better if someone received a licence and the business was not doing well then that licence could be auctioned and the person could perhaps make back some of what was lost. I think that is a better deal than stopping the transfer. For a business going bankrupt, Mr. Speaker, a licence may be its prime and only asset. If you stop it from being transferred, it will become useless and that person will lose his whole investment. The board in granting a transfer can attach new conditions, depending on the person and the area it is going to.

I am not yet convinced that stopping the transfer of licences is the right thing to do in the country. I do not see what good you will get from abolishing transfers. He is saying that Government is not making any money, then Government will have to attach the

proper fee. If something can be sold for \$200,000 then you would think that Government would have a say in what they are going to get out of it. Certainly, if I were leading government it would be that way. Mr. Speaker, I do not think that is the right way to go.

I am satisfied that whether it be 1,500 feet or 3,000 feet or some other measure, this provision needs to be part of any revised Liquor Licensing Law.

We have offered that amendment, the Government has taken it and it is now part of the Motion that Members will vote on. But I want to point out that people who now hold licences within that geographic area would not be put at a disadvantage or any of their rights infringed upon. They have existing licences and the law now takes that into consideration and they are grandfathered in for any new situation. That is, given that they were not told anything when they were getting a licence, that it is not temporary and so on.

Mr. Speaker, various governments over the years changed the Law to suit changing times. We are a developing country and as representatives we have a duty to make changes based on changing circumstances all the while taking into consideration what is best for the community.

I want to reiterate that we are doing what is best for our Islands. Times have changed. And in the Cayman Islands today things change quickly. Sometimes Government makes a law and has to change it three months later because of the varying effects of the changing times.

A letter was written to the press by a former Member, Mr. Truman Bodden, my friend, and he said my Government did not do anything about moving that restriction back to the 1,500 feet. And he said also that the PPM Government did not do anything. But what did he do, Mr. Speaker? He had two terms too, perhaps more. He had two at least since that was moved. But what did he do?

We passed a motion I think during his time to say that it reverts back to that. But did he move it? Of course he did not move it. He finds it opportune now, as he does with most things, to come when he can twist things—because he is good at twisting things to go his way, whether it be finances or whether it be liquor licence.

*[inaudible interjections]*

**Hon. W. McKeeva Bush:** Well, I really do not believe that the other person who is on that signed it. I think he just adds that name in because he can.

Mr. Speaker, he is certainly wrong!

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** Mr. Speaker, all of us can recall the times when there was going on in this country those events called “sessions” which were sometimes in residential neighbourhoods and sometimes close to government buildings, such as civic centres.

We can recall that those sessions took place after licenced premises closed down on Saturday nights, mostly on weekends, Friday and Saturday, and that there was much illegal activity including alcohol sales and drug use, where, in those sessions, young men and young women many times below the age of 18 gravitated. And we had cause to wonder whether parents knew that these teenagers were at these nefarious spots.

It was there that gang violence was demonstrated first in the country with knives, and guns—the first time—being used. When I say the first time, [I mean] around such places. And the police had a tremendous job in trying to police those events because they were illegal most of them, all of them. The dynamics of the session was that there were many who attended, some who were just teenagers and below the age of 18, but did not go to the legal places, such as night clubs. They would leave home, maybe the younger ones left earlier, but older ones who were going would not leave home at 8.30 because the session would start at 1.00. So they would most of them leave home at 12.00, 12.30. They had time to do things. But the sessions were illegal and where illegal activity took place.

When a person got good and tanked up at a nightclub, and wanted more, when the club closed at quarter to twelve on Saturday night, or quarter to one during the week, they would go to the illegal sessions. There were many complaints and cause for concern from the general public on this situation.

People will remember that after the 2001 terrorist attacks in the United States and the negative effect on these Islands, tourism managers in the area of Seven Mile Beach were trying to do all they could to invigorate the tourism sector. I know they are going to say that a lot was not done, but a lot was done at that time—not just to make to clubs or bars, but a lot of other things were done. Too much for me to get into at this point.

The tourism managers, the industry, asked Government to see whether by allowing the nightclubs on the Seven Mile Beach stretch to be open for a little longer, would boost tourism and there would be more options for entertainment.

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** [Responding to the interjection] A lot of them. No. Other ones.

But the Government, in looking at that situation, also felt that by giving the nightclubs another hour during the week for dancing but not for alcohol sales, because, remember, while they were given the dance licence, there were no sales of alcohol at that time. They were supposed to close off. That would stop people leaving these nightclubs all at once. The hope was that this would lessen the chance of those who overindulged being on the streets all at once, because for that extra hour they would have been danc-

ing and not drinking, supposedly, and so could have sobered somewhat.

The message from the police was that this helped because they could police the legal premises on Seven Mile Beach much better than those illegal sessions that were taking place all over the place. So, the extension of one hour stopped those persons wanting to go to the sessions. They had enough drinking and dancing by 2.00 am or 2.30 am. And the sessions? They finally died out. The sessions finally died out.

So, Mr. Speaker I repeat, while people maliciously accuse governments of the past about liquor licences they have to stop and give thought to conditions in the country. As conditions change, Government must be flexible and change with the times making better the situation whenever they change.

Mr. Speaker, I read another letter from a very deviant person, so I am not going to go long into it. But they were accusing me about liquor licences. They said that I am the culprit. Well, I was part of various governments. Sometimes in Opposition, sometimes in Government. I can give good account for the time that I held responsibility because . . . and the Minister complained also about this moratorium. He thinks it is a bad idea. And I will give him another good idea where it also helps.

His colleague, the Third Elected Member for Bodden Town, had a problem. He came to me, and I discussed it with Cabinet. And, Mr. Speaker, he was adamant against me, writing all kinds of nasty letters in the press about me then as the Minister. Well, when he came to me, I saw that he had a genuine need. He had had a business there. And why should we not help him as a Caymanian? So, Mr. Speaker, I went to Cabinet and asked Cabinet to remove the moratorium to allow him to get his licence.

Mr. Speaker, they say that I have done so many wrong things. But I guess if I have done for one I have to do for the other, so I helped him.

It is good that you have that moratorium and when situations do arise you can get to the point as a Government, rather than coming back to the House, you can help an immediate situation. So, while that misinformed and deviant individual who has something against me because he cannot put his \$1,000 up to run . . . and the day he does, I will shed more light on him and then the people will see and know. But I will not deal with his antics because it is dirty politics.

Mr. Speaker, I certainly believe that if an individual is not supporting me because he does not like liquor licences and the damage he says can be done, then he can be like the Third Elected Member for Bodden Town . . . but that is his colleague because he is a vice president (I understand) of the PPM. And when they set him up to do these kinds of letters they should understand that they will be exposed and the other candidate that he had in West Bay had a licence for dancing too. And a bar too.

I believe the Leader of Government Business himself has, or had, such a business. So if he is going to attack me to say that I am a bad individual because I could not get everything that he said needed to be done, done, then he must be attacking they who have sold or are selling liquor because McKeeva Bush had no shares, and had none and does not want any, and thank God I do not drink any more.

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** I had my share, yes!

**An hon. Member:** You had more than your share!

**Hon. W. McKeeva Bush:** [addressing the Member] Yes, but you had yours too. And you are still doing so. You had your share and you are still doing so. Don't come here and play lily white because everybody knows.

So, Mr. Speaker, when they write letters—managed letters, I call them—be careful, because the first opportunity I get I am going to expose them. I am going to do so because it is only right that the people know exactly who they are dealing with. My life is an open book. It is open! And if it was not open, the bunch of them would not be able to say as much and groan as I hear them groaning out there.

So, Mr. Speaker, this Motion before the House . . .

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** Mr. Speaker, the Minister of Tourism says that I must thank them for accepting the Motion.

I thank them, Mr. Speaker. It should be a nonpartisan situation. This Law has evoked much emotion in times past when Members have stepped away from Cabinet and said, *'Listen, I am going to do this on a conscience vote'* and said *'I am not voting with the Government when they bring certain laws.'* I have seen it done in this House. But people feel so strong about the situation.

It should be nonpartisan, but, Mr. Speaker, the Minister cannot ask for thanks and then come with a mortar pestle threatening me. He has to understand that truth is truth and cannot be changed by any lawyer or anybody else. When it is the truth, it is the truth. And I feel that he did not do his job, carrying on this thing about judicial review when all the while the Savannah/Newlands people had as much right as anybody else who said their right was infringed upon because they were moving their business from George Town, where they had it, to Bodden Town where there was none. The Savannah/Newlands people had every right to say, *'We have a right too. We don't want this by us.'*

I have heard all sorts of situations, Mr. Speaker. They are calling people hypocrites and all

sorts of things. I am not going to buy that. There are people who abhor alcohol in all its stages.

The Bible tells you that everything should be done in moderation. But there are people who have never touched alcohol in their lives. There are people whose family has been damaged tremendously. We have seen the waste in this country of young people. I do not want to call names. But I have seen them, Mr. Speaker, decent young people who have much potential, overindulge. Sometimes, as was said through that exercise carried out by the National Drug Council, they get it from parents.

Mr. Speaker, I told my two that if they ever do it before they were of age, and I caught them, they would have to drink and eat porridge for a long time. So, they did not go in that direction—not that I know about, not that I ever found out about. They certainly are old enough after 18 to make their own decisions. But we see it in the homes. We see how much domestic abuse is carried on through alcohol. Sometimes, not because of alcohol, because some people use alcohol as a means to pump themselves up to do things that they thought they should do because of another situation, so domestic violence occurs.

Mr. Speaker, we cannot say that this country is not served with enough licences. No one can say that. Now, transfers, as I said, I am not against transfers. I hope the Minister does not attempt that, and I hope that if he does the Government will spank him good and properly for it.

There are over 500 liquor licences in this country of various kinds. So we cannot say we are not being served and people must stop and take cognisance now. Yes, we have a tourism industry. We have to service that. That is part of the economy. But we have to give and take with the general populace in Cayman. Do we have enough liquor licences?

*[inaudible interjections]*

**Hon. W. McKeever Bush:** Attrition rarely takes place in Cayman. The only attrition that takes place is what you all are calling, Mr. Minister, was happening to all the people in the civil service. That's plenty attrition—with all of them going out fast, but nothing else.

I do not agree with that.

I think the Government must legislate. Mr. Speaker, I did tell the Member for East End that every time he speaks he gives more ammunition. He opens the Government up for fire. He should stop because I am capable on my feet, Mr. Speaker, when it is relevant to deal with any issue he throws my way.

Mr. Speaker, I showed him when he said I had let people go. I showed him he was talking nonsense. And he continues down that same road. But any road he is on is going to lead him to Hell because he does not know how to get off of it.

Mr. Speaker, the Motion is a good one. I am glad that the Government accepted it, but I do not accept some of the excuses they gave about the Bod-

den Town situation. I am sure the Bodden Town people will know that there are always two sides to a story—the one he gave, and the one they just heard.

So, Mr. Speaker, I am waiting for the Minister to get up behind me and tell me who is the chairman and where I can write as far as the Liquor Licensing Law is concerned. Who is the chairman? And who are the members?

Thank you, Mr. Speaker, and I thank the House.

**The Deputy Speaker:** Honourable Members, the question is—

**Hon. W. McKeever Bush:** You have to give them a chance Mr. Speaker.

**The Deputy Speaker:** —that Private Member's Motion No. 4/07-08, Review of the Liquor Licensing Law, and it reads:

**WHEREAS the Liquor Licensing Board and the Liquor Licensing Law (2000 Revision) have been the subject of much debate and concern in recent months;**

**AND WHEREAS there is much concern in regard to the number of liquor licenses granted and existing in the Cayman Islands;**

**AND WHEREAS there exists much concern about the amount of youth and underage drinking that takes place in the Islands;**

**BE IT NOW THEREFORE RESOLVED THAT the Government undertakes a full-scale review of the present Liquor Licensing Law;**

**AND BE IT FURTHER RESOLVED THAT such review be completed by April 2008 or earlier;**

**AND BE IT FURTHER RESOLVED THAT, upon completion of the review, any proposed amendments to the Law be brought to the Legislative Assembly at the first ensuing sitting of the House;**

**AND BE IT FURTHER RESOLVED THAT Government considers mandating that no further liquor licenses be granted to any person, body, corporate or otherwise, within fifteen hundred (1,500) feet of any Church, public or private school, homes for the elderly, civic centre, public beach or any other such public establishment;**

**AND BE IT FURTHER RESOLVED THAT all Laws affecting the Liquor Licensing Law be also reviewed as part of this exercise.**

The question is that the Motion as amended be passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it. The Motion as amended has been passed.

**Agreed: Private Member's Motion 4/07-08 as amended passed.**

**The Deputy Speaker:** Honourable Members, before we take the next motion, I think it would be appropriate to take the luncheon suspension. We will resume at 2.00.

**Proceedings suspended at 1.09 pm**

**Proceedings resumed at 2.37 pm**

**The Deputy Speaker:** Please be seated. Proceedings are resumed.

When we took the break we had started Private Member's Motion No. 6/07-08, Hurricane Conference. I recognise the Fourth Elected Member for George Town

**Private Member's Motion No. 6/07-08  
Hurricane Conference**

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker.

I rise to move Private Member's Motion No. 6/07-08, entitled, Hurricane Conference. The Motion reads:

**WHEREAS the Cayman Islands are situated in what is commonly referred to as the Caribbean Hurricane belt;**

**AND WHEREAS reputable individuals continue to predict an increasing frequency of Hurricanes in the Caribbean region;**

**AND WHEREAS only a few local individuals are exposed to the benefits of overseas Hurricane Conferences and similar events;**

**BE IT THEREFORE RESOLVED THAT the Government considers the establishment of a National Hurricane Conference that would provide our citizens maximum exposure to new technology, materials and equipment that will enhance their ability to better protect themselves against this destructive force of nature.**

**The Deputy Speaker:** Is there a seconder?

The Third Elected Member for Bodden Town.

**Mr. Osbourne V. Bodden:** Mr. Speaker, I beg to second the Motion.

**The Deputy Speaker:** The Motion [has been duly moved and] is open for debate. Does the mover wish to speak thereto?

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker.

This Motion, I believe, is a fairly simple one and I do trust that the entire Legislative Assembly will support this very worthwhile Motion.

Mr. Speaker, I consider myself very fortunate to have been exposed to several hurricane confer-

ences over the years—some in Florida, Houston, New Orleans. Places like that, that are also affected by hurricanes on a regular basis.

Mr. Speaker, while I do consider it a privilege and have been extremely grateful that I have been afforded those opportunities, one of the things I have always made note of is that usually the places are in the US and the conferences are geared towards the United States. While the Caribbean region is usually able to attend by way of invitation from the organisers of these events, the truth is the information that we get from these conferences [while] useful in a lot of areas leaves a lot to be desired [by way of] things that are specifically geared and catered to the Caribbean region. There is a good reason for that. They are organised in the United States by people from the United States. It must benefit them most.

The kind of conference that I am referring to would be, for instance, something of the nature of the Chamber of Commerce's Business Expo, where people who are in the business of selling things that help people protect their homes and businesses from hurricanes would be able to display their services and their goods. What happens now, there is a handful of people from the Cayman Islands who are always invited to these events overseas. But, due to the increasing frequency of hurricanes in our area, I believe it would be in our best interests to expose as many Caymanians as we possibly can to this type of event so that they can go about doing things for themselves and will not have to depend on Government all the time to assist them or to make suggestions as to what is best for them to do with their own properties.

My experience has been that most of the conferences I have attended are all geared towards heads of governments (people who are in charge of disaster recovery agencies and so on) and business people because this is usually the front line of new technology, new equipment and all new materials. Then these business people would make orders and then have it distributed to their various retail outlets.

So, the local people from the various communities do not usually get in to see these things. That is the change that I would like to see happen if we can accept this Motion, that we do so in a little different way; that we have it custom made to the Cayman Islands and allow for a portion of the day to be catered to the same type of individuals, the business places, but also a portion of it we can cater to our regular population so that they can come in and take advantage of the same things I have mentioned before—the new technology, the new equipment, and so on.

We have to understand also that it has to be worth everybody's while. The businesses that we would invite to come in, quite a majority of them would come from overseas. But that in itself is a big advantage to them. We would have to make sure that we protect their investments. I imagine it would cost some money for them to mobilise and bring their equipment down here. Proper business arrangements can be

made so that even stores here would be able to acquire distributorships and so on so we do not bypass the stores and businesses here on Island where individuals could simply order direct from these companies that are going to come here to display. We must create some sort of business environment for our local vendors as well.

We have to understand how all of that will work because our hardware stores, in particular, our roof construction companies and people of that nature I am sure would also benefit from displaying their goods at the conference. So, we would have to find a way to make sure that they are well established and that individuals cannot simply bypass them and order direct from suppliers in all cases. That will happen in some cases, but I am saying these are some of the things that we need to continually think about to make sure it works well and we do not get it off the ground for one year and then it simply falls apart because everybody feels that it does not work well.

Mr. Speaker, there is also another option that Government can consider. I am not sure how this is all going to work out when we put it on paper and start to look at it. But I do not think there is a regional body that caters to this type of thing anywhere in the Caribbean area right now. I think that if the Government finds it too difficult to consider something like this on its own on an annual basis or however they decide to do it, that a regional effort could be considered where perhaps the conference could be made from one Caribbean country to the next on an annual basis so that we expose everybody as best we can to this new technology and ways of protecting ourselves.

Personally, I am hoping that this is something that we can do for ourselves and the other Caribbean regions can be invited in as well. I believe that once one country does this we can tailor it so that it can be attractive to just about all of us here in our little region.

Mr. Speaker, I do not think I need to say much more at this point. I will sit and listen to the contributions others will make to the Motion. Thank you.

**The Deputy Speaker:** Does any other Member wish to speak? (pause) The Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Mr. Speaker.

I rise to make my contribution to Private Member's Motion No. 6/07-08.

The Second Elected Member for Cayman Brac and Little Cayman was the original seconder of this Motion, but as those of us in the House will know, he had to travel on official business and he asked me to perform that action on his behalf. Just to say that some of the thoughts that I will express here are more or less what he was planning to actually say in his contribution.

Mr. Speaker, I would like to congratulate the Fourth Elected Member for George Town for bringing this Motion at this time. I believe, again, another very

relevant and timely one. Mr. Speaker, the Motion asks the Government to "**consider the establishment of a National Hurricane Conference that would provide our citizens maximum exposure to new technology, materials and equipment that will enhance their ability to better protect themselves against this destructive force of nature.**"

Mr. Speaker, especially at this time when the threat of hurricanes to this region has increased in severity and frequency I think that it is time for us to be looking at ways that we can help our citizens to protect themselves as best as possible.

This Motion will benefit all three Islands, Grand Cayman, Cayman Brac and Little Cayman. As the mover said, these conferences are offered in many countries throughout the world, but we do not believe there is one regionally. Certainly to my knowledge there has never been one held in these Islands.

These conferences invite participants from many countries and we would like to acknowledge and commend this Government, this Administration (and previous Administrations for that matter) for accepting these invites over the years, sending people from the various departments and agencies such as Civil Aviation Authority, Fire, District Administration, Police, Public Works, National Hurricane Committee and even MLAs, as the mover mentioned that he was privileged to attend in that capacity.

These representatives have been given the opportunity to see the newest and most relevant information on hurricane preparedness. They are able to see what worked and what did not when hurricanes the magnitude of Katrina and Ivan struck the various places that they did. The mover attended one of these conferences and it was at that last conference I believe that he realised just how important information such as this could be to us locally if made available to many more people, agencies and businesses.

What this Motion (so ably moved by the Fourth Elected Member for George Town) does is bring a new approach to hurricane preparedness. This different way of thinking gives citizens and businesses in the Cayman Islands the opportunity to hear first-hand information on the latest trends, the newest materials for house protection, the best way to personally prepare and what to expect before, during, and after a hurricane. In essence, this Motion allows total inclusion for every citizen in the Cayman Islands to be involved and exposed to the best information available.

As the mover said, we would want this conference to be different from the ones that he and others have attended in the US where it is only organisations, businesses, and certain entities that are allowed to attend. We would like this to be in an Expo format where our people can have an open day and go in and avail themselves of the new ideas and see just what there is.

I think the point the mover made as well concerning the fact that we have to ensure that local businesses benefit from this is a very crucial one. I am

sure if Government takes this on they will look at it in a very comprehensive manner to find the best way possible for this to work. We have to make it work for people to come here and we have to make it work for the people who are here.

Mr. Speaker, what I believe is another very important point is instead of this country having to pay to send our representatives to another country for this educational process, we will create our own event which will not only offer access to our citizens, but the event will bring what we hope will be hundreds of delegates to our shores from the region and some people as far afield as the USA. These people will rent our hotel rooms, enjoy our attractions and get to meet and know our friendly people and certainly provide an avenue for further exposure of these wonderful islands.

Just as a little synopsis, if we did something along the lines of, say, 500 people coming to the Island from overseas (which is a good amount, but probably an attainable goal), and these people came to the Island and, let us say for the sake of argument, that each one of those individuals contributed between their conference registration and their dollars spent while on Island a total of about \$3,000 per person, you quickly realise that the money will add up. We are talking with those numbers a total of \$1.5 million.

Now, I am not saying that is set in stone, I am just throwing out an example. And you know the way the economy works we have what you call the multiplier effect, if you use a factor of, say, five on that number, you could easily result in a \$7.5 million boost to the economy. Mr. Speaker, in reality, the figure may be a lot less than what I have just used as an example. But the main thing is that we now have money coming into the country instead of going out.

We can compare this to what it costs us annually at the moment to send delegates to these conferences. It is easy to see that we are thereby turning expenditure into revenue. I think from Government's perspective and from these Islands' perspective that is certainly most welcomed.

So, Mr. Speaker, I have seconded this Motion because I believe it has much merit. I think it is worth exploring. I expect consideration will be given to offering hurricane seminars as well in Cayman Brac and Little Cayman because we would not want to leave the folks over there out. It would not be easy for all of them to get here, so we would have to have some type of inclusion for Little Cayman and Cayman Brac when looking at the overall plan.

Therefore, Mr. Speaker, with those few words (but I think a fairly clear presentation) I would like to conclude my remarks on this. I am very pleased to support this Motion and I congratulate my colleague on bringing it forward and I look forward to attending the first conference. Thank you.

**The Deputy Speaker:** Does any other Member wish to speak?

Honourable Temporary First Official Member.

**Hon. Donovan W. F. Ebanks:** Thank you, Mr. Speaker. I am certainly fortunate to have the opportunity to be here and say a few words in relation to the Motion that, obviously, by virtue of my normal role at this time of year, I have a special interest in.

I must first of all commend the mover and say that obviously he is very well equipped to make this case. He has been a faithful player in our efforts, I think for the last 20 years he has been involved. Ever since we brought the NHC up and tried to get things moving after Gilbert, he has been actively involved with our subcommittee that particularly deals with shelters and essential relief. So he has had considerable firsthand experience, and, importantly, has sought to avail himself of some of the competencies that those of us involved in this try to gather by learning from other people's experiences as well.

The Motion is obviously quite straightforward. The first "Whereas" cannot be argued with. I would tend to leave to those people who now seem to make a living in forecasting how nature is changing whether we are actually any worse off in terms of our risk than we were.

I had the occasion last year sometime to give a lift to a gentleman who I saw leaving the hospital one day. While I did not know him I surmised that he was going somewhere and needed a ride, so I offered him a ride. He got in and as we were driving out he asked me if I didn't think God didn't have a sense of humour. I wondered where that conversation was going. So I asked, "Why do you say that sir?"

He said, "All these fellows who talk about all these hurricanes you're going to get, God is showing them who is in charge of the hurricanes. And he smiled and let them know."

Of course, the year 2006 was a relatively quiet year and there had been some substantial predictions after 2005 as to what we would experience in 2006. I have always been of the view that any one hurricane is too much. It can do too much devastation. So, whether the forecasters say we should expect more and expect more severe ones, I do not think it necessarily has to change at all the fact that where we are, it is a risk that we have to take very seriously.

There are a number of hurricane conferences that take place, which the mover referred to and that persons from here have taken advantage of over the years. There is a national conference that takes place in the US and moves, basically throughout the south-east from up in the Carolinas, even up as high as Washington DC it has been held, and swings all the way around to Texas. That is organised by some private individuals. And it has been going I think for close to 30 years.

Over the last 20 years or so the state of Florida introduced its own hurricane conference which has

now become the biggest conference in the US and obviously stays in Florida. It was in Tampa for a long time and is now in Ft. Lauderdale for a while. They have offered the best source of knowledge for those of us who are trying to learn a bit more.

The Bahamas also has a conference that they started about 10 or 11 years ago, which they dubbed a "Weather Conference", which they have progressed considerably with. I have never attended it, but from what I understand of it and the calibre of persons that they are able to attract it does seem that they are doing fairly well with it.

In any case, all of these are fundamentally aimed at improving preparedness, response and recovery with the ultimate aim of trying to protect and save lives and protect and save property from injury or damage.

Those in the US that our local people have traditionally gone to, yes, do cater primarily to I guess what we would call hazard managers and responders. They do not offer much in terms of public opportunity. Obviously, the public benefits to the extent that their people with responsibilities in these areas develop their skills but they are not geared to allow the public to come in and view the types of displays that the mover referred to in terms of materials, equipment and technology.

While our experience back in 2004 obviously gave us a significant crash course, we must accept that people's memories tend to fade and their appreciation of what they need to be doing also seems to gradually diminish. That was well substantiated when we had the threat of Dean recently and saw how many people still needed help in securing their properties. So it is very much a logical consideration that we should look to see the feasibility of developing such a conference here.

We will need to identify who should be the principal drivers or owners of the event. Interestingly, in the Bahamian situation their Ministry of Tourism is the driver of theirs. I suggest that we would also need to look at the initial interval or frequency with which we would want to aim to start things off. I would suggest that it is probably best to start off and look to increase the frequency rather than to set our aspirations too high and find that we struggle in the early years. So it may not necessarily be that we commit initially to an annual event, but, certainly, to have an initial one and look at when it is practical to follow that up.

We will also need to consider the time of year in terms of when . . . among the competing factors, Mr. Speaker, are obviously the hurricane season. In fact, you would ideally like to do things not too far back from the start of the season if you want to have the maximum effect in terms of raising people's awareness and getting them to act. But you also then have to factor in people you may want to invite as participants, particularly people I would refer to as people of knowledge who can share information with you, whether from other agencies or from other institutions,

other jurisdictions. Because, invariably, as you get closer to the season those people become more committed and less flexible, so you are most likely looking at the first three or four months of the year.

Of the conferences I referred to earlier, it is not surprising that the smaller event, being the Bahamian one, takes place in March. The National Hurricane Conference, which is following behind the Florida conference, takes place in April, generally; and the Florida conference, which is the largest, takes place in May. And that is just the nature of when you can get people and what size you are. So it is unlikely to expect to get people from the National Hurricane Center, for example, to come down in May to take part in something. You stand a lot better chance of getting them earlier in the year.

Of course, I fully agree with the mover's suggestion in terms of trying to afford displays of equipment, materials and technology for public education. When you look at combining that type of offering with some meeting/conference type space, I expect we will be somewhat challenged for a venue. Hopefully we can find a place that would be suitable. The venue that he referred to, that the Chamber uses for their Business Expo, is obviously ideal for the exposition side. But, again, we do not have a lot of places here. But I am sure we can come up with a combination that can serve both.

It may be possible that we can look at doing more of our offerings to our respondent cadre, to our people within the services who work for us during these threats, [doing] those sorts of offerings during the afternoon, and having more of our displays and our offerings geared to the public in the evening time when it is more convenient for the public to attend.

Those are just a few thoughts on some of the practicalities that will have to be considered in looking at trying to establish the feasibility of getting this thing going.

Mr. Speaker, I would just crave your indulgence to add a few other remarks, more from my perspective with my involvement with the NHC, and take the opportunity, sir, in this forum to say that I have always been proud to be associated with that group of individuals who make up our NHC. I have always felt and was reminded just recently of how fortunate these Islands are to have individuals who are as dedicated and committed to serving their community during these periods of adversity—often times at sacrifice of their responsibilities to their own families. I know in my own case I come from an extremely small family and the challenge sometimes in dealing with what are your personal responsibilities in making your time available is not an easy one.

But also, to pay tribute to them for the efforts that they have made over the years and continue to make in trying to acquire through these very sort of forums the competencies they need to be able to respond to that call when nature raises it. None of us consider ourselves to be experts. We simply try to

learn from other people's experiences and our own to be as well equipped as we can be.

I think we all owe particular acknowledgement to the former Chief Fire Officer, Mr. Nixon, who taught a lot of us how to give in more ways than one because he was the person who gave, not only of his time, but of the resources he had at his disposal and also gave the example that you see emulated in the people who continue to serve in that capacity.

So, I just want to acknowledge the efforts of that group.

As we move forward and move to a more professional based organisation with our Hazard Management Cayman Islands, I am of doubt obviously that we will continue to get that dedication, because we were paying people who career-wise have chosen to work in that area. I am confident that Dr. Carby as she goes into leadership will provide us with an organisation that we can be equally reliant on.

But for those who have gotten us this far based simply on their dedication and without any reward I think it is our duty to acknowledge and show our appreciation for efforts they have given.

So, Mr. Speaker, I would simply say that it is my privilege on behalf of the Government to accept this Motion and to say that we will do our best to look into establishing the feasibility and practicalities of instituting a conference such as the mover has indicated he would like to see us establish.

Thank you.

**The Deputy Speaker:** Does any other Member wish to speak?

The Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

I would think there are things that we can learn about disasters. The Temporary First Official Member gave a good expo of various conferences designed to bring a territory, a country, up to date. Certainly, we are being affected; and by all we learned we are going to continue to be affected. We pray that God in his mercy will continue to keep us safe. But the country needs to be prepared.

Global warming scares the living daylights out of me. We were told that if Dean hit us squarely, where I live we could have four feet of water in my house. Usually at the time of preparation for coming hurricanes my house is filled to the brim with old people and young people. Afterwards I had to think: my mother is in a wheelchair, I have grandchildren that are young babies. I had to think, if we got hit with four feet of water, what am I going to do with my mother.

We have to start to think anew, not that we want plywood anymore, which might prove a death-trap for some people. But we have to think anew and prepare. Cayman is not moving from where it is, for certain, and we are not getting any higher. According to the conditions that are reported, small island territories, small island states are becoming more and more

endangered. So we have to learn to do things in our homes which can protect our families if we prepare.

For instance, there are things like lifejackets that people never think about putting in their homes. I thought this time of putting them in my home. I even thought about taking our boat and putting it in our yard so that if we did get that kind of water we would have something. I do not know if that makes sense, but we did it.

We have to start thinking. For instance, a simple thing like a backpack could become a home made lifejacket. Take a medium or large size backpack and take Ziploc bags and three-quarter seal them filling them with air. As they fill completely seal them so they formed an air pouch. Then place possessions or documents you wish to store in the backpack and place the air-filled Ziploc bags in the backpack making sure that three-quarters of the pack is filled securing the backpack to your chest placing the straps as you would normally tie the straps together on a person's back. This is good for children or even small older people who could not stay afloat in a sea surge for many hours.

As said, most homes in Cayman do not have lifejackets for children. With an 18 foot surge in a Category 5—as we were told Dean would be—something as simple as this could have the effect of saving a good portion of the population at no cost to the Government. But, even if a Category 2 or 3 hurricanes, with the right conditions came from the right direction that could have a devastating effect on us. Let us not believe that we have to have a Category 6 or Category 5 that we must only make preparation for.

Coming from the right direction our shorelines would take a beating. Statistically, 90 per cent of fatalities occur because of the sea surge, according to NOAA. The minimum Category 5 sea surge they say is 18 feet and can rise to 35 feet. This surge can be driven 8 miles inland. We do not have to think, Mr. Speaker, we can get the records. It was recorded in Katrina on the New Orleans coast where they say that whole towns went missing. There are only foundations. And when they tested where the water level was according to trees and how they would test in a helicopter, for instance, it was something like over 40 feet of water that went in there and took away whole towns. We may never know how many people were lost in Katrina.

We saw in the ECLAC report that we had done as a government (but I did not see any other pictures as far as when the hurricane was taking place) water covering every street. We know that it covered from sea to sea on Seven Mile Beach. We know that water came from the North Sound straight to Town Hall Road.

I have firsthand experience with some of this, Mr. Speaker. I had 60 people in my house as their roofs went off. They never had any space so they came to my house. I will never forget that I had to go out ten o'clock that morning because we lost contact

with my daughter and her husband and our granddaughter, and where their home was . . . I used to play in that grass piece and the water used to catch me up around my waist then when it rained. But the North Sound came through, and it came through over Church Street in some places.

The Presbyterian Church, whether that was the North Sound or whether some got over on the low areas where we did not have the wall and we found seaweed in that church. There is other evidence that water came traveling down but it came where they lived and I had to go out that morning at ten o'clock. I will never forget it because it took four people to hold my front door and when I got out I could not stand. I had to more or less crouch or crawl to get to the big vehicle that was in my yard.

And what I saw I have never forgotten. The wood was flying in the air like it was paper and when you looked up you saw zinc . . . everything was just like it was a piece of paper or a leaf in the air. A tree went zooming by us. If it had hit the truck I do not know what would have happened. It took a long time. It is not too far from my house to my daughter's house, because we could never drive straight on the road. We had to go sideways, shift a little bit, go sideways, shift a little bit, to get to where she was. By then the water had reached the counter. And the water stopped at the Town Hall Road. And that entrance is on Billy Manderson Drive which one part is high because it is going towards the cliff, the next part is low. And we know water finds its resting place and travels where the low points are.

So, some people—even though they went through it—as we were told a couple of nights ago, even had hurricane parties this time on the approach of Dean. They are mad! I hope that they do put their trust in God and say that God will protect us. But I beg the people of this country to stop and think. There is no such thing as partying for a hurricane. All of us who have been through Ivan know it.

People talk about hurricane rated windows. I have never trusted them, Mr. Speaker. They told me mine are strong. I begged the bank to give me \$10,000, \$12,000 (I think at the time it was anywhere between \$12,000 and \$15,000) I need to add that on to my mortgage to buy windows. Do not tell me about this window being hurricane strength. You can say what strength it is. I want proper hurricane shutters.

They say a piece of two by four traveling at 74 miles per hour can penetrate a reinforced concrete wall four inches thick. So, imagine what a roof can do, that is traveling 150 miles per hour during a Category 5.

The walls of this Assembly are cement walls and we saw some pieces of asphalt shingle embedded in the walls here in this Assembly. Pieces of asphalt shingle. So, let no one believe that these so-called hurricane windows are going to just stand it. I do not trust it. I am sorry. People talk about them but this does not take into account, I am told, the debris

caught in the wind which can become missiles thrown into the windows.

So, Mr. Speaker, a conference, yes, to take all these factors into consideration and to look at the aftermath of hurricanes, what our infrastructure—our airport, our docks, our hospitals—was like after Ivan. What are the plans if they were destroyed?

Mr. Speaker, we had something like eight feet of water that came across the airport. Today that is one of my concerns for us spending \$50 million on an airport that is already below sea level. I think Government should be looking at it very carefully. Because if one airstrip gets knocked out in a hurricane, what then for us? The dock is not sheltered and God has been good to us, and I do not care what anybody else says. They can talk about tides, they can talk about the wind by Almighty God has had his hand on these Islands. We do not need to think otherwise.

These are the kind of big scene discussions and thinking we must now do. The emergency supplies for food and water, if there is no runway no port. These are the big scene questions in the aftermath of a disaster. We need to think carefully about some of these things that affect us now. There is new equipment, new technology. If there is any such new technology and equipment I certainly would like to know about it.

Mr. Speaker, a conference where experience can be shared and the public can be taught about flooding and what effect it has on us . . . we were told, Mr. Speaker, if you remember, that if Dean hit us squarely there would be but a few points in Cayman that would not be covered in water. You could think about a few areas in West Bay, certain areas in Mt. Pleasant; certain areas in Boatswain Bay; and that was just about it. Mt. Pleasant and Boatswain Bay have a ridge, and no water . . . well, I am not going to say no water, because what went past us and was recorded by equipment put in place in the ocean for that was that something well over 100 feet went across these islands, south of us. We do know that water came up on the bluff in Cayman Brac exactly where the Lighthouse is. I have seen that myself, where the water came up. And that is one of the highest points, if not the highest point in Cayman Brac. We were told the sea somehow lapped up on that.

We do not have to wonder what nature can create and what maybe in a few minutes can happen. We know. It is recorded.

I shudder to think . . . nothing would save us on those high points in West Bay, 35 feet above sea level, highest point, and in George Town a few areas on Halfway Pond and that ridge going southwest coming across Linford Pierson Drive and that area. Some of it might be high. I hope so because a lot of vehicles were parked there for Ivan and Dean, government vehicles included. So, obviously someone checked it out to see the exact height.

But we were told that we could expect that and where I am over on Boltins Avenue in West Bay—

a long distance from the shore—I could expect four feet of water in my home. If that does not frighten you, then tell me what else will. So, we have to be worried, we have to constantly pray to God that we do not get hit with kind of system.

A conference where experience can be shared and the public can be taught about flooding and evacuation I think would be a good thing. One for learning something, Mr. Speaker, is something that the Opposition can support. There are other areas I could touch, but I think for the sake of brevity I have said enough to say that we support it. We have our concerns about flooding; we have our concerns about our infrastructure and shelters; concerns about hospital, airport and dock.

Planning for the future is something that I think we all understand, and all want to sit down and do. Therefore, certainly, we will support the Motion.

**The Deputy Speaker:** Does any other Member wish to speak? (pause) Does any other Member wish to speak? (pause) Does any other Member wish to speak? (pause)

If no other Member wishes to speak, does the mover wish to exercise his right of reply?

**Mr. W. Alfonso Wright:** Thank you, Mr. Speaker.

I am indeed grateful for the comments offered in support of the Motion. I would like to take this opportunity to say a special thank you to the seconder of the Motion and for his contribution, and also the contribution by the Leader of the Opposition and the contribution made by the Temporary First Official Member who accepted the Motion on behalf of the Government.

Mr. Speaker, by comments made by the Members who contributed so far, we are already seeing positive results here, suggestions that would be byproducts of a hurricane conference. The lifejackets, for instance, as the Leader of the Opposition mentioned, is something that individuals never think about having in their homes. But it could be the difference between life and death with the type of weather conditions we have been having recently and we all are reminded of our exposure during Hurricane Ivan and most of us on the three Islands at the time had never experienced anything of that sort.

Yes, there are things like this that the conference will offer that we will be more readily exposed to. Whatever happens can only help our present situation. The Third Elected Member for Bodden Town mentioned seminars. These are extremely important parts of the conference that I hope would also be offered. The Temporary First Official Member also mentioned some of the logistical problems that we may have in organising the conference side and workshops and seminar side of it. We are thinking already about some of the hurdles that we have to cross. But in doing so we should be better prepared by the time we get around to that.

Where there is a will, we will find a way. We have to start somewhere.

While we have been extremely grateful for the exposure we have gotten over the years from the invitations we have received from mainly the United States, I think that the time is now. The time has come for us to do a little bit more for ourselves and to sort of take things, take our own issues in hand and start making preparation for ourselves, but to do our part in exposing as many Caymanians as we possibly can to assist themselves.

The Government cannot continue, and should not, we have to put our citizens in a position where they are able to help themselves. Many of them will if they are exposed to what it takes for them to help themselves. I think that is where we need to play our part in making sure that we give them the best possible chance of surviving.

I am extremely grateful for the comments made by the Temporary First Official Member and I would also like to take this opportunity to say how grateful I am that he was able to respond to the Motion with the vast amount of experience he has in the position that he currently holds with the National Hurricane Committee. I think it extremely appropriate and fitting that he was able to comment and accept the Motion.

I too have been positively influenced by the leadership and the contribution made by the former Chief Fire Officer, Mr. Kirkland Nixon, in more ways than one. He has been a mentor of mine for many years, a past President of the Lions Club of Grand Cayman, of which I am a member. He is a gentleman who always . . . regardless of what is going on or what is happening in life, you can always take something from him in the most casual of conversations. He can always impart something that you can use that you probably never thought of before without much effort on his part. He is just that type of individual. I believe that this country is extremely grateful to have people like Mr. Kirkland Nixon in leadership roles.

I would also like to say a special thank you to the Temporary First Official Member for all that he has done in his public service, and in particular with the National Hurricane Committee and helping us to prepare.

The exposure I have gotten, as he mentioned, was back just prior to Hurricane Gilbert when I became involved in the National Hurricane Committee. Ms. Angela Martins who, at the time was head of the Department of Social Services who had responsibility for shelters and essential relief, recruited me at the time. I have been happily involved ever since. I am extremely proud to have been given the opportunity to serve my country. I have gained a lot of experience from it.

After I became an Elected Member for the district of George Town I was asked whether or not I wanted to give up serving on the committee. My answer was simply that as long as there was no conflict

with the two positions I preferred to stay. I hope that there is never any conflict that comes out of that so I can remain a volunteer on the National Hurricane Committee.

Again, I know that Government will now do its due diligence with the Motion. I look forward to reports on the progress and I thank all honourable Members who have contributed so far, for their support.

Thank you.

**The Deputy Speaker:** The question is: BE IT THEREFORE RESOLVED THAT the Government considers the establishment of a National Hurricane Conference that would provide our citizens maximum exposure to new technology, materials and equipment that will enhance their ability to better protect themselves against this destructive force of nature.

I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it. Private Member's Motion No. 6/07-08 is duly passed.

**Agreed: Private Member's Motion No. 6/07-08 passed.**

## GOVERNMENT BUSINESS

### BILLS

#### SECOND READING

##### Firearms (Amendment) Bill, 2007

**The Deputy Clerk:** The Firearms (Amendment) Bill, 2007.

**The Deputy Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Mr. Speaker, unfortunately, the Honourable Second Official Member is in the building but in a meeting, and I have been asked to advise Members that there are some matters that are still not resolved with the Bill. The Honourable Second Official Member would prefer for the Bill to be put on the Business Paper for the next Meeting.

**The Deputy Speaker:** Honourable Members, the question is that the second reading, committee and third reading of The Firearms (Amendment) Bill, 2007, be moved to the Order Paper for the next Meeting.

I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it. The will of the House is that The Firearms (Amendment) Bill, 2007, be deferred until the next Meeting.

**Agreed: The Firearms (Amendment) Bill, 2007, deferred until the next Meeting.**

**The Deputy Speaker:** That concludes the business of the day.

I have been given notice of a matter of national importance by the Leader of the Opposition who has a statement.

## RAISING OF MATTER OF URGENT PUBLIC IMPORTANCE

### Caymanian Family under Attack

**Hon. W. McKeeva Bush:** Thank you, Mr. Speaker.

Mr. Speaker, I consider what I am about to raise a matter of national importance and I thank you for allowing me to speak to it and hopefully the Government, the people who are responsible in Government, will take it and do something with it.

The Caymanian family is under attack. Under attack from various sources that requires immediate remedy.

Mr. Speaker, let me say from the outset that we can all agree that some of these are external in nature over which we have come to accept that we have little, if any, control over. However, Mr. Speaker, some of these are internal and I maintain that with collective action and team work—and, yes, Mr. Speaker, this should be a nonpartisan issue—we can address these issues and bring some immediate relief to the average Caymanian household.

One of the most acute of these internal attacks, I call it, is the tremendous hardship that the average household today faces with the current high cost of living. It is fair to say that at no time has the stress been so widely felt and by all accounts it is only getting worse. The average Caymanian family is demanding some action and I wish to state that while I hear them I am asking Government to act because they are in a position to assist.

So, Mr. Speaker, the question that naturally flows is just how can we show strong leadership in these very trying times? I will concentrate briefly on two or three areas.

On 18 September 2007, the United States Federal Reserve cut interest rates on its key benchmark interest rates. It lowered its Federal Funds rate (the rate which banks pay to borrow money) over night; and its discount rate (the rate it uses to make direct loans to Federal Reserve member banks) by 50 basis points. This translates to a half per cent in layman's terms.

It was the first time since June 2006 that the Federal Reserve had touched its key interest rates. In

fact, it was not since June 2003 that the Federal Reserve has acted to lower interest rates. Since June 2003, it has raised its key bank interest rates 17 times. Up to 18 September, the Federal Funds rate was 5.25 per cent. As I said, it was cut on 18 September to 4.75 per cent.

The economy of the United States is showing serious signs of slowing. Many leading economists, including the former and renowned Federal Chairman, Dr. Allan Greenspan, are not too certain that it cannot be pulled into a full-blown recession due to ongoing weakness in the housing and credit markets. Indeed, some economists forecasts point to a very meagre 1 per cent growth in GDP for the fourth quarter of 2007 and first quarter of 2008.

Immediately after the US Federal Reserve lowered its bank loan rates, all leading US banks followed suit with a similar rate reduction in their prime loan rates. In fact, Bank of America cut its rate to 7.75 per cent within 10 minutes of the Federal announcement. We hope that we could be so efficient here.

Mr. Speaker, the loans that are given by local banks in Cayman are Adjustable Rate Loans, and I will deal briefly with that aspect later on in my statement. They say their rates are based on the US Bank primary.

I would hope that they would immediately take steps to reprogramme their computers loan rates on loans and other lending instruments to reflect a rate reduction of no less than 50 basis points or a half per cent effective as of 18 September.

Some may ask what this rate reduction will give to the Caymanian mortgage holder. For a 20 year mortgage of \$200,000, that translates into just under \$100 per month (US\$100 if it is a US mortgage, or CI\$100 if it is a CI mortgage). And for a mortgage of \$250,000 for 20 years, that translates a little bit closer to \$100 savings each month. For a mortgage of \$300,000 it is just about \$100 savings. Mr. Speaker, in these times each cent counts for a family.

I mentioned that I wanted to touch briefly on another concern that needs to be addressed in regard to local bank lending. It has been said by some commentators (let's call them) on this subject . . . I note that George Ebanks was on the same television show as the Leader of Government Business some time ago. He has been on the radio since that. My colleague, the Second Elected Member for West Bay, another member of the Opposition and I raised the matter in a Private Member's Motion here already that the rate which is charged by the local banks has no justification.

After all, banks in Cayman do not borrow from the Federal Reserve in the United States, they borrow from you and me. They borrow from the many savings and term deposits that many hardworking Caymanian families keep with them and on which, I would add, they pay very little. It has risen in recent times, but not a lot.

Loans to customers represent one of the key drivers of any bank's profits. I will show you a real example. In the September 2006 audited and released financial statements of one of our leading local banks, reflect that that interest income was \$47 million and interest expense was \$18.2 million. This is a two and a half time spread and it was used to pay 85 per cent of all bank expenses including salaries and all operating expenses. It is most intriguing that as of last night while we were researching on the [internet] we noted a few strange things: (a) the stated cost of funds as released by the Federal Reserve to its member banks within the New York district (that is the Federal district where the largest lending and financing takes place) was stated at 4.23 per cent; and (b) the US mortgage borrower can access a 20 year fixed-rate mortgage for 6 per cent, a 15 year mortgage for 5.68 per cent; and a 5 year adjustable rate loan for 6.78 per cent.

Mr. Speaker, you can see what is happening here. The banks in the US gauge their customer loan rates on what it is costing them to have access to loan funds.

So, Mr. Speaker, a similar system of determining the real cost of funds should be, and hopefully would be, implemented in Cayman to better monitor the lending activities of the local commercial banks as it relates to mortgage and other loan lending activities. I reckon that the real cost of funds in Cayman to banks is even possibly lower than what it is in the United States. Thus, the final loan mortgage bank rate should be a much lower per cent. It should be in, say, the 7 per cent interest rate range.

Mr. Speaker, if this matter were to be pursued by the Government, as they say they are now (I do not know if they are now or they had discussions) it would result in some cost of living reduction for many households in these Islands.

I wish to speak briefly now on another area where I think the cost of living relief can be brought to benefit the local community.

In the 2007/8 approved Budget, a surplus of \$17.5 million was forecasted. For the same period, Government's revenue reflects a receipt of \$26.5 million from import duties on diesel and gasoline. Some \$10 million to \$12 million of that could very well relate to fuel surcharge on sale of diesel to Caribbean Utilities Company. Most households in Cayman will readily tell you that one of the largest portions of their individual CUC bill relates to the Government fuel adjustment surcharge. No electricity is used for this charge; no benefit is derived. It is a tax that is being passed on from the Government to the people. That is what CUC says.

Mr. Speaker, in times of need Government has to take the lead. The quality of life for all citizens is paramount. I would like to suggest that Government wake up to the reality that currently exists on Main Street, Cayman, and remove unilaterally the CUC fuel tax. This would assist each and every struggling household by a tremendous savings. A family with a

monthly utility bill of \$600 should see a savings of up to \$300 per month. By doing away with the fuel tax on CUC, Government would still show a surplus at the end of June 2008, based on the already mentioned forecasted surplus of \$17.5 million projected at the time of its approval.

Fuel cost is one of those other cost of living areas that, while it might be external, I maintain that the setting of local wholesale gasoline prices contains an unjustified markup and is leading the cost of living rises in this country. For example, since March 2007 to the present, a gallon of gasoline has increased by a whopping 17 per cent. Name one person who any one of us knows that has received a corresponding salary increase of that magnitude.

In a recent CITN Issues, Channel 27 TV programme, the Leader of Government Business was heard to comment that he had received some data that pointed clearly to the, quote, "unfair pricing practice" that was being used by the local fuel wholesalers. What has happened to this information? Now, I believe, is an opportune time to put it to good use. If not, the old saying of Rome burnt while Nero fiddled, would be on open display.

Mr. Speaker, another area where immediate relief could be brought to each Caymanian household is by the unilateral removal by CUC of its self-styled Ivan Recovery charge. For most households this is another \$30 to \$40 per month, if not more, which could be used to meet other vital expenses.

I find it odd also that at such times as we live in a government statutory authority could be allowed to increase its water rates.

I believe our Government can contain cost of living. I feel it incumbent on me to ask them to do so and to now take action to roll back this rate increase because the Water Authority, for instance, is not losing money. But the cost of living is going up.

Mr. Speaker, we have a local economy where wages for the average household are stagnant; but on the other side of the ledger we have runaway cost of living. It is adding up to undue stress and a degradation of the very quality of life that is the hallmark of the most basic of any government's existence and Government's promises.

The way forward has to be through a partnership of sorts, shared equally between all stakeholders. While Government should and could take the leading role by itself reducing the cost of living to the average Caymanian household by some of the items I have listed, let me stress that I am looking for a shared partnership to assist the Caymanian family.

One might ask, 'Who are these stakeholders who need to act to bring immediate relief to the average Caymanian household?' These stakeholders are:

- the Government, by rolling back water rates and by eliminating the CUC fuel surcharge among other things including Cayman Airways by not marking up their profits or their products;

- the fuel wholesalers by being honest with the Caymanian public who they serve, and pricing their fuel rates at lower margins.

Mr. Speaker, that is why this issue cannot and will not be a partisan one; it has to be solved by a joint partnership of all of us working together.

Further compounding the dilemma, we now have a Labour Department that is dysfunctional. At a time when we most need an effective proactive and powerful Chief Inspector of Labour, we have a department that is seemingly leaderless, weakened and confronted with some 20,000 work permits in effect, of which some 10,000 work permits were issued without them even being consulted.

I was searching for a way to conclude, Mr. Speaker, and I found one. It is the opening passage taken from the novel by Charles Dickens in the *Tale of Two Cities*, and I quote: "**It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair. . .**"

Mr. Speaker, the average Caymanian household is under attack. Let no one believe otherwise. I would hope they do not think it is politics, but good sense, in what I am saying. It is time for action.

As an Opposition we are ready and available to assist where we can. So, Mr. Speaker, I would hope that the relevant bodies in Government will take on what I have said because I cannot stress any more how many families from East End to West Bay are now on my doorstep asking for help because they simply cannot make it.

There are other areas, Mr. Speaker, including perhaps a minimum wage for certain categories. Maybe it can be done across the board, but certain categories definitely. As I said, I hope no one thinks this is politics coming from me as a politician and Leader of the Opposition, but these are facts what I have stated here today.

**The Deputy Speaker:** We have now completed the business on the Order Paper. I call on the Honourable Leader of Government Business for the motion for the adjournment.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Mr. Speaker. I move the adjournment of this honourable Legislative Assembly until Friday, 16 November 2007, at 10 am.

**The Deputy Speaker:** The question is that this House—

**Hon. D. Kurt Tibbetts:** Mr. Speaker, before you call for the "ayes" I needed to advise Members that the

questions that have not met the Order Paper yet will be carried forward to the next Meeting. The Bills that were not able to be dealt with that were on Business Papers will be dealt with at the next Meeting. Also at the next Meeting there will be the delivery of the Strategic Policy Statement.

**The Deputy Speaker:** Honourable Members, the question is that all the business that is outstanding from this Meeting will be carried forward, and that the [House] will adjourn until Friday, 16 November 2007, at 10 am. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Deputy Speaker:** The Ayes have it.

**Agreed: Outstanding business to be carried forward to the next Meeting.**

**At 4.09 pm the House stood adjourned until Friday, 16 November 2007, at 10.am**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**16 NOVEMBER 2007**  
**10.13 AM**  
*First Sitting*

**The Speaker:** I will call on the Third Elected Member for the district of George Town to say Prayers.

**PRAYERS**

**Ms. Lucille D. Seymour:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.15 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Welcome to Student Councils from John Gray  
High School, Cayman Prep High School and Cay-  
man International School**

**The Speaker:** I would like to recognise in the Gallery this morning several young students from the Student Councils of John Gray High, Cayman Prep High and Cayman International School. I would just like to welcome you all to this honourable Chamber and I hope you learn much from what you hear being debated this morning.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**6th Supplementary Annual Plan and Estimates of  
the Government of the Cayman Islands for the fi-  
nancial year ended 30th June, 2007**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this Honourable House the 6<sup>th</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the Financial Year Ended 30 June 2007.

**The Speaker:** So ordered.

Honourable Third Official Member, do you wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker, just a brief contribution.

Madam Speaker, in accordance with Standing Order 67(1) the 6<sup>th</sup> Supplementary Annual Plan and Estimates that have just been laid on the Table stand referred to Finance Committee. And as those estimates will be considered in Finance Committee, I do not need to say any more at this point except with your permission, Madam Speaker, to move a motion in connection thereto.

**The Speaker:** So ordered.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Section 11 of the Supplementary Annual Plan and Estimates that have just been tabled contains proposals for supplementary appropriations in respect of the 2006/7 financial year. I beg to move pursuant to Standing Order 67(2) that Finance Committee approves the supplementary appropriation proposals set out in section 11 of the 6<sup>th</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Is-

lands for the Financial Year Ended 30<sup>th</sup> June 2007 which has just been tabled.

Thank you.

**The Speaker:** The Annual Plan and Estimates of the Government of the Cayman Islands shall stand referred to the Finance Committee.

**Cayman Islands Government Labour Consultancy Final Report on A Review of the Functions and Organizational Structure of the Department of Employment Relations and Labour Legislative Framework of the Cayman Islands**

**The Speaker:** I recognise the Honourable Minister responsible for the Ministry of Education, Training, Employment, Youth, Sports and Culture.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, before I lay this Report on the Table of this honourable House and speak to it, I just want to take the opportunity, in my capacity as the Minister of Youth and Education, to welcome to this honourable House a number of students from John Gray High School Student Council: Student Advisors, Ms. Beverley Chin-Sinn and Mr. Edward Todd; students from Cayman International School, and Ms. Jodie McDonald.

Madam Speaker, I know you are very much aware of the National Youth Policy which was established some years ago. We have been moving ahead with the implementation of that policy over the course of the past couple of years, and over the course of the past few months we have been going down the road to the development of National Youth Forum or National Youth Assembly. A number of the schools who are participating in that have held their student council elections and so it is very good to have a number of them here today to see how the business of a parliament operates.

Madam Speaker, if I could just say for those who might not know, or who may have forgotten, the National Youth Forum or Assembly is one of the youth empowerment mechanisms recommended by the National Youth Policy. As I said, the forum will actually be launched in January of next year. The forum is an umbrella group of young people who represent various categories of youth and who advocate on behalf of young men and women in Cayman.

The National Youth Policy defines youth as persons between the ages of 10 and 25. There will be a phased approach implementation of the National Youth Forum and the first phase which will be achieved this financial year will capture the cohort of youth from age 10 to 17 through the student councils in the secondary school system.

Each school will select the representatives to the National Youth Forum from their respective student councils. The National Youth Forum will become

an after school activity guided by the staff at the Youth Services unit and school faculty. Members of the National Youth Forum will meet as a group weekly for discussion and training on research methods and proposal writing techniques among other things. They will be expected to then present in June 2008 comprehensive papers and input to myself, as the Minister for Youth, on any issue of their choosing whether a national issue or otherwise. Once elected the student councils will select school representatives from the National Youth Forum.

Madam Speaker, just to indicate which schools are participating, we have: John Gray High School, George Hicks High School, Cayman Brac High, Cayman Prep & High School, Saint Ignatius Catholic School, Triple C School, Grace Christian Academy, Wesleyan Christian School, Cayman International School, Cayman Academy School, First Baptist Christian School, Lighthouse School and Truth for Youth School—a total of 33 representatives.

As I said when I started, the elections for the student councils have gone well in the government schools and a number of private schools. The Youth Services Unit is assisting those private high schools which do not have student councils in conducting elections and establishing the necessary councils.

So, Madam Speaker, I just wanted to give that quick update and again to welcome the students and the teachers who are here this morning.

Madam Speaker, to speak to the substantive matter that I have before this honourable House this morning—

**The Speaker:** You have to lay it first, Honourable Minister.

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker.

It is my honour, Madam Speaker, to beg to lay on the Table of this honourable House the “Final Report on a Review of the Functions and Organisational Structure of the Department of Employment Relations and Labour Legislative Framework of the Cayman Islands” prepared by Mr. Samuel J. Goolsarran, Labour/Management Consultant, dated 29 September this year.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, in an era of increasing globalisation and large-scale movement of migrant labour as we experience here in these Islands, a strong labour administration is required to promote our country's aims of development, social justice, basic human rights, equality and non-discrimination.

“Labour administration” is defined by [International Labour Organization] ILO Convention No. 150 as “public administration activities in the field of national labour policy”. ILO Convention No. 150 and Recommendation No. 158 establish and provide the guidelines, principles and institutional framework within which national employment and labour policy is developed, implemented, coordinated, checked and reviewed.

This convention calls for an effective system of labour administration whose functions and responsibilities are properly coordinated with the participation of workers, employers and the organisations and adequate human financial and other resources for the provision of effective and efficient services.

Madam Speaker, when I took office in May 2005, I was faced with serious concerns from both employers and employees about the service levels of the Department of Employment Relations. These concerns were echoed here on the Floor of this honourable House as well.

Then there was the matter of the assented-to-but-not-yet-proclaimed employment law which had been passed by the last administration and which has been left hanging to be dealt with.

What I saw clearly was the need to take a close look at what exactly were the issues impacting the customer service levels in the department, and in the context of the wide-ranging public debate, which had earlier surrounded the not-yet-proclaimed employment law, make a determination on what was the best approach to deal with that as well.

It became apparent very quickly that the review process which was needed should deliver outcomes which would detail the administrative arrangements necessary to revitalise the department while also providing a future based assessment of the legislative framework necessary for the provision of an effective employment service in the Cayman Islands.

To get this process underway a tender was developed and through that process my ministry earlier this year contracted with Labour/Management Consultant Samuel J. Goolsarran to conduct a comprehensive review covering four areas within the field of employment relations.

The deliverables from this tender were:

- (1) To provide a strategic direction perspective for the Department of Employment Relations;
- (2) To recommend an appropriate organisational structure and skills capacity for the department;
- (3) To undertake an assessment of the legislative framework for employment services which would take the Cayman Islands forward; and
- (4) To deliver an implementation plan within which the identified recommendations could be delivered.

Madam Speaker, there are many aspects of development which are hugely important to our national agenda but none are more important than social justice. This Government, Madam Speaker, continues to hold firm to this position and this piece of work is yet again another testament to that.

The extent to which our people are provided with fair and equitable employment services supported by legislation which is underpinned by international best practice and in compliance with international conventions, is directly related to the quality of life in these Islands. This, Madam Speaker, is a vital importance to us as a government and we continue to work towards this as we represent the best interests of our people.

The Report, Madam Speaker, as is the case with all such consultant reports, is an independent response to a service requested of a vendor, the Cayman Islands Government.

Mr. Goolsarran, a now retired long-serving member of the ILO team in the Caribbean, came to the process with many years of experience and a solid understanding of the multifaceted and complex business of employment services administrations and the legal frameworks which underpin these across a number of jurisdictions, both regionally and beyond. This Report, therefore, contains his views and not necessarily in all respects the plans or perspectives of this Government.

Madam Speaker, this Report will be available in its entirety later today on my ministry’s website for review by our community.

Going forward I will, through a series of interventions, proactively consult with and invite discussion from all stakeholders on the Report in order that we can proceed to develop the short, medium and longer term planning process in this area of responsibility in my ministry. But today, Madam Speaker, I will address some of the recommendations in the Report to provide this honourable House with a flavour of the findings and recommendations contained therein.

These are recommendations which I see as having significant value to the enhancement of employment services within this jurisdiction and which provide a solid basis to advance the legislative reform agenda which continues to need resolution.

This latter aspect of the process is necessary on the one hand to ensure we deliver in compliance with ILO Conventions and on the other that we continue with this Government’s established commitment to good governance, in this instance with the provision of equitable and reasonable employment administration services to workers and employers throughout these Islands.

Among the sections of the Report there are a number of key strategic initiatives which speak to transitioning the systems and administrative processes of the Department of Employment Relations into a new paradigm positioned more in line with international best practice and which specifically reflect

the employment market sensitivities of the Cayman Islands.

Some of the significant recommendations which I wish to speak to are as follows:

- (1) The organisation of the Department of Employment Relations into a series of units which would cover the areas of policy and labour relations, employment services and training, labour inspectorate and labour market statistics.

This section, Madam Speaker, describes the establishment of an appropriate structure and capacity for the department's various functions and activities and identifies the skills and other resources including information technology that is necessary for each function to be provided efficiently.

In terms of the structure and capacity of the department, some of the main subsections cover the following:

- The key task and responsibilities of staff;
- A proposed functional and organisational chart;
- Assigned tasks to staff;
- Reporting on accountability by the department;
- A management system for labour administration;
- A secretariat for the National Employment Advisory Committee; and
- An annual employment report of the Cayman Islands.

These subsections and the more detailed comments are found in the Report and its appendices. The ministry is currently in discussion and working with the department to implement the structural aspects that are in keeping with an efficient labour administration.

The second proposal, Madam Speaker, is:

- The separation of the labour tribunals from the Department of Employment Relations and the Director, including the housing of the tribunals in separate facilities;
- The provision of a full-time Chair at the level of a magistrate being employed along with a designated, legally trained and qualified Deputy Chair, who would be either full-time or drawn from the members of the panel of tribunal adjudicators.

This separate labour tribunal will be a quasi judicial body of independence, a single tier independent labour tribunal with appeals to the courts and with its own secretariat staff.

The third recommendation, Madam Speaker, is the formation of a national employment advisory committee that would be the appropriate body to consider ILO standards and recommendations on issues such as employment legislation, national labour pol-

icy, the Cayman Islands Labour Market and the national minimum wage.

The fourth, Madam Speaker, is the development of implementation plans for the Investors in People Programme in partnership with the private sector outside the remit of the Department of Employment Relations.

Madam Speaker, I turn now to the matter of a legislative framework and international standards. This section focuses on an assessment of the adequacy of existing legislative framework for labour in the Cayman Islands with reference to the proposed strategic direction, the specific requirements of the Cayman Islands Labour market, and the need to align domestic legislation with relevant international obligations.

The following are some of the recommendations of the Report in regard to legislative changes to the current Labour Law:

It is recommended that we amend the current Labour Law in terms of the name of the department and job titles as the current Labour Law (1987) piece of legislation has very different nomenclature in relation to the title of what are now the Department of Employment Relations and the Director of Employment Relations and so forth.

As far as labour tribunals are concerned, as I mentioned previously, the establishment of a single tier autonomous labour tribunal to hear and determine labour disputes with appeals to the courts on a point of law.

The contracting out of overtime rates of pay, the consultant has recommended that the law be amended to remove the option to contract out of overtime rates of pay.

On national minimum wage he has recommended the establishment of a national minimum wage by following the recommendations of a minimum wage advisory committee that is informed by research and survey information such as the National Assessment of Living Conditions and submissions by interested organisations and persons.

In relation to severance pay he has recommended that the provision for severance pay of one week's pay for each completed year of service should be without a maximum in the event of staff redundancy.

In relation to the contract of employment and work accounts each employer should enter into a written contract of employment with each employee. An employer should also be required to keep accurate work accounts for each employee and these records should be preserved for three years.

Madam Speaker, the remaining recommended legislative changes can be reviewed by those who are interested by accessing the Report on the website where they can see the additional detail.

I should say, Madam Speaker, that my Ministry is currently reviewing all legislative recommendations that have been made and the existing legislation itself in order to produce a discussion document for consultation with all stakeholders, employers and employees

alike. However, I would like to take this opportunity to indicate my thinking on some of the critical areas in which I believe reform is called for.

Madam Speaker, I am very pleased to see the outlined plans for the organisation and management of the department, and I can confirm that there has been work underway for some time now independent of this Report in a similar vein. This Report naturally provides further support to that reorganisation process.

In particular, I draw attention to the fact that the post for the director of Employment Relations is now being advertised. I look forward to seeing the department soon with a new director, allowing us to tackle the large work agenda that is before us.

Madam Speaker, the structure for the delivery of labour justice in the Cayman Islands over the years has been served by labour tribunals consisting of community-minded volunteers taking time out of their busy schedule to give back to their country. However, with a rapidly increasing workforce that has become multifaceted and very diverse, volunteer labour tribunals are being pushed beyond limits to deliver labour justice services to an ever expanding dynamic workforce.

In the near term, and in order to move labour justice in the Cayman Islands forward as was proposed earlier, I believe a full-time labour magistrate or commissioner must be put in place. This post holder will improve upon the system of volunteer labour tribunals by being able to devote himself full-time to the adjudication and delivery of labour justice in the Cayman Islands.

This however, Madam Speaker, will not remove the need, or I believe the appropriateness, to continue to call upon eligible members of our community as additional tribunal members to continue in a similar capacity to that in which they now serve. But it will mean that decisions can be rendered more swiftly as there will be in place a full-time commissioner.

Madam Speaker, it would be remiss of me not to express the thanks of this government and indeed the nation to those numerous men and women who have given and continue to give untiringly of their time over many years in service on labour tribunals. We continue to call upon those volunteers and we are grateful to them for their support and hard work.

That is it, Madam Speaker. In spite of their hard work the rising volume of cases coming before them over the past several years and the resulting backlog has found the department faced with a growing number of complaints being made to the office of the Complaints Commissioner. This is an untenable situation and it must be addressed in a systematic manner to ensure that we upgrade our services to provide full-time attention to this important work.

As all Members of this honourable House are aware, the Cayman Islands currently have an enforced Labour Law and an assented to but not yet proclaimed employment law. The Labour Law, as men-

tioned before, needs to be updated to reflect certain administrative changes, such as the nomenclature of the department and aspects like changes which increase the accountability of employers such as written contracts for all employees.

There are also other changes to the Labour Law that I believe need to be made in order to adequately address the rights of workers.

First the payment of overtime for hours exceeding the regular work week with no means of a waiver is a provision I believe we need to bring about swiftly.

Second, the removal of a ceiling for severance pay of one week's pay for each complete year of service when an employee is made redundant is only fair and just treatment for the long and dedicated service of an employee of any organisation.

Third, a national minimum wage should be established in order that employees are not forced to live a substandard life because of their earnings. The consideration of this should assume that a minimum wage protocol would not be set unilaterally but through research, surveys and consultation with both employers and employees.

I have taken the view, Madam Speaker, that in order to take this forward in a meaningful way the ministry will produce a document that outlines significant variances from the current Labour Law. This will allow the Government through consultation to put forward a dynamic piece of employment legislation that will benefit the Cayman Islands as a whole.

The formation of a national employment advisory committee is another of the key recommendations I believe worthy of consideration and I look forward to hearing from our stakeholders on this as well.

Madam Speaker, the Report undertook (as was required) an assessment of the adequacy of existing legislative framework for labour in the Cayman Islands. With reference to the proposed strategic direction, the specific requirements of the Cayman Islands labour market and the need to align domestic legislation with relevant international obligations this platform now allows me to engage with stakeholders towards a new agenda.

Madam Speaker, laying this Report today in this honourable House is a pivotal moment for business leaders and employees in this country. I look forward to engaging with various groups across our Islands to ensure that I am armed with a very clear position on the way forward on these issues.

This Report, I believe, provides a solid basis for administrative restructuring in the way we deliver employment services from the Department of Employment Services. It also provides a platform upon which we can engage with stakeholders on the legislative reform process necessary.

Madam Speaker, this Report and the work which will flow from it will have a significant impact on our people. The Government is fully committed to its social agenda and I am pleased to make my contribution in this important area.

I thank you, Madam Speaker.

### **Standing Business Committee Report for the Second Meeting of the 2007/08 Session of the Legislative Assembly**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to lay on the Table of this honourable House the Standing Business Committee Report for the Second Meeting of the 2007/08 Session of the Legislative Assembly.

**The Speaker:** So ordered. Does the Honourable Leader wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Madam Speaker, just to say that the laying of this Report is standard procedure and the Report simply contains the minutes of Business Committee meetings which determine the business of the House.

Thank you.

## **STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET**

**The Speaker:** I have no notices of statements by Honourable Ministers or Members of Cabinet.

## **GOVERNMENT BUSINESS**

### **BILLS**

#### **FIRST READING**

##### **Grand Court (Amendment) Bill 2007**

**The Clerk:** First Reading, The Grand Court (Amendment) Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

#### **SECOND READING**

##### **Grand Court (Amendment) Bill 2007**

**The Clerk:** Second Reading, The Grand Court (Amendment) Bill 2007.

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg to move the second reading of a bill entitled A Bill for a Law to Amend the Grand Court Law (2006 Revision) in Order to Change the Dates of the Sessions of the Court; and for Incidental and Connected Purposes.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Second Official Member wish to speak thereto?

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

This is a very short bill and the Bill might best be put in perspective if I should read the Memorandum of Objects and Reasons. And it reads, Madam Speaker, with your leave:

**“This Bill would amend the Grand Court Law (2006 Revision) to change the dates upon which the sessions of the Court commence. The Chief Justice has advised that the present wording of section 21 of the Law does not permit the flexibility of sitting which a modern court requires.”**

Therefore, Madam Speaker, Clause 2 of the Bill seeks to repeal and replace section 21 of the Law to provide that the Court shall commence sessions **“every quarter of the year and that the Chief Justice shall give notice of the commencement date of the sessions in any year by 1<sup>st</sup> December of the preceding year.**

**“Clause 3 of the Bill provides, by way of transition, that for the sessions of the Court in 2008 the notice required under section 21 will be published on or by 16<sup>th</sup> December of this year.”**

Madam Speaker, I think honourable Members of this House and the public will best appreciate what is being proposed if I also, with your leave, read the current section 21 of the Grand Court Law (2006 Revision).

Section 21 of the current Grand Court Law (2006 Revision) provides that:

**“21. The Court shall hold sessions for the trial of both civil and criminal cases on the first Wednesday in the months of January, March, May, July, September and November in every year and shall continue until the business of the Court is completed. In the event of the first day being a public holiday, the Court shall be held on the next working day. On occasions when there is no business before the Court, the Court may dispense with the holding of any particular session giving seven days’ notice to that effect by notice published in the Gazette.”**

Madam Speaker, the only changes that are being proposed to this is that whereas now it is fixed in law that the Court has to convene on the first Wednesday in the months of January, March, May, July, September and November, you will still have those sessions but the learned Chief Justice has the remit or the discretion to fix the date. It might very well

not be convenient to do it on a Wednesday, might be able to do it on a Friday. And I give an example.

The first working Wednesday after the New Year is usually about the 3<sup>rd</sup> or so of January. That is usually the time when most practitioners and persons who are involved in the justice system are still away on holidays. But the law requires that the Court still convene on that first Wednesday after the New Year.

With this flexibility the learned Chief Justice will be able to say the Grand Court session for January is going to commence on the second Wednesday in January, not the first Wednesday.

So that is sort of a preview of the extent of the changes. Everything else remains the same.

Madam Speaker, this in total is what the Bill is proposing and I would commend the Bill to honourable Members of this House.

**The Speaker:** Does any other Member wish to speak? *[pause]*

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

Madam Speaker, just to say briefly, that the Opposition agrees with the Bill and can see the reason for change.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak, does the Honourable Second Official Member wish to exercise his right of reply?

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I wish to thank honourable Members for their support of the Bill.

Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Grand Court (Amendment) Bill 2007 be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Grand Court (Amendment) Bill 2007 has been given a second reading.

**Agreed: The Grand Court (Amendment) Bill 2007 given a second reading.**

**The Speaker:** The House will now go into Committee.

**House in Committee at 10.51 am**

## COMMITTEE ON BILLS

**The Chairman:** Please be seated. The House is in Committee.

With the leave of the Committee, may I assume that, as usual, we will leave any minor corrections to the Honourable Second Official Member should there be any in the Bill?

Madam Clerk, would you please state the Bill and read the clauses?

### Grand Court (Amendment) Bill 2007

#### Clauses 1 through 3

**The Clerk:**

|          |                                                                                                      |
|----------|------------------------------------------------------------------------------------------------------|
| Clause 1 | Short title                                                                                          |
| Clause 2 | Repeal of section 21 of the Grand Court Law (2006 Revision) and substitution – sessions of the Court |
| Clause 3 | Transitional provisions                                                                              |

**The Chairman:** The question is that clauses 1 through 3 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 1 through 3 passed.**

**The Clerk:** A Bill for a Law to Amend the Grand Court Law (2006 Revision) in Order to Change the Dates of the Sessions of the Court; and for Incidental and Connected Purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Title passed.**

**The Chairman:** The question is that the Bill be reported to the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it. The Bill will accordingly be reported to the House.

**Agreed: Bill to be reported to the House.**

**The Chairman:** This honourable House will now resume.

### House resumed at 10.58 am

**The Speaker:** Please be seated. Proceedings are resumed.

## REPORT ON BILL

### Grand Court (Amendment) Bill 2007

**The Clerk:** Report on The Grand Court (Amendment) Bill 2007.

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg to report that a Bill entitled A Bill for a Law to Amend the Grand Court Law (2006 Revision) in Order to Change the Dates of the Sessions of the Court; and for Incidental and Connected Purposes, was considered by a Committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is set down for a Third Reading.

That concludes the Orders of the day of this honourable House. I will . . .

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, obviously as a result of the 6<sup>th</sup> Supplementary Annual Plan and Estimates being tabled, those stand referred to Finance Committee, and we previously made arrangements yesterday afternoon to contact Chief Officers within the ministries and portfolios with a view to starting Finance Committee .

We had estimated that we would start this afternoon. So we have finished the Legislative Assembly business a bit earlier than anticipated. We had previously announced to the Chief Officers that our estimate for the start of Finance Committee would have been 2 pm. Obviously if we wish to bring that forward a bit earlier we would have to notify Chief Officers, but they have been notified of a 2 pm start for Finance Committee.

Thank you, Madam Speaker.

**The Speaker:** Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Madam Speaker, I would wish to just advise Members that we will try to contact everybody and if we can start Finance Committee before 2 o'clock, certainly we will. But at this point in time for the purposes of this exercise I would have to move the adjournment of this honourable House until Fi-

nance Committee is completed, but I believe it is safe to say that we will return at 10 am on Monday morning.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, it is just 11 o'clock and the matters before Finance Committee are matters that are already—well, funds that are already spent. And I believe we could dispense with that quickly if we took Finance Committee directly after the adjournment of the House and save us some time.

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I hear exactly what the Leader of the Opposition is saying, but we need to bear in mind that we are dealing with Chief Officers and the various ministries and portfolios. I was simply saying that we need to contact them.

We cannot go through Finance Committee without the Chief Officers at least being on notice because we do not know what questions are going to be forthcoming, so we will do it as early as we can. We simply just need to contact them, Madam Speaker.

**The Speaker:** It is my understanding, then, that Chief Officers will be contacted as soon as we adjourn, and if we can resume Finance Committee before 2 o'clock the House will do so.

The question is that this honourable House do now adjourn until the conclusion of Finance Committee's business. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned.

**At 10.58 am the House stood adjourned until the conclusion of Standing Finance Committee on the 6th Supplementary Annual Plan & Estimates.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**19 NOVEMBER 2007**  
**3.09 PM**

*Second Sitting*

**The Speaker:** I will call on the First Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

**PRAYERS**

**Ms. Juliana Y. O'Connor-Connolly:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated.  
Proceedings are resumed.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** I have no messages or announcements.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Report of the Standing Finance Committee on The  
6th Supplementary Annual Plan and Estimates of  
the Government of the Cayman Islands for the fi-  
nancial year ending 30th June, 2007**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this Honourable House the Report of the Standing Finance Committee on the 6<sup>th</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the Financial Year Ended 30 June 2007.

**The Speaker:** So ordered.

Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, the Standing Finance Committee met pursuant to Standing Order 67 to consider the 6<sup>th</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the financial year ended 30 June 2007. The Committee met on Friday, 16 November and it met today, 19 November. The Legislative Assembly moved a motion that Standing Finance Committee approve the Supplementary Appropriation requests that were set out in section 11 of those Supplementary Annual Plan and Estimates document.

Madam Speaker, the Committee considered all of the 152 individual supplementary appropriation requests, approximately 80 of which were reductions to the budget appropriations, and the remaining 72 represented increases to the budget appropriations.

Madam Speaker, in net terms as a result of the supplementary request there was an overall reduction in budget appropriations of an amount that exceeded \$20 million.

The Committee considered the motion that it approve the section 11 request of four supplementary expenditures and the Committee did approve that motion. The Committee also, Madam Speaker, agreed that the Report just tabled on the Table of this honourable House be the report of the Standing Finance Committee in respect of the supplementary appropriations just mentioned.

Madam Speaker, with these brief remarks I conclude my presentation on the report of the Finance

Committee on the 6<sup>th</sup> Supplementary Annual Plan and Estimates for the Financial Year Ended 30 June 2007.

Thank you.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received notice of two statements from the Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture.

### Update on the Transformation Process in the Education Sector

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, Members of this honourable House, though I have said it many times before, I cannot stress highly enough how the transformation of the education service is a journey that we must take together as an entire community united in purpose and belief and ever cognisant of its imperative nature. Underpinning the transformation process is the notion that every child is important and deserves to be afforded the opportunity to fulfill their own unique potential.

We have come a long way since the Education Conference of 2005 and a great deal has been delivered thus far on each of the ten strategies in order to provide a world-class education system for this and future generations of Cayman's youth.

Today I want to give this honourable House a snapshot of all that has been achieved with respect to the ongoing evolution of education.

Madam Speaker, whilst all those present are well aware of the introduction of the new governance model for education in 2007, what has not been reported is the immediate impact it has had on schools in every part of the Cayman Islands in providing instant support and additional services to schools and in turn students.

This learning community-based support includes such aspects as leadership and management, teaching and learning along with dedicated special needs facilities and information/communications technology support.

The new first ever national curriculum will begin transitioning to schools from January next year, with formal rollout taking place in September of the same year. Extensive consultation at every stage of its development has maximised the support of all stakeholders, with the last consultation period finishing just last week. In preparation for this implementation, teachers are receiving a range of professional development.

All primary school teachers on Cayman Brac and Little Cayman recently participated in professional

development sessions on assessment in the new national curriculum using a method which compares students' work against the published curriculum attainment targets or levels.

This session took place on Friday November 9 and was repeated for primary school teachers in Grand Cayman on Tuesday, 13 November. These sessions take participants through a series of practical exercises using actual students' work and comparing it against the various levels for mathematics and English. The work is then assigned a level that indicates where the student is with respect to their capability in particular areas such as writing, reading and numeracy.

The new curriculum which, as I have said, will be fully rolled out in schools in September 2008 was developed in collaboration with a variety of stakeholders in education, and its adoption will be mandatory for all public schools.

Madam Speaker, the Early Childhood Services Unit formed as a result of the National Consensus document now has five full-time specialists on staff and is now properly positioned within the Department of Education services. The team is working extremely hard on inspecting early childhood settings and providing extensive professional development guidance and coaching, as well as working in close collaboration with such agencies as Children and Family Services and the National Parenting Programme. The Early Intervention team has been integrated into this team providing support for children with special educational needs at home and in other settings.

Additionally, early childhood legislation is being prepared and will be brought to this honourable House during the course of the coming year.

Madam Speaker, the methods of recruiting teachers into the government school system has been streamlined and systemised and a structured recruitment drive now takes place in ample time for the start of the school year. In fact, the first tranche of advertisements appear this week, months ahead of last year. What this does is maximise opportunities to secure higher quality applicants and better ensures that new teachers entering the Cayman education system have the skills to deliver the new curriculum within 21<sup>st</sup> Century facilities.

For the first time, all teachers interviewed last year had to demonstrate their familiarity with ICT as part of the interview process. This proved to be very successful and is now a standard part of our recruitment process. Going forward, because the new paradigm of teaching and learning is vastly different from the traditional four-walls-and-a-door model—often referred to as “cells and bells”—teacher recruitment will focus on a range of skills that are able to complement both the new teaching styles and new learning spaces. Additionally, the orientation process for teachers is placing greater emphasis on sensitising them to better understand Caymanian culture and lifestyle.

Madam Speaker, in the two years since I took office, huge strides have been made in the tertiary education sector, especially in the area of technical and vocational courses.

One hundred and ninety new overseas scholarships have been granted and of those, 110 of them were awarded during the past year. This is the first time ever that more than 100 scholarships have been awarded in any single year. Also for the first time ever, four doctoral scholarships have been granted.

Enrolment figures at the University College of the Cayman Islands show a staggering growth rate from 650, when I took office in 2005, to more than 3,600 at the start of this school year, and 95 per cent of these students are Caymanian.

This sharp increase, in both the provision and take up of technical and vocational programmes at tertiary level are right now providing much needed opportunities for students whose strengths lay outside of standard academic subject areas.

The Department of Education Services has been transformed and staff is in place to provide direct support to schools. Where necessary, service provision to students has also been markedly increased to afford all children an opportunity to reach their full potential. For example, the area of special education had received little or no attention over several years and as a consequence of being deficient, was incapable of reaching out to those who required these types of special services the most.

Since I assumed office, steps have been taken to redress the inadequacy of the system and I am pleased to report that:

- The number of Reading Specialists has almost doubled from 8 in 2005 to 15 in 2007;
- Support assistants have risen from 29 to 70 – an increase of 41;
- The number of educational psychologist posts has increased from 2 in 2005 to 6 this year;
- A gifted and talented teacher and a clinical psychologist have been engaged – neither of these positions existed before;
- The number of speech pathologists has doubled;
- The number of occupational therapists has doubled;
- There has been an increase in the number of early intervention teachers.

And Madam Speaker, for the first time in this Island's history, provision has been made for specialist staff, such as an educational psychologist and speech and language therapist to be based full time on Cayman Brac.

The benefit to parents and students of having specialist services available in virtually every community is incalculable when one considers the difference it can make to a child's life. Due to these increases, interventions and assessments now take place much earlier and are based on the needs of the individual.

Madam Speaker, there are many 'firsts' taking place as a result of the education transformation process, and many more are on the way. Schools' management software is being introduced starting this month that will allow the tracking of every student in the system from Kindergarten to Year 12, and on into tertiary education. This tried and tested programme will allow comprehensive support for school management and generate data in almost any form regarding student performance, students' progress, their results, as well as be used to write reports and monitor their attendance, special education needs and disciplinary record. It will also clear communication of data between all government schools and the Department of Education Services.

This data will enable parents and teachers to make informed decisions based on accurate information and provides yet another method for ensuring students are given every opportunity to achieve their full potential. Additionally, having a consistent system will improve management of schools and effect full integration between primary, secondary and tertiary levels.

Madam Speaker, to facilitate the ongoing professional development of teachers, the Ministry is supporting UCCI in the creation of a faculty of education. In September of this year, UCCI began offering a post graduate diploma in Education specifically for teachers, and we expect this to be only the first of such courses.

Madam Speaker, the Ministry is most concerned that our students and teachers have access to, and total familiarity with, high level Information Communication Technology (ICT) resources. There is no doubt that the integration of ICT throughout the curriculum plays a significant part in helping students work, and raising standards. ICT cannot be an "add on"—students these days expect to use it. To support this, each school is trialling the use of a range of ICT software and hardware which they will evaluate during the course of this year. This information will help guide us in ensuring that we equip our schools with resources that work for our students in the Cayman Islands.

We have also introduced a common email platform for all staff in government schools which is already supporting better communication and keeping all staff up to date.

Even in the Ministry we have embraced this technology. Our website routinely receives 5,000 "hits" a month and the relatively new education blog, "Building Caymans Future", has been viewed by 42 countries in the last month.

Madam Speaker, as you and other Members of this honourable House will be aware, over the course of the past 10 days I have held public meetings in every district, including Cayman Brac, and I have spoken at length about what has been achieved since the process of transforming education in Cayman began.

Clearly, judging by the questions, comments and discussions that took place, there is tremendous support across the Cayman Islands in respect of the new school facilities. I would like to thank everyone who came out to the meetings for their support, and I am pleased to share brochures outlining the work that is currently underway with this honourable House.

Madam Speaker, in opening this presentation, I stated that the transformation of the education service is a journey that we must take together as an entire community, united in purpose and belief, and ever cognizant of its imperative nature. I end with those same thoughts and add that transforming education to benefit our children and our communities is not optional; it is our solemn obligation.

### **The Cayman Islands Education Standards and Assessment Unit (ESAU) (Previously known as the Schools' Inspectorate)**

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I wish to make a further statement on the Cayman Islands Education Standards and Assessment Unit (ESAU) (Previously known as the Schools' Inspectorate).

Madam Speaker, one year ago I rose in this honourable House to speak to the implementation of the new governance model for the management of primary and secondary education in our public schools. At that time I indicated that the new governance model would be implemented at the start of this school year. I am pleased to confirm today that this has indeed taken place and already significant gains are being realised on many levels in the immediate support and provision of services to schools.

Madam Speaker, much effort has gone into ensuring that the work of every educational institution is realigned to focus on serving the students and providing the necessary support for their learning. In so doing, the ways in which the newly formed Department of Education Services provides service to its schools has been completely transformed and a comprehensive review of the work of the Schools' Inspectorate has been undertaken.

This review was conducted, on the one hand, to reaffirm the independence of the work of this unit as it provides quality assurance reports on the quality of education being provided within our public schools, and, on the other hand, to examine the scope of the work undertaken thus far by the unit and to consider its ongoing currency in the context of rapidly changing practices in education.

The Cayman Islands Schools' Inspectorate was established in 1996, with the first school inspections conducted a year later. Having provided inspection services to our schools for a decade now, the review considered the scope of responsibilities historically carried out by this unit. This has resulted in changes being made to ensure that its work with public and private sector primary and secondary schools

is more focused, resulting in a reformatting of the evaluation protocols to more closely reflect the country's ongoing developments in education.

Taking the new national curriculum as an example, this would mean looking at the extent to which schools are achieving the criteria articulated in the profile of the educated Caymanian contained in the National Consensus on the Future of Education in the Cayman Islands document. Beyond this, the revamped unit will provide a range of similar services to other agencies where their programmes contain an education component.

Today I am pleased to outline how the role of the Inspectorate has been restructured as part of the wider education transformation agenda. The new iteration of the Schools' Inspectorate will continue to sit as it does now within the Ministry of Education, Training, Employment, Youth, Sports and Culture as an autonomous unit, but will henceforth be known as the Education Standards and Assessment Unit. The head of this unit will be called the Director of the Education Standards and Assessment Unit.

The mission of the revamped unit is to contribute to the continuous improvement of education in the Cayman Islands through the provision of rigorous independent evaluations. By providing the Ministry with high quality advice and research, findings from the unit will inform and drive many aspects of education policy reform.

Until September of 2007 the Schools' Inspectorate (as the unit was formerly known) provided support, advice and guidance for public schools through a link inspector role. However, under the new governance model, the responsibility for improving schools clearly falls within the remit of the Department of Education Services.

This new clarity enables the functioning of the two units to be more clearly delineated with the Education Standards and Assessment Unit evaluating and reporting on what the schools do well and what needs improvement, while the Department of Education Services supports its schools to move forward by utilising learning community leaders and other services to put support mechanisms in place.

Under this new structure, officers formerly known as School Inspectors from the Education Standards and Assessment Unit will continue to have a link role, but with the four learning community leaders rather than with individual schools as was previously the case.

The rigorous external evaluations carried out by officers from the Education Standards and Assessment Unit (ESAU) provide the Ministry, the education system, parents and members of our community with a clear and impartial view of the quality of education as it is being offered within our public school system including the strengths and opportunities for improvement.

Over the years tremendous effort has been placed on developing positive and productive relation-

ships with all private schools and the process for evaluating private schools will be the same as for government schools.

Additionally, as an expansion to its role, ESAU will also evaluate public institutions other than schools, where programmes being offered contain an educational component.

Madam Speaker, going forward every school evaluation conducted by ESAU will judge the extent to which that school or setting prepares students to fulfill the profile of the educated Caymanian as described in the National Consensus document. That document, you will recall, was unanimously accepted in this honourable House on 13 October 2005, and for ease of reference I quote from it:

**“... an educated Caymanian will:**

- **Be enthusiastic and motivated about learning, and will continue to extend his/her knowledge and skills after leaving school**
- **Be literate, numerate and adept at using information and communication technology**
- **Be a good communicator**
- **Be creative and appreciative of the arts**
- **Have a positive outlook and a high self-esteem**
- **Be well-rounded, good at finding solutions to problems, flexible and adaptable to changing circumstances and demands**
- **Have a strong work ethic and willingness to become an honest, reliable and responsible member of the work force**
- **Be respectful of God, him/herself, others, people from different backgrounds, the environment and property**
- **Be proud of and knowledgeable about [our] Caymanian culture, whilst respectful of other cultures and beliefs**
- **Be a good team player, civic-minded and willing to serve**
- **Have an awareness of global issues affecting aspects of the life in the 21st [C]entury”**

Madam Speaker, in order to ensure that educational standards are met and maintained, it is customary for government and private schools to typically undergo assessments every four years. Evaluations are based on criteria set out in the Handbook for the Evaluation of Schools using a scale of 1 through 4 where 1 is at the top end. If a school is judged to be very good, that is, Grade 1 in terms of its overall effectiveness, then it may not receive another evaluation for five or six years. A school that is judged to be providing an unsatisfactory standard of education at the bottom end (Grade 4) will be visited for a progress review within two years of the initial evaluation and a full assessment will be conducted two years later.

Additionally, all schools [that are] found to be wanting in terms of the quality of education provided

are required to either submit an action plan or modify their existing school improvement plan to show how it will address the weaknesses highlighted by the evaluation.

The unit will continue to undertake a range of surveys that look across schools or other educational provision, to provide a view of the quality of provision across the Islands. There will be a programme of surveys each year according to a priority list determined with the Ministry. The unit will also produce thematic reports based on summarising issues from evaluation reports or from research from all contributors to the development of education policy.

Madam Speaker and Members of this honourable House, it has been my privilege to share with you today details of how the transformation of the Education Standards and Assessment Unit will in turn assist the Ministry in its efforts to bring about the necessary and long overdue transformation of the education service provided in these Islands.

The transformation of ESAU will provide for greater clarity in its work and more alignment to the findings of the National Consensus document. With the responsibility for school improvement and professional development now resting with the Director of Education Services, the unit is now better positioned to operate more autonomously in carrying out its primary functions, which are evaluating the quality of teaching and learning, especially with respect to fulfilling the profile of the educated Caymanian and providing policy advice.

Madam Speaker, I trust that you, all Members of this honourable House and the wider community, will continue to share my enthusiasm as we advance further along the transformation of education process and I look forward to your continued support.

Thank you, Ma'am.

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READING

##### **Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007**

**The Clerk:** First Reading of The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

#### SECOND READING

##### **Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007**

**The Clerk:** Second Reading, the Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move, in accordance with Standing Order 48, the Second Reading of a Bill entitled the Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007.

**The Speaker:** The motion is duly moved and is open for debate. Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker.

The purpose of this Bill is to seek the Legislative Assembly's approval for supplementary appropriations in respect of the government's financial year that ended 30 June 2007.

The Bill, Madam Speaker, is very simple. It consists of three main parts: Clause 1 gives the name of the proposed law; Clause 2 speaks to the appropriation authority which this Bill, if passed into law, would provide; and, thirdly, the Bill contains a Schedule.

Madam Speaker, the details of the supplementary appropriations are shown in the Schedule to the Bill. Those items in the Schedule to the Bill have been considered by Finance Committee and that Committee has in fact approved that those supplementary appropriations be authorised in respect of the 30 June 2007 financial year.

Madam Speaker, a short while ago I made comments in respect of the Finance Committee report and gave some brief statistics about the number of supplementary items sought. I did not have the information in front of me at the time and speaking from memory I do not think I quite got it right.

Madam Speaker, the number of items in the Schedule total 152 individual items. There are 72 of those that relate to negative supplementaries, or actually reductions in the budget figures, and there were 80 that required additional supplementaries or positive additional amounts to the existing budgets.

Madam Speaker, for those 72 supplementaries which represented a reduction in our budget figures, the dollar value of those are some \$52.2 million, whereas the 80 positive supplementaries, or additional supplementaries, the dollar value applicable to those is some \$18.5 million approximately. So, when we net the two sets of figures together the effect of the supplementary Bill before us is to reduce the budget figures by some \$33.7 million.

Madam Speaker, as these items were questioned and scrutinised in Finance Committee last Friday, 16 November, and today, 19 November, it is not

necessary for me to comment any further on the Bill and I would therefore respectfully ask honourable Members to support the Bill.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak, does the Honourable Third Official Member wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, just to thank all honourable Members for their support. Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, has been read a second time.

**Agreed: The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, given a second reading.**

## THIRD READINGS

### Grand Court (Amendment) Bill, 2007

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

Madam Speaker, I beg to move that a Bill shortly entitled the Grand Court (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Grand Court (Amendment) Bill, 2007, be given a third reading and passed. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Grand Court (Amendment) Bill, 2007, has been read a third time and is passed.

**Agreed: The Grand Court (Amendment) Bill, 2007, given a third reading and passed.**

### Suspension of Standing Order 47

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, on behalf of the Government I beg to move the suspension of Standing Order 47 so that The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, can be given a third reading in the same sitting as the first two readings of the Bill.

**The Speaker:** The question is that Standing Order 47 be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 47 is accordingly suspended.

#### **The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007**

**The Clerk:** The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, Third Reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move that a Bill shortly entitled the Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, has been read a third time and is passed.

**Agreed: The Supplementary Appropriation (July 2006 to June 2007) (No. 3) Bill, 2007, given a third reading and passed.**

## **OTHER BUSINESS**

### **PRIVATE MEMBERS' MOTIONS**

#### **Private Member's Motion No. 9/07-08**

#### **Establishment of Craft Training Centre**

**The Speaker:** I recognise the Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I move Motion No. 9/07-08, Establishment of a Craft Training Centre which is seconded by the Second Elected Member of Cayman Brac and Little Cayman.

**WHEREAS the tourist industry in any country promotes its culture through crafts;**

**AND WHEREAS Cayman tourism products are predominantly made outside of Cayman and are, therefore, not indigenous products;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers collaborating with the relevant entities and individuals to set up a Training Craft Centre which builds on existing craft and the development of other Caymanian artifacts.**

**The Speaker:** Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Madam Speaker, I beg to second Private Member's Motion No. 9/07-08.

**The Speaker:** The Motion has been duly moved. Does the mover wish to speak thereto?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Yes, Madam Speaker, I would like to make some brief remarks.

Madam Speaker, first of all, I would like to pay homage and thanks to all of those persons who have over the years kept the craft industry of the Cayman Islands afloat. I know it has been very hard for them, in particular when they have competition with artifacts that are made outside of the Cayman Islands. But, Madam Speaker, cultural tourism is the fastest growing segment of the tourist industry in any country and craft and our heritage is part of that.

Tourism remains one of the pillars of the economy of the Cayman Islands creating not only wealth, but also employment for residents of the Cayman Islands in a range of industries from transport to catering. However, Madam Speaker, our product needs to be constantly renewed.

Our competitors in the region have enhanced their tourism products by drawing on the natural cultural, sporting and other resources with which they have been blessed. We know that the Cayman Islands have rich, but neglected, cultural tradition that includes craft.

Madam Speaker, many, many years ago when I was a child, craft was a very important aspect in our industry, in particular, for an economic means. Suffice it to say that as we expand the tourism indus-

try the Caymanian craft, I believe (and that is my belief) is not as pertinent and not as in front of as the other crafts that come from overseas.

Tourists go to a country for various reasons and a lot of it is for culture. Both of us, Madam Speaker, went to Fiji. Now, Fiji is a country that has used its heritage, as far as I can see, to attract tourism and at the same time the artifacts of that country were based on their heritage. You and I visited a lot of these stores and we saw what the people could do there. I do not see that here.

With no offence to anyone, let us take Pedro St. James, which is our heritage. I expect that on Pedro St. James' compound there would be an institution or something set up to mimic the heritage in terms of artifacts of Pedro St. James made by Caymanians and made in Cayman.

I remember visiting Pedro St. James with one of our colleagues from the United Kingdom who insisted that he was not going to buy any artifacts because they did not resemble anything that a local would have made. For that reason, I brought this forward to see if we can set up an institution whereby we can utilise the existing persons that we have and work with other entities in the cultural areas to help us set up a craft centre so that we can help people hone the skills that they have. All of us, Madam Speaker, were born with some kind of talent; but we do not know what it is until sometimes there is something in our face and it comes forward. And I know that a lot of Caymanians know the Caymanian craft. They know the thatch palm, they know this.

I visited one of the Heritage Days the other day and there was a lady there who was not from here but she was doing some craft. If we are not careful, Madam Speaker, some of the craft from other countries will come in and work into our own crafts as if they were our crafts. And it can fool you if you do not have a discerning eye. For this reason that I think we need this in the Cayman Islands.

This is where inter-ministerial can come in, because culture is under the Honourable Minister of Culture; Tourism is under the Honourable Minister of Tourism, and we would have to integrate Planning into this, where we could sit down and set up an entity that would benefit our people who have existing skills in craft and also to look at other artifacts that would help the Cayman Islands.

Madam Speaker, while visiting the Heritage Week, I also understood from some of the persons who were doing craft that the people are told on the ships that they must not purchase the craft in Cayman. I would wonder why that is so, if that is so. I am wondering if it is so, if it has anything to do with the business of how we go about our craft.

Therefore the centre would help not only in honing our skills, but the centre would help us, our people, with how to administer their little project, how to manage, how to do bookkeeping, how to understand marketing and how to get funding in order to

develop all of this. And these are things that I believe the centre would have. It would not just be teaching them how to make craft but how to do the business so that they can become entrepreneurs.

Madam Speaker you know, on the opposite side and outside we hear that we are not helping the poor. When I came into this business it was not as if the poor just existed two years ago. The poor have been here and subsequent governments have not made a direct issue of helping the poor uplift.

If we can help some of the poor people that we think have these skills by setting up this Centre, then the PPM Government would have done a lot. And it is okay for us to say that we are helping the poor, but if we do not teach them how to fish and we only give them fish all the time, you know . . . If Cayman people are so poor now—and I want to say this, Madam [Speaker]—it is not because they are poor at this time, they were poor because subsequent governments allowed them to be poor and never looked into addressing things like craft centres, teaching them skills, teaching them how to fish.

This is the reason that I am asking that Honourable Ministers and the Government to consider collaborating with the relevant entities, individuals, to set up a craft training centre to address the perceived threats to our cultural, social and economic well-being, and to help the Cayman Islands—that are very, very advanced in tourism—to help the Caymanian people to be part of this industry that a lot of people are making a lot of wealth from.

We know that cultural tourism is a fast growing entity in the tourism industry; and for that, Madam Speaker, I submit to the Government and ask if they would consider collaborating with the relevant entities and individuals to set up a craft training centre to address these perceived threats.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

First let me congratulate the Third Elected Member for George Town for her comments and also for her Motion that she brought. I think she has done a very good job in laying out her vision and her ideas for a craft market and building on that part of our tourism industry.

I would like to spend my time and my brief comments on a vision for Cayman Brac and Little Cayman because even if the craft market, or the training centre, is set up in Grand Cayman there is still going to be a void for Cayman Brac itself and Little Cayman.

Cayman Brac and Little Cayman are blessed with craftspeople. Our heritage and our traditions have

been passed down and on a daily basis. If you know where Caymanite jewelry is being made or where baskets and fans are being made you can drive to individuals' homes and see that. But unfortunately, not all of the tourists that arrive on our shores really know how to do that or where to go and sometimes the operators of the properties themselves are not aware of where to send the visitors.

We have a Heritage House on Cayman Brac which is manned every day, six days a week. We celebrate Heritage Month, which is this month, and they have done an excellent job.

One of the things I ask that the Government consider under this Motion is arranging for our craftspeople to be available at the Heritage House at least two days a week. In that way, number one, they would be invited to come to the Heritage House and make their crafts whether it is jewelry, whether it is coconut drops, or whether it is wawmpuhs. But they would be there actually doing what they do best when they continue our traditions. And when they are there the tourism properties themselves would realise that that is a part of the product that Cayman Brac and Little Cayman offers, that they can advise them where they can go to experience our heritage.

It also does a couple of other things: It will allow the Government to offer to purchase the goods that they actually make on the days that they work there, so that gives them income, basically, a supplement or as much as a part time job would. But it gives them a guarantee as they make these products. At this point in time they have no central market to sell them in and have to send them usually to Grand Cayman to have them sold. It gives them a central point of where they are available to be sold, and then if they are not sold, the Department of Tourism or government can use them.

They can identify the keyrings made out of Caymanite, the other small baskets that are given away to show what our people make, what we have brought down through generations, and in the giveaway baskets we expose some of our traditions and some of our talents on a worldwide basis, as these are sent out as gifts.

But additionally, Madam Speaker, this would allow the school children themselves, because now the school would know that these people are there one or two days a week and they can plan visits and teach classes to the Heritage House. And the younger children that want to not only experience these talents and skills, but want to learn, can be involved in learning it.

So, Madam Speaker, I believe it is a fairly specific request, but I know the good Ministers involved will take it on and consider it seriously. I think that it makes a lot of sense and, again, I compliment the mover of the Motion, the Third Elected Member for George Town—because it would guarantee this programme that our traditions will live on given an opportunity with the exposure. It would guarantee income

for the craftsmen and craftswomen who are working and finding it hard to find the larger markets for their products in Cayman Brac and Little Cayman. And it would also allow the Department of Tourism to have the goods that are actually made in the Cayman Islands to show at tradeshows and to pass on to the people they do business with on a worldwide basis.

So, Madam Speaker, with those few comments I support the Motion. Thank you.

**The Speaker:** Does any other Member wish to speak?

Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you very much, Madam Speaker.

Madam Speaker, I rise on behalf of the Government to accept the Motion presented by the Third Elected Member for the district of George Town and seconded by the Second Elected Member for the district of Cayman Brac and Little Cayman. Madam Speaker, the Government is certainly in support of the Motion to consider the establishment of a craft training centre.

Madam Speaker, the existing craft market was established in 2005, and when it was being established I had discussions with the management of the Tourism Attractions Board under which it falls, with respect to the whole issue of the production of the items that would be sold there. I had a concern that given the location, if we did not put the proper training in place, as the Member has spoken to with respect to this Motion, we would have an issue with respect to production and essentially keeping up with the demand for those products.

So, I think the Motion is timely, Madam Speaker. I am aware that the Tourism Attractions Board has done some work on the issue and they—in fact last year—conducted two or three sessions with those operators that currently operate from the craft market with respect to the whole issue of production and training, arts and crafts.

Madam Speaker, the mover of the Motion also spoke to the Heritage Days and what we witness when we attend the Heritage Days. It is true that what we see when we go to the various districts is certainly very impressive and we need to ensure that the individuals in the various districts have not just the opportunity for training but also the opportunity to put those products in the market where they can effectively distribute them and make a profit from them.

Madam Speaker, there is also an opportunity for a tie-in with what the Motion is asking for with the Tourism Apprenticeship Training Programme. That programme, as you know, has already been launched and there are currently 20 students in the programme. The first group of students is going to be focusing on food and beverage and accommodations, but the programme is much wider than that and we intend to significantly increase the number of apprentices going

into the next financial year. So, there will be some opportunity for a tie-in there.

The suggestion, Madam Speaker, from the seconder of the Motion with respect to Cayman Brac and the Heritage House, I think makes absolute sense. We can certainly work with the Member on that suggestion, as well as on his suggestion for any of the arts and crafts which perhaps are not moving as fast as we would like them to move with respect to either the distribution or sale. We could, as the Department of Tourism, take some of those items and use them with the various promotions that we do in various parts of the world.

Madam Speaker, the Motion calling for the establishment of a craft training centre, as I said, is a good one. I think that there is certainly an opportunity for us to not just take that on board with respect to everything else that we are doing in respect to arts and crafts, but also to consider—and I know that the Honourable Leader of Government Business will speak in more detail to this—the agricultural tourism attraction that is going to be established in the Lower Valley area and see whether there is an opportunity there. Perhaps that is the most appropriate location to establish such a training centre.

So, Madam Speaker, with those few words, again, I am very pleased on behalf of the Government to accept the Motion.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]*

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker, and, again, my congratulations go out to the mover of this Motion, the Third Elected Member for George Town, and the Second Elected Member for Cayman Brac for seconding the Motion, and to our Minister of Tourism for accepting the Motion on behalf of the Government.

Madam Speaker, I am extremely delighted, to say the least, that the Third Elected Member for George Town, my colleague, has brought this Motion. These are things that we continue to talk about on a regular basis our need to highlight and to do what we can to make people aware of Caymanian things that are important to us; things that played a major role in the development and have great historical value to this country that many of our residents now may not even know anything about, but were extremely important to the building of our country.

I am in support, Madam Speaker. I am always full of pride whenever we have discussions such as this, and I remember many of the things that were important to me and how I considered them to be a normal part of life, the things that we did. For instance, I would like to bring back the simple coconut tree that was in everybody's yard. Regardless of where you

lived there were always coconut trees. And they seemed to have developed some sort of a plague nowadays because we seem to want to replace them with the foreign imports and coconut trees are no longer important. We find it a lot easier and a lot more pleasurable nowadays to simply go and buy coconuts.

There are so many things that can be done with a coconut palm, with the shell, with the husk, with the limbs, with the leaves. I mean, that is an area where so many things, so many craft items can be manufactured from a simple coconut tree, let alone how good it is for human consumption.

So, in all of this, Madam Speaker, I believe that not just the establishment of a craft training centre, but we need to think of this as a complete package and understand that it is not just setting it up, but it is also establishing a system where that sustainability is possible; that whatever we are going to use, if it is going to be coconuts or whatever it is that we are going to concentrate on, or thatch work, that we make sure to have enough coconut trees and thatch palms in order to do the work.

I believe that there is a lot more to the Motion than simply setting up a craft training centre, because I would want to believe that the things we are going to make these crafts from, that we want as much as possible to also make that Caymanian, that we do not have to import the pieces and then have them made here. While I understand that that may be something that we have to do for a time, I believe that our goal should be towards making those products completely authentic, born and grown in the Cayman Islands.

There are so many things, Madam Speaker. As a boy I remember using the coconut husk as a tool to clean and polish the floor. And the many different things that we use the shell for; it could always be used for decoration but there were times that you could use the shell of a coconut for a knife because it can get very sharp depending on how you break it, and you had to be extremely careful with it, that you did not get a real nasty cut from it. And there is, you know, the coconut brooms. The leaves can be used to make hats and all kinds of figurines and stuff.

And while I understand, Madam Speaker, I will readily acknowledge that the talent to do all of these things may not be in our indigenous Caymanians anymore, that we may have to accept some help from some of our neighbours in order to get this established. I am not too proud to accept that help because I think in the long run our country will definitely benefit and believe that that is the way we should go.

The Go East Initiative, Madam Speaker, is something that I felt very good about when I first heard of it and I still feel that way. What I would like to see in the Go East Initiative is this type of industry; going into East End and finding shacks or somebody's home where they manufacture these things and sell them right there where you do not encourage . . . It could be a shack made for the purpose of selling craft.

*[inaudible interjection]*

**Mr. W. Alfonso Wright:** And I would shutter to think that anybody could think that I meant anything different by that, Madam Speaker, but—

*[inaudible interjections and laughter]*

**Mr. W. Alfonso Wright:** But this is the type of thing that I would like to see encouraged in our East End district, where we help our citizens in those areas. Make it easy for them to establish businesses, do not expose them to the bureaucracy of setting up companies and having to apply for this licence and that licence, Madam Speaker, that we simply authorise these people in some easy form or fashion to carry out their own businesses and develop their cottage industries.

We do not necessarily have to have a whole pile of seven-story buildings and all this kind of stuff in order to make this type of industry work. Many of our people who may not want to drive to work or travel long distances to earn a living could do things like this right out of their home. This is one of the reasons why I am so much in favour of this and believe that it can be done here in our country.

There are many things in Cayman that, as small as we are, Madam Speaker, are unique to individual districts. I believe that we ought to help identify and mark those products, make it known that this is the way the North Siders make the coconut broom, but here is how the East Enders do it. And we make that differentiation. What I have just said may seem dull and boring to us but to the tourists that is a story. That is what they want to hear, that you walk around the corner and five miles away this simple thing here is done completely different. And that is where we do not give ourselves enough credit; we simply discredit little things like that because it is of little interest to us, but it is what builds the culture and what the tourists are interested in.

Madam Speaker, we need to make sure and understand that we must also assist in creating outlets; that we just cannot assist with the manufacturing of the product and then not help with the marketing side of it to make sure that it is worth everybody's while and that they can earn a living from it.

Again, it is not simply the establishment of a training centre, but the complete marketing to make sure that the goods can be sold. Whether it is at strategic locations along the Seven Mile Beach wherever the tourists are, whether it is along the roadside if it is in the eastern districts, whether it is somewhere along the cruise ship route where the tourists come in, wherever it is we have to establish proper outlets for our Caymanian people to make sure their products get sold. In doing so I understand that it takes quite a bit of negotiation, but the cruise ship companies need to understand that they must support us in those areas.

Madam Speaker, this may be a little out in left field but the way that Caymanians cook, the traditional pots, the traditional recipes are a craft within themselves. I believe that this is something we must also encourage and try to pass on that legacy to our younger people where they understand how to make a good rundown, a good turtle stew, a good Cayman style beef, all of these things that go along with this craft thing so that when they come to buy their little crafts they can get some good coconut drops, good almond candies and those kinds of things that have been a part of our culture and things that have meant a lot to us.

So, again, just food for thought as we go about, Madam Speaker, looking at this.

There is a lot more that I could say because topics like this I could talk for days on, but I would not want to derail the Second Elected Member for West Bay in his ability to speak for two hours. I would like him to hold onto that for a while. I am sure he is coming after me, Madam Speaker. But I am in support of the Motion and I trust that other Members will do the same.

**The Speaker:** Does any other Member wish to speak?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, this Motion I can say, enjoys the support of the Opposition as well. And I must say that when we look at this whole issue and see what is needed and keep hearing—and the Honourable Minister of Tourism can attest to this as well—when you hear the Florida Caribbean Cruise Association (FCCA) and those other organisations asking for things Caymanian and asking for things like a craft market, I am not saying that what we have now is the be all and end all, and that we do not have a lot of work to do, but it is a start. It is a start and it is a step in the right direction.

Madam Speaker, when we think of black coral, Caymanite, thatch work, not to mention what we think of in the more traditional sense of artists, we do not have any lack of talent in Cayman. Perhaps we do need to have some refining and come up with strategies to increase supply. We also are going to have to look long and hard at what we are going to allow indigenous products to have to compete against.

Madam Speaker, this issue in large measure comes down to the economics. How many of us support our local artisans? How many of us own a piece of black coral, a piece of Caymanite? How many of our wives own a thatch basket, a thatch handbag, a thatch wallet? How many of us truly support things Caymanian?

It is easy to pay lip service to this issue. It is easy to say that we are going to get up in this Legislative Assembly, as I am sure this issue has been debated before, because nothing has surprised me more

in looking at the handwritten book that we maintain here of past motions that were the thought process of many past legislators on issues that were important. A lot of people felt impassioned, but at the end of the day do we as legislators truly put in place the infrastructure that is going to make things last?

People are not going to be able to be in these industries if they truly cannot make a living from them. If we do not put in place the necessary, policies or legislation to ensure that the Caymanite and the black coral is not pushed down the counter and crowded out at the craft market and other places by cheaper, foreign imports, are we going to be able to achieve the goal?

So far I have heard a lot of feel good in the debate and the feel good is all about politics because when we feel good, when the press reports it and when people hear it they feel good for that moment and will say, 'Yes, the legislators care about this issue, you see they brought a motion.' But at the end of the day are we going to ensure that what is put in place is going to be something that lasts and is sustainable?

Madam Speaker, we need to make sure that our crafts persons, our artisans and their products are given the support and infrastructure they are going to need to ultimately be able to bring to market in the requisite quantities, products that I am confident can uplift the tourism product. But we also have to deal with a lot of other issues that are out there that all of us hear about. We hear about persons who perhaps have a specific talent and they become very suspicious and they do not necessarily want to use some of the outlets that are provided like the craft market for whatever reason, for whatever preconceived prejudices that are there.

I can tell you that there are instances where persons look at their product. Let us use a piece of black coral, for example, or a thatch basket and say, if someone can sell it for \$50, then I want to make the \$50. I do not necessarily want to sell it for the \$30 or \$35 and understand that there might not be in the economy enough room for every person to be a retailer. Those are the real issues that have hurt a lot of our artisans in the past. Those are issue that I think have to be continued to be worked on. It is not an issue that has just happened today; it is not an issue that we can just lay at the feet of any particular administration. It has been an issue that has gone on for quite some time.

Madam Speaker, we also need to make sure that in all of this we recognise and enhance what is currently available. I know that the Cayman Islands Investment Bureau has run many, many good workshops that deal with things like ensuring that persons who are going to become entrepreneurs are better equipped to do so, offering things like simple classes in bookkeeping and the importance thereof; marketing.

I believe over the years there have been things that have been done by successive administrations that have assisted our locals and our artisans. Perhaps what is needed now is a pulling together of this in a more holistic fashion to make sure that all the i's are dotted, all the t's are crossed and try to connect them and hook them up with the market in a more seamless fashion.

As I said, I believe the craft market is one of the necessary and important steps in the right direction. It has been something that has been talked about and wanted for quite some time. I remember we had one that, from what I could see of it, had basically become a depot for persons to get lunch, but that was supposed to have been the craft market. And so, again, it was an idea, it was started, and for whatever reason it tapered off and so the artisans, when you spoke to the people about the old craft market, none of them had any confidence in it whatsoever. The new one, from what I can see in driving by there, certainly seems to be filled up all day in terms of persons being there selling. There seems to be quite a bit of interest from tourists.

And so, Madam Speaker, we see that there seems to be not only the other outside entities (as it relates to tourism) saying that there is a need for it, but when it is brought to the market and—no pun intended—when it came on line there seemed to be the type of support that they talked about.

But, again, I get back to one of my earlier points: What happens when you have the local artisan and his products being crowded out by alternative imports that may be cheaper? How are we going to address that issue and how are we going to deal with it because at the end of the day it is a real threat to this Motion resulting in what it is that we are hoping for it to result in.

Madam Speaker, we need to continue to support the Cayman Islands Development Bank and their small business loan product and loan initiative.

#### Hour of Interruption—4.30 pm

**The Speaker:** Honourable Member, it is the Hour of Interruption.

Would you suspend the Standing Order because I do not have the authority? If the Business of this Motion was going to be concluded I could bypass the interruption.

*[inaudible interjection by the Second Elected Member for West Bay]*

**The Speaker:** Would you make it three or four minutes.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** Madam Speaker, when we look at the Development Bank and what it has done,

there are complaints there. Again, we need to address those complaints. There are complaints about there being too much red tape, people having to put up more than 100 per cent collateral to get a very small business loan. We cannot keep those sorts of obstacles in the way of people.

When we look, Madam Speaker, at what was envisioned for Boatswain's Beach and the Cayman Street that was supposed to be there, where local artisans would have the ability to go to market and be able to take their products, again, a small but important cog in trying to get where the mover of this Motion, as I understood it from her debate, is trying to see that we get to.

I can remember there being talk in West Bay that the reason the Government had given up the land for the Heritage Village was because it was intended that local artisans would have been able to have that as a local gathering place and a place to be able to display their wares. Again, it could have been a stop along the tours within the district for cruise ship passengers, but for some reason that did not quite work out the way it was intended.

I think there have been attempts. I do not think it is fair to say that there have not been attempts over the successive years of administrations that saw the importance of this. I think now what we need is a new impetus. Hopefully this Motion provides it, and hopefully a pulling together of all of the strings that have been just sort of dangling that all need to be neatly intertwined, just as the ladies that make the thatch hats intertwine their thatch and put it together into a good sustainable product. I think it can be done and I think it can be done without necessarily a lot of expense on the part of Government.

I know a lot of the ladies from West Bay, and I know it would be the same thing for every district, who all want to find children and young people who they can train. I know there were three in West Bay who used to do it for free with young school children in terms of teaching them the thatch craft.

But, Madam Speaker, the overall economics have to work. We need to ensure that there is a proper business model put together. Otherwise we will be back to square one. We will be wanting it, tourists want it, and there just being a gap in terms of the supply of products.

**The Speaker:** Honourable Member, I have given you five minutes. You need to wind down or the Honourable Leader of Government Business needs to move a suspension of the relevant Standing Order to go beyond the hour.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker. And I thank you for your indulgence and your latitude offered to me today.

I just say that we support the Motion and we need to make sure that it is not just lip service being paid to this, that we actually put this thing together

and pull it together properly for the sake of ourselves and future generations.

Thank you, Madam Speaker.

**The Speaker:** I will entertain a motion for the adjournment of this honourable House.

Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Madam Speaker, I move the adjournment of this honourable House until Wednesday morning at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until 10.00 on Wednesday morning. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned.

**At 4.34 pm House stood adjourned until 10 am, Wednesday, 21 November 2007.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**21 NOVEMBER 2007**  
**10.19 AM**  
*Third Sitting*

**The Speaker:** I will ask the Honourable Leader of Government Business to say Prayers.

**PRAYERS**

**Hon. D. Kurt Tibbetts:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.21 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for late arrival from the Honourable First Official Member, the

Honourable Second Official Member, and the Honourable Third Official Member.

Before we move to the next item, as the Speaker, I am asking Members if we could start Parliament at 10 o'clock. If we are unable to, someone needs to notify the department so that we will know when we are starting. It is now 10.20 and we are just starting the business and the Standing Orders say Parliament shall resume at 10 o'clock unless the Speaker decides otherwise.

Thank you.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Cayman Islands Education Law Review 2007 –  
Consultants' First Report**

**The Speaker:** I recognise the Honourable Minister responsible for Education.

Honourable Minister.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Just over two years ago, Government Motion No. 6 of 2006 was passed unanimously by this House. In so doing, each and every Member of the Legislative Assembly resolved that the National Consensus on the Future of Education in the Cayman Islands, the Report of the National Education Conference, held on the 2nd and 5th September 2005, would serve as the blueprint for reform of the education service in the Cayman Islands.

This unanimous endorsement is not something that I take lightly: quite the opposite, Madam Speaker. I am proud that the National Consensus includes all of my fellow Members of the Legislative Assembly, and it is my sincere hope that each and every Member of this honourable House will continue to support the implementation of the strategies agreed to bring about the desired change.

Last year I returned to this House with a new governance model for a reformed Department of Education Services, which placed students where they clearly need to be, namely, right at the centre of this model, right at the heart of everything that we are doing in education.

While fundamentally important and central in advancing Strategy 1, this was, however, but one of a plethora of initiatives introduced to address all ten of the strategies in the National Consensus. In the intervening year, Madam Speaker, the governance model has been implemented, roles and responsibilities have

been clarified within the education service, and the various agencies involved have been better aligned to produce a synergy previously absent from our education system.

Today, I return once more to the Legislative Assembly with another key component in the reform process: a review of the Education Law in the Cayman Islands and the first step towards the creation of new education legislation for these Islands which will underpin both the reform process and the governance model.

The process, which will shortly produce a new Education Bill for consultation and has already resulted in the Report which I have the pleasure to bring to the Legislative Assembly today, began in earnest less than 12 months ago. It was, however, no accident that my Ministry came into contact with the education law specialists at the National Union of Teachers (NUT) in England and Wales and its Senior Solicitor, Mr. Graham Clayton, who is the principal author of this Report.

On the contrary, the NUT's legal team came highly recommended both by Professor Stephen Hoppell, whose visionary thinking has helped guide the reform of education in these Islands; and the Innovations Unit (as it then was) in the United Kingdom Government's Department for Education and Skills.

Furthermore, Madam Speaker, I was already well aware of the international agenda and remit of the NUT and its commitment to improving education beyond the United Kingdom having met the General Secretary of the NUT, Mr. Steve Sinnott, when he delivered an address that touched upon this very theme at the Commonwealth Education Ministers Conference in Cape Town, South Africa, at the end of last year.

Following an initial introductory meeting with the General Secretary and the Senior Solicitor in January this year, the NUT agreed to provide the specialist legal support necessary to undertake a comprehensive review of the legislative requirements for education in the Cayman Islands. I am pleased to announce, Madam Speaker, that this was on an expenses-only basis.

For this outstandingly generous offer, the Government of the Cayman Islands is extremely grateful, and I would like to take this opportunity to formally place on record my personal thanks. However, Madam Speaker, this represents far more than just value for money—even if it is probably the best value for money legal advice that I have encountered in my career—it is indicative of how, once again, world leaders and international authorities are keen to become involved in the exciting, holistic education transformation that this Government has so boldly embarked upon.

In the intervening period, Graham Clayton has made two visits to the Cayman Islands: one with Amanda Brown, the Head of the NUT's Legal and

Professional Services Department; and the second with Sarah Morgan, the Solicitor for Wales in the NUT.

During these visits, the team met with all of the local stakeholders, including Members of the Legislative Assembly, in order to appreciate, as far as is possible, our objectives and challenges. They have then worked in conjunction with education personnel within my Ministry to ensure that their thinking does indeed reflect the direction that we, ourselves, have charted.

Collectively, these three lawyers are able to point to over 50 years of bespoke education law experience, during a period that has seen repeated revisions and amendments to the United Kingdom's education legislation, resulting in an increasingly complex legal framework. It is this unsurpassed experience and insight, which my Ministry has had the distinct pleasure of benefitting from as we consult with a wide range of local stakeholders, with a view to constructing and enacting an Education Law in the Cayman Islands that is equipped not only to take the education system in these Islands into the 21st Century, but which is also sufficiently flexible and agile to respond to the rapidly changing demands and challenges of 21st Century education and the reform process that must address these.

As we strive to achieve a world-class education system in the Cayman Islands, the changes may appear to be radical and revolutionary, and in some cases there is no hiding the fact that they patently are. But as this Report rightly identifies, these changes must be rooted in the traditions and culture of these Islands.

Our education system and the law that underpins it must be both globally competitive and locally relevant. The marrying of these dual objectives has become something of a mantra. It is a theme that pervades the range of education reforms currently underway, starting with the students at the centre:

Our students, as outlined in the **'profile of the educated Caymanian'** contained in the National Consensus of the Future of Education in the Cayman Islands must **"Have an awareness of global issues affecting aspects of life in the 21st [C]entury,"** yet they must equally **"Be proud of and knowledgeable about the Caymanian culture . . ."**

Our new National Curriculum, now in the final stages of consultation, indicates in each of the subject areas how the particular subject at each key stage contributes to the 'profile of the educated Caymanian.' In Social Studies, for example, the National Curriculum proposes to place "my school", "my community" and "my country" at the core, surrounded by "my region and the wider world." Moreover, plans are also afoot to deliver this self-designed National Curriculum within the framework of the International Baccalaureate, once again thereby merging the local with the global.

Our teachers, wherever they come from, must have internationally recognised and reputable qualifi-

cations; but at the same time, if they are not Caymanian, they must be inducted into the Caymanian ethos. These principles have guided the development of our human resource planning, the creation of an Education Faculty at the University College of the Cayman Islands, the enhanced induction programme for teachers in the government education system, and the greater commitment to continuing professional development for education professionals.

It therefore follows that our Education Law must equally embody these principles. It must be Caymanian through and through, designed to meet our needs, our challenges, our reforms and, most importantly, our vision for the future of education. To do this, however, it can only benefit from being informed by international best practice, the mechanisms that have proven to be successful, as well as learning from the pitfalls into which other countries have fallen.

Madam Speaker, in undertaking this task, my Ministry was very much conscious of the hard work that must have been undertaken by my predecessor in formulating the new draft education legislation in 2005. However, without wishing to downplay this endeavour in any way, so much has happened in education since that legislation was drafted, that I think it is inevitable that the new Bill, which will emerge from this Report, will differ significantly from the legislation envisaged in 2005.

One key finding contained in this Report and something, in particular, that the support from the education law specialists has brought to the fore, is that the current Education Law (last revised in 1999) is more a set of general rules on matters which have from time to time received attention, rather than a fully coherent structured enactment.

The 2005 draft legislation, which is largely an expanded version of the existing Law, has a similar tendency. There is, undoubtedly, a valiant attempt to deal with more and more matters but still no overarching structure. Consequently, as the Report identifies, this proposal is much more a thesis than a law, more a charter than a statute, more principled than structural and will not serve the desired purpose.

In contrast, this Report concludes that—and the Bill that I propose to circulate in the New Year will reflect this conclusion—what is necessary in terms of primary legislation, at least initially, is essentially an enabling law. In fact, this need not be particularly long, but it should identify the roles and responsibilities of the key institutions and actors and the associated reporting and accountability structures.

The new primary legislation ought also to authorise the making of regulations and these will be necessary in a number of areas to provide a legal basis for much of the new policy work that is already, encouragingly, emanating from the new Department of Education Services.

Madam Speaker, I make no apology for moving some aspects, such as the content of the National Curriculum, out of the primary legislation and into

regulation. This is in no way an attempt to circumvent debate and discussion in this House, but rather a desire not to thwart the reform process by pinning down precisely every detail at this stage. Instead, the flexibility permitted by Regulation should allow provisions to evolve and advance with the benefit of experience.

This first piece of primary legislation will also be part of a broader legislative plan designed to reflect the various stages and evolution of the reform process over the forthcoming five years. As some reforms bed in and others are taken to the next level the demands on the Law will inevitably change. As legislators, we must be aware of this and as Minister, I intend to plan accordingly.

This Report envisages a five-year plan in which the primary legislation will incrementally build, culminating five years hence with **“comprehensive legislation based on the experience of the preceding five years and accurately reflecting developments.”** In spite of all the progress that we have undoubtedly made in education over the past two and a half years, it would be a mistake to say that we have reached our destination.

Let me tell you, Madam Speaker, as far as I am concerned we have not. There remains considerable distance left to travel if we are to secure the world-class education system that I believe our children deserve. Too often we, as law-makers, have a propensity to seek to set things in stone simply to say *‘look at what we’ve done.’* To go down this route with a new Education Law would be a dead end. We would not complete the journey and our education system would fall short of the highest standards that we are seeking to achieve.

Madam Speaker, this is one of those instances when discretion is indeed the better part of valour. This is not about the Alden McLaughlin Education Law it is not about a grandiose untouchable addition to the statute book; it is about getting the right law at the right time for our children and the future of our Islands.

Madam Speaker, I would also add, that although we have the closest thing to a crystal ball in the futurist thinking of Professor Heppell, there is a limit to our vision. When we get five years on with the pace of change in education moving so fast, there may be new factors that we have to build into the system. While I believe that we will have the comprehensive, overarching structure in place, if I have learned one thing as Minister of Education, it is that we should expect the unexpected and respect the technological advances that are driving change.

Madam Speaker, before I close, let me add one further point. I spoke previously about how a new education law must clarify decision-making and accountability structures. This is necessary, for example, to ensure that the efforts of the new Education Standards and Assessment Unit (formerly the Schools’ Inspectorate) result in tangible improvements. It is, however, absolutely essential within the Department

of Education Services where, as this Report notes, the old department suffered from an upward drift in decision-making, even in relation to the most mundane of questions.

By clarifying that certain people do indeed have the authority to make decisions, and, furthermore, are accountable for these decisions, and allying this to a desire wherever possible to take such decisions as close as possible to the students that are affected by them, we will produce a more efficient system. We will, however, through a new law, also liberate a body of teachers who for too long have been restrained and curtailed by the system.

We often talk, and rightly so, of putting the student at the centre; but we should not lose sight of the fact that it is the teachers who are primarily responsible for facilitating student learning. If a new law can better access this previously ignored potential, I believe that it will add additional vigour and further vitality to the reform of education in the Cayman Islands.

It is for these reasons, Madam Speaker, that I lay this Report on the Education Law in the Cayman Islands on the Table of this honourable Legislative Assembly. I believe that it sets out an excellent basis for a new Law which will secure systematic change, increase accountability and, at the same time, liberate the teaching profession.

It is my intention to publish an Education Bill early in 2008, which will embody these goals and, Madam Speaker, I hope to return to this honourable House soon thereafter, having provided an opportunity for consultation and input, in the hope of enacting these provisions.

So, Madam Speaker, I formally lay on the Table of this honourable House the Cayman Islands Education Law Review 2007 Consultant's First Report.

**The Speaker:** So ordered.

Does the honourable Minister wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker.

In advance of laying the Report on the Table of this honourable House I set out, I think in some detail, the basis for the Report and its contents and my intentions.

Thank you very much.

### QUESTIONS TO HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

**The Speaker:** I recognise the Third Elected Member for the district of West Bay.

### Question No. 26

**No. 26: Mr. Cline A. Glidden, Jr.** asked the Honourable Minister of Tourism, Environment, Investment & Commerce (a) If the Director of the Cayman Islands Turtle Farm is no longer employed would the Minister say why? (b) What is the new management structure; and (c) Is the Government considering giving the management of this facility over to an overseas company?

**The Speaker:** I recognise the Honourable Minister responsible for Tourism, Environment, Investment & Commerce.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker. The answer: (a) Mr. Ken Hydes, the former Managing Director of Cayman Turtle Farm/Boatswain's Beach resigned with effect from 14 September 2007.

(b) Their management structure has not changed. Perhaps the Member might be asking if individuals within that management structure have changed. If that is the question then the answer is yes. The Board of Cayman Turtle Farm/Boatswain's Beach has appointed the existing chief operating officer of the facility to act as managing director until further notice. All other persons within the senior management structure remain the same.

(c) Regarding the management of the facility, this is a matter for the Board of the Cayman Turtle Farm/Boatswain's Beach to determine and advise on. To date I have received no advice of this nature, but I am aware that the Board has been considering several options with a view to ensuring that the Cayman Turtle Farm/Boatswain's Beach remains a viable operation going forward.

Thank you, Madam Speaker.

**The Speaker:** Are there any supplementaries? *[pause]*

If there are no supplementaries, we will move on to the next question.

I recognise the Honourable Leader of the Opposition.

### Question No. 27

#### *Withdrawn*

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, as events have overtaken this question since it has been on the Order Paper, I will withdraw this question as the Complaints Commissioner is conducting an investigation.

**The Speaker:** May I have a seconder, please?

**Mr. Cline A. Glidden, Jr.:** I beg to second the withdrawal of the question.

**The Speaker:** The question is that Question No. 27 standing in the name of the Honourable Leader of the Opposition and addressed to the Honourable Minister responsible for Tourism, Environment, Investment & Commerce be withdrawn. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 27 withdrawn.**

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received no notice of statements from Honourable Members or Ministers of the Cabinet.

Continuation of the debate on Private Member's Motion No. 9/07-08. Does any other Member wish to speak? *[pause]*

First Elected Member for the district of Cayman Brac and Little Cayman.

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

**Private Member's Motion No. 9/07-08**

**Establishment of Craft Training Centre**

*(Continuation of debate thereon)*

**Ms. Juliana Y. O'Connor-Connolly:** Thank you very much, Madam Speaker.

Madam Speaker, I rise to render my support as it relates to the Motion now currently on the Floor brought by the Third Elected Member for George Town and my colleague from the constituency of Cayman Brac and Little Cayman.

Madam Speaker, as I see it, we have three separate Islands, and in this regard this affords us the wonderful opportunity, not only to diversify our tourism product, but also to perhaps create extra employment within the six electoral districts. So, from that perspective, let me say up front that I am more than delighted for this Motion to be brought to this Floor, which I believe based on the contributions that have been made thus far, serves as a very positive catalyst, indeed impetus, for the coordination, unification and culmination of all of the vested parties.

Madam Speaker, let me first deal with the situation as it currently exists on the Island of Grand Cayman. The Tourism Attraction Board (TAB) has been established, as I understand and has oversight

for the current craft market that we see and often enjoy here in the district of George Town.

I should, however, hasten to add that the idea of a craft market is in no way an innovative one in that (as we heard from my colleague from the district of West Bay) various attempts, valiant and otherwise, have been made in years past for the establishment and the sustainability of a craft market in George Town.

For reasons that I will not use my time this morning going into, that, perhaps, was not as successful as it could have been. Nevertheless, it served for a period of time as a depot for various artists and crafts persons here in the Cayman jurisdiction.

I believe, Madam Speaker, that credit should also be given to previous education and culture ministers as well as previous agriculture ministers and their related departments for their efforts, statutory boards, and government companies in this regard.

I believe that in their own genuine and sincere way they all have in some form or fashion attempted to keep Caymanian crafts in existence. For example, Madam Speaker, I am aware that some of our schools had various after-school programmes, some to the extent that there were formal lessons where they taught, for example, the art of basket-making and plaiting. Certainly as far back as is concerned, I know that that was done through a coordinated effort of the Social Services Department, the National Trust, in some instance, and even the Cultural Foundation.

But I believe where this Motion is important, Madam Speaker, is that it will hopefully serve to coordinate all of these different efforts to make sure that it is formalised and put in a significant hierarchy and given the priority that it rightly deserves.

Madam Speaker, the relationship (limited though it may be) that I have enjoyed with the Cayman National Foundation . . . I can say that Mr. Muttoo also has endeavoured to make his contribution in this regard in not only preserving, but being very innovative in identifying local crafts persons and ensuring that there is some—even if it has not been adequate—funding. He has done much, in my respectful opinion, in encouraging the development of Caymanian crafts.

At times I believe he has also gone as far through his foundation to create necessary markets. I believe he should be commended for including also Cayman Brac and Little Cayman in this endeavour and not only from an educational perspective but also providing various markets and outlets for them to sell their various products.

In this regard, Madam Speaker, I can speak as far as the Community Development Unit on Cayman Brac is concerned, often under the leadership of Ms. Annarose Scott. They have, within the constraints of their budget, been able to teach all ages. In fact, the programme—I am not sure of the specific name, Madam Speaker—but she (Ms. Scott) went out to the various districts on Cayman Brac and was able to convince the various persons who were already ac-

complished and renowned for their artistic work, and bring them in either for specific functions throughout their calendar year of activities and functions and also during after school for a very small stipend, and in most cases, no payment at all. They were seeking to pass on their skills to the next generation to ensure that there was some element or some degree of sustainability with our local crafts.

I must say that those who have seen the work from Cayman Brac and other districts, your own districts—West Bay and some of the other districts—the level that they have been able to achieve without any formal or academic assistance is nothing short of commendable.

Madam Speaker, I am sure even you have taken opportunity on many occasions, whether it is Pirates Week or other Heritage Days, as well as other Members here, to congratulate them for keeping at it because it is not a very profitable area to be in. I believe that the Motion will also assist from the perspective that unified attention is given to it. It will be properly budgetted for and funded and they would be encouraged from an economic perspective—which my colleague from West Bay quite capably presented. Then we can have a holistic approach and at long last we can see all of these different efforts from previous governments and this Government come together so that we can have a wonderful tourism product that we can all be proud of not only on the domestic front, but as we go internationally to represent our Islands in our various capacities.

The Museum also has played a role that should not be forgotten, under the leadership of Miss Anita, as they work diligently (again, in my respective opinion) to keep alive the idea of things Caymanian. And not only the idea, the concept and the precept of things Caymanian. They also ensured that there were actual things Caymanian for sale at the Museum and the other places of outlet. Even on the Brac where they do not have direct control because it is a private body, as in the case of Little Cayman, but they still lent their assistance and their knowledge sometimes when requested and otherwise it was offered.

I am grateful that they stayed in the forefront to make sure there was no unnecessary invasion of things foreign. And in so doing they have assisted many local artists with an opportunity and a provision of a market for their products.

I believe tribute should also be given to the National Gallery, perhaps more as it relates to Grand Cayman because they too continue to offer an accessible market for our local artists. I know the past government and this Government have ably funded various seminars and training opportunities so they could enhance and augment their skills and have provided marketable tools for them in this regard.

I believe the high schools too (and as I refer to high schools, I am specifically referring to the Government High Schools) have played a role for decades now. Obviously, as monies became available

and more academic personnel became available it has been enhanced and governments have continued the swing of the pendulum for more positive status. But from the time I was in high school which (I am not sure fortunately or unfortunately) is some decades now, we have had the privilege and opportunity of having home economics teachers who taught needlework in the form of crochet and actual sewing of attire for children and older persons. But, certainly on the Brac, we are very fortunate to have some very talented industrial arts teachers. Later on I hope to go into that more specifically.

I believe that the introduction of culture and inculcating that with our heritage, as far as art is concerned, into the educational curriculum, is a perfect place to start. I was delighted to hear the Honourable Minister say this morning that there is going to be new education legislation coming. I believe with the Motion here this morning it is a very opportune time for him to marry the intent and the motives, the goals and the aspirations of this Motion, into the drafting of this new legislation so that the curriculum will not only have it as an alternative, but that we would see culture and our crafts as so important that it would be one of the mandatory subjects for our students to learn.

Madam Speaker, before the deviants begin to say that I am advocating that perhaps we move away from the financial industry and the tourism industry, far be it [from that]. I believe that crafts are of such a nature that they are easily married into our already existing industries and that tourism by its very nature seeks always to continuously diversify its product. I believe that our local crafts and our heritage, culture and otherwise, have been somewhat sleeping.

We believe Caribbean—and this is not just Cayman . . . we believe that things from overseas are often better. I can remember my good friend Captain Keith, bless his memory, often saying when he was attempting to help the local farmers sell their produce, that if he perhaps took off the label from an overseas product and put it on the same local product it would sell. But the mere fact that it was grown in Cayman Brac for some reason it was thought inferior. Thankfully we have moved away from that quite a bit with the advent of hormones and enzymes and other plagues from overseas and people are now turning more to our local market. Perhaps the agri-tourism product is quite timely in this regard. It can catch and maximize on this momentum so that we can encourage (for want of a better word) our people here to support our own people, not just in jobs and other ambitions, but in their products as well.

Madam Speaker, just to make a small basket—and I know a little bit about it because my grandfather, and my aunt (who is a very avid basket maker on the Brac, Miss Annie Lee) . . . not only do you have to go and do arduous and manual labour in getting the silver thatch, but there is a lot of dust involved and the amount of time that is put into it. And for what you actually get back, unless there is a unified policy that the

Government (this Government or any other government) is going to get behind it so that, for example, when they go overseas on seminars and CPA visits, they work together to get products that are small enough, of a high enough quality, that they can exchange. Other countries do it.

When we go, for example, to CPA, we have pins (which are lovely pins), and we are proud to display them. I must say, quite prejudicially I suppose, that we have the best pins on the market on the CPA stage. But there is nothing really from preventing us from looking and designing, whether it is the Committee of the whole House or whoever wishes to take up the challenge, to find something that truly represents the Caymanian and go to the local artist, whatever field (there are several fields) and have available. I believe that we can also utilize this as we make hopefully steady progress towards the independence or the autonomy of parliament (sooner than later I would hope, Madam Speaker) that we can have our own little sales depot or legislative shop where we can have things from our local artisans on sale here that depict what our parliament represents. The same could be done for the financial industry as well as the tourism [industry].

The Tourism Ministry and its department has many, many opportunities abroad with tradeshows and the various promotional activities and functions that they have. But instead of utilizing posters all the time, they could go to the various districts. I believe this dovetails perfectly into the Go East Initiative of the Honourable Minister of Tourism. You will find, not exclusively, but certainly I believe in the majority, the eastern districts (which include [Cayman Brac and Little Cayman]) have some very, very good products that they could put out there.

So, I am grateful to the mover and the seconder for bringing this Motion at this time while there is still time within the tenure, there is still time in budgeting that we can see a real change in this regard. I look forward to the next financial year to see many-fold allocations within the Budget that will take forward this policy. I believe there is time for the existing policies to be looked at, to be enlarged upon and that we would not believe that with the acceptance of this Motion that it is going to call for a huge colossal expenditure for more infrastructure in the creation of one craft training centre, but I believe that it will not take us very long to look in all of the districts.

I believe that this is one area that we should decentralize for a number of reasons. Already there are artists and craft persons in all of the districts. Most of them are getting up in age and I believe that we should utilize their knowledge and their practical on-hand expertise to teach or to pass on the torch (that I often refer to) to the next generation. Many of them (I am sure you and my honourable colleagues will concur) do not necessarily look forward to coming into George Town for a number of reasons—traffic being

one. It would give them some extra urge in their golden age.

For many of them, once they reach 60 they are no longer “marketable” in the commercial sense. It would give them a sense of accomplishment to pass on something Caymanian, that in this ever increasing, fast moving, modernized Caymanian society, as we enter into the global stage, can feel that they are making their mark and their contribution (similar to the seamen). Caymanians, I believe, have an innate or inherent characteristic whereby most of us, if not all of us, like to rust out rather than retire out. I believe this would give them a very good outlet in this regard.

Madam Speaker, I believe that the curriculum under the leadership of the Honourable Minister of Education (and I am indeed optimistic in this regard) will somehow incorporate into the very foundation of the curriculum avenues for our children from the primary school on up through the university level opportunities for them to not only learn and enhance skills that perhaps their parents have already taught them, but also to take them into the arena of the economics of the whole product.

We can train them as much as we can. But if we do not do as my friend from West Bay (the Second Elected Member) said, take some time to look into the economics and marketability of these products, then we would have failed in our duty to be true to things Caymanian.

This area in itself is not just with funding. I believe that we must move onto the area and look at it from a holistic approach. I believe that we need to begin to look first and foremost at proper, timely and sensible communication between all of the various stakeholders because they are out there. They have been, perhaps to the best of their ability, doing all that they can do. But they perhaps would be able to do more for example in the area of promotion and marketing if their budgets were able to come together to make one attack locally, domestically and internationally, to say *‘these are the products.’* That, in itself would not be stealing anyone’s thunder or getting away from people building their own empires, but it would afford an opportunity if properly marketed for all of them to sell their products.

I believe some attention should be paid to the actual coordination between the numerous stakeholders to make sure that everybody is singing from the same song sheet and that as a result there would be that commonality whereby a policy could be created, established, supported and sustained. This, I believe would emanate or lead to a consolidated, modern and relevant umbrella legislation dealing with culture and heritage and I look forward to seeing that on the legislative schedule of the Government of the day so that hopefully before this particular tenure is concluded, irrespective of what happens with the election, we can say that while we were here as parliamentarians we were able to put in place an umbrella legislation dealing with all of these different musicians

or other artists or craft persons so that they can know from whence to get into this new reform I believe this Motion would hope to achieve [this].

At this juncture, Madam Speaker, I wish to put a specific plug for our local musicians. I am sure you and other parliamentarians from time to time receive numerous pieces of written correspondence about the lack of attention and/or acceptance of playtime or airtime for their music. I believe there has been some improvement, but we always must keep a watchful eye on this because music is a universal language, perhaps like love, that goes beyond all barriers, Madam Speaker. If we are to get our message out, as I am sure in a lighter moment the PPM did with their musical lyrics before the election, then we should put some uncton in our policy to ensure through our policies . . . and that is the only way it is going to be done.

We may even have to consider legislation. But, Madam Speaker, we have been a community that has come together from different nationalities, different backgrounds, different characteristics, different traits, and I see absolutely no reason why we cannot sit down and through a process of arbitration or the art of negotiation come together with sensible and formidable policies to ensure that our local musicians are brought in to the area they should.

When we go abroad, take our musicians! You know, rather than just letting other Caribbean countries come—even with our Jazz Festival—if we already have jazz musicians, and the numbers continue to bring a variety and interest, then give them scholarships. Or just take travelling tours, make that available to some of our local musicians so that they can go and see how it is done and do apprenticeships and training for them and exposure for them so that we can come on.

Cayman is fast developing as a nation. We cannot do that on only the pegs of finance and the pegs of tourism, but we must take a holistic approach. If we are going to be that nation that is envied, as we are in tourism and finance, then we must start from now as this Motion seeks to do. Start from the grass-roots and see what we have, see how we can bring it together. See how we can enhance it. See how we can augment the necessary programmes. Look and see what the prerequisites are for us to be the best that we can be.

We have so many examples of success in our Caymanian history and heritage already that I believe it sets us in good stead to go on to an even more successful future.

I believe attention then should also be paid, as far as this Motion is concerned, to adequate funding both from a political perspective from the Ministers responsible in their Portfolios and Ministries, as well as adequate administrative and technical support for our artists and our various craft persons here in this jurisdiction.

Again I stress that this must include our local musicians. We must take time also to give adequate

and positive consideration to ensure that there are appropriate and accessible markets for our local musicians and craft persons so that they can properly market their various products.

I believe that a fresh look must also be given to the Investment Bureau and to the Cayman Islands Development Bank, our private sector. And, yes, Government, itself, must take a serious look to see how it can best incorporate and include our local artists and our craft persons. I believe that this can be done quite easily and quite expeditiously if we take some time to formulate policies to see how, for example, they can access cheap and affordable funding to get their craft businesses off the ground and started, whether it is promotion, or marketing, or the developmental process, where they can at long last reach a level of sustainability and profitability with their various businesses.

I believe that the latter (which I just expounded upon) will be the crucial link. It will ensure with all hands being on deck buying into the concept of 'teaching to fish and selling policy.' It was referred in the initial debate by the lady Member for George Town that it is now time to 'teach to fish' rather than 'just giving the fish.' And I fully concur in this regard in that, yes, there was a time in our history that we have had to give, but the time is fast approaching where we must move to a higher level and remove our selves from that 'giving' plateau where we can enable our local Caymanians and residents who have been brought into our culture to start going out into perhaps uncharted waters as it relates to our heritage, our culture and our craft.

Madam Speaker, I believe that every government department—none excluded—should be strongly encouraged, if not mandated, to not only purchase these local gifts and use them for display purposes or for exchange at trade shows locally and internationally, but I believe that we must lead by example.

I do not recall the honourable Member who alluded to the fact that we must make these local artists and craft persons see that we too have bought into the concept and that we are purchasing the straw baskets, as opposed to those from the malls in the States. That we too, are purchasing (those of us who wear jewelry) the local jewelry and that at every opportunity from herein out, we, as parliamentarians, must take opportunity to support this Motion.

This should not be one of those Motions that comes, gets wonderful and positive accolades, is accepted, and then it goes into dormancy for whatever reason. I believe that this Motion is a Motion in perpetuity because Cayman heritage is continuing to improve. We, as Caymanians, are continuing to realize that our survival (based on the precept of survival of the fittest) will come from Motions of this level.

Yes, there may be critics that say there are more important things happening within our jurisdiction at this particular time, and [ask] why are we, at

this particular juncture, talking about culture and heritage. But if we forget who we are as Caymanians and what made us, the finer artistic things of life, then I believe that we can never be 100 per cent Caymanian. There will always be that vacuum and that void. I believe that this Motion actively seeks to fill that gap.

I also believe that even the Finance Portfolio and the Finance Department can deal with this. I know from past experience that when it comes to finance, because we have achieved such a successful and high level of excellence we kind of shy away from the thatch basket mentality in that we feel that that may not be necessarily accepted. But I do not believe that is necessarily so.

I noticed in particular at the very last agriculture show that the gift baskets (excuse the pun) that were given to our overseas dignitaries and local participants were lovely, lovely, local products that were all put together from the different areas to make a wonderful gift basket. There is nothing whatsoever in those baskets for anyone to be ashamed of. As far as I am aware, they were all produced locally.

I believe that the Minister responsible for Agriculture, Education, Tourism and the Official Member responsible for Finance, should get together. Other Members can be included, but certainly those particular areas should get together to see how they can best help our local artists and craft persons market overseas as well as domestically. And then with that, just as we did with Cayman Airways where a policy was set out, that as far as possible we should purchase tickets from Cayman Airways and travel on Cayman Airways, I think that a similar type of policy needs to be forthcoming if we are to really give our full support.

I have no doubt, in fact I am confident based on the debate I have heard so far and from the body language of persons making deliberations, that this will be a policy embraced because persons in this House have bought into the Motion and are willing to lend their support to bring together the various vested parties so that we can have a very wonderful product that all and sundry can be truly proud of.

I believe that this Motion also will have a great significance once it is accepted here today (and I believe it will be accepted and eventually implemented at the very earliest opportunity). It will provide the Government with a mandate. There will be no room for discretion as to should we do this, should we not, is there the support? This Motion, once passed in its totality, will give an absolute mandate for the Government to formalize, to coordinate, to unify, to communicate, to fund and to implement the necessary training centres throughout the three Islands to make sure that the objectives of this Motion are fully realized.

In this regard, as I said in my introduction, we already have a number of town halls, we have civic centres, we have schools that are not in operation at night (for those who have to work in the day) and have some free time in the night. We have other areas in the private sector that I am sure would be willing to

loan themselves for this worthy purpose. I believe that an inventory or an audit should be done with the existing facilities to see what is available and to see how best we can maximize underutilization of existing facilities before we move on to establish a main centre.

I am not saying that there will not be a necessity for a central administrative training centre or for coordination or what have you, but I believe that we should make sure that that is absolutely placed before we use any of our resources. I believe at this particular time whatever resources that we may have in hand (seeing that we are midway through this financial year) should be used to get the programmes up and going for the coordination and implementation of the said policy, Madam Speaker.

I believe the emphasis should be placed on the staffing of these existing facilities and in this regard I believe that every effort should be made to ensure that whatever artists and craft persons we have locally already, are brought into this programme. As far as I am concerned, there should be no reason why they should not have 100 per cent local persons as far as the practical application is concerned. We may need some expertise (and, again, this is debatable) to put together the administrative or the curriculum aspect of it, but I believe that we have sufficient teachers and persons in the Education Ministry already, although they are very busy now with the new schools coming on line. But I would not object for expatriates in the interim, provided that a very strong provision and checks and balances are put in place that Caymanians from the very genesis of the employment or contractual relationship with the entities concerned have been identified and put in a training programme with a timetable for their departure. Otherwise, Madam Speaker, you and I both know, and I am sure the Member for George Town [as well] that these temporary contracts have gone into 20, 21 years. I do not believe this is a field where we should see this happening or a repetition thereof.

I believe as well that this Motion can bring about real and positive reform and at the end of the day we will see that our local artists and local craft persons will indeed emerge on the local and, yes, world markets as an actively sought after commodity. Why not, Madam Speaker? We excel. As I said, our seamen had no formal training and they went on the high seas and made a name for themselves. Even today they are still sought after, those who chose not to come back to our tourism and financial industry. The Caymanian seaman is still sought after. And that did not just come over night; it came by hard work, determination and the *want to* — that ambition, that drive, which I believe is genetically encoded in Caymanians. Despite what is said on other fronts, we do have the drive to excel and be the very best that we are. And we should continue to afford this opportunity to our artists and local craft persons.

I wish also, as it relates to Little Cayman, to give commendation to Ms. Gladys Howard [and her

committee] who in their small community did not have a legitimate expectation of having a separate gallery or museum or what have you, but indeed they have used the avenue of the National Trust for many things. They have done a splendid job in my respectful opinion, of bringing in local products that are made in Little Cayman. They are fortunate that they have some very good craft persons there and they market it right there at the National Trust. She and her committee came up with a very good way of making sure the economics of this whole scenario works. They often engage in silent auctions. So they are able to achieve much more than what the product would be valued at in a normal market. Because it is for a worthy cause, it is usually a donation towards the National Trust, and because we have many retirees who are of independent means on Little Cayman, we have been able to create a good atmosphere. All that is really left for the Government is to ensure that if it already exists there is a continuance of support from a technical standpoint particularly as it relates to the Little Cayman Primary School.

As you know, Madam Speaker, we do not have anything past the primary school. So at this juncture it would be remiss of me to talk in that regard because the numbers presently do not support it. But we have a small and very outstanding primary school in Little Cayman, so I would ask the Honourable Minister as he looks into this Motion and as he continues in his efforts with his reform in education that (if it does not yet already exist) some time would be allocated for an industrial arts or domestic education programme or whatever the terminology his ministry may wish to utilize, but at the end of the day to ensure that the students are exposed to the meaning of "things Caymanian" and that they would get that type of pride that the Fourth Elected Member for George Town talked about with the flag and the National Anthem. It is that type of pride that I am seeking to interject into the local crafts and artists which I am sure the movers of the Motion and those who supported it thus far are also seeking to interject.

In conclusion, on the Brac we have long been known as having excellent arts and crafts persons and we have been especially fortunate in having the experience, the technical advice, and the on-hands practical application in the person of Mr. Eddy Scott, who for many, many, years at the high school and in his personal capacity taught many, many, Brac students who are today now making their contributions.

Unfortunately, Mr. Eddy is no longer in a position, now that he is a patient at our rest home locally. But he certainly gave all that he had, often for very little remuneration and recognition. But he was able to make such a significant and important impact on the lives of those young students who have passed through the education system. And that is why I feel so strongly that we have a perfect opportunity now with the emergence of this Motion and the education reforms to ensure that similar things happen throughout the entire Cayman Islands.

Many of our young chaps on the Brac who are owners and operators in the construction industry got their first taste of this type of artwork from Mr. Eddy and have gone on to make a very profitable livelihood with this skill.

Mr. Mitchum, as well as Miguel Martin and a number of other ones; Kelvin Scott, have gone on to the utilization of making jewelry from shells and Caymanite and other things. And they have made it such a standard that tourists actually come looking for it. I believe that is when you have arrived with your product, that you can cut back on your sales and marketability because you have made such a name there that people come seeking.

I also give commendation to Mr. Tennyson Scott, who has struggled with the homegrown craft market there and oft times with little outlets to sell it. But he has also become very renown, especially with seashells that many people, tourist, domestic and international, will seek him out.

But where we seem to have the difficulty, and I believe this is where this Motion can actually help, is with our hotels and the condominium retail stores where they are somewhat reluctant to take these local products to sell. So I would ask my good friend, the Minister of Tourism, that as he seeks to reform the tourism policy he would keep a careful eye over the policy to ensure that there is some provision made that these outlets would have incentives or encouragement or funding to go on and again, as I say, marry that into the Go East Initiative.

Then, Madam Speaker, as I conclude my remarks on this Motion I wish to once again thank the mover, the seconder, and all those who have expressed support of this Motion. In advance, I thank the Government of the day for their willingness and the political will to expedite this Motion so that hopefully we can see within the next financial year (if not sooner) commencing 1 July adequate and appropriate relevant funding and policies—not just the funding but policies, that would walk hand-in-hand, that would enable our Caymanian artists and craft persons to go along on a journey with us as we together nation build these Cayman Islands which we all dearly love.

I thank you for your indulgence and I am most grateful.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Training young Caymanians or people in general is a good step. Not to say that there has not been good and fruitful efforts made over the years as the two speakers from this side have already said. I was not able to be here on Monday when my colleague from West Bay spoke, but I listened intently to the Member for Cayman Brac who did an excellent job on

the debate. I do not need to traverse the ground the two of them have already covered, but establishing a centre will set in place for future generations a home, or a place where things Caymanian can be developed. Certainly there is a need for that.

As we look in the stores in these islands—and sometimes Caymanians go looking for gifts for special friends overseas in particular or even sometimes I buy little things for my granddaughter that are made in these Islands. When we go through the stores there is a tremendous amount of arts and crafts items that are made overseas. Of course, when you look at them you know there was innovation put into it. You cannot cry it down. Visitors do look for items to purchase and I believe that they look for things that are made locally because they want to get an idea, a feel for the place.

When you go to Hong Kong, Singapore, Jamaica, when you go to the rest of the islands our island neighbours, you find beautiful craftwork done: statues, all sorts, paintings. In Cuba some people . . . when I show them a picture they do not believe it. I do not have pictures of when I was a little boy in short pants. My mother told me that I was always running around the yard chasing the fowls. But while in Cuba one day I told an artist about it, and asked him if he could depict it, and you should see. People cannot believe it. My wife often says ‘that was never you.’ But it was! So you find good work throughout our neighbouring islands. Tremendous good work. But that does not take up for things Caymanian when we want them. Certainly a centre would do that.

From the days of thatch rope and the turtling industry where our old people eked a living for us too, because we were a part of it. I remember cobbling the rope and helping to carry it to sell. Those things, arts and crafts, have been a part of our history. There are those who still make a living from homegrown products. That is why we developed the craft market at the present site.

In the old days we had one, if you remember. I was, indeed, happy as the then Minister of Tourism when Mr. Sean Smith came to me and took up the cause to redevelop the craft market. Today we have a good facility and we thank the family, the Kirkconnells, who helped us with the property. We do have a place, a good modern facility where we can sell our products.

In the old days the late Mr. John Gunter had the craft market and you could find some things Caymanian in that and he gave advice when we held the first craft market day down by the cemetery by the old Almond Tree restaurant. That was Mr. Sean Smith’s humble beginning with the re-development of the craft market.

Madam Speaker, I like to give people credit when they do good things in this country. And too often you see an anniversary come up but never mention the people who started it. Why? For heaven’s sake I cannot figure out why we cannot give people

credit when something worthwhile is done. As soon as there is something bad you can (or want to) say about a person it is emblazoned on the front pages. I am not blaming the press here so they do not need to take offence. But when people do good you need to say so.

Thirty years just went by. I did not see the papers mention that it was started by the late Jim Bodden. Maybe it did because I perhaps did not read every article. I remember the cussing and the dubiousness that went into that from the public because they did not want a Pirate’s Week day. I do not really attend any more. I do not see a whole lot of difference. They may bring in a band here and a new band there, but those things do not entice me any more. I do not street dance any more, praise the Lord. But we need to give credit where credit is due.

I certainly remember Ms. Edna Harrison, a Jamaican lady who worked studiously to preserve—from those days, you know, when she first came here—going from school to school to preserve thatch, in particular I think it was, and things made from it. What a wonderful lady. She had lots of talent because she was an excellent soloist. But it was she who taught many children and kept that alive in the school. We can thank her and the late John Gunter as well for their interests there.

Today, Madam Speaker, and I say “today” because I will speak now of people who are still alive and, in particular in my district because I really do not know a lot of people in the other districts that do these things. But in West Bay there are a number of people who do it for a business and make a little living from it and others who do it because they love it. And they make so many different things from thatch. I mean, some of the baskets in the old days and the hats that we used to import from Jamaica, they are now making here. These are beautiful baskets and beautiful hats.

I just recently tried to order, because I still go fishing, what they call a “plait and sew” hat. The old people used to use that when being out in the sun. But those other hats, the women’s hats, some of them used to dress with them. They were beautiful hats that you could get from Jamaica in the old days. But what we are getting now made in Cayman is comparable. This is wonderful handwork, hand craft.

In West Bay we have Mrs. Jean Ebanks, Mrs. Nellie Smith, Mrs. Miriam Muirhead, Mrs. Lizzie Powell, Ms. Marlena Anglin, Mrs. Rose Mae Ebanks, Mrs. Zeta Ebanks, Mrs. Roselyn Ebanks—these are all elderly women. And I say that because these are senior citizens now and they still do it. And they are still with us, but it is fast disappearing. Thank God they are with us.

Then we have two younger women, Anna Joy Ebanks and Effie Ebanks. They do craft work as well. Some of these do various types of craft work with thatch that some also make the mats and various kinds of cloth. That is another thing that is very colourful in a home and in a bathroom in particular; I have

seen them—beautiful handwork! There are a number of younger people who take this as a business.

We have a very young girl, Miss Tiffany Powery. She has a business and makes all sorts of things from bamboo. Beautiful key chains, nameplates for doors, nameplates for your residence, and she does sell some. But, of course, they can do a lot more. They can sell a lot more or would like to sell a lot more. I know she is trying because this is her only income.

We have the famous couple I like to call them, Mr. and Mrs. Christopher Christian, who are two serious entrepreneurs as well. They do all sorts of arts and crafts with children and for our visiting tourists.

Mr. Dave Ebanks makes the gig. I have two from him. I will give you one, Madam Speaker. I know you used to like to play too; I can see that.

**The Speaker:** I love to spin gigs.

**Hon. W. McKeeva Bush:** But in those days when we were growing up, they were for boys!

[laughter]

**Hon. W. McKeeva Bush:** But I kind of figure, Madam Speaker, that you could play gigs and play marbles. I can see by the cut of your jib!

[laughter]

**Hon. W. McKeeva Bush:** Madam Speaker, those were good days. I would not want to go back to them, but if you see what he makes . . . I was surprised. He brought me one . . . some very big ones. A big model! I'll bring you one tomorrow, Madam Speaker. But all of us as boys remember how we used to play with them. Many times we got in fights over them.

Again, it is a lost tradition for children. Many parents probably do not encourage it because it has a nail, but it is something for sport; something that children can play with. The American-made one is more harmless because it has a short nail for the spin, but we do not see children doing that any more. They sit down with the game boxes, X-box and whatnot and television and dress up the children not looking like children any more. So, they lose that kind of tradition.

As I said, I mentioned my district because I do not know a whole lot of people in other areas who do it. But I know of people in Bodden Town and I know of Mr. Craddock [Ebanks'] brother, Mr. George Ebanks and his wife in North Side, and a number of other people who still do a lot of handwork and crafts. You would be surprised at the number of people. And Nurse Josie Solomon as well! As I said, there are a number of . . . I don't know a whole heap.

The First Elected Member for Cayman Brac and Little Cayman made some reference to people in her district. But it shows that . . . and when you look at it the vast majority are the elderly. So, I am calling

their names because I want to give them credit and to say we thank them.

We have Mr. Kem Jackson and Mr. Harvey Ebanks. And if you see the model catboat and the model sailing vessel that they make, you would think it is made by machinery. But these people make it by hand. These are all our elderly citizens. Madam Speaker, that is why I think a purpose made centre dedicated to training will do well. There is no need to spend \$50 million on it. I would urge the Government not to do that.

As a Government we bought the John Silver's Inn. That is lying there empty. We bought it for the purpose of developing a hospitality training centre. The present Government is not going in that direction, but the building is still there. It is a good building if we take it in hand and do something about it. That is a place where this kind of programme could get a quick jumpstart.

It is not in George Town, no. But as we are all saying not everything has to be in George Town anymore. Therefore, that is something that could easily be taken to utilize that building. I would hope the Government would take that suggestion on board.

I would not close without mentioning another middle-aged person in West Bay who builds kites. His famous kite is called the "AB Kite". Again, you cannot believe this is something handmade. He still trains young children. I know yesterday he was training the sons of the Deputy Speaker, the Third Elected Member for West Bay, to fly these kites. And he trains other young children, in West Bay to do so. This is the kind of thing that is still alive and well. It is arts and crafts, it is all part of our cultural heritage. All of us remember flying [kites].

Madam Speaker, I do not know if you used to fly kites too . . .

**The Speaker:** Used to make them too.

**Hon. W. McKeeva Bush:** I figured that.

As she said, she used to make them too! Good for you, Madam Speaker! Perhaps some of that 'child' is still there.

So, I appreciate this kind of effort. As I said I hope the Government will take on board to look at that building. There are still a number of people involved. We want to thank our elders for passing on their knowledge. We hope they could be utilized somehow in these training centres. Maybe they cannot; maybe some of them could just do it themselves. Because not everyone can teach it. But the children can go and watch them making it. Young people and people in general.

Madam Speaker, I hope I have not been frivolous and I offer my support to the effort.

**The Speaker:** Proceedings will be suspended for 15 minutes.

**Proceedings suspended at 11.46 am****Proceedings resumed at 12.04 pm**

**The Speaker:** Proceedings are resumed.

Does any other Member wish to speak?

The Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

I rise to offer my support to this Private Member's Motion before us on the Establishment of a Craft Training Centre, moved by the Third Elected Member for George Town and seconded by the Second Elected Member for Cayman Brac and Little Cayman.

I have listened carefully to all that has been said today and Monday on this Motion. I want to commend the Third Elected Member for George Town for bringing this Motion at this time to this honourable House. I know how strongly she feels about this subject. We have discussed it many times. I concur with all of her feelings and just about all that has been said so far on this matter.

Madam Speaker, we are at a very interesting time in the history of our Islands, a time when we are fast becoming diluted because of the success. Naturally there is a price to pay for such success in these Islands. One [price] is the fact that we have had to embrace many other cultures and people. This is not a bad thing because I think we have done a pretty good job managing that over the years. But what happens as a natural course is that things Caymanian, things that are uniquely ours, things that were started by our forefathers of the settler days find a way of evaporating, disappearing, being diluted, being in some ways corrupted to the point that they are no longer what we knew them to be (those of us who have been around for a while).

Before I get into the debate I, like the Leader of the Opposition, would also like to pay credit to—and many of the other speakers have done this as well—those who have continued these traditions and crafts over the years. Many people have been mentioned from the various districts, and we all speak to those that we know best from our own area. I too would like to give credit to some of the people who stick out in my mind from my district. Some have gone on, some are still practising.

I remember growing up and there was an old lady that everyone who passed through Bodden Town knew. Her name was Claris Carter. She sat right there by the roadside, right in the village of Bodden Town, and in her own humble, inimitable way, because this was what you call a simple, unsophisticated lady. Now, I do not know where she learned it. I guess it was passed down to her. But I can tell you, that lady was a magician with a coconut husk and shell. I have never seen some of the stuff that she has done even

repeated. And it is sad to know that she has gone on and some of that has gone with her.

Ms. Claris, or "Ca", as we used to call her, and her sister Ms. Marie, did their thing right there in their yards and the tourists would come to Bodden Town . . . in those days we had a lot of stay over tourism. I mean in Bodden Town you had people who would come and spend months living in cottages that locals took care of and these people found it a great thrill to go places like the yard there and sit and converse and watch the craft being made. When she was done with a coconut shell, the bird that she would leave on that (because the husks were shaped as birds) . . . you could determine exactly which bird you were looking at—a parrot, a woodpecker, a ching ching, whatever she was making. She also took the shell and did things with that. She made boats, she made sails. You name it. I know there are some people who do some coconut work still, but I honestly have not seen the level of detail and quality that Miss Claris used to produce.

We have Ms. Nell [Mrs. Nell Connor] in Breakers. She is an institution in herself. Ms. Nell, who is dearly loved in the community of Bodden Town and the Breakers community, sits there and the tourists pull in, especially the clients of the Lighthouse Club Restaurant. They gobble up what she does. She does her thatch work; she does her stuff with her rocks, her shells—beautiful craft. And while you are buying this stuff and watching it being made you are getting stories and things Caymanian. Madam Speaker, that is what we are talking about. We want to preserve this type of thing as much as possible.

Madam Speaker, we have Nurse Josie, who was mentioned earlier. She does not do as much as she used to, but still does a lot of beautiful craft work.

We have Twyla Vargas in Bodden Town who is very talented and continues to produce all sorts of creative, innovative stuff. She does some of the old things that were known to us but she is also quite creative and she has done a lot of work with students in the district and sells her stuff and really needs an outlet to sell this stuff.

Mrs. Carmen Connolly in East End and her group are island known. These people produce fantastic work from shells and thatch and all of the other materials they use to give us things Caymanian.

Madam Speaker, it is not as if . . . because when you hear about the amount of people who are doing this stuff through the island, it is not as if we do not have the people and the expertise locally. But I think there needs to be an effort to coordinate all of this and to make it into a really feasible, practical business for young people to have an interest in and to make a living from. I mean, when you look at West Bay craft, and you look at Cayman Brac craft, you look at North Side, East End, Bodden Town, George Town . . . all of the districts have people who are extremely talented.

Right now you can go down on Saturdays to the Market at the Grounds in Lower Valley and you will see stuff there that you cannot believe is made locally. And when we talk about craft now I, like my colleague from George Town (the Fourth Elected Member), like to think of craft than just the artifacts.

I include food as well because Caymanian cooking is to me a craft. Our way of cooking turtle and conch and lobster and beef and heavy cakes all of that is a craft in itself. I feel that we need to have a centre of excellence for this stuff, a centre where people are trained to the highest level. I do believe that we may need some outside support because we have excellent resources in the region, as has been alluded to.

I remember dear Miss Harrison from school. Everyone remembers Miss Harrison who did crafts there. She came from another country. I think it was Jamaica. Miss Harrison . . . a lot of people benefitted from her and Mrs. Forbes (I think it was that worked with her), from their expertise in that school system. So, yes, we may need to bring somebody (or bodies) in to assist us. But I do believe, Madam Speaker, that for once, Caymanians can control their own destiny with this. We have people that we can pay to train our young people and those adults who are interested in learning.

I mean when you look at this young man, Christian, in West Bay, and the great work he and his wife are producing, I really admire them. When you look at that and you look at Ms. Carmen and people who have such a passion for this work, Twyla in Bodden Town, and others, and the folks in the Brac there . . . the stuff that they are producing in the Brac is really awesome.

Madam Speaker, I speak to this with a lot of passion because I believe in things Caymanian. I am a very proud Caymanian and I believe that we all should be. I can certainly say that I own my little piece of Caymanite. I am still searching for that piece of Black Coral that I have not yet managed to get my hand on. But my wife has a thatch bag, so I think I am in it! I am not just giving lip service, I believe in this stuff and I believe that this is what our tourism product needs.

When I go to a country, I do not care where it is, I want something from that country. I want to experience the culture; I want to take a piece of that country back with me. And it is probably in the form of a souvenir. It is usually something that is made. If I go to England and I am looking for something English, and I pick up a souvenir and it says "Made in Japan" I am going to put it back down. That is the reality of it.

Madam Speaker, I hear too often the complaints of tourists, and I have been in their presence when they have picked up something at one of our outlets and they look at it and it says "Made in Taiwan" or "Made in Korea" on it and they put it down. They say it's a rip-off, or it's too expensive anyway.

Madam Speaker, I understand economics. I

understand that it is costly to produce locally. We know that. But it is incumbent on us as a Government to find a way to make it practical, to make it work. Whether it is through incentives or by restrictions, whatever it is we have to do, we have to do that to make this work. When these things die out with the people who know how to do it, that's it—caput, done, finito. It is over, Madam Speaker. There are no more things Caymanian.

We talk about our food. When it comes to our way of cooking turtle meat, and our way of cooking crab, and you get a good crab back, if you mention a crab back to somebody from another country they will probably look at you like you are from Mars. But that is very good at Over the Edge. And we have our nice CPA dinners and all that and we get that stuff prepared for us at Over the Edge, that you, Madam Speaker, graciously coordinated a number of times. When we get that meal and we eat that stuff, we know that we are in the Cayman Islands.

The thing is, we do not have to worry about our young people being interested. They will be interested. The young people gobble this stuff up. They have just to be given the opportunity. If you go around to the schools, the primary schools in particular, and see the quality of work those kids do, it is mind blowing. They have their own abilities and if they are trained in the way that we want to preserve certain items we will have absolutely no problem. This has to continue through the school system. We need to make sure that from primary right up through high school that our kids are taught things Caymanian. And I am certainly going to implore my good friend, the Minister of Education, to ensure that our new schools . . . I know there is a cultural aspect being considered and built in, in terms of how the places look and what you do, but I am going to implore that our teaching of crafts and things Caymanian are an integral part of our new reform of education system.

Yes, we have always had elements of it, but I believe we really need to give it a shot-in-the-arm, the boost that it needs to take it to the next level.

Madam speaker, we are talking about a livelihood here. Not everyone wants to dress up in a tie, put on a jacket, come down here or go in some office. There are different senses of fulfillment that people get. Some people like the simple life; some people like that they can stay in their district, in their little corner of the world, do their thing and eke out a living. But if a system of bureaucracy, red tape that ensnares people so they do not even know where to start, if from the first moment they touch something they are ensnared in red tape and bureaucracy it is going to fall flat its face.

These people have to be given incentives and guided. I know that the Investment Bureau under the Minister of Tourism is doing a good job in terms of guiding individuals with start-up businesses and stuff like that. But this is the kind of thing we need more of.

We need it in a sense that we just do not need that assistance. We need some of the red tape removed.

If we are going to give Go East a real chance, Madam Speaker, Go East must come with a reduction in some of the restrictions and planning requirements and all the other stuff that we currently have. We have to, Madam Speaker; otherwise it is not going to happen! We are fooling ourselves. These people that we are talking about do not have huge resources. They do not have the ability to get through and go the extra mile and build all that is needed and required. We need to make cottage industry a reality and the way we are going to do it is by giving incentives and cutting through red tape.

Madam Speaker, right now as I speak, I am reminded that the National Tourism Policy is being finalised. In fact, we have a meeting in Bodden Town tomorrow night which, through this medium, I would encourage . . . this probably will not be broadcast in time, but I encourage people to come out to that meeting with Mr. Evans, the consultant, to get the plans finalised for the Go East activities in that district. This is the kind of thing that is being thought of. The incentives are essential to make this a reality, and the ease in restrictions and whatnot. So I look forward to that meeting tomorrow night to see what the final product will be at least for the Bodden Town area.

One of the projects our Leader of Government Business, Minister of Planning District Administration is working very hard on is to create an agri-tourism facility in the Lower Valley area, the same area I spoke to with Market at the Grounds. Additional land has been bought in that area to make that into a really nice facility where not just agriculture shows can be held but it becomes a centre that people (locals and visitors) will be able to visit on a regular basis and enjoy things Caymanian.

I think that the sort of training centre we are envisaging here . . . because just talking about a craft market, I think the distinction has to be made. We have a craft market at the moment and we have various craft outlets. But what we need is a training centre. I think that needs to be stressed because we are trying to preserve and teach the craft; we are not just talking about the selling of the craft. There is an important distinction there, Madam Speaker.

Like I said, I believe we have the resources and the ability to train our own people. We may need some expertise added to what we have in terms of the finer things, but in terms of what we want, there is no one who can tell us about things Caymanian except our own Caymanians who have had it handed down to them from generations. They may have difficulty in some cases manufacturing it, but at least they know what the end product should be and we may need technical expertise as to how you get from A to B. But I do not think we need anyone to come and tell us *'this is what you need to be making.'*

Madam Speaker, it is important for this to work that we are able to not just distribute but sell

these wares. And this is where it gets really difficult. As I mentioned earlier, economics come into play. And if you go around now to even our own attractions, Pedro St. James, Boatswain's Beach and, of course the private businesses, you will find a lot of imported products being sold, little turtles and whatever it is that is supposed to be signifying local craft. You look at them and you will see that they are not made here. And it is because of the cost factor—the fact that you can buy and sell these things cheaper than if they were made locally.

We all have to come on board with this. As a Government we have to find a way to make it economically feasible. I mentioned cutting through red tape and giving incentives. Our Development Bank would certainly play a pivotal role in this whole thing to allow people to get going in a sustainable manner. Madam Speaker, we have to encourage our tourist establishments, our hotels and our local businesses that need to sell these products, Duty Free and all that. Yes, we may have to pay these people a little more for what they are making, but at the end of the day this is what we want our tourism product to be. This is what the tourists want.

Yes, it may be a bit of a crunch for a while and it may seem harder for a while to make the dollar. But, eventually, if everyone comes on board and buys into this concept and we are able to produce this stuff—and we will be able to I am confident of that—that is why the training centre is such a pivotal important role. We must be able to produce enough for resale. That is important. It is not just for local consumption; it is for the tourists to be able to come here and buy this stuff.

Madam Speaker, it is an all-encompassing approach that we need. Three Ministries I can look at are directly impacted: The Ministry of Tourism, Ministry of Education and Culture, and the Ministry of Agriculture (the Ministry of Tourism also having responsibility for commerce). Those Ministries have to work hand-in-hand and have a cross approach when it comes to dealing with this whole matter of Caymanian craft and things Caymanian for this whole thing to work.

The other important component of this whole issue of things Caymanian and preserving it is that it in itself is a preservation of who we are, a preservation of our identity. We are not only losing those things but we are losing the identity. People are feeling under pressure, and rightly so. There are so many people in this country that we have had to import to keep this economy of ours going. It is important that we hang on to every little straw and thread that there is that makes us real Caymanian people.

When it comes to artifacts—our food, our art—these things make us Caymanian. For those who say we do not have any culture, I say I am sorry for you, but you just don't understand. I think we have a very rich culture. I think it is one we should be extremely proud of. I tell my kids all the time, 'Look, don't

change your way of talking for anybody. Slow down a little, but speak Caymanian.' That is us. That is part of us and this is all part of it.

I bring all of that in to say that when we are talking about a craft training centre we have to look at the whole gamut, the whole approach of what we are dealing with. This is a step in the right direction, I believe. We have made steps in the past but I would like to think that this Motion . . . and I really hope, as the Second Elected Member for West Bay said, that this is not lip service, that this is not just about feeling good here on the Floor of this honourable House. Madam Speaker, this goes to the very core of who we are. To my mind all else that is going on out there pales in comparison if we do not get this right. This is what makes us the Cayman Islands. I feel strongly about that!

I am very, very happy that the Go East Initiative is something that this Government has embarked upon because I think those outer districts have been neglected to a certain extent over the years. This allows them to get involved and get into their little niche markets and be who they are right there in the comfort of their environs and claim their rightful share of our tourism product. Over the years tons and tons of money (I don't need to tell anyone that!) have passed through these islands. But we have quickly reached to the point of the haves and have-nots. If we do not take care of little things like this, the gap is going to widen and we are going to have more and more disenfranchisement and people who just do not know where to go.

Like I said, not everybody is going to be the lawyers and doctors, the politicians and bankers, businessmen and whatever, in terms of big business. Not everybody is going to succeed at that. Not everyone is going to come out of the schools, no matter how good we make the education system, with flying colours. That's the reality. But, Madam Speaker, that is why the vocational component, which this forms an integral part of, is so important that we catch those who are left behind in that sense and we pick them up.

I have experienced it, Madam Speaker. Those people tend to be some of the most talented individuals. People that we would call slow or handicapped in some ways, Madam Speaker, can do things with their hands that you will never dream of doing and cannot do. These people have to be given every opportunity and that is why through the vocational components, the emphasis we are putting on that, and the University College is doing a great job at the moment. I know that all of the new schools are going to have a vocational component and we are looking at all times to enhance that because we are now realising that too many people were being left behind.

They are going to have to make a living from somewhere. And if they cannot get it in an honest manner, then what are they to do? They are going to turn to a life of crime, drugs, or whatever. We end up

then with a social burden, with a bloated social services that just continues to have to patch—a band aid approach, really—problems that should not have been there in the first place. A full prison system, a society that is unhealthy.

Madam Speaker, we need to look at this as a global picture. We can no longer govern in a disjointed . . . you know, just focusing on this and not looking at the domino effect. Madam Speaker, all and sundry need to make sure that when we are looking we are looking at the big picture; we are looking at how each component fits in to create the kind of society we need. One of the ways we are going to create the Cayman Islands that we need is not just from a booming economy, not just from building large buildings and great roads and great schools. Yes, all that is important and we have to have the infrastructure. But, Madam Speaker, our people—and this is about our people—we must invest in our people and ensure that they are able to not only survive but flourish in their own country.

Madam Speaker, one of the private member's motions we spoke about recently, in regard to bringing to this honourable House, is in relation to getting our tourism product to have more of a local flavour. Again, that is so important because a lot of people come here and they leave without a real, true, Caymanian experience. They end up on Seven-Mile Beach, which is a little Miami, Florida type area—nice in its own way, but not Caymanian—and some of them never come off Seven-Mile Beach. They are encouraged, in fact, by the properties they stay at to stay close by, to eat close by and everything else. Some of them do not meet a Caymanian [before] they leave this country.

If the mountain can't come to Mohammad, then Mohammad should go to the mountain! I believe that we should find a way of infiltrating that too and getting our Caymanian culture, values and everything else right there where it is in their face. When they leave this country they will have had a true Caymanian experience. And of course, our crafts, our training centre—where we will make sure that we have the ability to produce all of this great craft, food, and art for the tourists to avail themselves of.

And, dare I say, not just tourists but I certainly gobble up everything that I can. My wife and I go around to shows . . . well, she's even gone so far as to say that our next house (which I will probably never have!) will have a Caymanian room. I mean she is very serious. She has already started her little bits and pieces of collecting a conch shell here and piece of thatch rope there. That's great! It's good to know that we feel that way and that others feel that way. It gives us a vested interest in making sure that what we are saying here happens.

We have to have our Caymanian heritage continue. The only way it can continue is by our own Caymanian people putting 110 per cent effort into it, and us as a Government supporting that in every way possible.

So, Madam Speaker, I think I have just about exhausted what I had to contribute to this very important Private Member's Motion and, certainly, one that I feel very strongly about and very good about. I think that it will stand on record as one of the very, very important Motions that were brought. History will show that it was a very important and timely motion.

Madam Speaker, with that contribution I thank you and all honourable Members for their support of this very, very worthy Motion. And, once again, kudos to the Third Elected Member for George Town for bringing this at this time.

Thank you.

**The Speaker:** Proceedings will be suspended until 2 pm.

Would the members of the gallery please stand?

Thank you.

**Proceedings suspended at 12.40 pm**

**Proceedings resumed at 2.13**

**The Speaker:** Please be seated. Proceedings are resumed. Continuation of the debate on Private Member's Motion No. 9/07-08. Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, as the Honourable Minister of Tourism already indicated when he rose to give his contribution to the debate on this Motion, the Government is very supportive of the Motion and I just want to remind us of the resolve section of the Motion which reads:

**BE IT NOW THEREFORE RESOLVED THAT the Government considers collaborating with the relevant entities and individuals to set up a Training Craft Centre which builds on existing craft and the development of other Caymanian artifacts.**

Madam Speaker, as I listened to the other Members who have spoken on the Motion, I have with keen interest noted that the trend of the discussions widened the scope of the Motion. And I just want to note that, not because I have a problem—I certainly do not have a problem—but to make the point that when we speak to setting up a training craft centre, if the Government is to listen to what has been said by the various contributions then certainly the scope will not be limited to that.

But I want to commend the mover and second order of the Motion for bringing it forward because, Madam Speaker, just to jog your memory, I think it was you, the Minister of Health, and I . . . come this Friday will be exactly 15 years ago when we were first sworn in to this Legislative Assembly. And, again, to jog your memory, it was only months after that that we heard the first talk about our heritage in this Legisla-

tive Assembly, about the need to retain the skills to maintain and sustain what we call heritage.

In those days, Madam Speaker, the key terminology was, if you remember, these cottage industries that we needed to have in all of the districts. And all of those talks were speaking to the same subject that we speak to today.

As various speakers reminisced on their memories of things Caymanian and (pardon the saying but I am sure we have all heard this one too) *what used to was*, we notice that there are so many things that were part of our everyday lives not very, very long ago that are almost totally gone now and at best a rarity.

So, Madam Speaker, while this may not be one of those topics that speaks to money in someone's pocket literally, so to speak, the fact is this subject is, in my view, as important as any other subject that we speak to.

Some have said, Madam Speaker, and they are so right, that things like this, things Caymanian, when they are lost they are lost forever. I think the message is that we have lost too much; the least we can do is to stop the bleed, stop the loss, find the pride within ourselves and create the machinery that will cause for us to want to bring back things Caymanian.

The other common thought expressed, Madam Speaker, as does the Motion itself, is the thought of bringing together the necessary agencies and entities in order to create some cohesive force that will deal with this on a nation-wide basis rather than little isolated pods.

Madam Speaker, I want to just take two minutes so that Members will be fully aware that the agritourism project that they have heard me speak to and the project which has actually been started has as an integral part of that vision things Caymanian and creating the avenue where things Caymanian can be revived.

The Saturday market that has been started . . . for any one of us who has visited that Saturday market there are several vendors who are selling things Caymanian.

I noticed that the First Elected Member for Cayman Brac and Little Cayman reminded us and drew the illustration of the gift baskets at the annual agricultural show and that those gift baskets contained things Caymanian. That is part of the whole thrust.

Just to give a little background, Madam Speaker, when the committee who deals with the Saturday market was putting together what I would call the "rules and regs" for the vendors, one very key rule in the whole operation is you cannot sell things in your stall that are not things Caymanian.

And that is not to disenfranchise anyone, rather, the opposite, Madam Speaker It is to give impetus to those who are still creating these things Caymanian to know that they are not going to the Saturday market having to compete with those myriad

of items with the label "Made in China" or "Made in Taiwan." No disrespect to any one of those countries, but we are talking about these mass produced items which just by the very nature of production will compete with our own things Caymanian, and people would have a tendency to quickly buy them because of the price.

But you see, Madam Speaker, the other thing that was mentioned that is, in my view, a fact, there is a revival in this country today about things Caymanian, about what we eat. And that brings with it the tide that gives us all the pride to know that you have straw baskets still available, you have hats, you have fans, you have a myriad of items. And the truth is, those few people who are, as part of their own heritage, carrying on this tradition have even become more innovative today than they were in the years gone by simply by exposure of other items that they see while still using things Caymanian to create those items. And that is only a natural progression because as time goes on demand calls for other things. So, we see little traces of that and I am happy that I can report today that all is not lost.

So, now, Madam Speaker, we look to some type of structure that it seems like all of us are crying out for, rather than just the ad hoc approach which brings to life something, somewhere for a little while and then the breeze comes and the fire goes out and that is what we do not want to happen. That is the cry that I hear, and I join that cry.

Madam Speaker, getting back to the agri-tourism project: When we think of where to have a central location, in my mind as part of the vision of this agri-tourism project, I can think of no better place than to have a dedicated building where the vision is, Madam Speaker, as part of local and tourist attractions. For instance, the tour buses would be able to stop in, visit this locale and tourists would be able to see people actually making these things Caymanian.

I remember it was the FCCA Conference where they had some 1,200 delegates here in Cayman. I think it was last year. In speaking to several of the (if I may loosely use the term) "big wigs" and those who are in the know, those who have studied the markets, those people can say to you, '*Listen, this is what our cruise passengers want.*' And I remember them specifically speaking to arts and craft and saying what the people want is not just to look in a kiosk and see these items for sale. They want to be able to walk through a location and see the items being made, that is what excites them and I would think they should know.

So, if we take that advice and speak to the dollars and cents and the enticement for Caymanians to revive this tradition, then certainly we have to go in that direction for it to be able to sustain itself.

I think I heard one speaker, Madam Speaker, actually ambitiously say not just locally, but look to produce things Caymanian for export.

Madam Speaker, I am not suggesting for one minute that that is not a wonderful aspiration. But me, I would be extremely happy if we can some day in the very near future simply see enough of a proliferation of it that it satisfies a local market. If I were to have thought three or four years ago of that possibility I would have said no, just looking at what obtained. But we do have these bodies and they are such wonderful people. Most of them, as has been said—and it is quite true—are the older folks. We know that.

But, for instance, Mrs. Carmen Connolly in East End, I have spoken to her and I know that she is going through a time of bereavement right now and I have to say that I know that all of us just wish to say that we are there for her in her time of grief. But nevertheless, Madam Speaker, speaking about her I know that she actually gathers the youngsters at a specific location to teach them. And there are other people that have these knitting classes that she does, all kinds of people, middle-aged people who want to learn to knit, to crochet and that kind of stuff. So, it is not dead. It is not dead, Madam Speaker.

What we really need to do now is to not just create the atmosphere, not just create the market, but create the physical presence and bring it all together so that people can see it is something real, it is tangible, things can happen. And there are enough people around between Grand Cayman, Cayman Brac and Little Cayman who, if they knew that there was this real impetus, I believe they would step forward and be quite willing to teach the younger ones.

So what I believe needs to happen, Madam Speaker, in summary, is that we need to bring this thing all together. We need to be able to prove by our commitment and assistance as a Government to those who are involved, that, yes, you can actually earn a living from it and, yes, you can have pride in what you do, and, yes, there is a market for and, yes, we are going to do everything we can to bring all of that together so that they can feel free to simply exploit their skill and their knowledge and pass it on so that generations to come will be able to sustain that.

This is a tourist destination—cruise passengers and stay overs—but it is not only that. You, Madam Speaker, are not a tourist. You are as Caymanian as I am. But you, too—and I do not ask this, I know this because I know you. You would be ecstatic to be able to get in the middle of those displays to be looking at all the little things you knew as a youngster and because of the fact you are where you are now, while you do not have a fortune to spend, you would always find some money to buy something if it is even remembering a grandchild, if it is even remembering a child, to make sure that they too understand our heritage and our tradition. So the market is there.

There is no question, no doubt in my mind whether there will be support. And the fact is, Madam Speaker, you always hear the nay-sayers because of the short-sightedness of needing the dollar now who will say, '*Why go to all that trouble? Forget about that.*

*Just create the places for us. Let us import all of the stuff we need and let us have the places to sell them to the tourists.*' Well, that is not us. It does not end there. And the truth is that in some quarters, and I know they are the minority, that may be unpopular a stand to take. But I can promise the world that is the Government's stand.

So, I believe, Madam Speaker, that the Government can quite readily say that we are going to take on board the Motion. We have listened keenly to all the contributions. We have heard the suggestion about things Caymanian, as I term it, being part of a curriculum. There has been the thought prior to this of perhaps having some dedicated class at UCCI or somewhere for this type of thing. And I have nothing against the thought; but the truth is, this a bit more than that. This is real life. This is living something. This is living something. This is really not formal education as we speak it. In my view, I would even separate it from technical and vocational if we really wanted to get technical.

This is stand alone, Madam Speaker, and I think people will agree with that and I believe there is a great scope for it. And I can say, as I mentioned before in my contribution, is that in the plans for the agritourism project there is a dedicated place where all of the proper equipment will be in place, where people can come and they can have their classes, they can actually do their work and at the same time while all of that is happening you have your kiosk where the items are on sale.

Madam Speaker, the other thing that I know happens with the few people who do it now, is that people call and book their orders just like one of us would call the meat shop and order some Number 7 Beef for Saturday morning. *'So and so's birthday is coming up. I know she would like this. Would you please make one of these for me?'* So there is scope.

I do not want to just drag on and on with the debate but I thought I would just express those few thoughts for us to have heard and I am sure that those who are involved now will get really excited if they know there is a concerted effort and the Government gives its commitment for that.

What I think we are going to need to do, Madam Speaker, is we are going to need to gather representatives from certain organisations so that we do not have anything left out because we do not have to limit these things Caymanian to a basket. It can include paintings.

Madam Speaker, I noticed even at the agriculture show, I cannot for the love of me remember the name of this other little organisation but there is this organisation at every agriculture show and they have their displays and they make gigs and other little gadgets that we knew when we were growing up as part of our heritage. All of those things must not be lost. Cayman—

**Mr. Osbourne V. Boddén:** Traditional Arts.

**Hon. D. Kurt Tibbetts:** Traditional Arts I am told. I forgot the name of it before, but that is the name of it.

Madam Speaker, those kinds of people they are not really old either but they are trying to keep the tradition alive. And what we have to do is to create the blend that people can keep the tradition alive and guarantee that but be able to live also. And I think that is the direction that we need to go.

So, Madam Speaker, in pulling all of these organisations together, I am confident that we will be able to get out of those discussions all that it takes for us to decide on a clear path as to the way forward. And once we get to that point, I believe that we will find the support within all of the communities that we are all looking for. And I believe I speak on behalf of all the legislators in that regard, that every single one of us gives total support to making this a reality.

Once again, Madam Speaker, I give the Government's commitment to do everything in our power to make it happen. I also wish to commend the mover and seconder of the Motion for their careful thoughts in the matter and I also wish to thank all other Members who have contributed to the debate.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak, does the mover of the Motion wish to exercise her right of reply? Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, this Motion like the Motion I brought in August about the contribution of women, should resound in the Cayman Islands. The relationship between the two Motions and the similarities, ironically, is that the Motion on the contribution of women—which I brought and I hope got the traction that it should have gotten in the media such as this one should get—is that the two things are about women, because, barring some men who have contributed to the craft in particular in the Cayman Islands, most of the persons today are women and the elderly, except for a few young persons that have come in recently to assist in the traditional arts.

But I see the relationship of the Motion I made about the contribution of women being applauded and the establishment of a craft centre, because for years it has been almost a women's purview and you will agree with me, Madam Speaker.

And I wonder, Madam Speaker (and I am going to take a different tact here) if perhaps that may be why there was no such elevation as such to ensure that the women of this country who have done this wonderful craft were not given the position we are giving it today and that is why I say I wonder. But I am glad, Madam Speaker, that each person that has spoken here today has given his or her commitment, in

particular, from the Government's side who committed themselves to this.

Madam Speaker, this Motion is about empowerment. This Motion is about the reduction of poverty because what we are doing—and I believe the First Elected Member for Cayman Brac and Little Cayman so eloquently said it today—we are expanding it for more job creations and that is why I said that it would aid in the reduction of poverty and I also say that it will empower our people to express themselves through the cultural heritage of our country and bringing in revenue as well.

This Motion, Madam Speaker, is not lip service, as was said earlier. It is not. Those persons who know the mover of the Motion and the seconder of the Motion know that our hearts are for improving the sustainability and the quality of life of the Caymanian people.

I am not a career politician. I will not be because I have come in at the age that I am. So, therefore whatever I bring has to be for the upliftment of our people. I cannot play politics at such an old age; it has to be sincere. And as the Leader would say, I am matured and not old aged.

What I am saying is that when we discuss with our group the Motions that we are going to bring in it is not to do because we want to have some political traction, but we want to let the people of this country know that something like arts and crafts that have existed for centuries in our country, it is today that we are going to put it and link it and it is inextricably linked to the tourism in our country. It will maximise the tourism of our country. It will Caymanise the tourism in our country, Madam Speaker. And perhaps, if I have to say, why Caymanians have not taken on to tourism as an economic way of life is because of the divorcing of the arts and crafts from it. So I know that the Minister of Tourism has given his blessings to it and said that it is something that they will be committed to do.

So, Madam Speaker, this Motion addresses also the social and economic situation of the Caymanian people.

There has been a lot of cultural penetration and we do not fault anybody for that because we have opened up our doors to everybody because we are a fairly wealthy country. And of course people come here not to count cows but to drink milk. But when they do come they come with their cultural suitcases, because they cannot leave their cultural suitcases at home because culture is a way of life, as they would say "*how you do tings*." But when they come they subsume the Caymanian culture and because there is no honing in and no determination and no political will by us that our culture comes first—whether it be Ms. Lassie's house or whether it be slippers made of sisal, as you really like, Madam Speaker, this is what we are or "*what we is*" to say in ungrammatical language.

Madam Speaker, this Motion is about sustainability. I do not know what happened to my colleague

today, the First Elected Member for Cayman Brac and Little Cayman, but she was right on spot. I almost thought if I had not known better that she was speaking like a PPM. Madam Speaker, I know in jest, but I know that when I saw her speaking her heart was full to know that here at last we are going to take the bits and pieces that we have all around the Cayman Islands, including Cayman Brac, and for once we are going to concentrate on the sustainability of all our Caymanian people through arts and crafts and I do say that Cayman Brac has wonderful, wonderful arts and crafts, very, very creative people. And I am glad that both the First Elected Member and the Second Elected Member spoke passionately about the Heritage House. They are even better than us. They have a Heritage House where they can mimic—and I use that word not loosely, First Elected Member for Cayman Brac and Little Cayman—where they can mimic their heritage and their culture through crafts. And I am very glad and I know that the Minister and the Leader have heard both of your appeals.

Madam Speaker, the Motion was also about multiple intelligence. We hear the Minister talk incessantly about multiple intelligence. But it tells us that we have to look outside of the box also, that intelligence is not just cognitive but it has to do with the creativity of our people and our people are very creative in the fine arts, in crafts and in art. So, the Motion is about that and, as I said also, about the sustainability of the tourism industry and maximising the tourism industry.

Madam Speaker, the Motion also—and everybody alluded to this—is about hopefully reducing the buying of souvenirs made in China or Taiwan and to have it, as the Leader pointed out, at ground level, what we call cottage industry. The Motion helps the craft to be refined so that we can have an area where there can be tutorials in business management, in marketing skills, in packaging and all of those things.

Madam Speaker, I wonder sometimes why we go to China where these things are created, not that the Chinese are smarter than us, I believe they are cheaper than us. But we can offer good competition within the crafts and I think we can keep the price down so that when the tourists come here—because that is what they come here for, they come to get a piece of us, so to speak. A piece of us, not literally a piece of us (although sometimes that happens) I say that in purely English terms, meaning that they get the sand, they get the sea, they get the tan, they eat the food. That is a piece of us. But we want them to take back a tangible piece of us for a small price.

We go all over the world and we bring back a piece of them and we put it on our walls. Right now I have one from where both of us, Madam Speaker, went to Quito, Ecuador. And we put it on our walls.

*[inaudible interjection]*

**Ms. Lucille D. Seymour:** Yes, that was a mistake. Of course the Second Elected Member for West Bay always comes in late so he gets the last bit of everything.

*[inaudible interjections]*

**Ms. Lucille D. Seymour:** As I said, Madam Speaker, the Motion will afford more employment opportunities, more business opportunities. It also will enable the indigenous Caymanian to look at the heritage craft as not only something for Pirates Week but a vocation to sustain their life.

Madam Speaker, the Motion helps to retain the culture and the heritage and to put it as a living entity so that it will not die a slow death. Some of us said this morning how it appeared at times that this whole business was taking on another side, it was slowing down, but putting this all together, we revitalise our interests in our heritage. I said that the centre does not have to be another building that we build. The Honourable Leader said today that we could utilise the agri-tourism section. I agree with that.

But also, the honing of the skills perhaps could be there, but when we look at also accommodating the cruise ships I think we might have to look at how we market some of these things, and we will have to take these things to the little depots or something like that. These things can be worked out.

Madam Speaker, the Motion is about the expanding or generating of income, giving Caymanians another sphere of wealth so they can really be stakeholders in the tourist industry.

An important point, Madam Speaker, it is a life-long education and it expands the visual arts through fine arts to really unearth the creativity of our people, resulting, as I said, in income generating, not just for now, but for our generations and also for a larger number of persons.

It also solidifies our heritage and culture and puts it up in front of the faces of the Caymanians and the residents alike. It is a forum for us to pass on our skills. We are in here today saying that some of our skills are dying, that the people who had these skills they have passed away and maybe we do not know if they have been passed on. You, yourself, Madam Speaker, were speaking about that today. This will be an education process and certainly would expand the world-class education system that our Minister speaks about.

Madam Speaker, history and culture of our country cannot be left out of this education process. The schools will be forced to revisit our heritage and also our craft and engender from an early age the [role] it plays in our lives.

Madam Speaker, the political will on both sides must be there in order that the craft industry will parallel with the great tourism industry which we have.

"Things Caymanian" should be our mantra, Madam Speaker. Critical to this, we must as soon as

the centre is established set about policies or legislation so that artifacts made locally will not be subsumed by the imported market. I do urge government to consider putting aside in the 2008/2009 budget sufficient funds for this project.

Madam Speaker, I am very delighted and happy that the persons who have spoken have supported this Motion, not because it is frivolous, not because they are trying to be tongue-in-cheek; but when all of us as legislators who are part of the destiny of the Caymanian people look out today, we see a different Cayman. We see we need to put things in place, not just about decreasing the fuel factor or all of those things for the cost of living, but to provide simple things that can increase jobs so that there can be a generation of income.

A Motion like this I think is very good, even if I have to say so myself. I did not bring it here on my own, Madam Speaker, I was supported by the PPM Government because in our Manifesto we talk about the sustainability of the people, we talk about improving the quality of life for the people. In the Manifesto you cannot put every little iota in it, but as we go we have to bring Motions in place, Motions that are going to be solidified by commitment, by Ministers and Back Benchers and Oppositions who come together to improve the quality of life for the Caymanian people.

Madam Speaker, I do hope that the Caymanian people who have not been able to hear this through the vibes of the radio will certainly read it electronically or read it in the newspaper because these are the things that the media have responsibility for, to educate the people about things to improve them in life. That is one of the tenets of good journalism, and I do hope that all of the media would take this aside, because as I sit here sometimes some good stuff that we talk about on both sides that is so good gets coloured by all the other yellow things that the media likes to write about.

So, I thank you, Madam Speaker, and I also thank the Government for accepting this Motion.

**The Speaker:** The question is be it now therefore resolved that the Government considers collaborating with the relevant entities and individuals to set up a Training Craft Centre which builds on existing craft and the development of other Caymanian artifacts. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 9/07-08 is duly passed.

**Agreed: Private Member's Motion No. 9/07-08 passed.**

**The Speaker:** I will recognise the Honourable Leader of Government Business to do a change, with the permission of the House, to the Orders of the day.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, the Honourable Minister of Education would normally be replying to this next Motion that is on the Order Paper and unfortunately there is a meeting that we have to be attending as I speak. So, having consulted with the Second Elected Member for West Bay and craving your indulgence, we would like to move forward with [Item 6(3) on the Order Paper, PPM No.12/07-08] rather than [Item 6(2), PPM No.11/07-08] which will take its place afterwards, Madam Speaker.

**The Speaker:** The question is that we move [Item 6(3) on the Order Paper, Private Member's Motion No. 12], forward. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 12 moved forward.**

#### Private Member's Motion No. 12/07-08

##### Animal Nuisances

**The Speaker:** I recognise the Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker. Madam Speaker, this Motion standing in my name reads:

**BE IT NOW THEREFORE RESOLVED THAT the Government considers undertaking a review of all relevant legislation in order to allow the complaint and resolution system to be strengthened and streamlined as it relates to animal nuisances.**

**The Speaker:** I will recognise another Member of the Opposition to second the Motion as the moving of this Motion up on the Order Paper, the Honourable Leader of the Opposition, who is the seconder, is not present at the moment.

Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker. Madam Speaker, I believe that all Members of this honourable House have at some time or the other

been approached by members of their various districts to complain about certain situations that they try to get resolved.

Madam Speaker, let me just say from the very outset that all of us recognise the value of pets, animals in general, because there is certainly nothing better, in my opinion, than a good family pet whether it be a dog, a cat, a hamster, parrot, whatever it may be. But we also understand that animals can be extremely profitable. However, in some people's zest to make a dollar, they sometimes have very little regard for those who live and move around them.

Madam Speaker, I will get back to that point, which is the main point of my debate, in a minute. But I also want to just remind all of us that animals do serve a very valuable economic purpose. There are many people who use animals to try to enhance our tourism product. We know that horseback riding, for example, has become something that is very popular in these Islands and there are quite a number of operators of horseback riding.

We understand the great necessity and value that animals play in our agricultural sector. We all would like to see us enhance our food security in this country, and to do that we are not just talking about planting crops, we are also talking about the raising of beef. Hopefully we could be once again in the position where we are producing eggs, chickens for consumption, goats. There are many different types of livestock that are quite popular to us here in Cayman that it would serve us well to continue to promote and support people who operate in that sector of the agricultural sphere.

So, Madam Speaker, we understand that there is a great necessity whether it is for personal enjoyment, and to have personal and household and family pets, going right up to the farmer who raises cows, goats, or whatever animal it is that they are raising to be able to sell to the market. I am not going to bore the House with going to that issue because that is not the point of the Motion.

The point of the Motion, Madam Speaker, is when we have persons in the community who knowingly or unwittingly get themselves into business operations that cause the animals that are the key component of the business to become a nuisance to others around them. Now, in my research there were a number of pieces of legislation that touch on and bear relevance to this issue.

Madam Speaker, I will start with the Animals Law (2003 Revision). That piece of legislation has quite an extensive and detailed regime in which animals in general should be kept and should be dealt with within the country. An entire section, Part VII, of the Animals Law, starting at section 33 and running all the way to 65, deals with the whole issue of nuisances by, and control of, animals.

I say that to say, Madam Speaker, that in crafting this legislation, the legislature recognised that this whole issue of controlling your animals and not

having them become nuisances to others was indeed a very important one. And when you look at the marginal titles in the legislation you see a number of different, very important topics that are covered to try to ensure that the public is aware and has a frame of reference to draw from in ensuring that they do have control of their animals and that their animals do not become a nuisance to others.

Madam Speaker, let us start on the, I would call, end of the spectrum. That is the one that is, I guess, the most difficult to deal with and one that has been an occurrence in Cayman for a very, very long time.

We know, Madam Speaker, that in years gone by most people did not have a fence around their yard. However, like a lot of other places, dogs have been a pet of choice for Caymanians. I would dare say they are probably by far the most popular pet. Now, those dogs take a plethora of breeds and definitely what is referred to as the Cayman mutt is by far the most common.

And so, we know that for years most people simply had a yard dog and their dog was free to wander and roam the neighbourhood, the community, but for the most part most of those dogs were not what we used to refer to in Cayman as bad dogs. Most of them were truly pets. Most of them did not attack people or animals. Yes, they might have chased a cat or a dog or some of them if they saw someone on a bicycle might bark at them or run after them, but in a lot of instances even then I remember as a child it was just out of play. They were not actually going to attack or bite someone because you knew as soon as you stopped on your bike and put your foot down they turned around and ran away quicker than they could ever dream of chasing you.

I am not saying that we do not need to ensure that people try to recognise that as the community has become more populated, as there have become more homes because we have gone from the stage where you had a homestead and perhaps on that homestead were four or five homes within a particular family. If one or two people had a dog, then nobody else might have gotten a dog because you did not want to have too many. But now that everybody is moving, everybody will get his own, basically, one or two.

And so, we need to remind people that if they have a fence, try to keep it locked to try and keep their particular dogs or other animals under control so that they do not become bothersome to others.

Yes, Madam Speaker, we do have complaints about some of that and I am not downplaying that issue. People do need to understand their responsibilities under this particular piece of legislation. But I do not think that that is probably one of the more serious issues as it relates to animals that I think most of us as legislators have probably encountered. Yes, we have had isolated incidents where that does cause concern. It has caused more concern in recent times

because of the introduction of ferocious breeds of dogs and the cross-breeding of those ferocious breeds of dogs.

Now, there are some animal lovers . . . and I have some very dear friends of mine and we will never ever agree on this point because they have their opinion. I have my opinion. And I think when you look at research it leans towards the more conservative view which most people hold which is that there are certain breeds of dogs that are predisposed to be ferocious. I can remember when this piece of legislation was being crafted. I can remember the meetings at the Agriculture Department and I can remember the dog lovers being so animated and vehement that some of the breeds of dogs that are listed in the ferocious category should not be there. I can remember one young lady who owned a pit bull, and she had her pit bull outside and I remember after the meeting she called him and let him jump on her and she said, 'See? He isn't ferocious.'

And, yes, everybody has his opinion, but the bottom line is I think there is clear evidence that there are certain breeds of dogs that are predisposed to being more ferocious than others and they attack other animals and humans at a much greater frequency and the results have been much more devastating. I do not know of any Caymanian mutt that has ever maimed or mangled young children. I do not know of any Caymanian mutt that has ever killed a child of its owner. The same cannot be said for dogs like pit bulls. And so, we need to remind the public that if they have a dog that is one of these breeds or a cross-breed of one of these that there is a duty of care, a serious duty of care, that they have as it relates to the Animals Law. Parents need to be particularly mindful when some of their young teenaged children, especially boys, want to get a pet because it has been quite trendy for some time for some of the younger adolescent boys to have a pit bull.

Just the other day I was driving and I saw a young man walking with his pit bull. Obviously he was coming from the beach. He had his towel around his shoulder and he had his pit bull running in front of him, a young pit bull. No lead, no muzzle. And that is clearly in violation of the law.

I think parents need to understand the liability that they potentially will face by allowing their minor children to own dangerous and ferocious dogs and not to care for them and, more importantly, handle them appropriately in public.

Madam Speaker, I know all of us will have some family member or friend who, at some point or time, was either rushed (as we would say) by some dog or something when they were out walking and just trying to get some exercise. I know it happened to me twice recently when I was out just trying to take a walk and to get some exercise. Perhaps that has contributed to the size that I am, Madam Speaker!

But, in all seriousness, I do not want to belabour that point any more. I think this piece of legisla-

tion was crafted to deal with a lot of those concerns. I simply brought it up because I think it is a good forum for us to refresh. It is a good forum for us to remind ourselves and we hope that the Minister responsible could perhaps get the Department of Agriculture to do another little PR campaign just to remind the public again of their responsibilities as it relates to dogs and certain breeds of dogs.

I want to move on, Madam Speaker, to probably the most important piece of legislation as it relates to animals, and that is the Public Health Law.

Madam Speaker, sections 6 through 14 of the Public Health Law—and this is Part III of the law—again titled Nuisances. If we see the frequency and regularity that the word “nuisance” is used in important pieces of legislation, it goes to prove that legislators have recognised that the public needs to have legislative protection as it relates to this whole issue of nuisances.

Madam Speaker, let us face it: In an idealistic world, all people should be responsible and they should care about not only themselves but also their neighbours. And the reality is: it is really a testament of the times in which we live, in which you have to craft legislation to include these types of provisions and to impose penalties and mechanisms so as to get people to do what they should be doing in the first place.

Madam Speaker, I lament that point. But the bottom line is, we are where we are and what we need to do is ensure, as we have recognised that nuisances as they relate to animals are a problem, that the system for resolving those problems is not so bureaucratic, not so cumbersome and in some instances so meaningless that it causes the persons who are responsible under the law for acting to uphold the law to not be able to do their job efficiently and effectively. And that is what has happened to us.

I think when we look at the legislation, in all instances the legislators at the time when they crafted the legislation certainly intended for there to be a system that would allow for the speedy resolution of issues and the effective disposition of issues.

Madam Speaker, the Public Health Law is quite detailed and quite clear about what a nuisance is. Madam Speaker, just the issue of defining statutory nuisances, section 7(2) runs from (a) through (w) as it relates to defining individual specific statutory nuisances. And so, what that tells me is that the crafters of this legislation tried to ensure that they covered everything imaginable so as to give the public and give the Department of Environmental Health ground to stand on as it relates to actually effectively dealing with the identification of these nuisances.

Now, Madam Speaker, when this Motion was circulated on the Business Paper and we recommended last Friday, a number of my colleagues on both sides of the House when they saw it quickly said, ‘*Oh, that’s the Ormond Motion*’ because there is a gentleman from our district who has long had to suffer

with what is clearly a statutory nuisance. He lives opposite a horse-riding facility.

After my getting elected, he came to see me. He saw a number of my colleagues, and he quickly told me that the now Honourable Leader of the Opposition and a former Member of this House, Mr. John Jefferson, Jr.—and I call him by name, Madam Speaker, because this gentleman acknowledged to me that both of them had worked on and tried to get resolution for his issue. And that told me how long this issue was outstanding.

Madam Speaker, we went from department to department because at one point we were told ‘*You need to go to Environmental Health,*’ then we were told, ‘*No, you need to go to Public Health,*’ then we were told, ‘*No, you need to go to Planning. It’s a Planning Issue*’ so much so that the now Third Elected Member for West Bay and I drafted a motion I believe back in 2002 or 2003 (sometime in that ballpark) to try to deal with this issue and get it resolved for the gentleman. However, I think well intended at the time, a permanent secretary at the time caught wind of it and promised that we could get resolution, we did not necessarily need to have a Motion to deal with the issue and they would look into it. Again it was looked into, and again we went from department to department trying to get this issue resolved.

Madam Speaker, this one specific issue that I am speaking of has had some work done. There is a long extensive file in the Department of Environmental Health on this particular issue, so much so that certain conditions were placed on the operation in hopes that those conditions could deal with the nuisance that had been created. Of course that meant that they would have gone through the normal abatement notices and the normal abatement process.

Madam Speaker, in speaking to the district officer for West Bay about two or three weeks ago when it was still raining . . . and of course when it rains that is when this particular nuisance becomes more pronounced. I take into consideration that we have just had lunch so I am not going to go into the specifics of this nuisance except to say it is a horse pen operation, so, if you take a number of horses that are in a very specific area and you add rain water it is not pleasant; it is extremely unpleasant.

*[inaudible interjections]*

**Mr. Rolston M. Anglin:** And so, Madam Speaker, in speaking to the officer, I requested if he could take some time out of his schedule to revisit the property because I had been by there myself and I had witnessed and smelled exactly what the complainant had to put up with.

Madam Speaker, where he lives is on that piece of the Island where he is down wind from this. I would have to say 80 to 85 per cent of the time the wind is blowing fairly strong in that area and so he has to really put up with this pretty much all year round—

like I said, probably 80 to 85 per cent of the time. In fact, he even had some rental property and he has lost tenant after tenant because of the same issue. People move in to his property and as soon as they have to be exposed to this situation they leave because they have a choice. He does not have anywhere to go.

Madam Speaker, this particular nuisance, when you look at the statutory nuisances in section 7(1) of the Public Health Law, in my opinion there were a number of different areas that this one could have been caught under. [Section]7(2)(i) reads “**noxious matter or waste flowing or discharge from any premises into any street or into the gutter or side-channel of any street, or into any gully, swamp, watercourse, irrigation channel or bed thereof, not approved by a Medical Officer of Health;**”

Madam Speaker, the one thing about this one example is that because of the slope of the land in that area, not only do you have a large congregation of horses but when it rains it actually runs off into the public road and you can actually watch it. On a heavy rain once the ground is saturated you see the run off coming from the property. That is a fact. I have seen it myself.

Now, Madam Speaker, as I said, Mr. Ormond has spoken to numerous West Bay representatives over a long period of time and there have been a lot of attempts because he quickly acknowledged that when he first tried there was no abatement that had been served and so the conditions that were put on the property did not even exist originally. So, the conditions while they help somewhat some of the time, they still leave a lot to be desired.

Let us face it: Environmental Health does not have the resources or the manpower to be there every day to make sure that the proprietors are conducting and maintaining their property and maintaining their operation in the manner that is prescribed by the conditions that that department has placed on it. I am convinced that even with the conditions, once rainy season comes the nuisance is going to exist throughout the rainy season. That is my opinion. In speaking with the departments, the health officer for West Bay, he did not seem to disagree with that opinion. I think during the dry season once the conditions are met, perhaps it gives an opportunity for it to be, I guess, kept in a reasonable state but during the rainy season, in my view, no chance.

Madam Speaker, getting out of that specific situation just to deal with what we have legislatively: Legislatively we have Part III of the Public Health Law dealing with nuisances. Section 6(1) and (2) give the duties of the Senior Medical Officer of Health and the Chief Environmental Health Officer. That is one of the reasons why this example (for example) had been sort of kicked around from department to department, because 6(1) says what the Senior Medical Officer of Health should do—that is, the Senior Public Health

Officer—but then 6(2) deals with what the Chief Environmental Health Officer should do.

So there has been too, this feeling sometimes that perhaps one or the other should be doing something when the other one is then saying that the other department should be doing it, and it slips through the cracks literally.

And so, Madam Speaker, when we look at section 7, section 7 gives the reasons to abate and to issue an abatement and it defines, as I said, (a) through (w) all of the statutory nuisances. And of course I do not need to at this juncture or in this forum bore the House with reading all of those. Those are there for any Member who wants to see them.

Section 8 then deals with the service of abatement notices and the process that one would go through. And then it ends off by saying that anyone who does not comply “. . . **is guilty of an offence and liable on conviction, to a fine of five hundred dollars for each offence, and to a further fine of fifty dollars for each day during which the offence is continued after the date specified in the notice as provided . . .**” [by the Department of Environmental Health whether any nuisance exists.] It then goes on to give certain powers to the court and the court system—the judicial system—if certain nuisances are continued.

Madam Speaker, when I first became aware of the situation, upon looking at the law I thought that this was a perfect opportunity to be able to have dealt with the situation effectively. This example I think is a classic one to show why this Motion or the result of this Motion could be so beneficial and helpful because what we were then told was that, while under the Environmental Health Law there were certain powers to act, there was another consideration and the consideration was the Planning Law Regulations and Regime.

The next obstacle and hurdle that was presented to this situation was that the property on which this operation is housed is not a residential property. So, the complaints system that relates to residential property—and if we look at the Planning Regulations, Regulation 9(5), we read, “**Notwithstanding the foregoing regulations, no use of land in a residential zone shall be dangerous, obnoxious, toxic or cause offensive odours or conditions or otherwise create a nuisance or annoyance to others.**”

Again, Madam Speaker, we see in our legislation “nuisances”, “annoyances”. Obviously the crafters of these pieces of legislation recognised that the public had to be protected legislatively. However, this speaks to residential, and as we understand it what has occurred is that this particular operation is on a piece of property that is zoned hotel tourism.

In fact, just during the Finance Committee that took place during the budget process when the Director of Planning was here, I brought that line of questioning to him to confirm my understanding. And he confirmed that when the planning regime was put in

place the whole issue of nuisances and how you abate nuisances or deal with nuisances, for some reason, the area that deals with hotel tourism zonings is silent on the issue. And perhaps if we think about it, most of us would naturally think that where hotel and hotel-related type developments would go would not necessarily be in a residential area and that most of the times those residences would not necessarily be very close.

But, for some reason, in this instance we have hotel tourism on one side of the road, you have a very narrow road, and on the other side there is nothing but residences and a residential area and they are downwind. If they were upwind at least most of the time there would not necessarily be the nuisance, the stench—the stench, I guess I need to say this word, the stench—that exists. I was grasping to try to come up with a word that was not offensive itself. Therefore, Madam Speaker, when we look at the planning regime we see where we do run into a real issue in effectively dealing with certain types of nuisances.

Now, Madam Speaker, we also see in the actual Planning Law itself, section 27, the Maintenance of wasteland et cetera, certain criteria and conditions that the law expects or anticipates that people's property would be kept in. But, again, our understanding is that in this specific instance because of the zoning there is no particular relief in sight.

Now, Madam Speaker, if we move away from that specific example, which has probably been one of the most frustrating situations that I have encountered in my short time as a legislator, I will say that we have had complaints about other horse operations. But because they were all on residentially zoned land, the abatement and court system worked and got them to move. Within a one-mile radius there are actually three horse operations in that part of West Bay, but the other two are well away from residences, and they are all upwind from residences, and so we have never gotten any complaints.

In other words, as the wind blows it takes the scent away from homes and it takes it just toward dyke, mangrove, swamp, et cetera. That is not to say that it is not important for those properties to be maintained to a certain standard as well, because we would not want to have any sort of real environmental issue surrounding those operations.

And so, in speaking to the Environmental Health Officer a few weeks ago about the other specific issue, I did remind him that because of the location of the other facilities, that did not mean that the department perhaps did not have some work to do. Certainly the last thing any of us would want, in our district or any district, would be to find out that next to any of these operations, because of the large confined congregation of horses or whatever animal, that because there is not a complaint the actual waste from the animals may not be taken care of properly and wind up causing environmental degradation around the surround areas.

Madam Speaker, we have had complaints over the years of persons with dog kennels—that is, a person decides he is going to start breeding dogs and as we know, with certain breeds of dogs that can be quite a profitable and lucrative industry, an enterprise. And so, we have had in the past instances where there were complaints about how they were being maintained. But again, Madam Speaker, because they were in residential areas the Department of Environmental Health was able to deal with some of those situations a lot swifter and a lot quicker.

Now, Madam Speaker, I say all that to say that in all things the reasonableness of people or unreasonableness of people can also cause there to be a real issue. I believe that when people are going to be reasonable and realise that what they are doing is of nuisance and disturbs others, and disturbs others' quality of life seriously, people need to really use some conscience. And in a lot of instances, it was simply people's conscience that caused the issues to become resolved quickly.

In other words, when the department made a complaint, they did not fight against it. They recognised that it was an issue and they simply said, 'Okay, it is an issue. Whatever I need to do I will do because I want to be a good neighbour and I want to be a good citizen.' That unfortunately is not the case in too many of these situations. Hence the reason, we are coming here today with this Motion, to try to make sure that we take another look at this process.

I must say, in speaking with the professionals in the Department of Environmental Health, they all say that the abatement notice process is somewhat cumbersome, is somewhat drawn out, and that they would welcome there being some tightening to ensure that the process is easier to deal with and that they can help people a lot quicker and deal with matters a lot quicker, bearing in mind—because there is always another side to any coin—that when someone is complained upon, it is only reasonable that you do give them a reasonable opportunity to deal with whatever that situation is. A lot of times they are not going to be able to do it over night; it is not something that they can simply snap their fingers and it will happen in five minutes or even in a day's time.

But, Madam Speaker, I think that the entire House has had these types of complaints before. I think it is going to be very important as we continue to develop. And there are more and more Caymanians who have taken up livestock rearing as either something on the side, or something they do for fun. They still make money out of it, but they do raise certain animals. A lot of times I have been personally surprised at some of the locations, because a lot of people either have an oversized house lot or an empty lot next to their house and they decide that they are going to put whatever animal it is on it to raise it and it is right in the middle of a residential area. The only thing I say to people is: be reasonable, understand that not everybody is going to love your animals or those spe-

cific types of animals the way you do. Therefore, because they do not, their acceptance to the side effects of having those animals around—the waste coming from those animals, and the actual, physical presence of the animals and what that brings in terms of flies and what that brings in terms of scent and odour—is not something that a lot of people are necessarily going to be accepting of.

So, before you start it, do the neighbourly thing. Go and ask people. Go and say to them, *'Here is what I am thinking about doing. Do you have an objection?'* You might find that simply doing that could alleviate situations and allow you to be able to solve problems on your own.

Madam Speaker, I think all of us would rather life to be that way. All of us would love to be in a situation where all of those nuisance clauses could be taken out of legislation because we see them as not needed because people do the right thing. However, we understand the world that we live in and that, realistically, is not realistic.

Madam Speaker, with that brief—very brief—

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** —those very brief comments, I rest my case. I believe, Madam Speaker, that all of us have had the complaints. All of us know the situation. And, again, Madam Speaker, the three principal laws that touch on this issue and deal with this issue would be the Animals Law, the Public Health Law, and the Development and Planning Law and regulations thereunder.

I thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? If no other Member wishes to speak—

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, the Member is quite right in one of the specific complaints that he spoke to. It is one that I have to say over the years several of us have listened to the difficulties. We have chased various departments, and my own personal experience with it is that it all ended up in mass confusion, with huge questions as to either where the responsibilities lie or where laws were not, shall I say, with enough teeth.

I have to say that the mover of the Motion, in citing that specific example—although he found it convenient and I agree with him—while singling out that example to make a general case, not just for that specific situation, his explanation is absolutely clear as to some of the difficulties.

I have already spoken to the Honourable Second Official Member with a view to determining precisely what the best way forward is, and what we have agreed to do, Madam Speaker, is collect, as

quickly as possible, the *Hansard* of the debate of this Motion which will speak to the various sections of the various laws which are, for whatever reason, interconnected in certain instances.

The Legal Department will consult with all of the relevant agencies, with the benefit of being able to read the *Hansard* on the debate itself. They will be tasked with a specific timeframe to bring back recommendations with regard to whatever amendments the laws and/or relevant regulations need.

The whole purpose of the exercise will be to make sure that the laws are such that instances like these, which create great difficulties for one party and inevitably over years and years cannot be resolved because of the way the laws are crafted, we will be able to not only minimise those situations, but if at all possible, have the laws strengthened or amended to the point where those situations literally cannot occur.

I can assure the mover of the Motion that the Motion will not fall on deaf ears. It is something that many of us, if not all of us—I could not say all of us, but many of us, especially those of us who have been here for a while—have had to encounter. Certainly it is something that I welcome for us to be able to do something, because as sure as two and two make four, Madam Speaker, if we have one situation like that it will happen again. So, we need to ensure that the laws and the regulations are such that that does not have to be the case.

I certainly will not go into any other specific examples, others may wish to contribute in that light, but certainly using the example that the mover used with “the stench” in my mind, is a good an example as we need to use as a basis for which to try to remedy the circumstances that exist.

So, Madam Speaker, the Government is quite happy to accept the Motion, and with the assistance of the Attorney General’s chambers and the Legal Department we will certainly look to be bringing back the necessary amendments to the various laws and regulations so that we can do everything possible to alleviate the situations that exist now and to prevent them from reoccurring.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

Madam Speaker, as the seconder of the Motion, I would like to offer my support, as can be expected. However, I would like to expound a little bit on what my colleague, the Second Elected Member for West Bay, said in that we have spoken to the Director of Planning and we were told at some point that he could not do anything because of the zoning of the area. Now, the zoning is hotel tourism, and because

the horses are used for horseback riding to tourists, that would fall in that region. However, I cannot see it being a nuisance and still being protected because of the zoning.

Madam Speaker, I know for a fact that many abatement notices have been issued to the operators of that horse-riding facility and I think it is about time that this case be put to a closure and give the neighbours in the area some relief. It is a stench, there is no question about it, and I think they are justified in complaining and they have been complaining for many years so I think it is time that it be put to an end by some resolution.

I thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Boddén:** Thank you, Madam Speaker.

I rise to offer brief comments on this Private Member's Motion in relation to animal nuisances. I think it is aptly named 'The Ormond Motion' because Mr. Ormond not only went to West Bay representatives but he came to those outside the district as well, and we looked into it and as was said by the Second Elected Member for West Bay, the situation is a messy one.

I had a situation similar to this, not as bad but one in Bodden Town, in the Northward Area, in which I was trying to arbitrate between the neighbours as well. At the end of the day, we have to bear in mind, too, that we have a neighbour relationship which we do not want to sour too much but at the same time one has to be cognisant of the fact that he is bothering the other and do something about it.

But at the moment with the way our laws are, or in some cases the will to enforce some of our laws, God help the person who finds himself caught between Environmental Health and Planning. I mean, it is sad but it is true. Every time that it exists you get run around in circles. We have to find a way to resolve that and get some clear-cut guidelines as to who is responsible and where we are.

It brings me back to my earlier Motion this year on minimum property standards as well. I want to ensure that (and I know the Leader of Government Business is listening to me) something is done soon and I expect to have a report hopefully on that—and that we do have standards that are set and teeth that are put in the law when people violate standards because whether it is commercial or residential a nuisance is a nuisance. That is the bottom line. When you buy a property and you invest in your neighbourhood and someone comes along and makes a mess, no matter who it is you have the right to live in comfort and in peace.

So, I just want to offer those few comments. We get the complaints all the time for different things and whatever needs to be done to tighten up this area, the Leader of Government Business has given an undertaking that it will be looked at and the previous debate will be looked at as to exactly what we are trying to achieve.

With those few words, Madam Speaker, I offer my support to the Motion.

**The Speaker:** Does any other Member wish to speak?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

I too rise to give my support to the Motion. I believe that most of us Backbenchers anyway have been approached at some point in time by the gentleman that the Second Elected Member for West Bay mentioned about his particular problem. I have to agree with what just about everybody else has said, their remarks on that particular case in that it does not matter whether it is residential, industrial, zone hotel, commercial, whatever it is. If animals are on a piece of property that is causing a nuisance to their neighbours then somebody needs to deal with it, it does not matter how the property is zoned.

Madam Speaker, most of us have a thing for pets. I mean I love dogs and various other animals but I do have dogs as pets. One of the things that I made sure of before getting a dog was that I had my yard fenced. As a matter of fact, I think it kind of worked out simultaneously.

I believe that people go to the trouble to get pets however they do that, whether they just acquire them or they buy them. They are your pets and other people should not have to put up with what your pet does. They should not have to clean up after your pets and people should be able to live a comfortable life in the home that they have purchased or they are paying for free of any nuisances if it was their desire not to have a pet.

I do understand, though, Madam Speaker, that people who own pets do not always see the other side of it because they see their animal as, you know, a nice, loving companion to them and do not understand that somebody else just does not like to have them around and consider them a nuisance.

For many reasons where I live, Madam Speaker, is notorious for cows and horses and stuff. As a matter of fact, there is one that is tied right across the street from my house on a regular basis. But apart from my dogs wandering in the bush where the horse is and coming home with ticks, it is not much of a problem for me because the owner I think takes fairly decent care of the animal.

But, Madam Speaker, if we understand both sides of this . . . and at times I think the people who

decide that they do not want pets sometimes do not truly understand what a pet means to somebody who loves pets, and you kind of go from one extreme to the next. They insult people and tell them all kinds of things about their dogs and their cats and their horses and all that kind of thing. Many times some of these individuals do not have close human companions but they depend on their animals for companionship and protection. So, I think we need to be mindful on both sides of this but I do believe that whoever makes the decision that they are going to own a pet should understand that it is their problem, their problem only, and they need to be respectful of their neighbours in particular.

What usually happens, Madam Speaker, I can tell you this: if somebody decides to keep dogs, somebody decides to keep horses on their property, they decide to keep goats on their property, cows on their property, if they live in that environment, one of the first things they do is they set up the animals somewhere downwind of their particular home. And the reason for that is clear—they do not want to have to put up with the scent that comes from animals living in an environment like that.

But when you move it downwind of you, you are moving it upwind of somebody else, and because you either get used to it or you do not smell it all the time, you do not understand what these people are talking about. We know how the wind works. Sometimes a neighbour may come to you and say, *'Come here. Let me let you smell what I am smelling.'* And maybe for some reason or the other you can walk over there and you simply do not smell it because you have gotten so used to it and we think that people are simply being fussy and unreasonable.

I have to say that I agree with the mover of the Motion. I do not believe that with dogs in particular we are following the law as it was intended. And as he mentioned, a tremendous amount of our young men, in particular, who walk the streets to try to make some sort of status or fashion statement with these, what we consider to be, dangerous dogs, mainly the pit bulls.

At one of the gas stations that I go to quite frequently in Savannah, at times there are some young boys there sitting down and they are talking and their pit bull is sitting down there by them. And you really do not want to walk by but they are by the door. You know it is a pet, it is a puppy, but you really do not know what the dog will do but you know what they are capable of. You do not want to create any fuss so you brave it, but these dogs have been known to attack for no reason at all. I believe that we ought to set a system up where we can police that a little bit better than we do.

I do understand what the Third Elected Member for Bodden Town just spoke about, and that is, who is in charge. We have to make sure that that becomes crystal clear, who has jurisdiction, whether it is Environmental Health, whether it is the police, whether it is the Agriculture Department.

In the United States there are units that are responsible for enforcing problems with animals; they are actually called animal police. I do not want to say that we need to take that step, but I believe that whatever the nuisance is with pets, it should not matter whether it is an environmental problem or not. If it is a pet problem there needs to be one entity within the government that deals with it so that you do not have to deal with Planning or Environmental Health or the Agriculture Department, depending on where it is or what the problem is. You know you call the police department, or if you call the Agriculture Department they know exactly what to do. You should not have to call two or three different agencies to get the problem resolved.

I am just saying all of that, Madam Speaker. Some of it would have been said before, if not all of it, but I believe that we need to continue to repeat it so that everybody understands and also so that listening public understands that they must also do their part to make sure that their animals do not become nuisances to people. And when people speak about it they must understand that they must do something about it, and to encourage the Government so that when they are looking at the problem we ought to consider setting up an agency to deal in particular with animal nuisances.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I rise to support the Motion which is brought by the Second Elected Member for West Bay, but I will restrict my comments mostly to the nuisance of the K-9 clan and the green iguanas. Madam Speaker, I believe I grew up in this country only knowing of the blue iguana.

When you ride you cannot ride a day or drive a day in the Cayman Islands that you do not see an iguana looking left and right to cross the road.

*[laughter]*

**Ms. Lucille D. Seymour:** And when you go into town, especially when you are in a zebra crossing you are encountered by a slew of chickens who want to cross the road too.

*[laughter]*

**Ms. Lucille D. Seymour:** And, Madam Speaker, when you go on the beach to have your nice swim and to enjoy your lovely swim you have to take all kinds of bats and pieces of wood because there are huge dogs coming, getting their swim off their leash.

Now, Madam Speaker, I grew up with dogs. They were my pets, my friends and my companions when I was a child and I liked them and they liked me. But I am also a walker. I walk on the road, I walk in the neighbourhood and, Madam Speaker, I carry a golf club—

*[laughter and inaudible interjection]*

**Ms. Lucille D. Seymour:** —every morning that I walk. Not a stick because a stick is no security for you. I take a golf club, a small one which I did not get from the Ritz-Carlton—

*[laughter]*

**Ms. Lucille D. Seymour:** —and that is my protection. When I have to go in the neighbourhood sometimes I forget that there is a huge dog, but one thing I know, he understands the golf club.

*[laughter]*

**Ms. Lucille D. Seymour:** I have not yet attacked any dog with it, but they understand.

*[laughter]*

**Ms. Lucille D. Seymour:** I do not find this very amusing, Madam Speaker, but it surely is a light moment for all of us and that is good when two sides can laugh.

Yes, Madam Speaker, I like to walk and you like to walk. I do not know if you confront the same thing in North Side, but I confront it on a daily basis. Whether I walk on the road—I have been walking across Caybrew. At five o'clock in the morning three dogs ran out of Caybrew. Maybe they were inebriated but they—

*[laughter and inaudible interjections]*

**Ms. Lucille D. Seymour:** —tried to attack me but when I lifted my golf club they turned back and went into Caybrew.

Now, I understand that there are laws—

*[inaudible interjections]*

**Ms. Lucille D. Seymour:** I understand that there are laws that—

*[inaudible interjection]*

**Ms. Lucille D. Seymour:** Madam Speaker, you think that I should continue? The light moment.

*[inaudible interjection]*

**Ms. Lucille D. Seymour:** But maybe it was not a serious motion then, but to me it is serious. I think if you

can talk about downwind you can talk about dogs taking a little drink out of Caybrew.

*[inaudible interjections]*

**Ms. Lucille D. Seymour:** Madam Speaker, if we have an agency which deals with this and if it is within the law, then to my mind there is not sufficient enforcement because I see a number of dogs around the place.

And I want to stress here, Madam Speaker, in particular on the beach you see—and this is more so of a lot of young women with their dogs walking them, all sorts of German names I would call these dogs but I do not know their names. They do not take any sanitary bags with them. They allow them to do whatever they have to do on the beach and leave it right there and a lot of constituents have come to me complaining.

So, when we are reviewing this I would ask someone to make note of it so that we can look into the situation of dogs on the beach. I know sometime ago that we were talking about horses on the beach and we sort of rectified that.

Madam Speaker, my brief remarks are basically that we must have the enforcement. Maybe it is in the law, but maybe it is not enforced. But this is a queer one that I am going to say because I had a complaint some time ago from the residents of North Sound who live next to the dog kennel called the Humane Society and they had complained that they were not able to sleep. Now, I do not know how we work with that because that is a business establishment. But these are things that the residents have to put up with, so those are my few remarks.

But in terms of the green iguana—and I know the Leader of Government Business is still here—I believe, Madam Speaker, there is going to be a crossover of the green iguana and blue iguana. You know what happens when that happens?

**Hon. W. McKeever Bush:** Yellow.

**Ms. Lucille D. Seymour:** But for this sake because we see these iguanas all over the place . . . I have never seen so many iguanas in my life, so many green ones. For this, Madam Speaker, I believe that the enforcement persons under whichever agency it is should do something about these green iguanas that are always passing the road.

You see the tourists taking pictures of them and they are a little feisty as well. And if we are to have the purity, the purity of our Blue Iguana, we do not want these green ones to mix because that might even become yellow or . . . yes, we do not want that to happen. And as some people say, it will affect our gene pool.

So I do agree with the Mover of the Motion although he is not paying attention to my arguments, Madam Speaker.

[laughter]

**Ms. Lucille D. Seymour:** Madam Speaker, I do appreciate that this is quite timely.

Thank you very much, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, not to prolong this healthy discussion but I was down as the Seconder and I got caught in traffic after a meeting outside and I was not able to be here and I want to apologise for that.

But I want to sympathise, and perhaps empathise, with some people who have made complaints for years about this matter. From probably the 80s we have been trying to do something about it, myself and at least another MLA from West Bay. The problem was zoning and the confusion about who was responsible and that has already been noted. But regardless of who is responsible we should not have to be dealing with these issues.

Madam Speaker, I hope that we will soon see the end of this problem that seems to be affecting several people now. First it was only affecting that one home but it does affect several people in several different areas, the same situation. So, hopefully we do not have to move heaven and earth to get something done about it but we will soon have some sort of remedy. Over the years we have looked at one thing after the next to try to remedy it but that did not happen.

Madam Speaker, while we were making merry from what was being said about the iguanas, it is certainly a problem. Hopefully the Agriculture Department will soon pay some attention to it because after the hurricane it seemed like they quadrupled. They seem to have young ones every other month—

[inaudible interjection]

**Hon. W. McKeever Bush:** And, Madam Speaker, these are not one— they eat every flower and destroy every vegetable you can plant. You can plant a whole half acre of pumpkins and not get one while you would look at it and think you are going to get dozens of pumpkins. They eat everything that is green in their way.

Madam Speaker—

[inaudible interjections and laughter]

**Hon. W. McKeever Bush:** Madam Speaker, I am not as green as some I hear laughing.

[laughter]

**Hon. W. McKeever Bush:** I understand what the Third Elected Member for George Town is saying because it is something that seriously . . . I mean every month I could take 40 out of my yard and I do get people to come and take 40 at a time out of my yard.

[inaudible interjections]

**Hon. W. McKeever Bush:** People say, well you should not kill them. I tell you, my two dogs do. I have two dogs. We always had a pet dog and they are very healthy to have but you must be sure and keep your dog. But they can deal with those iguanas, you can believe that. We were laughing about it one day. My mother was home and she is in a wheelchair and her neighbour is a policeman. He heard her hollering and the iguana simply walked in and stood in front of her. [laughter] That is nothing to laugh about. My mother is in a wheelchair and over 80.

But there is a serious infestation of these green iguanas and I would hope that the Minister responsible for agriculture will take it in hand because while we can, as I said, laugh at some of it, it is not a joke what we have to put up with. If you plant bananas, no matter what kind—plantain, bananas—I did not realise that they would go after them because the skin would be hard, but they use their tail to saw the banana and that is how they get at the banana.

So, regardless if you are trying to do some farming around your home, which I do—I grow mostly anything that I can grow—most of the time you do not get anything. You do not get anything. I had a whole pasture area with pumpkins. We got, what, ten pumpkins. They eat the okra, any vegetable, cucumbers, anything you plant is being destroyed. And I did not realise that it was so prevalent all over the Island until the Member for George Town was speaking but I know how much we have to deal with it in West Bay and I know how much they have been in my yard and they live on your roof, everything.

I hope that the public will not hit us too hard because they might feel that this is frivolous stuff we are talking about but this is not frivolous. It is not frivolous, the matter of dogs, stray dogs and even neighbours' dogs. I have a pond with fish and lilies where I can feed fish and relax and my grandchildren do the same thing. The neighbours' dogs come, they get in the pond, and you see them corralling the fish. And if one of them is afraid to get in the water he will simply stand on the edge where the fish can see him and the others corral the fish. I mean if you see them at work you would swear that they are well trained for this.

It is no joke. It is no joke some of what happens. I cannot say that they go in a bar room or go to a place and get drunk and drink. I am not going to say that.

[laughter]

**Hon. W. McKeeva Bush:** I am not going to say that but there is a problem with it. And this is not new, it is not new, but some of it is new. Some of it is new. These iguanas are relatively a new presence and I would hope that they will start to do something about it soon.

As to our particular case in West Bay in regards to the smell that is affecting neighbours' homes, rats also affect the neighbours' homes. And I empathise with that man who has made complaint. Other Members have spoken about him speaking to them. Once again, we are trying to get something done and hopefully we will succeed.

**The Speaker:** Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I must say that when moving this Motion, I did not think it was going to draw so much interest but that was good, good to see, good to hear. Certainly, some of the personal experiences of some Members did cause there to be some light moments.

Let me just say here and now—because I can hear it on the talk shows, there will be at least four or five people who are on the 'complaining committee' because that is the new committee that I am dubbing the majority of people that I hear on the talk shows. There are some that do good for the community and they try to expose and resolve issues but there is the 'complaining committee'.

And so I know the 'complaining committee' is going to be complaining about us having a little laugh in here, but I must tell them that we too are human beings. Laughter is the best medicine. They tell me that laughter adds ten years on to the life of an average adult who is healthy and happy. So, for those who want to burst at the seams with being serious about life every moment, God bless them. There will certainly be no grief to me with their complaining.

I must say that when the Third Elected Member for George Town made her contribution there were some moments that were light, but serious. In all seriousness, they were serious because just like her I went out to A.L. Thompson and I bought the lengths of the round wood that you can buy. I bought the biggest one I could because of the particular dog in my area who—and it is quite interesting. He is left to roam freely because he is guarding horses in a pen. *[laughter]* But every once in a while he comes on to the road and he will rush at you, and so I have to take that and of course once you hit the ground with your stick he will usually turn around and hightail.

But, Madam Speaker, in all the talk of drunken dogs, chickens crossing on the crosswalks, and iguanas who have been tearing up vegetation and agricul-

ture products—not that any of those are not serious issues—I do want to just get back to two points. I would like to thank my colleague, the Fourth Elected Member for West Bay for jogging my memory on one of those.

The point that he made which needs to be re-emphasised in this particular example that I used during my contribution to the debate, was that one of the tenets of the Planning Law, as I understand it, is that if you have property that is zoned for a particular use but you use it for something else other than that use, you can in effect cause your property to then be considered for that other use.

In other words, if you have hotel tourism zoning but you simply put a residence on it, as I understand it there is a provision in the legislation that allows for it to be treated in a residential context. However, that was not the case here. Because the operators do sell their horse riding product to tourists it has been seen to be a tourism regulated enterprise. Therefore the property has been allowed, as I understand it under the Law, to maintain the legal standing of its zoning.

The other thing that needs to be brought up at this juncture is that I certainly do not want to hear anyone come back and say that the complainant in that particular instance does not have a valid complaint because the operation has been there for so long. I am sure the Honourable Leader of the Opposition and the other elected members for West Bay at the time—one of whom would have been Mr. John Jefferson, Jr.—can vouch that the complaint against this operation was one that was made well within any statutory limitations. It has just now been dragging on so long that now it is going on, as I understand it, well over a decade and perhaps running into two decades that this issue has been in existence.

Madam Speaker, in all seriousness, the Honourable Leader of the Opposition did speak to iguanas destroying his personal crop. When you speak to the farmers it is a major issue, and so it is one that we cannot take lightly, and it goes to show what a lot of people do tell us. When you introduce new species into an environment the effects and the repercussions are almost always negative. And because we did not have mass numbers of these green iguanas, since there has been this proliferation of them in the community we have now started to see and feel the effects of it.

Yes, they are cute and whenever I can catch the small ones I catch them for my two children. They love them. Children love iguanas when they are very small and cute and have those very vibrant colours because they are easy to handle, easy to hold and that sort of thing but the reality is we have a manifestation of them in this country that is causing serious, serious harm to the environment, and we do need to look at it and think about what it is that we need to do, plain and simple. There is no natural predator for it

and so because there is not a natural predator, the increase has just gone unchecked.

At least with the chickens most of the times wild dogs or cats or something will catch them and kind of keep their population somewhat in check. I know in certain areas—I know my mother would not agree with me—in some yards we do have quite a lot of wild chickens that people who used to raise them let them go after their children got bigger and now they are just basically all over the place. I do have in my heart, though, a little soft spot for the chickens because I used to raise them myself as a teenager.

Madam Speaker, I would just like to thank all Members for their contribution to this Motion. I do believe it is something that is important. I know that those who are on the 'complaining committee' the second point they will probably make is, can you believe that the House is using its time to talk about animal nuisances. And to those critics I will quickly say that if they do not think it is important I invite them to come down on Conch Point Road and I invite them to spend a week or two down by Mr. Ormond Ebanks' house and then come and tell me whether or not it is not an important issue.

Madam Speaker, I look forward to whatever the Government can do to try to help address this issue. I suppose there is, not in here any limitation and certainly the Motion just speaks to animal nuisances. So, I do think that the Government can take on board the sentiments of the Third Elected Member for George Town and the Honourable Leader of the Opposition in terms of looking at this whole issue with the green iguana. And I say it and I do not say it lightly: we do need to look at that.

Madam Speaker, I again would just like to thank all honourable Members for their support and for those who did not contribute, thanks for their tacit support.

**The Speaker:** The question is: be it now therefore resolved that the Government considers undertaking a review of all relevant legislation in order to allow the complaint and resolution system to be strengthened and streamlined as it relates to animal nuisances. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 12/07-08 is duly passed.

**Agreed: Private Member's Motion No. 12/07-08 passed.**

**The Speaker:** I will entertain a Motion for the adjournment of this honourable House.

Honourable Minister of Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I move the adjournment of this honourable House until 10 am tomorrow.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am tomorrow. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned.

**At 4.35 pm the House stood adjourned until 10 am, Thursday, 22 November 2007.**

**ADJOURNMENT**

**OFFICIAL HANSARD REPORT**  
**THURSDAY**  
**22 NOVEMBER 2007**  
**10.26 AM**  
*Fourth Sitting*

**The Speaker:** I will ask the Honourable Leader of the Opposition to say Prayers.

### PRAYERS

**Hon. W. McKeeva Bush:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office.*

*Lord, we thank you too for our people. And we ask that you would bless each family in these Islands. Bless our young people. We ask, O Lord, that you would put a hedge around them to protect them. Give them wisdom, understanding and knowledge to discern right from wrong. O Lord, help us, each one of us as elders to faithfully perform our duties as citizens.*

*Lord, remember the elderly, those who are in need of friendship and just visitation; those who are lonely, those who may be in need of some type of assistance. We pray Lord that you would be with them in their golden years. Even so Lord, let your blessing's be.*

*All this we ask for Thy great Name's sake.*

*Let us say The Lord's Prayer together: Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.29 am**

**The Clerk:** Oath of Allegiance (to be administered by the Clerk) by Mr. Kearney Gomez, MBE, JP, to be the Honourable Temporary First Official Member responsible for the Portfolio of Internal and External Affairs and the Civil Service.

### ADMINISTRATION OF OATHS OR AFFIRMATIONS

#### Oath of Allegiance

*(administered by the Clerk)*

*By Mr Kearney Gomez, MBE, JP*

**The Speaker:** Mr. Gomez, would you please come to the Clerk's table and may we all stand?

**Mr. Kearney Gomez:** I, Kearney Gomez, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** Mr. Gomez, on behalf of this honourable House I welcome you to the Chamber and invite you now to take your seat.

**The Clerk:** Oath of Affirmation by Mrs. Sonia Marcia McLaughlin, to be the Honourable Temporary Third Official Member responsible for the Portfolio of Finance and Economics

**The Speaker:** Mrs. McLaughlin, would you come to the Clerk's table please?

#### Oath of Affirmation

*(administered by the Clerk)*

*By Mrs. Sonia Marcia McLaughlin)*

**Mrs. Sonia M. McLaughlin:** I, Sonia Marcia McLaughlin, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty, Queen Elizabeth II, her heirs and successors according to law.

**The Speaker:** Mrs. McLaughlin, I welcome you to these hallowed Chambers on behalf of Members and invite you now to take your seat as the Acting Third Official Member.

Please be seated.

## READINGS BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

### Apologies

**The Speaker:** First, I would like to thank honourable Members for arriving on time this morning for the start of parliament, and apologise for the late start because the department had not received the appointment of Mr. Gomez as the Acting First Official Member, thus the reason for the late start.

I have received apologies for late arrival from the Honourable Second Official Member.

## PRESENTATION OF PAPERS AND OF REPORTS

### Cayman Islands National Pensions Board Annual Report January 2004 – June 2005

-and-

### Cayman Islands National Pensions Board Annual Report July 1, 2005 – June 30, 2006

**The Speaker:** I recognise the Honourable Minister responsible for the Ministry of Education, Training, Employment, Youth, Sports and Culture.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House two reports: The Cayman Islands National Pensions Board Annual Report January 2004 – June 2005, and the Cayman Islands National Pensions Board Annual Report July 1, 2005 – June 30, 2006.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

In accordance with section 85(2) of the National Pensions Law, I am pleased today to place before this honourable House the annual reports of the Cayman Islands National Pensions Board for the period January 2004 to June 2005, and July 2005 to June 2006.

Due to the Government's transition from a calendar year to a fiscal year reporting format, the 2004/5 annual report covers an extended time period. Members will recall that the Cayman Islands have had pension legislation since June 1998 with the National Pensions Law, 2000, and the 1998 Regulations now being in effect.

Section 78 of the Law establishes the National Pensions Board and states that it will consist of a chairman, a deputy chairman, and from five to nine additional members. The annual reports for the two-year period now before this honourable House provide an overview of the activities of the National Pensions Board for the period.

The 2004/5 Annual Report outlines the commencement of the review of the National Pensions Law by the National Pensions Board. This review is a complex, necessary and ongoing task that has been undertaken by the Board.

The 2005/6 Annual Report discusses in detail the continued development of an automated registration renewal complaint and plan information database. This database is known as Pennat. The database will include such information as number of cases under investigation, or to be investigated, with basic data on timing of investigations; number of investigations concluded with the results of the investigations, and dollar value of arrears collected as a result of investigative action undertaken by the National Pensions Office.

Madam Speaker, I invite Members of this honourable House and the general public to review these reports in detail. Thank you.

**The Speaker:** Question number 28, standing in the name of the Third Elected Member for George Town.

Third Elected Member for George Town.

## QUESTIONS TO HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

### Question No. 28

**No. 28: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for the Ministry of Education, Training, Employment, Youth, Sports and Culture to explain in detail the amounts, in dollar amounts, under the respective headings of the Annual Plan and Estimates as it pertains to allocation of sports and youth activities.

**The Speaker:** Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture.

**Hon. Alden M. McLaughlin, Jr.:** The total amount spent on sports activities separate and apart from the outputs of the Department of Sports is \$551,000. This amount is broken down by sport as follows:

- Athletics - \$120,000—that includes the grant to the Cayman Islands Athletic Association, the Sports Ambassador Programme and the Cayman Islands Marathon.
- Basketball - \$30,000, representing the grant to the Cayman Islands Basketball Association.

- Boxing - \$86,000, including the grant to the Cayman Islands Boxing Association and the Sports Ambassador Programme.
- Cricket - \$30,000, to the Cayman Islands Cricket Association.
- Football - \$40,000, to the Cayman Islands Football Association.
- Netball - \$40,000, to the Cayman Islands Netball Association.
- Rugby - \$30,000, to the Cayman Islands Rugby Club.
- Sailing - \$30,000, to the Cayman Islands Sailing Club.
- Swimming - \$30,000, to the Cayman Islands Swimming Association.
- Tennis - \$30,000, representing the Sports Ambassador Programme (one athlete).
- Volleyball - \$15,000, Cayman Islands Volleyball Federation.

Madam Speaker, there are also a number of multi-sport organizations which received grants from Government:

- The Cayman Islands Olympic Committee, \$40,000.
- Cayman Islands Special Olympics, \$10,000.
- And the Sports Association of the Sister Islands, \$20,000.

In relation to Youth, the total amount spent on youth activities separate and apart from the outputs of the Youth Services Unit is \$318,000. This amount is broken down as follows:

1. Mentoring Cayman Programme, \$15,000, which is run in conjunction with the Ministry of Education and our Ministry of Youth, and the Chamber of Commerce.
2. National Youth Policy implementation, \$100,000 to the National Youth Commission.
3. Youth Development Programmes, \$46,000, to the Duke of Edinburgh Award Scheme, Girls Brigade, Savannah Seventh-Day Adventist Pathfinders, the Scouts Association Big Brothers/Big Sisters.
4. Youth related programmes, \$157,000 split up among Academy Sports Club, Church of God, Town Hall, Church of God Bodden Town, Church of God Frank Sound, Country-side Church of God, Ebenezer Church, East End, Gun Bay Church, Elmslie Memorial Church, Futures Sports Club, and John Gray Memorial Church.

**The Speaker:** Are there any supplementaries?

**Hon. W. McKeeva Bush:** Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition

### Supplementaries

**Hon. W. McKeeva Bush:** Is the Minister saying this was what was voted for this year?

**Hon. Alden M. McLaughlin, Jr.:** That's the annual amount.

**Hon. W. McKeeva Bush:** That's contained in this year's Annual Plan & Estimates?

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker.

**Hon. W. McKeeva Bush:** So, there were no supplementaries as such, Madam Speaker?

**The Speaker:** Honourable Minister responsible for Sports and Youth.

**Hon. Alden M. McLaughlin, Jr.:** Not so far, Madam Speaker.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

I thought that this was already in the Estimates and well known to the House, at least.

**The Speaker:** If there are no further supplementaries we will move to the next . . . oh, sorry.

Second Elected Member for West Bay

**Mr. Rolston M. Anglin:** Madam Speaker, on a procedural point, when I look at the answer and in fact the question, it caught me a bit off guard. When you look at the budget documents, why would such a question be allowed given the fact that Standing Order 22(1) (f) (x) says that no question should be asked for which the answer can be found by reference to available official documents?

**The Speaker:** Honourable Member, you are totally correct. I, as the Speaker sitting in this Chair, do apologise, but these things happen and I am sorry.

**Hon. W. McKeeva Bush:** You think you can you do anything about getting the other ones that should be answered, answered?

**The Speaker:** We move to the next question on the Order Paper, Madam Clerk.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** Not you, the rest of them out there.

*[Laughter]*

**The Clerk:** Question number 29.

**The Speaker:** Question number 29, standing in the name of the Third Elected Member for the District of West Bay.

Could I ask a Member of the Opposition . . .

**Question No. 29**  
(Deferred)

**Hon. W. McKeeva Bush:** Madam Speaker, unfortunately our colleague has not yet arrived—

*[inaudible interjection]*

**Hon. W. McKeeva Bush:** —and I would like if the Minister of road works would shut up while I talk to you.

The Member has not yet arrived. He should be here shortly and if we—

*[inaudible interjections]*

**Hon. W. McKeeva Bush:** [addressing the Hon. Minister of Communications and Works]

Why don't you ask about Matrix instead of telling lies about it?

*[Inaudible interjections]*

**Hon. W. McKeeva Bush:** Madam Speaker, the Member has not yet arrived and he should be here shortly. If we have passed that time I would ask that it be put back for a later date.

**The Speaker:** The question is that Question No. 29

*[Inaudible interjections]*

**The Speaker:** May I ask Members to allow the Speaker to speak?

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** I don't tell lies though.

**Hon. V. Arden McLean:** Yeah, you do worse than that.

*[Laughter from Honourable Leader of the Opposition]*

**Hon. W. McKeeva Bush:** Get thee behind me Satan.

**The Speaker:** Honourable Leader of the Opposition can I have a seconder from a Member?

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second the motion.

**The Speaker:** The question is that Question No. 29 standing in the name of the Third Elected Member for West Bay be deferred to a later point in this meeting, or if not, at another meeting. Is that the question?

**Hon. W. McKeeva Bush:** Yeah, the next day.

**The Speaker:** The next sitting.

**Hon. W. McKeeva Bush:** The next sitting.

**The Speaker:** I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 29 deferred to a later point in the Sitting or to a later Sitting.**

**The Clerk:** Question number 30.

**The Speaker:** Question number 30, standing in the name of the Third Elected Member for George Town.

**Question No. 30**

*[Inaudible interjections]*

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

*[Inaudible interjection]*

**Hon. W. McKeeva Bush:** He ought to look at himself because he is a real donkey.

**The Speaker:** Can we allow the Member to ask her question please, honourable Members. Thank you.

**Ms. Lucille D. Seymour:** Onward Christian soldiers!

*[Inaudible interjections]*

**Hon. W. McKeeva Bush:** I got a bridle for you though, ya nah!

**The Speaker:** Honourable Leader of the Opposition, can we allow the Member to ask her question?

**Hon. W. McKeeva Bush:** I'm not talking to her, Ma'am.

**Ms. Lucille D. Seymour:** But it's difficult for me to speak, Madam Speaker.

**Hon. W. McKeever Bush:** Oh, my God!  
Speak then!

**Ms. Lucille D. Seymour:** The Opposition Leader is interfering.

**The Speaker:** Would Members allow the Speaker to do the ruling? I am asking Members please to stay quiet so that the Member can ask the question. Thank you.

**Hon. W. McKeever Bush:** You know who started it.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

### Question No. 30

**No. 30: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture if the Labour Law condones not hiring pregnant women when they apply for a job.

**Hon. W. McKeever Bush:** No it don't!

**The Speaker:** Honourable Minister responsible for employment.

**Hon. Alden M. McLaughlin, Jr.:** The Labour Law (2007) by section 80(1) does not condone the non-hiring of a female by any employer because of pregnancy. In fact, section 80(3) creates an offence for any such action.

Section 80 (1) reads as follows: "**No person (whether an employer or an employee) shall discriminate with respect to any person's hire, promotion, dismissal, tenure, wages, hours or other conditions of employment, by reason of race, colour, creed, sex, pregnancy or any reason connected with pregnancy, age, mental or physical disability (provided their ability to perform the job is not impaired), political belief or the exercise of any rights under this or any other Law.**"

Section 80(3) reads as follows: "**Whoever contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine of five thousand dollars and to imprisonment for twelve months.**"

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

### Supplementaries

**Hon. W. McKeever Bush:** Thank you, Madam Speaker.

The answer talks about the Labour Law, 2007. This is a consolidated Labour Law.

*[Inaudible interjection]*

**Hon. W. McKeever Bush:** The revised, yes. So we did not have any amendments to the Labour Law, so this would be the Labour Law 1995 or thereabouts.

**Hon. Alden M. McLaughlin, Jr.:** 1987.

**Hon. W. McKeever Bush:** Eighty-seven. Yes. Amendments in 1995 or thereabout. I thought so. Thank you Minister.

**The Speaker:** Second Elected Member for West Bay.

**Mr. Rolston M. Anglin:** I wonder if the Minister can tell this House whether or not that Law is a secret document and not available to all Members.

**Hon. W. McKeever Bush:** [laughter]

**The Speaker:** I really do not think that is a supplementary, honourable Second Elected Member for West Bay. That is a tongue-in-cheek.

Can we move on to the next item?

**Ms. Lucille D. Seymour:** Fresh! Out of order.

**Hon. W. McKeever Bush:** What did you say? He's fresh?

[laughter]

**The Clerk:** Statements by Honourable Members and Ministers of the Cabinet

## STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

**The Speaker:** I have no notices of statements by Honourable Members or Ministers.

*[Inaudible interjections by different Members]*

## OTHER BUSINESS

### PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 11/07-08

Extending the Level of Opportunity at Post Secondary Education

**The Speaker:** I recognise the Third Elected Member for George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

I rise to move Private Member's Motion No. 11/07-08, and it reads: Extending the Level of Opportunity at Post Secondary Education:

**WHEREAS the employers over the years generally complain that our young people do not seamlessly transition from school to work—**

**The Speaker:** Honourable Third Elected Member, may I interrupt you?

I had not noticed, or it was not brought to my attention, that the Third Elected Member for the district of West Bay had arrived. It is not yet 11.00, so we could ask that he ask his question.

Third Elected Member for the district of West Bay.

## QUESTIONS TO HONOURABLE MEMBERS AND MINISTERS OF THE CABINET *(Recommended)*

### Question No. 29

**No. 29: Mr. Cline A. Glidden, Jr.** asked the Honourable Minister responsible for Education, Training, Employment, Youth, Sports and Culture to say, in regard to the operations of the Labour Department –

- (a) how many applications for jobs have been processed since January 2007;
- (b) of this number how many individuals have been successfully placed;
- (c) how many of these placements are repeat placements for the same individuals; and
- (d) how many job waiver letters have been given by the Department since January 2007.

Madam Speaker, I just want to thank you for allowing this question and I apologise for my late arrival.

**The Speaker:** Honourable Minister responsible for employment.

**Hon. Alden M. McLaughlin, Jr.:** A total of 383 individual applications have been processed since January 2007; A total of 167 persons have been placed in jobs since January 2007; The total number of repeat placements was 22. Since January 2007, a total of 43 waiver letters have been issued.

**The Speaker:** Are there any supplementaries?  
The Third Elected Member for West Bay.

### Supplementaries

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker. I just need to ask the Minister whether the policy remains that for work permits to be issued it requires a waiver letter from the Department of Labour saying there are no qualified Caymanians registered with the department that are seeking employment.

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

The policy is in relation to applications for temporary work permits only.

**The Speaker:** Any further supplementaries?  
Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** So, Madam Speaker, would the Minister then be saying that since there was only a total of 43 waiver letters issued for that nine month (depending on when this information is relevant to), and for this 11 month period it is only 43 waiver letters that have been issued . . . are we saying it was only 43 temporary work permits issued during that period?

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

The Department of Employment Relations only deals with specific requests made by the relevant boards, or, in the case of temporaries, by the Department of Immigration. The Department of Immigration does not ask in relation to every single application that they have. So a waiver letter or the matter is only considered by the Department of Employment Relations when the question is put to them by the Department of Immigration in relation to a specific application or specific applications.

**The Speaker:** Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Speaker, I just need a bit of clarification on the policy as it exists.

The Minister is stating that it is up to the Immigration Board to request from the Department. My understanding was that it is part of the application form. The form itself asks whether there are any Caymanians registered with the Labour Department. So, prior to that being approved by the Board, the Board would be looking at that to get some confirmation as to whether there were any such persons registered with the Labour Department.

He is now saying that his understanding is, that it is only when the Immigration Department requests whether there is a person registered or not.

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Temporary work permits are not considered by any board. They are dealt with administratively. And the answer is, yes, the Department of Employment Relations only becomes involved if there is a request from the Department of Immigration.

If there are applications for full work permits, which go to the Board, there is a representative from the Department of Employment Relations who sits in an advisory capacity to the Board.

But what we are speaking about now are temporary work permits which are dealt with administratively.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

So, we are talking about temporary work permits according to the Minister. What is the policy regarding full work permits or one year work permits, in regard to the requirements from the Labour Department? Do we have to require a waiver, or is this simply because a representative of the Labour Department sits there and gives information? There is no letter required even though there is a request for that information on the form? How does the Board satisfy itself?

**The Speaker:** Honourable Minister responsible for Employment.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, the situation is as outlined by the honourable Member. This has been the case, as we say in Cayman, from morning. This is not a new arrangement.

Certainly as far back as 1982 when I was assistant labour officer, I sat in an advisory capacity to the then work permit board. So this is not a new arrangement.

What is being improved upon is with the advent of the new database, which is up and running. We are working on making all of the information in relation to applications or the availability of workers in a particular field, generally available to all boards by virtue of computer so they can just simply log on, go onto the website and see what persons are available for what positions. So we are working to improve that.

But as has been the case, certainly for at least 30 years, a representative from the Department of Employment Relations sits in an advisory capacity to the Board and is able to advise in relation to each and every application that comes before the Board.

**The Speaker:** I will allow one further supplementary. Are there any further supplementaries? [pause]

If not, we move on to the next item on the Order of the Day.

## OTHER BUSINESS

*(continuing)*

### Private Member's Motion No. 11/07-08—Extending the Level of Opportunity at Post Secondary Education

**The Speaker:** I recognise the Third Elected Member for George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

I rise to present Private Member's Motion No. 11/07-08, and it reads: "Extending the Level of Opportunity at Post Secondary Education":

**WHEREAS the employers over the years generally complain that our young people do not seamlessly transition from school to work;**

**AND WHEREAS there is a general perception by employers that their level of maturity and depth of skills required in the work place is not at an acceptable level;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers extending the level of opportunity for post secondary education by establishing a suitable programme which caters to these needs.**

**The Speaker:** Is there a seconder?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion is duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

First of all, I would like to thank the Fourth Elected Member for George Town for supporting this and for seconding it.

This is the 21<sup>st</sup> century and we wish to have 21<sup>st</sup> century, first class education. In addition to this, we do have a knowledge-based economy. We have been trying to build this knowledge-based economy

since the early 1970s—40 years ago. But what has not kept in pace with the knowledge-based economy that we have established, is our education system, hence we have had to bring in very skilled workers to run this knowledge-based economy. Our education system has not been up to scratch with the knowledge-based economy until we had the change in education in terms of the 21<sup>st</sup> century education system which has been presented to us on numerous occasions by the Honourable Minister, which was after much assessment by the public and the teachers. We have been given a mandate for what we should do.

This 21<sup>st</sup> century education cannot be complete without looking at the persons at the higher end of the educational spectrum. And that is the young people who we expect to come out and take their rightful place in the workplace, highly skilled and in the end rewarded with high salaries.

In addition to that, we listen to the various media, whether electronic or otherwise, where people are constantly complaining that their income-earning power has been either lowered or is not high enough. I have taken it upon myself to think that a lot of that is because people are not highly skilled in order to get these high salaries. That is one of the reasons why I brought this Motion to the Government to ask them about it. First of all it is for us to tool our young people so that they can benefit from this knowledge-based economy in a financial sense.

Doing my research on this, I have come to conclude that this is not reinventing the wheel, that a lot of countries are now extending their education at post secondary level to 18. A lot of countries. Some are compulsory and some are voluntary. In some countries, like Japan and Germany, they stay an additional two years, not compulsory.

But I notice, Madam Speaker, if you will permit me, that when Her Majesty made her speech in Parliament on November 7, that she referred that England would be extending the school age to 18.

Over 100 years ago in England a guy by the name of Fisher had predicted that we should have advanced the age to 18 in order for our youngsters to get the benefit of education. Over 100 years ago! But England has not changed it since 1972 when it upped it to 16 or 15 plus, something like that. But now the Brown Government, the Labour Government of Britain, has seen the necessity to up the age to 18.

There are various reasons for that, Madam Speaker, and I have my own personal reasons. And if you would follow me, Madam Speaker, what I am trying to say is this: We let our children out at 15-plus, and by some magical wand we expect them to be adults. We expect them to take decisions about marriage, about sex, about smoking, about drinking—except our post secondary is not compulsory. We have not done anything to mature these teenagers. We really have not.

I put the case today, and I know the Minister has been talking about this in various circles here. He has done it in other places, smaller circles. But I know today he may perhaps be prompted to look at it and he has his own mind and will say what he has to say today when he is supporting the Motion.

But if we keep them in school up until 18 we protect them. There would be less challenges for the young people I predict, because I think they will be more occupied. Between 16 and 18 they will be very occupied. It is compulsory to occupy them. They will be protected and we will give them opportunities to improve their quality of life and to become more mature.

If we do not do this, Madam Speaker, if we do not prepare our students between the age of 16 and 18, there will be social discontent. And the people who benefit from this knowledge-based economy will be purely not from here as we see today. And those of us on this side and the other side will say it too, and I am sure the Opposition is going to get up and make a point about that. But it is true. We have put this modern country, this wealthy country . . . we have developed a country where 30 per cent of our people are not benefitting (and this is my estimation) economically because we have not skilled them sufficiently so that they can accrue the benefits of this world class financial centre we have.

We go around and we talk about how we are not helping the poor and we should be helping the poor. That's all you hear. How do you help the poor? You help the poor by educating them, not by giving them a couple of dollars and saying '*see ya, I hope this will help you.*' No. We have to educate them. And the blame must not be on the people themselves, the blame must be on the political will to ensure that our young people are on a level playing field in this knowledge-based economy in terms of getting the best education there is. That means that they can stay on and do whatever. It does not have to be at University College, it does not have to be . . . it can be programmes set out, which I am sure the Government will be talking about today.

So, Madam Speaker, I would just like to read from the *Daily Telegraph*, which says, and I can lay it on the Table. It says, **“Education until 18 will prevent life of crime**

**“A generation of uneducated teenagers are turning to a life of crime after leaving school at 16, the Government said yesterday.**

**“The stark assessment was made by Alan Johnson, the Education Secretary, as he outlined controversial plans to force all young people to remain in education or training until at least 18.**

**“In a speech in central London, Mr Johnson said children who did not have proper qualifications risked becoming ‘ideal fodder’ for drug dealers and pimps - creating a ‘spiral of despair’ that leads to prison.**

“Mr Johnson said there would be an expansion of on-the-job training schemes and new ‘enforcement measures’ to ensure all teenagers complied with the rules.

“If successful, it will be the first time since 1972 that the school leaving age has been increased, affecting some 330,000 teenagers.

“Mr Johnson, who left school at 15 to stack shelves in Tesco, said the proposals were backed by most people.

“A survey of 859 people commissioned by the Department for Education and Skills found that nine in 10 supported the plans, with the strongest support among grandparents. In a detailed assessment, Mr Johnson said not all young people would be forced to remain in the classroom.

“Most would take work-based apprenticeships and vocational diplomas, that combine traditional classroom teaching with skills training.

“But the move has been criticised by the Conservatives who say teenagers will rebel against the plans.

“The Government's own figures show that just over half of young people already on apprenticeships in England fail to finish the course.

“Fewer than a third gain qualifications in some subjects, such as media.

“But Mr Johnson said the £2 billion cost of providing more courses would ultimately save millions.

“‘The evidence suggests that the younger a person leaves school, the more likely he or she will be to use drugs, become engaged in prostitution or commit crime; finally winding up in prison, unemployed or homeless - and often all three,’ he said.

“‘Educational failure makes ideal fodder for the drug dealers and the pimps.’”

Madam Speaker, I present this Motion for others to make their comments, but I am very sincere, we are very sincere on this side of the House. If we are to change the course of Cayman, if we are to really reduce poverty, if we are really to empower our young people, then I believe we must look at this Motion in a positive light to enhance the ability of more of our young people so that the nay-sayers will not constantly say that Caymanians are lazy, they are not educated and they do not want to work.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

The school-leaving age in the country used to be 15/16 . . . [Pause]

*[Short discussion takes place softly between the LoOP and possibly his colleagues trying to verify what the correct ages used to be]*

**Hon. W. McKeeva Bush:** Madam Speaker, this was one time I was hoping that the Minister would get up before me! [Laughter] But he was discussing some matter with his colleague.

Madam Speaker, it used to be, as I said, 15/16 or thereabouts. The former Minister of Education, Mr. Roy Bodden, and I, when we were back-bench Members moved a motion to bring the school-leaving age up. I think that was put into effect up to 17. Some people do go up to age 17.

I believe, given the changes in our society that moving the age to 18 makes sense. We hear that our people . . . and that is an excuse we sometimes hear: that people are lazy, they are not prepared, and that you cannot do anything with them. Given the kinds of changes we have had, if we look back to 1968, 1967, when I had to leave school, thereabouts, to make space, Madam Speaker. I was one of those who had to be pushed out of what was a very backward system. I will never forget Mrs. Theoline McCoy and the battle that she had, and the extent to which she went to try to get that system changed. But it was too late for some of us because we were to go back to school in the New Year and they told us in December that we did not need to come back because they did not have space. My mother was notified and so I, at that young age of 14-something, was put out and did not get an opportunity to go to high school.

I know the effect that had on me. Today our young people have that opportunity. They can go up to age 17, some of them. But, given all of the impacts upon them, all the things that we have legislated that they can do—they can vote at age 18, they can drive a car at that age. So we give them some serious decision-making responsibility, but we move them out of school . . . I know they can go to the Community College. I know that. But from the high school level, I believe it would be a good thing if we could arrange to keep them in and whatever the curriculum would be I do not know, but help them to decide some of the things they will face when they go out into the public.

So, we certainly support this request, if that is what the Member for George Town is requesting.

**The Speaker:** Does any other Member wish to speak?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

Yes, I too rise to give my support to this Motion and to congratulate the Third Elected Member for the district of George Town for bringing the Motion.

Every time she brings a motion I say to myself she's outdone herself this time and then she finds something else to bring. It seems like she keeps getting better and better at finding meaningful ways to make a difference in this country and to better the lives of our people. Clearly, she is a person of great vision and I am extremely proud to have her as a colleague.

This Motion is to be considered as a simple one. I think it is very clear what she is trying to say and I think we all understand. It does not take a rocket scientist to figure out how important it is. It is extremely meaningful.

It is quite evident to all of us that the way the system works now that we do put hundreds of our young people at considerable risk on an annual basis by simply allowing them to leave the school system simply because the system allows them to graduate at 16 or thereabouts. Most of them, because this is what they are used to, are looking forward to finishing school, to getting out to start doing the things they want to do for themselves, getting a job and a car and some of them want to marry, have kids of their own. But the truth is, while we tell them that it is okay to do this, and we make all of these other things available to them, we make everything possible—they can vote at 18, they can get married at a very young age—we really have not done what we should do to help them prepare themselves for that afterschool life.

So they are caught in between this 16 and 18 where they are not mature enough to get the jobs they need. But for the most part they are old enough to leave school. In that period many of them fall on hard times. They get in trouble, they develop criminal records that continue to plague them for the rest of their lives simply because we as a country as adults, as leaders, have not had the foresight, the vision, and the political will to accept that we have this deficiency in the system and do something about it.

Well, Madam Speaker, this PPM Government is certainly about education and improving the system we have. That is crystal clear to everybody who has ears to hear and eyes to see. This Government has taken on education as its number one priority. I must say, unfortunately, we do have individuals in this community who believe that what we are doing is not the way to go. I just cannot understand. They are throwing stumbling blocks, criticising this, criticising that.

We have gone through so many governments that have simply not understood that the way out of the difficulties we have been having as a country with the problems we continue to have with work permits and the social problems that continue in our country, the root cause has been our education system.

We have a Minister of Education, a young man who clearly has a vision and who is determined to make a difference during his first term as Minister of Education. I am happy to be a part of the group that offers him the support that he needs. This country will be different, this country will be a lot better off if he is allowed to continue and develop his education plan.

Now, we know about his education plan. The mover of this Motion is simply assisting his system. Like she said, this is something that he has talked about himself. I am so happy that she decided to bring this Motion, so much more so because I was asked to second the Motion and I do consider that an extreme privilege to be seconding this important and historical motion.

I think one of the things we need to be mindful of, and this is, again, something I have heard the Minister of Education talk about in many circles, but is usually talked about when we talk about vocational studies where we talk to the problem of some kids not doing as well as we would like them to do, or as well as the system requires them to do academically and that we should find some of the other things for them to do.

He has said that it is not always possible to determine that a child will not do well academically in the early years. Some kids develop those abilities a lot later on in life. So, at 10 or 11, because a child may be slow we make a horrible mistake in labeling them as not being academically inclined.

My point is that up until age 16 or 17 when these kids would normally graduate, they may not have reached that critical stage where they begin to develop those skills that they need to become good academic students. So that two year period that we are talking about could well be the most important two years of school life for those kids. But the system has worked them through. They are now out of it. So they are no longer developing themselves. They are getting into worries themselves and wasting probably their best years.

I want to say that this is a long time in coming. I support it wholeheartedly. I trust that all Members here will do the same thing and for this country to understand and accept that this Government means to make a difference with education in this country and beg the detractors to stop and think, consider. Look at what is happening with our country. Understand the difference we are trying to make with education, that the survival of our country has to go through a purposeful and meaningful education plan and our Minister of Education, I believe, is on the right track.

We need to understand that the benefits of what he is doing will not be seen today or tomorrow. We need to understand that in the long run that in years to come—decades—that is when we will reap the benefits of what is happening today. And a lot of

our people, a lot of our detractors out there are people who really cannot see that far in the future.

There are not many people who have that ability to do something today and understand that you are not going to get the benefits of it now, but this is way down the road. You have to be a special individual to be able to do that. And our Minister of Education is one such person. He has convinced all of us.

Madam Speaker, I get so excited whenever I am around him and he is talking "education" and explaining his plan to people and how it is unfolding and what it will look like and how these new classrooms will look and how the new facilities will be. All of that is so exciting to me, and so discouraging at the end of the day when you sit and you listen to individuals who find need to criticise and just have no appreciation for that.

This is a different Government, Madam Speaker, and education has been given priority and is going to continue on our priority list.

I again want to extend my congratulations to the mover of this Motion and give it my wholehearted support.

**The Speaker:** Does any other Member wish to speak? [pause]

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I rise to offer my support to the Motion and to offer just a couple of brief comments.

Whilst I can concur with the Fourth Elected Member for George Town in that this is a good motion being brought by his colleague, I do note that while she presents very good Motions (even the other one she presented in regard to crafts) she cannot help herself from straying off the path a bit and going into some areas that I think are downright cheeky.

Madam Speaker, when I explain, I think she will quickly agree with me.

The whole issue of the age that people leave school is a serious one. It is one that I remember there being a debate on just after I left high school. I was under the old regime where the standard age for graduating was 15/16. Any of us who were born earlier in the year would have been 16; persons like my wife, born later in the year, would have been 15 at the age of graduation. I know that there was a motion alluded to by the Honourable Leader of the Opposition, which caused some changes. I remember there being a change in the starting age of primary school.

I can remember reading at the time with interest as parents complained because they saw the extra year as yet another year that they would obviously have to support their children and would have presented additional economic hardship, particularly in view of the way the change was brought about, that

is with shifting that age to enter primary school which meant an additional year of preschool.

I recall at the time, and I believe that programme is still in place for any parent that qualified, received assistance from government to pay for the extra year of preschool. Any way you slice it or dice it, even now where children, as I understand it are 16/17 when they graduate . . . I know my nephew just graduated and quite a few of his friends were 17. He was just a couple of days off 17 when he graduated from high school. I believe that is a step in the right direction.

When we think about what it takes to become a responsible adult and a productive member of society, I do not believe any of us are under any delusion that when you are 17 . . . still does not cut it. Of course, one could extend the argument even further. But I think when we look around the world we see that many countries, including the United States of America, have seen fit to have young people be mandatorily in school until around the age of 18. I think and we believe that certainly the extension should be along those lines where you are in high school and the standard graduating age is, I think in the education terms, 17-plus. I believe the definition of that would be somewhere around past the age of 17 and nine months, which is pretty close to 18.

Certainly some children will get caught for one reason or another, perhaps not being quite at a particular age. Now, whether that is going to be the continued approach, or you are going to have it that you look at your age, at your birth date, and if you are not going to attain the age of 18 before graduation that you would not be allowed to start school, well so be it. Inevitably there will be some people that would get caught in that, in that they would become 19 before graduating because not everyone was born on graduation date. And so, because of that fact, some people are going to be either just a little below, or just a little above whatever age we choose.

But we do need to support this Motion. We do need to support this cause because it is one that is very important. I think, though, Madam Speaker, that even if this change is made, we still will need to deal with some very fundamental facts. The very first one is that employers for a long time, and I would dare say forever, will complain and kick against having to train people. Training is an expensive exercise. So, if you are giving employers the option to have a 20-plus year-old foreign national to be their backhoe operator, for example, or their dump truck driver, or their cement mixer driver, versus someone who is just getting out of the school system who could very well have the aptitude and skill to pick up that job, if you just continue to give them that choice, they are going to continue to go with the more experienced candidate. Let us throw the economics onto it.

That candidate is more than likely going to come to Cayman without family, that candidate's

dream is going to be to better himself relative to the country from which he has come. The price for his labour that he is willing to accept therefore is completely different than that of the Caymanian. The average Caymanian dream is to get a home, a family and be able to provide for their children. Therefore, when you look at the average household size, a parent and two-plus children, and you look at just what it costs to survive in this country, what Caymanians desire and need to have to make ends meet is very much different.

Madam Speaker, I know you have heard me speak in this House on numerous occasions because this is the issue. That is basically where the rubber meets the road. As long as we have an overly liberal system as it relates to immigration especially, in the areas of the economy where people do not have skill sets that they can take to the labour market and make certain demands in terms of their labour, we are still going to miss the majority.

Let us deal with what the mover talked about. The mover talked about in large measure the 21<sup>st</sup> century education system. Now, I listened very carefully. This is where I am saying she might have been a little cheeky. One would swear that we had no education system before the PPM Administration took office; or, certainly, the one that existed could only produce dunces. The education system that was in place, Madam Speaker, obviously had its weaknesses, and I dare say that even after this Minister demits office there will be weaknesses identified because the system will never be perfect for every individual. We want it to be more suitable to the majority, and, certainly, that is an area that a lot of ministers have tried over the years to make changes in.

The education system that produced that Minister, that produced the mover of this Motion and produced all of us in this House, yes, it had weaknesses. But we cannot say that it did not provide a level that allowed a lot of us to become first rate in our professions. And we have a lot of first rate Caymanian lawyers, we have good Caymanian doctors, teachers, accountants, engineers. Those professions, though, can typically take care of themselves.

When you are a Caymanian and you are qualified as a lawyer or qualified as an engineer, because of demand and supply within the marketplace and because of your abilities and because of the profession that you are in, you usually do not have a lot of depression on salary the way you do at the lower ends.

In other words, I would predict that you are not going to find in the legal or accounting profession non-Caymanians coming in who are going to cause the remuneration rates within those professions to be so artificially deflated because of cheap alternatives from outside. Those professions attract great salaries globally relative to others. Yes, we all want to produce the very best of everything. So, yes, we want to pro-

duce the very best lawyers, the very best doctors, the very best accountants, the very best engineers. No one is arguing that point. We want to do that. And a stronger education system can obviously assist in that. And we need to continue to strive in that vein.

But we need to make sure that as we make improvements and as we talk about these kinds of policy changes, that we understand the other elements of policy that need to be put in place to ensure that our people still get the opportunity to maximise their potential and live the Caymanian dream.

Madam Speaker, when I look around . . . and we all hear the claims from employers. When we look around and we see the number of non-nationals that are performing tasks, like driving dump trucks and operating heavy equipment—and I use that one in particular because I noticed a few on the way in today coming to the LA—when you look at the advertisements in the paper, and you look at the wage rates being advertised and being proposed, any of us who knew anybody in those professions quickly realise that some of those rates are at or below the levels that used to exist.

All of us recognise that given our economy, we need imported labour. We just do not have the numbers of Caymanians to fill all of the jobs. However, we do need to ensure that firstly, young people are given the opportunity for training and given the opportunity to get their feet in the door. Employers will quickly gravitate and say, *'We needed a dump truck driver that had four years experience and could do this, this, this, this, and this on a job site'*, and for the most part, no school leaver, whether 16, 17, or 18, is going to be able to do that. Until we start recognising that even within the skills and trades area there is the better-paying type jobs that we need to ensure our people get the opportunity to take up.

Madam Speaker, I agree with the mover of the Motion. When we look at maturity levels and what is needed to survive and, certainly when you look at what a lot of employers need because there are some claims that employers make that are sometimes true. You do get persons who are a little young and when they get challenged on a job they do not necessarily know how to deal with it. That challenge could come in many, many forms. The challenge of all of a sudden dealing with adults; working alongside adults and seeing adult work ethic and they, just coming straight out of high school, being very used to being at home with mom and dad. All of a sudden now, that young man or woman needs to perform at a completely different level that I think is unfair and unreasonable to expect.

The work experience programmes at the schools have started. I remember work experience being started when I was in high schools. In those days the way it was done was wrong. It was only done for people who were in certain sets. I understand that has changed, which is good, and that all

people (as I understand) get an opportunity. That is something that needs to be encouraged. We need to encourage that because that starts to give people a preview of what real life is going to be like. Obviously, if we push the mandatory age up, you are dealing with a more mature person.

So I think, yes, the lady Member is quite right in her assertions.

**The Speaker:** Honourable Member, I think we will take the morning suspension.

**Mr. Rolston M. Anglin:** Madam Speaker, I was just about to wind up Ma'am.

**The Speaker:** Okay.

[interjections]

**The Speaker:** We will suspend proceedings for 15 minutes.

**Proceedings suspended at 11.46 am**

**Proceedings resumed at 12.06 pm**

**The Speaker:** Please be seated.

Proceedings are resumed. Debate continuing on Private Member's Motion No.11/07-08.

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker. As I said before the break, we offer our support to the Motion. There is obviously work to be done to bring the Motion into effect and there will be numerous considerations in terms of how it will be done. I am sure the Honourable Minister will elaborate upon that when he gets his turn which I presume . . . I can see him itching now to go.

So, Madam Speaker, with those very brief remarks we offer the Motion our support.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Boddén:** Thank you, Madam Speaker.

I rise to offer my support to the Private Member's Motion brought by the Third Elected Member for George Town and seconded by the Fourth Elected Member for George Town in relation to extending the level of opportunity at post secondary education.

Madam Speaker, we have most of our young people now leaving the school system at 16, 16-plus. I know in the old days students left school at 15, 15-plus and there has been an extension over the years,

but Cayman has changed dramatically in that time. We are no longer a society/community that can just make due with a regular high school education and not give serious thought to the majority of our young people going on to tertiary education or some professional qualification. Therefore, this Motion is asking the Government to consider increasing the school-leaving age. I can speak from my own experience, Madam Speaker, with my young adult son. When he left school at the age of 16, to my mind he was not prepared or mature enough to go off to university.

As the Second Elected Member for West Bay said earlier, when you leave the comfort of your parents' home, the protection and all that that offers you, the lack of [maturity] is shown when someone is hundreds of miles away from home and they have to fend for themselves—cook, wash, clean and all the other stuff that goes along with making provisions for themselves. Yes, we all have to grow up at some point, but I think it is much better when that young adult is at a more advanced age, a more mature person. Certainly, the age of 17-plus, 18, to my mind is a natural fit for the argument.

When you go off to university at that young age, those who are fortunate enough to do so, they find it quite difficult. And those who are not going to university to enter the work force at that age, it is also very difficult. They are up against it. Those who are very bright and talented will probably survive and rise to the top. But it is a challenge for many. And when those challenges arise, some people accept them with both hands. Others do not and they end up dropping from the system. This is when the article that the Third Elected Member for George Town quoted in her presentation of this Motion from the *Daily Telegraph*, referred to "educational failure makes ideal fodder for the drug dealers and the pimps." I think that is a very accurate statement.

I know we are going to have a lot of criticism, or at least some criticism, when this goes public and people hear what we are trying to do because some people are not going to see the long term benefit of what we are trying to achieve here. Some parents are going to say that they have enough expense as it is trying to get them through school and they do not need that extended. Some parents will want their young people to start to earn a living to help them, and so forth. And some teenagers are going to argue that we are looking to extend their dependence and take away their independence and all those arguments. I can hear them now.

As a Government, Madam Speaker, we do not necessarily have to always do what is popular; we have to do what is right. I believe that this is a step in the right direction.

I am sure that when the Minister gets up to give his response he is going to outline . . . because I know he has been thinking about this for some time and the machinery he has in place behind him has

been working hard at reforming and transforming the whole education system we have.

The mover of this Motion, herself an educator, someone who has a great passion for learning and for seeing young people do well and who has an interest in youth, brings this Motion to the fore with a passion and a real keen eye on what she has seen in her days as a teacher and a civil servant in that area. I want to commend her as well for bringing another very good Motion to the Floor of this House. I think it fits nicely into what we are trying to do as a Government to keep education at the fore, as our number one priority, as we promised the people of these Islands.

Certainly there are a lot of things taking place with education now. There are going to be critics everywhere we turn. But the benefits are, as the Fourth Elected Member for George Town said in his contribution, not over night benefits; we have to stay the course. And down the road, just like the Marine Laws and all the other stuff that was a bit hard to swallow when they came on line, people will say, *'Oh boy, that's the best thing that ever happened. That's good. That's right. That's what put us where we are.'*

Therefore, Madam Speaker, you have to have a vision. You have to have Members of Government with a vision; you have to have governments with vision. We know what we are trying to achieve here. We are doing it for our young people for the benefit of this country. Vision, Madam Speaker, is for the people of this country and not self-interests. We are not a self-serving Government. Not one of us is getting rich from being in here. In fact, I think each day we are getting a bit poorer.

We will continue to do what is right and what we as a group discuss and come to a consensus on. There is no one here working on his or her own. When we get up here and we talk, we talk as a group; we talk as a Government. We are not out on any limb by ourselves. Therefore, we are very proud to be a part of the reform of the education system that is taking place.

I look forward to hearing the Minister outline his plans in this area, and I certainly support the argument for extending the school age from its current level of 16 or 16-plus to something around the age of 17-plus, 18.

I think that the young people themselves will realise that they are going to be better looked after. There will be programmes in place that will allow them to strive.

And, again, drawing on personal experience, it was not until I hit 6<sup>th</sup> Form, which was closer to the age of 17 that I started to take school a little more serious. A lot of people go through school and really just get by on natural ability for a long time. When you get to 17, 18, 19 is when you start to realise, *Hey, this is what it's all about. This is really important, and this is how I need to apply myself.* So that is another reason

this extending of age will allow a lot of those young people to find themselves and do the right thing.

Madam Speaker, we need to save our young people. Whatever we can do to ensure that they are spending productive, constructive time and not being left to the scourges that are out there, to all of the evils that are out there—and there are a lot more evils, a lot more challenges out there than when I came through school that our kids are up against. Make no mistake about it. So we need to offer them whatever protection we can.

Therefore I hope that this will be viewed in this regard. We cannot continue (as I said yesterday in my contribution on the Craft Centre Motion) to just have the drop outs and the bloating social services that we have. We have to find a way of stopping the cancer. We have to heal it a long time before it gets to where you have to amputate.

It is time for us to think seriously about our young people because they are our future. I therefore give this my wholehearted support.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

The Motion brought by the Third Elected Member for George Town is an important and timely one. Not only is it timely in the context of what is happening in other places, such as the UK, but it is also timely in the sense that this is a matter that has been and is under active consideration by me and members of the Ministry's staff and, indeed, the broader education fraternity about how we deal effectively with the needs of young people post secondary.

I have spoken many, many times about the critical importance of education to the future of this country and, in particular, the future of young people of this country. I have spoken many times about the transformation process and what it involves. I believe by now that just about every person in this country understands that there is a transformation exercise underway.

This process is a holistic one. It is not an attempt by me or the Government to offer band-aid solutions to what are fundamental problems with the education system. We are not tinkering around the edges and, consequently, some of the things that we have proposed, some of the things we are doing can be considered radical—but I believe radical in a positive sense.

We are effecting change all the way, from essentially birth, through tertiary education. And by that I mean the early intervention programme that we have in place is one aim of identifying issues and problems

children have at the very earliest level. I say all of that to demonstrate that the approach we are taking is holistic and extends from pre-preschool, actually, to tertiary education.

Now, I have been delighted to hear of the support by the Opposition to this Motion because their support thus far for the transformation process, I would have to characterise as unreliable. They, on occasions such as today, say they support some of the things we are proposing to do. And this one, which would involve extending the period at which students were required to stay in formal education or training beyond the current age (which is now 16-plus) is an area which they say they support. And I am happy to hear that. But they say so, I believe, without understanding the full implications of what is being proposed.

My question, Madam Speaker, to the Opposition is, have they considered that if and when . . . because I am in full support of keeping our young people in some kind of formal training, or education post secondary, and I am going to outline what my thoughts are on that in a bit. But that comes with significant cost implications; it comes with significant logistical issues not the least of which is accommodation.

We currently have just over 1,000 students on the George Hicks campus. We have just under 1,000 on the John Gray campus. If we insist that post secondary education is mandatory to age 17, or age 18, we have got to find the accommodation and the resources to make that happen.

Madam Speaker, while the Opposition were brought kicking and screaming to the point where they actually voted in favour of the National Consensus Document, which is the blueprint on which we have been operating with this transformation exercise, they have been very vocal in their opposition to the construction of the three new high schools.

**Hon. W. McKeever Bush:** Ooooooh.

**Hon. V. Arden McLean:** Try so . . . (inaudible)

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker . . .

**Hon. W. McKeever Bush:** *You naw got nothing to do today or wha'? Wha' you don' go and build some more roundabouts?*

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, if we do not proceed with the construction of those three new high schools, one of which is in the district of West Bay, I wonder how—

**Hon. W. McKeever Bush:** Madam Speaker, on a point of order.

**The Speaker:** May I hear your point of order?

**Hon. W. McKeever Bush:** Madam Speaker, the Minister just said that we are against the building of the schools and we have said, and we have told him time and time again that we are not against the building of the schools because we started the plans. We are against building a \$50 million school because we believe that he can get a good school built without that kind of cost. Simple as that.

Thank you, Madam Speaker.

**The Speaker:** I do not consider that a point of order.

Honourable Minister would you continue please?

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

I am delighted to hear that, but I am not considering or proposing to build one school. We are proposing to build three. So I hope that in due course the Leader of the Opposition will further clarify that point as to whether or not he is going to support three schools as well.

But the point I am trying to make in relation to this is this: We have not built a new high school in this country in more than a quarter of a century. When I finished high school in 1978, the population of these Islands was about 16,000 people. It is now probably closer to 56,000 people. But we have not increased the capacity and the resources to accommodate the consequential growth in the student population in more than a quarter of a century.

What we have done is to squeeze on to the two existing sites more and more students every year to a point where we had almost chaos at George Hicks for many years until we spilt that into four smaller, more manageable units.

**Hon. V. Arden McLean:** Under his administration.

**Hon. Alden M. McLaughlin, Jr.:** What we have done in addition is, we have used modular classrooms. We now have 59 in the system at great cost. Each of those cost about \$60,000 just to bring them here before we start doing anything to them. So we wind up with a complex like John Gray, which is actually worse now than it was when I left there 29 years ago. We have our children studying, living, while they are there, in what I consider to be substandard conditions.

Now, if we are to go ahead, as I believe we should, in increasing the length of time our young people actually spend in a formal education or training, there must be adequate resources and facilities to allow that to happen. So, Madam Speaker, I want to say to the Opposition (with a capital "O", that is the one in this House) and the vocal opposition out there principally on one of the talk shows that if these proposals are so commendable, if these proposals are necessary to ensure that our young people get the best possible education, develop the best possible

skills that they can, achieve their full potential, how are we to do that in the context of the current physical plant which exists?

You see, Madam Speaker, everybody pays lip service to education. You could pick up 200 people off the street and ask each of them if they think education is important. And I assure you that every single one would say so. But lip service does not buy very much. It takes money to build schools. It takes money to provide resources. It takes money to provide the kind of education that is necessary for young people to be able to develop the skills, the attitude, the education necessary to be able to operate properly to prosper, to derive the kinds of benefits which are everywhere in this country.

It takes a lot of money to ensure that the end product of our education system—which is our students—have the wherewithal to work in the 21<sup>st</sup> century environment, to work in this globalised environment, to be able to deal and to function in jobs which do not currently exist, to be able to deal with the technological requirements which are now part and are going to be increasingly part of how we live, work and do business.

So, when the Leader of the Opposition carries on—and then walks out of this honourable House in a huff—about they do not think I should be building a \$50 million school . . . I do not know what the schools are going to cost, Madam Speaker. In due course we will. But they are going to cost a lot of money. I have never shrunk from that reality, nor do I, in a cavalier manner, ignore the justifiable concerns which many people have about whether we can afford it. I would expect all upstanding citizens of this country to ask that question.

But what the Leader of the Opposition and some of the other detractors really need to get a handle on is that we have to provide facilities which improve teaching and learning, which provide the opportunities, the facilities, the amenities for teachers to teach a 21<sup>st</sup> century curriculum and for our young people to have the opportunities to make the most of that teaching. That is what this whole exercise is about.

We are talking about taking young people beyond age 16, beyond just doing the external exams and going off into the workplace. But we have to make sure that when they make that transition from high school to post secondary or tertiary that they have the platform necessary to go on to do A levels, to go on to do university degrees or to go on and pursue technical and vocational training or whatever it is that they decide to do. And that is what these new schools are going to achieve.

I have made no secret about the poor performance levels of our students in the Government school system. But if I had come to this honourable House or gone to this country and said to them that by building multi-million dollar schools we are going to

magically transform the education system, we are going to magically improve teaching and learning and your children are going to be much better off, they ought to unceremoniously throw me out of this honourable House. But that is not what we have been doing, Madam Speaker. And that is why I have been careful every step of the way to try my best to take the country with me so that they understand that what we are doing is holistic in nature.

That is why I spend so much time not just in this honourable House, but at every opportunity I get, to explain what the transformation process is about and what it is we are doing at every single level—from early intervention to special education needs, to addressing the literacy issues and the reading issues and the numeracy issues that are such a problem in our system, to the development of teacher-training programmes and additional opportunities for professional development for teachers, to a new national curriculum, to the huge strides we have been making with technical and vocational courses at the University College.

The physical plant is just one component, albeit the most tangible, the most visible, the most expensive, the most controversial aspect of the overall exercise. And I believe it is critically important. But it is but one component of the overall exercise.

What we have seen happen at the University College is the best evidence anyone could want that if the young people of this country are presented with the opportunities in an engaging way, many of them—the vast majority of them, who many would say *'Oh they really weren't interested in education'* and write them off . . . if they are presented with the right kinds of courses in an engaging way, in an engaging environment, in a supportive environment that looks after them and understands that not all of them come with the wherewithal to pursue a degree in the first instance, that they will take up those opportunities, because the vast majority of the increase at the University College—which has gone from about 650 students when I took office to over 3,600 at the moment—is the take-up of technical and vocational courses.

For years and years in this country we talked about and bemoaned the fact that technical and vocational training was not available in the range of subjects necessary and that by and large there was little interest in it. What has happened—and this is so important Madam Speaker, and so marvelous—is that people are starting to finally understand that vocational subjects are not just your traditional carpentry and masonry and plumbing and electrical and those sorts of things, but that vocational subjects run the gamut of everything that is available to do in the workforce.

There are vocational components to accounting, vocational components to law. Let me use two examples: the pursuit of paralegal or legal executive

subjects (something available at the University College) are vocational courses. The same in relation to bookkeeping and other aspects of accounting because those who are pursuing those, at least in the first instance, are not pursuing a degree, they are not pursuing a CPA or a legal qualification to practice as a lawyer. So they are vocational in nature.

Not everyone is going to wind up being a lawyer or an accountant. But, for many of those who start doing the vocational aspects of those subjects, that provides a very useful and very necessary stepping stone for them to ultimately pursue a full degree of the legal or accounting qualification as the case may be.

Now, Madam Speaker, I think the evidence suggests that our young people are interested by and large in improving themselves and furthering their education. We have to find the ways to continue to encourage even greater numbers of them to stay on after high school.

This is a point that has and is challenging us. While the opposition will say we should not build these schools (and I use the opposition as a small "o"—not just Her Majesty's loyal Opposition in this House) the reality is that if we had the wherewithal and I had my way we would be building a lot more schools because the physical plant in this country, the education plant, has been ignored for far too long.

Our fundamental problems, believe it or not, are in the primary school system because when children wind up at George Hicks at age 11, we ought not to have to be worrying about whether they can read and write and whether they are numerate. However, that is a subject that is perhaps tangential to the one I am dealing with at this particular moment. But Madam Speaker, if we increase the mandatory school age we have to increase our accommodation. That is a challenge. I am going to share with this honourable House and the wider listening public what our thinking is about this.

The new high schools are going to be what are called all-through high schools. In other words, we are going to do away with the middle school system. When you start high school you start high school and you go all the way through. We are going to have three campuses—one at John Gray in George Town, Clifton Hunter at Frank Sound, Beulah Smith at West Bay.

John Gray is going to be built to capacity to begin with because of the numbers. We have had the opportunity and we spent quite a bit of time doing population projections, although in the Cayman context we cannot be too certain how correct they are. With the way the population in Cayman grows it is difficult to plan. But we are reasonably satisfied that our projections are fair through 2013. So we will have four academies on the John Gray campus capable of accommodating 250 students each. That is 1,000. Beulah Smith in West Bay, the indications are that we will only need two academies to start with, so we will

only build two—500. And at Clifton Hunter, three academies for 750 students.

I should say this as well: Under the current regime there is what is called a transitional year at John Gray. It was felt by those who came before me that when students transferred from George Hicks, having completed their middle school years and moved on to John Gray where they would do exams, that they needed a year to settle in to transition into the big school. So there is a Year 10 that has been inserted which has been described by many in Grand Cayman (although it seems to work much better in Cayman Brac) as a year of treading water, where essentially students do not progress but simply go over much of the work they have done in middle school.

The new system will remove that transitional year because all the kids will be entering one school when they are age 11 and they go all the way through to the end of their high school career. I just say that so that everyone has the full picture.

Madam Speaker, at the moment the law says that the mandatory school age is 16. What we are considering at the moment is proposing to increase that mandatory age to 17 or 18. We have not taken a decision about age 18 yet. What we have taken a decision about is that we are going to increase it at least to age 17. Essentially what that will mean is that every single child in the school system, whether they are public or private in the Cayman Islands, would be required to be in some form of formal instruction up to at least age 17.

Now, for those who want to do A levels, it would be a natural: they will go on and do A levels which are two years. It is for those who want to do some other form of post secondary education that we will have to make special provision. And we are looking at a range of things, Madam Speaker.

A big part of what we are doing with the education transformation is softening the lines between secondary and tertiary education so that the transition from high school to University College is a lot easier in both respects. In many instances there are young people who are exceptional, or who have a special interest in a particular area, and who could benefit from the additional challenge of doing college level work while they are still in high school.

So we are working with University College to soften the lines between the two institutions so that in those specific instances young people even while they are still in the secondary school system can have access to and benefit from some of the programmes that are available at the University College.

But I come back, Madam Speaker, to the real challenge which is providing the necessary accommodation and resources for a mandatory additional year of school. With the proposed closure of George Hicks in September 2009 as a middle school, we will have access to those facilities that are there. Those facilities are in quite good shape following Hurricane

Ivan and all of the improvements that have been made. So we are looking carefully at how we can actually improve upon those facilities and be able to use them at least in part for the post secondary instruction that will take place.

We are looking carefully at one of the IB (International Baccalaureate) programmes as being one offering that could be available there. The new high schools—the ones which the Opposition opposes—each of the campuses will have a state-of-the-art design art and technology block in which a huge range of vocational and technical offerings will be made available. What we are carefully looking at is how we can use those facilities as well for the 16-plus student—in other words, those who would be engaged in the mandatory extra year and who are pursuing technical and vocational courses.

That goes for the other facilities as well: the global learning centre, which I like to characterise as a super library or super learning centre, and the performance facility which will be available there. All of those facilities we hope we will be able to schedule the timetables of the various entities, schools, so that young people will be able to have the opportunity to have access to those facilities.

Because our system is still an external exam based system, many young people who would like to repeat a few subjects, essentially repeat the school year, are not able to do so now because we simply cannot accommodate the numbers. Under this new regime that we are considering, they would have the opportunity to repeat subjects, improve the subjects they have passed and therefore open further doors to tertiary and post-secondary institutions, not just in Cayman but elsewhere.

So, Madam Speaker, I am able to say that Government can accept the Motion in its current form because the Motion asks that the Government consider extending the level of opportunity for post-secondary education by establishing a suitable programme which caters to these.

I can say with certainty that that is something that we are actively engaged in and have been for some time. I hope by the time we are actually able to promulgate the new education bill in February of next year that I will be able to say something concrete about what we have decided on in relation to the requirement for mandatory post-secondary education or training.

I just want to say that over the course of last week and the week before that, I went around all of the districts in Cayman and indeed Cayman Brac with the entire team from the Ministry, including the architects, and outlined for the benefit of those who were interested what we have done and what we were proposing to do with the transformation of education in these Islands and to make the point—the same point I made this afternoon—that this transformation exercise is holistic in nature.

Madam Speaker, it is an immense task. There are so many things to consider. If I told you that I did not sometimes become a little overwhelmed by it, I would be telling an untruth. Sometimes, particularly in the early days, I asked myself whether it was actually possible, because there were still so many in the system who resisted the change; there were still so many who were cynical about whether or not we were actually going to make fundamental changes.

However, I have every confidence now, Madam Speaker, that this change is happening; that virtually everyone in the system and in the Cayman Islands has bought in to what it is we are trying to do. I am not saying that there are not some people who disagree about particular aspects of what we are proposing, and that is only natural. That is useful; I think that is healthy.

But, the one thing I must tell you, Madam Speaker, is that as broad as my shoulders are and as tough as my skin is, having been beaten for enough years in this honourable House and outside, the one thing I just cannot bring myself to accept is the disingenuous nature of much of the opposition to the construction of the schools.

I hear people, like the Leader of the Opposition and the Second Elected Member for West Bay, go on talk shows and bang on about these schools. But by and large they do not seize the opportunity to understand what it is we are trying to do and why it is we are trying to do it. I was delighted to see the Second Elected Member for West Bay actually come to the meeting in West Bay. The Leader of the Opposition did not come. I should also say that Captain Eugene Ebanks, the Fourth Elected Member for West Bay, came as well, and I was delighted to see him.

But it is when I have the entire technical team with me, including the architects, that opportunity should be taken to ask the questions to understand what it is we are trying to do so that when you open your mouth you know what it is you are actually talking about.

The same is true to my nemesis on the Rooster talk show, Mr. Elio Solomon. We had six meetings in every single district of these Islands about the entire education transformation process. He came to nary a one. But religiously he bangs on, and on, and on, and on, on the talk show, disseminating huge untruths. And I believe they are deliberate!

Madam Speaker, that kind of opposition does a disservice to the country and does a disservice to what I am trying to do. Opposition that challenges what I am trying to do, that says it could be done another way, which says I think the Minister has got it wrong . . . that is fine. That is healthy. But you can only effectively oppose when you understand what it is that is being done. But, when presented by six opportunities over the course of two weeks, you choose not to show up. . .

I should say in fairness, that his partner in crime, Austin Harris, actually came to the presentation in North Side and stayed for what I had to say, but left without asking a question and left before the presentation by the architects was done. So he, at best, has an incomplete picture, particularly in relation to the construction of the schools.

So, Madam Speaker, I really get . . . if I said I did not get angry I would be telling an untruth. I get very angry! I get very angry at people who behave in such a disingenuous manner and who bang on day after day as though they are authorities on everything when most of the time they have not a clue what they are saying. They make these broad strokes and people call up the show and buy into it.

Madam Speaker, we can play politics with everything. And I know we play politics with everything. They even play it with God in this House. So I know no area is sacrosanct. But I must tell you that nothing boils my blood like people who are trying to prevent our young people from getting the best possible opportunities that they can.

This is not about Alden McLaughlin, this is not about the PPM Government; this is about the young people, in particular, of this country. I must tell you, Madam Speaker, that I will fight with every bit of strength I have, with my last breath, to make sure that no one—particularly those who do not really care about my people, particularly the young people of this country . . . before I allow them to derail this programme . . . because this programme is not something that I sat down and decided on myself, that I believe I have all of the answers.

**The Speaker:** Honourable Minister, would you tie this into the Motion for me please?

**Hon. Alden M. McLaughlin, Jr.:** Yes, Madam Speaker, this is very much a part of this Motion.

**The Speaker:** Thank you.

**Hon. Alden M. McLaughlin, Jr.:** This is about, Madam Speaker, extending the level of opportunity for post-secondary education. This is about extending the opportunities for all of our young people to get the kind of education that they need in this 21<sup>st</sup> Century which will give them the chance to seize some of the tremendous economic opportunities that this country provides to all who come here.

The day that our young people really and truly feel that all of the economic opportunities in these Islands are the exclusive province of those who come from somewhere else, because they have the educational qualifications and our own people do not, will be the day that the harmony, the niceness, the decency of our people, which is something that everybody values, will be finally lost.

That is what this is all about—providing opportunities for our young people. Madam Speaker, I am going to say this: I know to whom I am accountable. There has never been one day since I was first elected in November 2000 that I have not gotten up and thanked God for the privilege and honour of serving my people because it is all of that. To me it is a solemn and sacred trust.

And I am going to say this, Madam Speaker: Whatever my fate might be come May 2009, until that day arrives and I am no longer here, I am going to drive this education transformation programme with every bit of strength I have. And I am not going to let the Leader of the Opposition, or Elio Solomon, or anyone else, prevent the young people of this country from getting the benefit of what we are trying to do.

**The Speaker:** Is this a convenient point to take the luncheon break, Honourable Minister?

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

**The Speaker:** Proceedings will be suspended until 2.15. Before we leave the Chamber I am asking members of the Executive of the Commonwealth Parliamentary Association to please not wander out of the building. I would like to have a short meeting during the lunch break. Thank you.

**Proceedings suspended at 1.01 pm**

**Proceedings resumed at 2.16 pm**

**The Speaker:** Proceedings are resumed.

Debate continuing on Private Member's Motion No. 11/07-08.

The Honourable Minister of Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker. Before we took the luncheon break, I had almost completed my contribution to the debate on this important Motion brought by the Third Elected Member for George Town and seconded by the Fourth Elected Member for George Town.

Madam Speaker, I had taken the opportunity over the course of my debate to seek to get the Opposition, in particular, to understand the nature of what we are trying to do with the transformation of education and the holistic approach we have adopted. I hope, Madam Speaker, that has not been lost on them because for the most of the debate they were not here. So, I hope they will take the opportunity over the course of the evening—whenever this [Sitting] is broadcast—to listen to the debate so that they may understand a little more about what we are doing with the transformation of education.

Madam Speaker, I am happy to say that the Government supports this Motion, that the Govern-

ment is already giving careful consideration to extending the level of opportunity for post secondary education by establishing a suitable programme which caters to these. And I hope, Madam Speaker, that my remarks in relation to that over the course of my earlier debate will have provided some edification, some information to a broader community and that I can continue to look forward to what I believe is the Country's wholehearted support of our endeavour to create for these Islands truly a world-class education system capable of turning out some of the best products of any education system anywhere in the world.

I have said before and I say again that if there is any place in the world that I believe is capable of doing it, it is the Cayman Islands. As a matter of scale, we are one of the smallest countries in the world. We have tremendous resources, financial and otherwise, and what has been necessary and missing all along has been the political will and the commitment really to ensure that education is the priority that this Government has given it. I want to acknowledge the commitment and support I have received from all Members on the Government side, both on the Front and Back Bench of the honourable House, because try as I might, if I did not have their support in every sense, what is underway now would simply not have been possible.

Madam Speaker, the road has been rough and the road is long and there is no question about us truly ever completing the transformation exercise because the world, in education particularly, is constantly evolving. But the fundamentals of what needs to be done to ensure that we do have a world-class education system are being laid during this term. It will take another term (maybe more than that) before we can be truly satisfied that there has been a culture shift; that the important changes that are being made are truly embedded in the culture, in the community and that we can have a platform on which to continue to build the creation of a world-class education system.

Madam Speaker, I look forward to at least another term to be able to ensure that this process is completed for I fear that if it were left to the Opposition, much of what is happening now—much of the things they are actually saying they are supporting—would suffer the fate that they have suffered for all these years.

The Leader of the Opposition is in his sixth term in this honourable House and we are yet to see any evidence of his real commitment to improving education in these Islands. I am fearful—very fearful—that if he were again in a controlling role that education would be relegated to the doldrums where it has been for far too long.

So, Madam Speaker, with those few words I want to say again that this Motion has the support of the Government.

I thank you Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the honourable mover wish to exercise her right of reply?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you very much, Madam Speaker.

I wish to thank my colleague, in particular on the Government side, who supported this Motion, or spoke extensively on the merits of it. I wish to thank the Minister for going through, once again, his commitment to making education world class in the Cayman Islands, in that all of our children, our young people in particular, must benefit from this robust and vibrant economy that we have in the Cayman Islands. We must give access both to tools and to opportunity to participate to the full extent of their abilities.

Madam Speaker, we cannot afford to have our people be second class citizens in this country. We just cannot. And I would be repetitive if I continued to say what was said, what I have said and what the Minister has said. But what I do know is that the Government has considered this, even beyond my bringing it. The Minister has had a task force looking into this matter and I am very proud to know that our young people—the future of this country—are put on a high pedestal so that we can protect them between the ages of 16, 17 and 18.

I feel so great today that this Motion has been brought. All young people should give praise to this Government for giving them that extra opportunity so that when we are old and sitting back and enjoying the fruits of this land we will be proud to know that the PPM Government extended the time for our young people to find their rightful place. And the great Sir Alden McLaughlin—

**The Speaker:** Honourable Member, please refer to the Honourable Minister responsible for Education.

**Ms. Lucille D. Seymour:** Sorry, Madam Speaker.

The [name of the] great Minister of Education will be on the lips of everyone and the annals of our history for bringing our young people from a country where people thought that they had forgotten us, to bring them on par and better than their global partners and their global colleagues, in particular when they are in the workplace.

We are only a small percentage of this work force. But that does not say that because we have to bring labour in here that we must continue to bring labour more skilled than our own people. That is an indictment on any country.

And as cheeky as the Second Elected Member wished to say that I am, which means insolent or impudent (and I didn't know I was either of those) . . .

as cheeky as he may think I am, I think he only said so because we have brought it to fruition and it is going to be a fact. Once the Honourable Minister says he is going to do something, you can believe, Madam Speaker, that he does it. And he does it with passion, sincerity, and this is not politicking. Honestly, because I can see in this Minister some of the precepts that his grandfather instilled in a lot of us because a lot of us had a lot to do with him in our era. I wish to say that his name was William Allen McLaughlin, who will be etched in the annals of history as a cornerstone of education development in these Islands.

What other way to spend money, Madam Speaker, than on the education of your people? What other way?

Why should we spend the money on the turtles who do not even come back to us? Some of them . . . not that we don't like to eat it! We spend millions and millions of dollars on that. We spend millions and millions of dollars on the inanimate. And this goes for both governments—not just the PPM Government, but the government before, the UDP Government. We spent it on setting this up in a distant part of the world, but when it comes to spending just a little more on the indigenous people in this country we have a challenge. We have a problem, Madam Speaker, with spending money on our own people. It leads me to think that, yes, we want to be something; but the others that come behind should just be barefoot with limited education.

Madam Speaker, I do not have time to say this, but I certainly grew up in that era and I am not going to be part of this era to keep down the young people in this country. I do not care from what corner of the Cayman Islands they are from. We have a duty in this House.

**An Hon. Member:** Absolutely!

**Ms. Lucille D. Seymour:** And since I am being echoed I will continue to say the good things.

It is our duty in this House to ensure that the Caymanian people—in particular the young people—have a rightful place in this society, that they are educated and have the ability and the tools and are well equipped to do better than all of us inside here. We can have our poet laureates, we can have our Oxfordians, we can have our people who we watch movies and we go out and we patronise. We must patronise our own people who are able to get these things.

We should have our Calypsonians as well. And our great teachers! We must be able to bring our young people to a standard better, and better than those that we bring inside here to make the money. And I make no apology for that, Madam Speaker. That is true.

Basically, successive governments have not sat down and said *'who are we developing for?'* If we are developing then we need to parallel an education

with it. But thank the Honourable Minister of Education who himself is not an educator, I believe he is a lawyer by profession, has gone on to research, study and look at what a 21<sup>st</sup> Century education is all about so that he can give the Cayman Islands this world class education. And that is so—all of us!

Those of us with young children today should be glad that this is happening unless we wish for all the time to bring people in here to be better than our own people. I know maybe some of us in some places may pay lip service to what they are saying and say we agree with this Motion. But I want them to be sincere about agreeing with the Motion, not just to say it so that the public can hear you agree with it. No, that is not what I want.

I want you to agree with it so that next year when the Minister of Education brings the Budget and presents us with cost factors that we will need in order to extend or to provide the programme for the extension of programmes and levels for our children that we do not talk out of five sides of our mouths, that we will say Aye, and Aye, and Aye.

**Hon. W. McKeeva Bush:** *You have already approved \$40-something million.*

*[A Member's inaudible comment]*

**Hon. W. McKeeva Bush:** *Why you don't go back East End and stay up there?*

**Ms. Lucille D. Seymour:** You know, one of the easiest jobs in the world is to be in Opposition—

**Hon. W. McKeeva Bush:** Oh? Unna know that! Ooh!

**Ms. Lucille D. Seymour:** —because what you do is to oppose.

But I would like the young people to know that this Government is supporting a Motion which says, **BE IT NOW THEREFORE RESOLVED THAT the Government considers extending the level of opportunity for post secondary education by establishing a suitable programme which caters to these.**

I hope that in the weeks to come and the days to come that the fora through which information is disseminated will do justice to this Motion.

Thank you, Madam Speaker.

**The Speaker:** The question is BE IT NOW THEREFORE RESOLVED THAT the Government considers extending the level of opportunity for post secondary education by establishing a suitable programme which caters to these. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it. Private Member's Motion No. 11/07-08 is duly passed.

**Agreed: Private Member's Motion No. 11/07-08 passed.**

### Private Member's Motion No. 10/07-08

#### Employment of Seniors

The Speaker: **I recognise the Third Elected Member for the district of George Town.**

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

I beg to move Private Member's Motion No. 10/07-08, Employment of Seniors, which reads:

**WHEREAS there is a growing number of people who are potential retirees;**

**AND WHEREAS persons who change jobs in their latter years find it difficult to secure employment because of their age;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers investigating this procedure and practice with a view of ameliorating the situation.**

**The Speaker:** Is there a seconder?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker. I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

I brought another motion here because of the care that we have for the people of this country. Madam Speaker, you and I know, and although we may look very well, and although we treat our bodies well, we walk, we are healthy, we look good, and we think well, we are wise and [to a great] extent we are pretty! But, Madam Speaker, I am not talking about you and me, I am talking about the poor, those who previous governments have left out. I am talking about people who the Honourable Minister of Education is now going at the bottom for the basics of education to bring up so that those people will not be in the position to which I speak today.

A lot of these people who come to me and no doubt come to my colleagues cannot get any work. In particular, let us say from the age of 45, they are not equipped or not re-tooled to handle this global world that we have. Some of them are just barely literate. A

lot of them do not understand the technology. A lot of them, their jobs have been taken away because of technology. A lot of them are not able . . . some of the jobs existing today were not here to give to equip them.

Madam Speaker, it is an indictment on this country that we must have seniors, and I put 45 year olds in that, that we must have seniors, older people, men and women who their employers look at them and call them old — that they cannot handle this.

Madam Speaker, I will tell you how far this went. That same Elio Solomon that you see there, when we were assessing each other in the PPM said that I should not run because I was old. Me!

I do not know whether they look at you and feel that because they are maybe 10 or 20 years younger than you that you are old and you must be banished to some place and put out to pasture and then you must live off of social services. I wonder who is going to put the money into social services. But, Madam Speaker, we cannot look at that.

I think it is because this is a young society. The leaders are young. And those who are not young put themselves young because a lot of them like Clairrol and all these kinds of things. Madam Speaker, in the more developed countries you can go all over to the banks, anyplace, and you can see seniors working. You can see it! But you cannot see it here! As a matter of fact, if you think I am kidding the only old people who walk around George Town are those who come off the cruise ship. They do not come out. And we look at them and because we have this niche of whether we want to say young people that are leading our society, we think that the older ones should not be part of that.

But that is wrong. It is not only morally wrong, but it prevents them from living a great quality of life. They want to work. They do not want handouts. They come to you and say, '*Listen, I want to work, man. I do not care how much it is. I do not want to go to social services, I want to be able to work.*' And they cry.

You know, Madam Speaker, I want to say this again, if I see 10 seniors in a week, 9 of them are women. Again, it tells me that these vulnerable groups need protection. The vulnerable groups like the women and the youth need someone to look after them and the people to look up to them, and the entity to look up to them is the Government, Madam Speaker.

This could take a long time. I could stand here and talk (like the Second Elected Member for West Bay) for hours (two hours). But I know that some of my colleagues wish to say something on this.

Madam Speaker, I know you have spoken to me; you have preached it. I have heard you in this House talk about senior citizens. I know that you are still fighting for them because you are the Elected Member for North Side and you do your duty. You know it is important because North Side has a great

majority of senior citizens and you have to look after them. But it is not good enough for the Cayman Islands to be developing human rights into the constitution and our very own people, the senior citizens, are pushed out to pasture.

They do not have a job. We have men who were painters who come to us. As soon as they reach 50 they tell them they cannot climb a ladder so they do not hire them. Now what kind of thing is this? You see people that age going up on ladders. Why can't a 50 year-old go up on a ladder?

Listen! The new 60 is 40 you know, Madam Speaker. The new 30 is 20. The new 80 is 70. And research tells us that women, in particular, are living longer and longer and longer. So, Madam Speaker, in this House where the destiny of the Caymanian people lies, we have to come up with good solutions to be able to help the seniors in this country. It is not good enough to say that we are a Christian society, we are a caring society. If we were such a caring society we would not push our older people out to pasture.

If all of us think that we are going to stay in this House because of all the different false things that we can put on, and we are going to stay here and remain young, we have made a sad mistake because this could happen to a lot of us. As a matter of fact, it has happened to some of own colleagues who were Members of this House who also had difficulties finding jobs. So we should really empathise with that.

Madam Speaker, I thank you for giving me the opportunity to speak on this Motion and I dare say that I will have other things to say as soon as others have made their points. But I ask for the support of this Motion because I think it is a very important one. And even when we consider the investigation and we come up with this, I think that the Government should look at some form of legislation in order to ameliorate the situation.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, I am going to offer an amendment to this Motion. I have not written it but I am going to offer it. It will ask that the Government consider people in their employment also. I should have that to you in a minute, as soon as I can get it typed.

Madam Speaker, there are old people in this country who have reached the age . . . and when I say "old" people, people who have reached the age of 60 and want to continue, need to continue to work and that is not happening. Most people, I believe, in the private sector continue with people over age 60. But in Government, that is not happening.

I have seen it in many instances. I have seen people who have been let go. They have some kind of contract. They tell them '*We can't use you any more now.*' And maybe you get somebody on a permit, I do not know. But definitely these people. I had complaints from bus wardens who say to me that they reached 60 and they told them "*We have to let you go, but you can come back and work for us for \$400 a month. You can come back and work that job for \$400 per month.*"

Madam Speaker, this cannot be right in a day and time when the cost of living is so high. Some of these people still have loans and mortgages to pay. Some might be lucky and get another six month or year contract. But it cannot be right to tell anyone who is making \$700, \$800 a month as a bus warden, that they can come back to work but you will give them \$400 a month. Because if they can come back to work for \$400 they should be able to carry on their job for the substantive salary they were getting.

So, Madam Speaker I am going to take the opportunity to move an amendment to this Motion and hopefully you will accept it because it would not have the two days' notice but I believe it is important to ask the Government to address that particular aspect of employment in this country.

People who reach 60 can very well, unless they are absolutely sick to the point they cannot work and hold a job at that time . . . I do not like the thought either if they find out that they are sick that they are going to push them out and cut their contract at that time. That cannot be right in this day and age when we talk about human rights.

When you talk about working environment and you talk about having commitment to a job, there is no one any more committed to working and who wants to work than our elderly. You will see them getting up at four o'clock in the morning, preparing to go to work to be employed at seven o'clock; while we see some younger ones dragging out of bed at eight o'clock.

So, Madam Speaker, they [set] a good example for younger people about the world of work. I would hope that we can change any laws that may need to be changed. Maybe we do not need to change any law. Maybe we just need to change the policy to be able to keep on some of the people who are employed today with government. I am going to move that amendment in due course. Hopefully we will not be voting before I put the [amendment].

**The Speaker:** Honourable Leader of the Opposition, I think we need to get the copies because you have now debated on an amendment which we have to put to the vote. Then, if accepted, we will debate the Motion as amended.

**Hon. W. McKeever Bush:** I do not have any more to say about it, but I am going to put the amendment if you will allow me.

**The Speaker:** I need the amendment in writing so that Members can have it.

**Hon. W. McKeever Bush:** That's what I just said, Madam Speaker – 'I have to get it.'

**The Speaker:** So, we will sit in here and suspend for five minutes until you can get the amendment.

*[Inaudible comments]*

**The Speaker:** We are not going outside.

*[pause while amendment was circulated]*

**The Speaker:** Please be seated. Proceedings are resumed.

Have Members all been given copies of the proposed amendment to the Motion?

Honourable Leader of the Opposition, would you like to formally move this amendment [to the Motion] now please?

#### **Amendment to Private Member's Motion No. 10/07-08**

**Hon. W. McKeever Bush:** Madam Speaker, I would like to thank you for your indulgence in allowing this amendment.

Under Standing Order 25 (1) and (2), I, the Honourable Leader of the Opposition, beg to move the following amendment by the insertion of the words "both in the private and public sectors" after the word "*practice*" and before the word "*with*".

**The Speaker:** Is there a seconder?

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker, I beg to second the amendment.

**The Speaker:** Thank you. The question is that the amendment be made. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it.

**Agreed: Amendment to Private Member's Motion No. 10/07-08 passed.**

**The Speaker:** The [amendment to Private Member's Motion No. 10/07-08] has been duly moved and is open for debate.

Honourable Leader of the Opposition, I think you made your contribution prior to the written—

**Hon. W. McKeever Bush:** Madam Speaker, at least I consider that I made my opening remarks on it. I will wait to hear what Members have to say on it now.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Minister responsible for Education, Employment.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, what the Honourable Leader of the Opposition has moved is an amendment to include the words "both in the private and public sector," that the Government consider investigating the procedure and practice with a view of ameliorating the situation both in the private and public sector.

The Government is happy to consider the matter.

**The Speaker:** Does any other Member wish to speak? [pause]

If no other Member wishes to speak, does the Honourable Leader of the Opposition wish to reply?

**Hon. W. McKeever Bush:** Madam Speaker, my thoughts on the matter have already been made known in the *Hansard* and just to recapitulate [on] what I said, there are people who are working with the Government who the Government either ends their contract or retires them at age 60. Therefore, some people can be hired others are not. There have been instances where people have come to me and said they still want to work but have been told they will not be renewed so they cannot work any more for the Government. This Motion asks Government to reconsider their policy in this matter.

**The Speaker:** The question is that the amendment be made. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The ayes have it.

**Agreed: Private Member's Motion No. 10/07-08 amended.**

**The Speaker:** Private Member's Motion No. 10/07-08, as amended, is open for debate.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, certainly all of us as representatives have at some point in time received some of our constituents making representation regarding

being over 60 and either having difficulty being employed or, for some, having difficulty being employed in the same job and continuing on after the retirement age.

Both the Public Service Pension Law and the Pension Law itself speak to the retirement age being age 60. In other words, there is no law which calls for any pension to be paid in after the age of 60 either in the private sector or in the public sector. This means that at age 60 individuals who were part and parcel of any pension plan can begin to collect their pension, depending on which pension plan it is, is dependent on how that pension is collected.

For government we know that the long-standing methodology employed is that one can receive a lump sum and lessen the monthly pension for the rest of their lives, or take a higher pension without the lump sum for the remainder of their lives. In the private sector some plans obtain differently. I believe that the government pension is perhaps—at least the defined benefits one for those who were employed before 1999—is perhaps the most attractive pension plan that we have in the country.

But this Motion speaks to those people who have reached this age without being specific. The Motion is asking for Government to consider investigating the procedure and practice of persons who change jobs in their latter years and find it difficult to secure employment because of their age.

The fact is that we all would wish for employers to give consideration to individuals, because we all agree that 60 is not the magic birthday when people should simply stop working. Some people (because of when the National Pension Law came into force in 1999) will reach that age and not have a decent pension because they have not been part of a pension plan for any length of time. Of course, the pension plan had to start somewhere and no matter when we started that would have been the case. So most of those who find that difficulty are those who perhaps were beyond 45 or 50 when the National Pension Law came into being.

For Government to investigate it I am certain that we would love to. I am certain that the Honourable Minister for Education, whose subject is employment and pensions, will set up a taskforce to look into the matter. I am absolutely certain of that. But I think we need to be absolutely clear as to why some of the difficulties occur.

Let us take the public sector, Madam Speaker. The retirement age is 60 and that has been a longstanding policy. In fact, it is beyond a policy. It is in the Public Service Pension Law. But what happens frequently (and I have known it to happen in departments under my ministry) is people will reach the age of 60 (that is, retirement age) and they will literally be retired, begin to collect their pension and in many instances they are rehired on contract because that is

the methodology which has to be employed because of the way the Law is worded.

Now the difficulty could arise if they want to remain in the post and whoever their supervisor or HOD is, or if it has to extend to the Chief Officer, when they look at performance and other matters they decide it is not in the best interest of that department to hire the individual, the question is: How can you mandate legislation to force them to rehire individuals that fall into that category? That is where the difficulty lies.

As I said, the way it works now in many instances, because I could name several people that I know (I will not do so) who are in that position and have been rehired under contract. So, it is a bit difficult to speak to making anything mandatory.

In the private sector an employer outside of a work permit . . . there is no legislation you can create outside of downright discrimination. You can guard against that by legislation but you really cannot get to the point where you say you must employ people over a certain age if there are choices. So that is where the difficulty lies.

I, certainly, have had the experience of people talking to me and explaining their circumstances and some of them being close to what we would call senior citizens, but who are still in good health and have the will and physical ability to work and still find it difficult because by nature employers say if they can get younger, more robust, individuals they are probably better off. As time goes on and people get older, statistics prove that they are more apt to be claiming health insurance and all this type of stuff . . . and, of course, health insurance is another problem again because of the difficulty. While it is mandatory that employers have health insurance for employees, and there is a division of who pays what percentage, there is also that difficulty with acquiring health insurance from the point of view of the providers.

So, I only wanted to point out some of the inherent difficulties, Madam Speaker, while at the same time saying that I will quite readily reiterate that Government is anxious to look at this. I just cannot clearly state the path forward, the end result, and exactly what methodology will be employed.

Employers will vary. And there are some employers, mostly the larger ones, who almost covet long service employees and who are proud to know that they have people working with them for decades and decades and decades. In the papers quite often we see photo ops with this company and that company showing off staff who has been there for so long. So we do have some pluses in the whole affair, but then we find some of our own Caymanians experiencing the difficulty being pointed out in the Motion.

As I said, I wish that I could clearly path a way forward that will bring about the results we desire. I do not think it is that easy but, again, the Government is anxious and quite willing to look more deeply into that—both private and public sector—understanding

that while we answer that, and the Minister responsible is an elected Minister, the fact of the matter is the hiring and the firing of civil servants is entirely left within the civil service under the Governor's remit. But it does not mean that there cannot be discussions which will ensue.

Again, we certainly support and accept the Motion and will do everything that we can to bring about the desired results. Thank you.

**The Speaker:** Does any other Member wish to speak?

Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

I rise to offer some brief remarks on the Motion currently under debate and commend the mover and seconder of the Motion. It is a timely Motion and as the Leader of Government Business has already said, it is a Motion which the Government has willingly accepted and will do what it can to move forward with the spirit and intent of the Motion.

I think the spirit and intent of the Motion is clearly correct and appropriate. I wanted to offer a few brief remarks to extend the debate a little beyond where it has already gone to say to the mover of the Motion and, indeed, to all Members of this House that my Ministry has already started some work in this regard. And I speak specifically to the Go East Initiative and some of the developments there. It underscores what I have been saying all along about this initiative in that the Go East Initiative is not just about buildings and building hotels and condominiums and attractions, but it is certainly more about the development of our people and allowing our people to benefit from the tourism industry in a way they have not done before.

Madam Speaker, to tie it back into the Motion, I speak specifically to the development of the Mission House in Bodden Town and the opening (not very long ago) of the Nurse Josie Senior Centre in Bodden Town. What is going on alongside that at the moment is the development of the Bodden Town Park. When that project is completed it will offer us the opportunity to select some of our seniors in the districts to put them on a regular schedule where they can be available at the senior centre in the vicinity of the Mission House and the Park to tell stories about Cayman of yesteryear.

This is something that I have already had discussions with my department of tourism about and my senior officials. They understand that this is part of the overall product enhancement of the tourism sector. But what it does, Madam Speaker, it allows us to take those senior citizens who are currently in retirement and to put them on this schedule, as I have said, and essentially offer that as a part of the product in the eastern districts and at the same time have those senior citizens on some kind of stipend where, clearly,

that would benefit them in their senior years. So I very much look forward to the day when we can formally launch this programme because it is in the development stage at this point.

Madam Speaker, I speak to this issue specifically from the perspective of the Go East Initiative, but there is no reason why this cannot be copied in other districts both in Grand Cayman and in Cayman Brac and Little Cayman. I think that when we talk about ensuring that we offer our visitors an authentic Caymanian experience, that this is one opportunity where we can have our senior citizens in this country do that for us and at the same time they can receive an economic benefit from doing that. We certainly hope that as we develop this programme that our younger people will stand alongside our senior citizens and interact with them and benefit from the experience and from the storytelling itself so that as they move on in life they will be able to recount those types of stories to visitors in the future.

So, Madam Speaker, with those very few words I commend the mover and seconder of the Motion. The Government certainly looks forward to doing what it can in terms of initiatives to bring this about.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause]

The Fourth Elected Member for the district of George Town.

**Mr. Alfonso W. Wright:** Thank you, Madam Speaker.

I too rise to make some brief remarks on the Motion and to congratulate the mover and seconder of the Motion and to once again speak to the PPM Government's ability and the desire of its Members, both in Government and on the Backbench, to do things to make a meaningful difference in the lives of our people.

I commend the mover of the Motion for realising the importance of our seniors and the crucial contributions they make to our society. This Motion is a way of showing the utmost respect and gratitude from us, the younger ones, knowing that one day we too will find ourselves in the same position that the mover of this Motion is trying to defend right now.

It has to be a great benefit to any society to try to help to assist the elderly or what we consider seniors to remain as active and productive for as long as we possibly can. The alternatives are not very good. I think we all will have some way of recalling older people of the community who had extremely active lives but for one reason or another were somehow rendered inactive. With seniors, their health becomes affected, they deteriorate rather rapidly once they do not have anything to continue to stimulate their minds. If they are forced to stop their usual activity, if they can no longer work they have to sit at home and their minds become idle. Other things take over. It is simply

a fact of life. But we do understand that as long as they can be stimulated to keep their minds going and keep their bodies moving that they live a long healthy and happy life.

I would not want to be part of anything that would do anything different. There is a tremendous wealth of experience in all of these individuals. Their age is the only thing that we may want to consider wrong with them and because of the way laws are written and problems with health insurance, pension and everything else. We simply put them out to pasture while there is a tremendous amount of good left in them and they can make meaningful contributions.

They are usually very pleasant in spirit. You do not usually get any kind of acrimony from these mature people in the workplace. They are usually a pleasure to be around. They do not have the beefs that the younger people do. They are committed because they are appreciative of their ability to work, especially in areas of customer service, customers love to deal with older, mature people. I believe that a lot of these people can continue to be major assets to the working community.

Another thing, they have developed habits now where they are so appreciative of being able to work, that you do not have problems with them being late, or wanting to leave work early. They come and they put in their fair share—they actually do more than their fair share.

So, I have to commend the mover of the Motion and say that I wholeheartedly support this and I thank the Government for accepting the Motion. I thank the Leader of Government Business for being candid and honest and explaining that the drawbacks that we may have in making sure this works the way in which we want it to because we do understand there are some difficulties. But I think he should be commended for being blunt and explaining exactly what those difficulties are so no one is misguided here and believes that by the snap of a finger we are going to work this out.

I ask the business community and the Civil Service to consider this Motion and to start thinking about what they can do to assist our elderly, our aging population.

With those few words, Madam Speaker, I offer my support to the Motion.

**The Speaker:** Does any other Member wish to speak? [pause]

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker. I would like to offer more than passive support as the seconder of the Motion.

Certainly we have all heard the complaints of individuals out there who have reached the age of 60 and have been put out to pasture for one reason or

another. A lot of these people are quite able, quite young at heart, quite willing to continue working and have a lot to offer. It is not easy, obviously, to deal with this. We have to find the mechanisms to make sure it works sensibly.

What we do know is that a lot of these people really do not have any pension to talk of because the Pension Law is a fairly new law. And health insurance becomes a serious issue as a dimension. Their expenses when they turn 60 do not dry up, they do not disappear. These people still have a lot of commitments and some of them have close families that look after them, but others do not.

Their own dignity and self-worth is at risk. Once it happens you see a rapid deterioration in the health of these individuals. I think we owe it to them to find a way to ensure that they continue to be productive citizens. You go to other countries and you see older folks being used in a variety of ways in a lot of charities and other work environments. They take pride in keeping their seniors ticking and contributing. So, I think we need to give serious consideration to it. We do not need to create another area of dependence.

It will certainly reduce the healthcare costs to the country because, as I said earlier, these folks tend to deteriorate once they are not being productive in our society.

I am quite happy to second the Motion. I think it is for us as a Government to find the way forward to make this work. And as the Minister of Tourism said, I am certain that a lot of people in the east can be used in the Go East Initiative and other parts of the Island as well. We want to make our tourism product (as we spoke about at length yesterday) as Caymanian as possible. Who better to do that than the people who know the most about Cayman? And that is our older folk.

Madam Speaker, I just want to offer that brief contribution and say that the Motion certainly has my full support.

**The Speaker:** Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker. I rise to give my support and to thank my two colleagues, the Third Elected Member for George Town and the Third Elected Member for Bodden Town. As this House and the Islands know, one emphasis of my Ministry is helping and assisting the elderly, the commitment we have given there, and Children and Family Services working in our own district (as my two Bodden Town colleagues have alluded to) in developing facilities there to make it better for them.

I know a number of them within that district are the driving force behind much of the programmes that assist in the socializing of these people. I remember . . . and this gentleman is still working over 80

years I think it is down at the Port Authority. Every working day of his life he is up at 5.00 in the morning, eager and rearing to go. And if you look at him you would never believe the age he is.

We all know that this type of employment and working stimulates the mind. You can always watch those who do not have the ability to perform and work at a certain level. They just do not seem to last as long. So it is good for us to look at this. I fully support it.

I always enjoy when going into Wal-Mart in the States, they tend to employ those people at the gates. They will sit or stand and talk. It is good for their minds. As was alluded to earlier on by my colleague, the Fourth Elected Member for George Town, the work ethic of these people is good for the young ones who work by their side.

I am pleased that the Third Elected Member for George Town brought this Motion. It is all part of the PPM's mandate. It is amazing how those who are associated with the People's Progressive Movement in our national council and in our hierarchy come out and support us and work along with us. I think this is a positive Motion, especially when it affects those most vulnerable in our society.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, I am glad to have moved the amendment and I would hope that Government will do something with it.

I just want to say that from what the Leader of Government Business said, that the hiring of people is left with the Civil Service . . . that is true. But there are a lot of elderly people who are working in the ministries, hired by contract through the ministries. And on reaching age 60 they are told that they are not civil servants and they have to cut off at that point.

As I said, the bus wardens came to me and they said they were told, "*You have to stop now because you are 60. But we will take you back on if you are willing to work for \$400 per month.*" So when the care and concern gets to the point where the Minister of Health talks about, then you have to consider those people.

Those are the areas that have to be considered. Not civil servants. They are contracted sometimes by the ministries. That is where the problem comes in. Even within the Civil Service they do contract people after they reach age 60.

I do not now for what reason some people are told that, Madam Speaker, but obviously when you look around and you see positions even created for certain people who have reached age 60 and are going out, they get the job; others are told they are age 60 and they have to go. Obviously, when the point of

care and concern is taken into consideration, everyone must be treated the same, those who are willing to work.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Minister responsible for Communication Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Unfortunately I was outside the Chamber for another appointment but as I understand from my colleagues, the amendment to this Motion has been accepted and that we are debating the Motion as amended.

**The Speaker:** That is correct.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Let me congratulate the Third Elected Member for George Town and the Third Elected Member for Bodden Town for bringing such a timely Motion to this honourable House. I think it is worth the Government looking into this situation that currently exists in our country. Certainly, with the amendment to it which reads both in the private and public sector, will send a message to the country [showing] how we feel about our older persons.

More and more we are seeing that people are growing much older throughout the world. There is a need for us to pay attention to their particular situation and the conditions under which they live. Since coming to the Ministry in 2005 . . . I do not know if it is policy or procedures or what but maybe I have broken every one of them because I have insisted that the older folks particularly those on contract stay on if they are capable of doing the work.

I recall recently there was a gentleman at Public Works who as a painter was required to climb the towers to paint and other buildings that were much higher than they thought he was capable of taking care of. He complained to me and I consulted with the PS and the director. I really see no reason why people of that age cannot stay on if they are physically fit. They indicated that he was engaged as a painter to do that particular job, the towers. I said re-engage him in another job. Let him paint where he can reach from the ground. Someone has to paint down at the bottom. Not everybody can paint at the top. Thus, the gentleman is still in place.

Madam Speaker, there are other people who have reached other bumps in the road that we should also be looking at as well. I made some commitments in being here also to ensure that the new parks unit would engage some of these people. And we have some of the people who have hit some bumps in the road, engaged. Some of them are doing well; some of them are hitting a few little bumps again. But we have

to give them an opportunity to overcome those bumps.

I know there is a gentleman who has just retired from one section of government who is moving over into my section too, the parks unit.

I think if we do not do that, we have to really think that those are the people who, in that profession, in that arena, by and large did not get the opportunities in this country to get a formal education, but they are very capable of doing what they are doing. In their productive years we worked them and as I like to say, even tied lights around their heads at night to ensure the job got done.

I do not think we can put them out to pasture, as the Third Elected Member for George Town said. The time has come for us to take care of our own and I subscribe to that.

If we do not allow them . . . and I believe when I came in the Leader of the Opposition was on the point about them staying on because they are more productive or just as productive during those years. And he was making the point that if they can stay on they should be valued the same amount of money. And I totally agree with that. Why should we cut somebody's pay? A day's work is a day's work. He may be doing something different, but a day's work is a day's work.

I believe that I am in the middle of my most productive years right now. Madam Speaker, I would not say you are past yours yet, but, you know, some of us will reach there. Some of us will not, but those of us who do, there is need to ensure that the rest of their lives are made comfortable. They do not want handouts.

This gentleman, particularly in public works, I think he must be over 70 and he refused. He said he does not want . . . it would be an embarrassment for him to go to social services. I figure if we can give him a rainbow of colours he would paint every government building at least up to 6 feet and down. At least we will have him doing something productive.

The social services in this country has enough on it as it is. If we can find seniors in this country who are willing to do the work, then so be it. Allow them to do so. I am thankful to the government when my parents had worked their lives away as civil servants at the end of the day they retired. Thankfully their children were at the point where they really did not have to go back to work. But not everybody finds themselves in that situation.

Many people, like those the Leader of the Opposition spoke about, have mortgages . . . and the cost of living in our country, the standard of living in our country which drives the cost of living in our country requires that these people have some means of income. I support the idea of letting these people work in their latter years. I can tell you, Madam Speaker, experience can teach many of those who have education; many times that is a fact.

I believe that a number of the young Caymanians who are coming up and will one day take over this country will do well to have some of those older people work among them in order to get some of that experience passed on to them—importantly, the work ethic those people have had instilled in them from very young.

I have a few young men at the ministry. I do not know where they got their work ethic from but I think it is from their background because they come from a very rugged background. Their parents and grandparents were rugged, indigenous Caymanians who worked from light to light and I see the same thing in these [young men], and I am very glad for that. When you call, they are there.

But they too, like me, will get old one day. These are young kids really, in their early 30s, who need that kind of experience for the next 5 or 10 years when they will be required to take over this country. The way to get that is to have experienced people in the same work environment with them.

I missed the opportunity a few days ago to make a contribution to the craft market and creation thereof. That too will provide an opportunity for older people to work. The Go East Initiative is part of that. I know there are many, many . . . and I could stand here and name off many people in the district of East End who are retired but are very, very productive—particularly in the area of craft.

The Go East Initiative will be an opportunity for those people to feel wanted, to feel needed in this society. Many of them do the kind of craft work that is worthy to be given to royalty. Therefore, there is no reason why tourists or residents cannot buy it.

Every time the Prince came to East End, he was given some kind of craft made in East End. When he returned the last time he asked me for Mrs. Carmen Connolly because he told me he has his conch shell that she made with the light in it in his home. Now, if he can admire it then others can too.

I look forward to the day when we get the Go East Initiative fully going and that we can build shops where these people can have an outlet for their product. They do not need a lot to live but they need to know that they are respected—that their craft, that their talent is respected.

Again, that will give them the opportunity to say they did it their way and it was not some member of parliament who went to fight for them to get a few dollars to put bread on the table. Caymanians are a very proud set of people. I admire that. They are so proud that they will do it themselves.

Madam Speaker, I certainly support provisions to ensure that people are not just let go once they reach their retirement age. For instance, I know a number of the senior civil servants right now. Within the next five years or thereabout, many of them will be reaching retirement age. Some of them are eager to go because they want to take up another career, such

as the Chief Secretary. I know he enjoys his church and I believe that is where he wants to go, but there are many others who we can get so much from. Mr. Donovan Ebanks . . . these guys are young at heart. They may be reaching retirement age but why . . . unless, of course, they want to go and change careers. They have a wealth of experience and knowledge and we need to see if we cannot put them . . .

Certainly, Madam Speaker, I do not propose that anyone stays in any place that is going to disrupt others from coming up. There is a need for that too as we evolve. But there must be some degree of thought put into the retirement of these people in order that some of that knowledge be passed on to some of the younger ones as advisors, consultants, whatever the case may be. Because, you know, when you change careers you see things from a different perspective.

The former managing director of NRA is now a consultant with Public Works in Cayman Brac. They are building roads up onto the Bluff and he is enjoying that. I saw him recently and he is enjoying that. But that is what we need to do. He is too young to just be put out into the wilderness.

I am glad that we could find a place for him. I also thought that he was going to do some other business which he says he is going to get involved in civil engineering and that kind of stuff. Of course, these guys have experience. And there is nothing wrong in us re-engaging them in a different capacity at the same remuneration. There is nothing wrong with that.

Many of our people prefer that. Which one of us would not like to have in our pockets sufficient funds to give to our grandchildren every time they come over to our homes? I believe that is a responsibility that government holds squarely on its shoulder, any government. We should ensure that these people are not just simply let go and we do not enjoy the fruits of their labour—that is, the knowledge that they have gained over so many years of working. Madam Speaker, that is, in most instances, 50 years of working because most Caymanians started when they are 10, 15 years of age.

So, Madam Speaker, I certainly support this Motion. I am also grateful to the Leader of the Opposition and my colleagues to include provisions which will clearly show that the intent is to ask both the private and public sector to assist in keeping our elders, our seniors after retirement on in order that they can work and not lose faith in their country and have something to do to occupy their time.

Madam Speaker, again, let me congratulate the Third Elected Member for George Town. As always, she thinks of these things and the one good thing I can say about our Backbenchers, they are coming into their own.

Madam Speaker, I too commend the Motion to all honourable Members. Thank you.

**The Speaker:** Does any other Member wish to speak? If no other Member wishes to speak, does the honourable mover of the Motion wish to exercise her right of reply?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I am touched by the comments that have come across supporting this Motion, but suffice it to say that it is said that *the health of the nation is seen as when it looks after its children and its elderly*.

It shows that we are moving from Third World to First World and that is good because we have all the other things in the Cayman Islands. We are wealthy, we have high standards, we have beautiful people, a beautiful country, but we have to look after our children and our elderly. They, by law, belong to us. They belong to the nation and therefore we have to see that their quality of life, in the eve of their life, is something that will give them the opportunity not to have regrets about the contribution that they have made to this country and at the end of the day we push them in a corner and say: *'You are too old. You cannot work. Go home and sit down.'*

Madam Speaker, never before in the history of man have we had so many seniors, never before. The research tells us it goes into billions and it is because of the explosion of the baby boomers, 1946 – 1964, and you know what happened in those years. All sorts of things happened in those years. That was what we called the real childbearing years. Therefore, we have to be very careful in a country like ours how we talk about aging and how we deal with them because we are going to have more and more and more. I would venture to say, in particular in the Civil Service, you will have perhaps in the next five, six years (I am just judging from my age) a lot more people at the age of retirement. So, we really must be careful and we must not be flippant about this.

Madam Speaker, some of the persons who supported this talk about dependence or independence, why should we have our senior citizens become so dependant on the State when they have the ability either through their cranium or through their hands or through their own creativity, to do something for themselves? Why should we have them so dependant? Those that we have to have so dependent on the State, we know what we have to do with them. But just like we are trying to enable the young people, we must enable the senior citizens. It is not their fault that they were born in an era where the education was not good. It is not their fault. But at the end of the day, we are standing here today, all of us, benefitting from this plethora of richness that we have because of their contributions in their early years, and they were not

able to get education. So, it behoves us to make life easier for us.

And, Madam Speaker, we have to think about when they leave, in particular, the private sector. What about their health? In the public system when you retire, you retire with health too. You get something. It is some little thing you get, we know that. But in the private sector when they leave, what is it that they move with? Where do they get their health? Those are things that we have to consider. Therefore, we have to ensure that they not only remain healthy but economically healthy as well.

Madam Speaker, I am happy that the Minister of Tourism spoke about the ambassadors that he is going to create. That warmed my heart and that is wonderful. I can see now down on the landing some of those senior citizens, like Ms. Josie Solomon and such, putting on their bright colours and welcoming the tourists. I can just see that, you know, and I think that is a wonderful idea. We spend our money on other things. We can put a couple of million dollars aside so that some of these senior citizens can have worthwhile occupations.

Quite recently all of us in the Government had to deal with an employment situation where some of them were put out. I do not know whether it is because they were elderly who were working in the tourist industry. We know that a lot of our persons were in the housekeeping of the tourist industry and a lot of them were senior citizens, those that I saw. So, we have to take care of them.

Madam Speaker, I like the fact that the Honourable Minister of Works talked about the intergenerational relationship. I like that. And, you know, that is wonderful because our life history passes on in some way or the other, either through written form or through a vocal means. And I believe in my Cayman Islands that we do not have that connectivity in terms of the young people and the seniors too much together. We need more of that and I like the idea that he made.

Madam Speaker, perhaps when the investigation is concluded we might come up and think about retooling some of our senior citizens.

You know, a lot of people laughed at me when I first started out to text. I know my age—some people do not know theirs—and I certainly know when I was born and all that sort of thing. But I welcome technology because that is the way I am. I learned very early how to text and a lot of people laughed at me as if I was here before my time. Why should I be texting? *That's a young people ting.* But I have perfected it, Madam Speaker. I have perfected it.

I think that in order for us to keep in pace with the young people we must understand the technology, and therefore it behoves us to retool our senior citizens to understand the computer, understand using the cell phones and understand using that sort of thing so that they can have a little edge. When people are

trying to push them out they have a little edge that they can access a job.

Madam Speaker, this whole week of Motions has been about the quality of life for people and this is what we are about. We are about care. That is what the PPM Government is about. We are about protecting our people, and what other way do you protect your people but to enable them, to empower them.

Madam Speaker, in my closing I would like to thank the Government for accepting this Motion and to investigate, and also to thank the Honourable Leader of the Opposition for his input in the amendment to expand it to include the public and private sector.

I know that quite recently, and particularly in the last two years, the Government has really tried very, very hard—in particular with our weekly paid people—to ensure that they are rehired when they are 60. I know that. I have seen a lot of it.

But I also wish to say, Madam Speaker, that I am not just talking about 60 year olds and people who have reached the exiting of their employment. I am also talking about those persons who are not quite retooled at the age of 45, in between 60 and 45. They are quite vulnerable, Madam Speaker. I see a lot of them. They are quite vulnerable. They do not fall under the compulsory age, but for some reason when they do leave the work, it is very difficult for them to get another job. They tell you that it looks as people do not want to hire them because they are older and they are not so retooled.

But, Madam Speaker, I wish to thank the Government and the Opposition for supporting this Motion. This is not just lip service. This is about caring for the Caymanian people. We tout so much that we have to look after the Caymanians. This is the chance. Let us put our money where our mouth is.

Thank you, Madam Speaker.

**The Speaker:** The question is be it now therefore resolved that the Government considers investigating this procedure and practice both in the private and public sector with a view of ameliorating the situation. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 10/07-08, as amended, is duly passed.

**Agreed: Private Member's Motion No. 10/07-08, as amended, passed.**

**The Speaker:** Honourable Leader of Government Business.

**Standing Order 10(2)**

**Hon. D. Kurt Tibbetts:** Madam Speaker, as I intimated to Members earlier on, we would like to complete the Order Paper today, so with your permission, I would like to move the suspension of Standing Order 10(2) in order to allow the business of the day on the Order Paper to be completed this afternoon.

**The Speaker:** The question is that Standing Order 10(2) be suspended in order to complete the Orders of the Day. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 10(2) is accordingly suspended.

**Agreed: Standing Order 10(2) suspended to complete the Orders of the Day.**

**Private Member's Motion No. 8/07-08**

**Long-Term Mental Health Facility**

**The Speaker:** I recognise the Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker. It is late in the day and I know we have had a lot of motion going on so I hope that we are not seasick and we can keep going.

I stand, Madam Speaker, to move Private Member's Motion No. 8/07-08, Long-Term Mental Health Facility, and the Motion reads:

**WHEREAS there exists no long-term residential facility for the proper care of mental health patients in the Cayman Islands;**

**AND WHEREAS there appears to be an increase in the number of persons in need of such a facility;**

**AND WHEREAS many families are experiencing great hardship in caring for mentally challenged family members at home;**

**BE IT NOW THEREFORE RESOLVED THAT the Government considers the establishment of a long-term residential mental health facility to enhance the lives of these vulnerable members of our society and their families.**

**The Speaker:** Is there a seconder?

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker. I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** I know it is late, Madam Speaker. I hope you can bear with me and honourable Members as well. I shall not be too long.

Madam Speaker, as the Third Elected Member for George Town just said, a lot of the Motions that we have had on the Floor of this honourable House this week all had to do with the quality of life of our people and I think this is another one that can be added to that list.

Madam Speaker, I think that this topic or this issue or this matter has been on the table for some time and I am sure the more experienced, longer serving Members of this honourable House will have probably heard previous debates in this regard.

I know from speaking to the Ministry that the issue has been on the table for some 15 – 20 years easily and the big thing is one of cost because this is not something cheap that we are talking about. This kind of specialist care is indeed expensive and needs a lot of specialist labour as well.

But, Madam Speaker, our society, if we want to call it a progressive one and one that we all can be proud of, certainly needs to look after its own. And there are many people in our society now that, for a variety of reasons, are finding themselves on the unstable list as it were.

There are a number of factors. It could be simply an inherent health situation where one will have a mental problem from day one. In some cases it is to do with the stress and pace of life, in particular, after Hurricane Ivan. Another could be, and a very prominent one unfortunately for us, is drug abuse and the ills that that brings. You have some people that recover from drug abuse and go on to lead productive lives thankfully, but there are others that receive permanent damage to their mental capacity and are no longer the same regardless what rehab we have for them.

Madam Speaker, as a result of this and the fact that we have an increasing population, it stands to reason that the amount of people in need of this type of care is in itself increasing. Madam Speaker, we currently have at our hospital what we would term a day-care facility. It is an eight-bed facility that offers temporary care for mentally challenged people. We also have in the district clinics workers that go around and see people. We have workers that go and check on them in their homes, and then we also have somewhere between a dozen and 15 of our local people—I think the number at the moment is a dozen but it has been as high as 15—overseas in mental institutions.

Madam Speaker, we also have some people who are simply kept at home and cared for by family members under great stress. So, I am a firm believer that wherever possible we need to look after our own, and I believe that the society is advanced enough and

wealthy enough that the time has come for us to be able to. Those people that we have overseas . . . and this has been going on for many, many, many years, from the time I was a youngster. I remember hearing of Bellevue and you got taunted if you had someone in Bellevue or you went to Bellevue or whatever. There was a stigma attached to that.

But I think it is time that we look seriously. And it may not necessarily be one large facility, it may be that government may consider doing one or two or maybe even three of these types of facilities throughout the Islands and some of the care can be for some people more local and on a smaller scale.

Madam Speaker, I think it is time and I know when the Minister of Health, my colleague, the First Elected Member for Bodden Town, gets up I am sure he will outline the fact that there are plans and that it is being looked at seriously. But my Private Member's Motion is something that I have felt strongly about for a long time and I think it ties in nicely. It will give us a chance here in this honourable House to discuss it and to have the views of Members shared and certainly wrapped into what the Ministry is looking at at the moment.

But it is time for us to create this facility on Island because having your loved ones close to you makes a world of difference. I know there are Members of this very House that are impacted by what I am talking about right now. It is not easy when you have a family member who you certainly would like to visit daily, weekly, whatever, and that individual is in another country. They themselves do not feel the love and support because their family members are here in the Cayman Islands. It stands to reason that it makes all the sense in the world just as we no longer export prisoners, that we look after our own mentally challenged individuals.

Like I said, I know it is a costly process and it is not something that we can take lightly. It is an added burden on government. But I know the facility that we have at the moment is doing its best with what we have. Dr. Lockhart and all of the others who work in that area are working extremely hard to provide counselling and medication and all that goes into the treatment of these individuals. But some of these individuals, Madam Speaker, are not easy to deal with. And when you have individuals that suffer in this regard, they not only suffer but the family suffers. They are family members that you have to keep at home at times and they may go in for a day but they come back home and they are prone to violence. Medication is crucial and if there is any slip up with the medication there can be all sorts of adverse effects.

Madam Speaker, I think it is a very important area for us as a developing society to add to the list of caring for our own people and to be shown to be indeed a progressive society, not one that is rich on one hand but extremely poor on the other. And when you are poor culturally, or in terms of looking after your

elderly, your sick and your young, then it is worse than having no money in the bank because that means that you are poor socially and culturally.

So, Madam Speaker, with that introduction, I would like to take my seat and have some of my colleagues and the Members on the other side of the House have input into this very important Private Member's Motion. I will be very interested to hear what others have to say and, in particular, the Minister's response in regard to this matter.

Madam Speaker, on that note, I rest my case for the time being.

**The Speaker:** Does any other Member wish to speak?

The Honourable Minister responsible for Health and Human Services.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

I rise to give my remarks on this extremely important Motion. Listening to my colleague, there is no doubt he has done the background work on this and it gives us a good opportunity to talk about this situation that has existed for quite some time. I know just about all of my colleagues have discussed and shared their ideas, their views, their concerns as they see some of these unfortunate people moving about in the different parts of the Islands, the different districts.

I know up until yesterday the seconder of the Motion and I were talking about a situation. I also know the concerns the Second Elected Member for West Bay and the Leader of the Opposition have about these people and I am hoping that as we go forward we can improve the plight of these people.

I will first of all deal with some introductory remarks and then I will give an overview by our consultant, Dr. Lockhart.

The future of the Cayman Islands, Madam Speaker, depends in large part on the mental health and well-being of its residents. The Minister of Health Services and the Health Services Authority are collaborating on new initiatives to further enhance mental health services within the Cayman Islands.

The long-term plan is to ensure a comprehensive array of services which is designed to address issues that range from the stresses and difficulties life brings, to the more acute and chronic psychiatric problems.

The mover mentioned, and many of us remember, the aftermath of Hurricane Ivan when the present Minister at that time brought in a consultant that went to the different districts to discuss with people and share in their concerns with them.

Currently the services of the Mental Health Department of the Health Services Authority are designed to assist persons who are affected by both short and long-term effects of stress and mental ill-

ness. There are already many positive aspects to the treatment and care of mental health patients in these Islands.

We are fortunate to have a modern eight-bed inpatient facility, which over the past four years have helped to provide appropriate medical management of patients and reduce the number of patients being sent overseas and away from their family's support for this type of treatment.

In addition, Madam Speaker, the inpatient mental health unit at the George Town Hospital, a psychiatrist, a clinical psychologist and a psychiatric social worker provide outpatient services.

These hospital based outpatient services are complimented by a community based mental health nursing team and mental health clinics which are regularly held in each district, including Cayman Brac and Little Cayman.

Members of this honourable House may recall that during the 2007/8 Budget debate we spoke about opening a treatment programme. The programme, which was started in May 2006, offers a supportive learning environment, clinical assistance and social support for outpatients having ongoing difficulties and community adjustment and interpersonal relations. This year the department has also purchased a van which is used to collect mental health [patients] on a daily basis.

This programme operates from Monday to Friday, allowing many mental health patients who need ongoing treatment, rehabilitation and support to be maintained in the community and reduces the need for inpatient care.

The current system of community mental health services appears to be adequate to deal with short term problems, but there is a significant unmet need for local community based treatment options for chronically mental ill patients.

I therefore give my full support to the Motion that the Government consider the establishment of a long-term residential mental health facility to enhance the lives of those vulnerable members of our society and their families, with the conditions stipulated by mental health professionals.

My ministry is currently in discussion with the consultant psychiatrist about the type of facility needed, and I would like to share his position paper on this topic. I would like to take this opportunity to thank Dr. Lockhart and all of the others who have contributed in any way in helping us put this together and on the way forward.

I title this "Mental Health Overview".

The Health Services Authority Mental Health Service is a community based service providing coverage to all five districts in Grand Cayman and to the Sister Islands serving a population of approximately 50,000 residents. With eight acute inpatient beds available at the HSA in Cayman, a day hospital pro-

gramme with a current capacity of ten patients weekly and district clinics.

There is a multi-disciplinary team approach to our treatment philosophy. This service is currently proposing to extend the care programme with addition of a full-time outpatient psychiatrist and the addition of a part-time psychiatrist for the management of the day hospital programme.

We are currently finalising the contract for our day programme inpatient psychiatrists. We are planning the recruitment of additional community psychiatric nurses and have just arranged the placement of an additional psychologist for inpatient day hospital treatment.

The psychiatric and behavioural health service at the George Town Hospital has undergone substantial changes in the past several years, with the aforementioned additions: concerted efforts to decrease stigmatisation of mental health patients and psychiatric issues in general and this is pointed out . . . The name of our department has been changed to reflect this philosophy; and our dedication to providing superior behavioural healthcare has continued.

Planning and discussions are progressing towards developing a long-term residential facility for patients with psychiatric disorders as alluded to in the Motion. This will facilitate our ability to return home our residents currently being treated in Jamaica and, Madam Speaker, that number is about 12 now. This process, however, does require precise planning and preparation in order to preserve the safety of these patients upon their return.

The professionally accepted format for a long-term facility would be using the group home model. Group homes are small residential facilities located within a community and designed to serve children or adults with chronic disabilities.

Madam Speaker, these homes usually have 6 – 15 occupants and are staffed 24 hours a day by trained caregivers. Most group homes are standard single family houses purchased by group home administrators and adapted to meet the needs of the residents. Except for any adaptive features such as wheelchair ramps, group homes are virtually indistinguishable from other homes in the surrounding neighbourhood, thus reducing the stigma in these areas. Group homes may be located in neighbourhoods of any socio-economic status. The residents of group homes usually have some type of chronic mental disorder that impairs their ability to live independently.

Many residents also have physical disabilities such as impairments of vision, communication or ambulation. These individuals, Madam Speaker, require continual assistance to complete daily living and self-care tasks. Some also require supervision due to behaviour that may be dangerous to self and others, such as aggression or a tendency to run away. Because of this risk we must be careful regarding placement of these homes and pay special attention

to proper placement of residents due to different diagnoses.

Although most group homes provide long-term care, some residents eventually acquire the necessary skills to move to more independent living situations. Others may return to their natural families. Occasionally halfway homes for people recently released from prison or discharged from a substance abuse programme may also be referred to as group homes. These types of group homes are also transitory in nature.

It is very important to note that substance abuse plays a very important role in mental health issues (up to 50 per cent of cases), complicates diagnosis, disposition and response to treatment, and can increase risk to the patients and others. They allude to this in the profession, Madam Speaker, as dual diagnosis when the individual is also mental and also possible addiction to substance abuse.

Initially, many people were skeptical about the adequacy of group home care compared to psychiatric hospitals or other institutions. It is interesting to note that over the past 25 years many studies have examined the impact of group home care on residents. These studies have consistently shown increases in adaptive behaviour, productivity, community integration and level of independence. However, before considering group home placement, especially for those in the high risk category, extensive planning should be conducted. A complete assessment plan of the individual's needs should specify which agency will be responsible for meeting medical needs, particularly in the event of a crisis.

Primarily, psychiatric versus substance abuse issues should be clarified and interagency planning and cooperation are absolutely needed. Legal frameworks should also be considered—that is, placement of substance abusers in long-term care against their will.

The individual strength should be incorporated into the plan whenever possible. For example, if a supportive family is an identified strength, the preferred group home should be close in proximity to facilitate family visits.

Other factors that contribute to group homes' success are a small staff-to-resident ratio, well-trained staff and a home-like atmosphere. Research also suggests, Madam Speaker, that individuals with severe cognitive impairments often experience a period of disorientation and may need additional support or supervision for the first few months while adjusting to their new surroundings.

Pre-placement visits and discussions can reduce anxiety for the future resident. The complexity of different diagnoses, different levels of functioning and co-morbid substances used to highlight the necessity for the establishment of these facilities to be taken with great care, planning and forethought. Once

again, legal concerns regarding mandated care and human rights issues also must be addressed.

Madam Speaker, that is an overview from the consultant psychiatrist.

Just in my concluding remarks, Madam Speaker, as noted in Dr. Lockhart's paper, the current trend of mental health care is a shift from psychiatric hospitals to community-based care and integrating mental health in primary healthcare, and as you know, that is going to be a big emphasis for us in the upcoming year.

Members may be aware that there has been closure of psychiatric hospitals in the United Kingdom as well, and I did not realise until recently in our region such as the Bellevue Hospital in Jamaica where mental health clients are now managed in community settings such as group homes.

Madam Speaker, much has been accomplished over the past 25 years in the care of our mentally ill, from a monthly visiting psychiatrist to that of full-time psychiatrists and a cadre of mental health professionals providing outpatient and inpatient care. Continued help in this can only be accomplished by all of us, especially as legislators, as we identify situations alerting those that best deal with this of the situations.

There is no question, Madam Speaker, we need facilities for long-term care. However, we need to be careful on how we provide this service. We must first conduct a comprehensive review of our services to determine the extent we are able to meet the needs or our people, and then to identify the gaps that exist. This review will allow for the development of a national mental health policy for these Islands.

I am pleased to inform this honourable House that funds will be requested in the 2008/09 Budget for a long-term mental health facility. This, Madam Speaker, is my number one capital project during the next budget year. I therefore look forward to Members' support for these funds when the budget is presented.

I must say, Madam Speaker, the way that we have all looked at this as a parliament, as a group of legislators, that we can make a difference. We have waited too long for something like this to be put in place and most families that have these patients look forward to bringing back and putting in an area closer to home where they can visit them. And as I said earlier, this is one part of the therapy that has indicated that it can be helpful in the best recovery that they can have.

I look forward, Madam Speaker, to working with my colleagues in here and the George Town Hospital Mental Health present facility to expand and make things better for us all. Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]* If no other Member wishes—

Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

Madam Speaker, mental-health patients or individuals are people too. For whatever reason, Madam Speaker, whether it is a birth defect, whether it is an accident, whether it is an intentional act, when people find themselves in positions of not being mentally capable of taking care of themselves, society owes it to them to take proper care of them.

Madam Speaker, prison is not the place to keep our mental-health patients. The recurring theme in this Legislative Assembly is that successive governments have simply not tackled the needs of this country like they should have.

Madam Speaker, we have to take time out and understand and look and see the difficulties that our people are having in taking care of themselves and their loved ones. And it is incumbent upon the government to do its part to assist our citizens, to assist our people in making life as meaningful and as productive for them as we possibly can. A government that cares about its people, that makes the extra effort to make sure that its citizens are comfortable and productive and have access to the basic necessities is a government that is thinking about its people.

This PPM Government, Madam Speaker, is such a government. We care about our citizens, we listen to their concerns and I know that some of the things that we are doing some individuals may think that we are attempting too much. But when there is much to be done, when so much has been left undone for so long, you have to take on a little bit more than you ordinarily would and that is the theme of this PPM Government. Mental Health has been a topic in this country for ions.

I certainly appreciate and would like to give my thanks to the many caregivers in this country, Madam Speaker, who do the best they can to assist with our mental health patients and to the many families who struggle from day to day who have always had to deal with their loved ones. Many families are under a tremendous amount of stress in this country, many families have become unproductive in their daily lives simply because they have to devote so much time caring for their family members who have mental problems.

Madam Speaker, I must say though that this country has made some important accomplishments in the area. The advent and the establishment of the Lighthouse School and the Sunrise Adult Training Centre were certainly a step in the right direction. And we started off on the right foot there and started to take care of our young kids because there was a time in this country when kids who had some mental problems or physical problems were locked up in rooms and hidden away from the general public. People were ashamed of family members who were not normal. But we got over that and we established the

Lighthouse School and the Sunrise Adult Training Centre.

And many individuals—and I know exactly what I am talking about. I have many experiences where kids who were written off, after parents were encouraged to enroll them in one of these two facilities they became productive citizens. Many of them you cannot even tell that they have a problem. The right kind of training, the right facilities, sometimes work wonders.

We have the Lighthouse School and kids from there, after a certain age, move on to the Sunrise Adult Training Centre. But after that, individuals who become adults and then develop a mental problem, we really have no facility to deal properly with them. So, I am saying we have made two great giant steps in the Lighthouse School and the Sunrise Adult Training Centre but then we have stopped.

There is another step for us to go now to complete the programme, and this Motion just brought by the Third Elected Member for Bodden Town is the last piece of the puzzle, an important one. I commend him and I am so grateful for the attitude taken by the Minister of Health in his acceptance of the Motion. It already reassures you when he is talking about placement in the budget for the facility. It is all positive. This is what it takes to run a government, Madam Speaker: political will, the ability to identify the problem and the courage to do something about it.

Madam Speaker, we have many of our family members in overseas facilities. Many of these individuals know they have families and would like to see them. They may not be in complete control of all their faculties but some of them are knowledgeable and know that they have parents, and some of them even have kids and grandkids and brothers and sisters and I believe that it is always good therapy for them to have contact with their family members.

While it may not always be possible for them to live with them because of their condition, it has to do some good for them and, indeed, the family members that are home also worry about them. I believe that we should do the best that we can, to try to keep the families as close together as possible.

I know many families, Madam Speaker, who struggle daily. I know of families right now that I am trying to assist. And we are working with the department and working with the Minister trying to get some relief for families who have loved ones that have mental problems.

It is a difficult life when you have an adult living in a home who cannot sleep at night. They get some sleep during the day but all night they are up and moving around and wanting to go places and wanting to do things. And this is the time that everybody else in the house needs to sleep but they cannot, they have to take turns because the individual might leave the house or might do something to hurt themselves.

See, these are things that a lot of us take for granted because we simply do not know, because we do not make it our business. But there are many families in this country that have those kinds of problems and this is a progressive country and I think for too long we have neglected that section of our society as if it is a plague. But mental health, mental problems are, sad to say, a part of life. Some people have diabetes, some have asthma, some people get cancer, some people have kidney problems, some have liver problems and mental health is just one of those things that affects some people.

I do not know, Madam Speaker, but maybe we all have our little issues from time to time. But those of us who can be productive should not take it for granted and simply turn our backs on those who have issues. We need to make sure that we do our part in assisting these families. Many of these families cannot afford the care, the medication that their loved ones need. I know that the Government helps out where it can and most of them do get some assistance from the government, but a lot of them need to have proper inpatient care long-term.

It is all well and good for us to treat somebody and give them a few injections and send them home and keep them calm for a few days, but that is not always the answer. The reality is, Madam Speaker, that sometimes you have to keep people in a long-term facility. Sometimes we are lucky and they improve but that is not always the case. I know that this is something that we all acknowledge but for some reason or the other I think we keep thinking that it will go away because we are not exposed on a daily basis to what some families go through.

So, Madam Speaker, based on the progress that we have made with the other two facilities, I believe now that we have put this one in motion that we can complete this puzzle of mental health problems in our country and be able to help these people and their families and to stop from being forced to lock these people up in prison for their own safety. We know that that is not what we want to do but we simply have no other choice.

I do commend the Mover of the Motion, Madam Speaker, for bringing it and the Minister for accepting it and I look forward to seeing this become a reality one day.

Thank you.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, I rise to support the Motion which was brought by the Third Elected Member of

Bodden Town and seconded by the Fourth Elected Member of George Town.

Madam Speaker, my brief remarks will circle around my own intimacy with mental health in terms of having an immediate family member that has the illness, and also to talk about—perhaps beyond the scope a little bit but to talk about two points—some things I have experienced as a teacher, an educator and also around some young women and the elderly.

I will talk firstly about children.

Madam Speaker, I think that also somewhere in our lives we need to understand when a child moves beyond that line. A lot of things we may take as part of the habits of life, are not the habits of life, but the child may have gone beyond the capacity of being physically mental as we would say. And I have seen those things.

I have also seen, Madam Speaker, young women who suffer from post partum [depression] and who have had children. And, you know, having children is a miracle and not all of us should have the capacity because it sometimes affects us chemically. I have the unhappy experience of working with a lot of young women that after they have had their children they have had bipolar. Those are issues that we need to look into. A lot of people might think that this is just part of life but it is not.

So, I think that the Honourable Minister also would be able to look into those things, not just in terms of the facility, because if they are treated properly and they are given their medication they live normally for life.

In my daily experience I also meet up with a lot of people with Alzheimer's and dementia and that is part of mental incapacity and those are things that we also take for granted. And as the Fourth Elected Member did say, it is a challenge for the families and we have to ensure that at least families get support. If they make that decision that they can cope with their families who have dementia or Alzheimer's there should be some support from the mental health facility to help these families.

Madam Speaker, I am grossly concerned about people who have challenges as borderline mental health and they are walking all over town. They are walking from one end of the island to the next. You know, Madam Speaker, what we do not understand about insanity, is that there is a very thin line between sanity and insanity and when we cross over to the insanity that we do not know someone has to tell us. We know when we are sane but we do not know when we are insane. That is the unfortunate thing about it. And if I drive through West Bay or I drive through East End, I see some of our people walking, walk East End to West Bay, West Bay to George Town, George Town to Bodden Town, Bodden Town to North Side and they are backwards and forward and we really need to have a facility to look after them.

But what will bother me, and should bother us most of all, Madam Speaker, when you have a chemical balance that nature enables, you do not question that so much. But when our young people indulge in such things as drugs and alcohol and they go over and they remain like that, I see them on a daily basis, and the people—I know who they are—just have enough of natural intelligence not to be vociferous, not to be violent that they just move through the motions of life. And there are lots of them.

I think that it behoves us as a country to start putting together a facility that will cater to whether it is a halfway house for those who walk around, that they know at the end of the day that is where they end up. And a habit would make them do that. At least we would know that they have a place to go and eat and if they have enough they can sleep. And sometimes when they have a habit of going to that place then they will get familiar with the people in that place who will then be able to attend to them. But, of course, it is difficult sometime to hone them in to get them to that place. But they are increasing in numbers and I would ask if we do take an opportunity to be able to bring them into fold.

Madam Speaker, a lot of families tell you that they do not know what they need to do in order to have their loved ones committed or get some help. They will go to the police, the police say it is not them, the police say that the family has to make the order. And these are things that we have to regularise so that everybody knows what it is that all of us must do.

Is it a citizen's right to be able to look at someone who we know is becoming a public nuisance because of some mental health that should be taken in and given medication or see a psychiatrist. What is our role and responsibility of citizens when it comes to taking in a person who has crossed the line in terms of his mental health?

I am very happy that the Honourable Minister of Health has outlined what he has done, and one of the things that I liked about the Honourable Minister is that he paid tribute to those who have tried. But at the end of the day, in the PPM Government, we all know that the buck stops here. So, I know that he has assured us that he will be bringing to the House in the next budget sufficient money that we can vote on so that we will not have this for another 25 years.

Thank you very much, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [*pause*] If no other Member wishes to speak—Honourable Members, if you stand you will catch my eye.

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, I thank you for catching my eye as I tried to get up but I guess I was not quite as swift as I should have been.

Madam Speaker, this is an issue that all of us are very concerned about and I dare say every one of us has from time to time spoken about. I have taken interest in this topic over the years.

As the Third Elected Member for George Town started talking about people roaming the streets, memories started flooding back about some of the debate that we have had, in particular, in Finance Committee over this issue. As I (and many other Members who have served in this House) have said in the past, we have persons who roam our streets who are really an accident waiting to happen.

You know, when you see some of their conditions and the state that they are in and the fact that they are simply not in the reality of the great majority—because I try to not suggest that for one moment I can fully define what “normal” is, but what most of us would recognise as “normal”—they are certainly not there. Madam Speaker, that has to cause all of us great concern.

Over the years we have made some strides. Certainly the years since we have been here . . . we have only been here a short seven years and we have seen the outpatient wing be established for the George Town Hospital. I remember when that was opened and that was seen as a first step along the road to getting the country to where we ought to be.

As legislators we have all gotten the complaints from family members about the treatment of their family members and the concern that they have for their family members when they are sent to facilities overseas. And I know in a lot of instances . . . I am no professional in this area but, certainly, when you see the condition that some people come back in you are almost led to believe that they have come back in worse shape than when they were sent originally.

So, Madam Speaker, I think that this is an area that it is timely for us to express our collective thoughts as a legislature on. I am happy to hear the commitment that we are going to move forward now with the facility. Certainly, as has been alluded to by many other Members who have spoken, we all recognise not only the capital outlay costs but the costs of hiring the professionals in this particular area, and this is a very specialised area. And certainly they do not come cheap, but the reality is we have to do what we have to do.

All of us who are going to be fair about this would know that we in the Opposition have maintained, not only since the last general election but throughout the time that we have served that we have to protect the vulnerable in our society. And we do advocate the point that how a society cares for its vulnerable, is truly a reflection of the people. How you cater for persons to be able to do business, et cetera,

that is of critical importance because that provides us the money as the government and it provides jobs for the country. So, it is very important. I am not trying to downplay that. But how we advocate and put programmes in place to care for our elderly, to care for our ill and our disadvantaged, is of critical importance. It really drives to the core and says something about us. Of course, disadvantaged and young people are covered in all of this.

Madam Speaker, I have been around here long enough to understand that while each of us at a particular point in time as we debate a topic may in our minds say who is more important than who, what I do know is that whether it is a young person, whether it is a mentally challenged person, whether it is a physically challenged person or whether it is an elderly person, every one of them represents a life. Sometimes through political posturing we may somehow either overtly or inadvertently indicate that one is more important than the other, but the truth is none is more important than the other.

And so while a lot of the people that we are talking about that would benefit from these programmes, the majority of them are not going to go on and become doctors, lawyers, et cetera, because of the condition that they have. Bottom line: they represent a life and they deserve the best that this community can provide for them.

*[inaudible interjection]*

**Mr. Rolston M. Anglin:** Madam Speaker, I hear that—

**The Speaker:** The debate is not across the Floor, it is to the Chair.

**Mr. Rolston M. Anglin:** And I said “Madam Speaker”.

**The Speaker:** Please.

**Mr. Rolston M. Anglin:** Madam Speaker, the one thing that I must say is that anybody who has listened to me carefully knows the positions that I have advocated for from the time I was first elected. I have not been around as long as some others and so I am not going to get into the whole issue of when some of these things are going to happen. What I can say is that on an issue like this, whenever it happens I am going to be happy because this country will have benefitted and many of its citizens and families will benefit.

I know, and every one of us can attest to this right now in our districts, as I am standing here on my feet and I think about a number of persons who, to the best of my knowledge, have not been sent to any of the overseas facilities for long-term care but you know they need the service. You know they need the ser-

vices and the one thing that I would say to the Minister is that we need to make sure that legally we can make things a little easier sometimes for persons to be helped.

The Third Elected Member for George Town made the point of all points, which is that persons with mental conditions often times do not know they have it when they are in that state. They do not. And so as far as they are concerned they are okay, it is the rest of us. They think they are normal. It is the rest of us that are not normal.

And so I know the Minister knows of the situation that I and the Third Elected Member for West Bay have spoken to him about: a mother who has been so distraught over her son through the same thing and every time the police pick him up they release him because he seems so normal and he himself refuses to help and he is now [at the age] of majority. And so the system is in quandary. He is of majority and saying he is okay—appears to be okay. He has not committed any crime, but everybody else knows otherwise.

So, that is an area that we do need to tighten up and make sure. I mean, it is a tricky area, admittedly, and I know we are going to get into the rights of the individual and civil liberty issues in that regard. But the bottom line is that they pose a danger to themselves and others when they are in that condition. We ought not to wait for something really bad to happen with one of these individuals before we act. [We need to ensure] that our laws and policies have enough teeth so that when we have those types of tricky, unusual situations we can actually deal with them effectively.

So, Madam Speaker, I am happy that we are debating this issue and I am sure there are many families out there that are happy. However, the reality is that they are really going to be satisfied when a Minister—and at this point it would be this Minister of Health, the First Elected Member for Bodden Town—is cutting a ribbon to a facility and opening it because that is what we need. Debating it is great, it is fine, it shows the will, it shows the compassion of the Legislature but we need to get to that point.

Madam Speaker, with those brief comments, I support this very important Private Member’s Motion.

**The Speaker:** Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Honourable mover wish to exercise his right of reply?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Madam Speaker, in my short time here it is great to see so many Private Members’ Motions passed and the full support of this honourable House.

The Second Elected Member for West Bay was actually brief and that is good.

I would like to thank all honourable colleagues for their support of this Motion. I would like to thank my colleague, the Fourth Elected Member for George Town, for seconding the Motion and I certainly would like to thank the Minister for his undertaking to make this a number one priority of his Ministry in the capital projects for the budget of 08/09.

Madam Speaker, before I sit I would just like to touch on a few comments that were made. All of the contributions made were very good. It is good to hear that we will be looking at the whole issue of how we recreate this facility, or facilities, and the move towards group homes, community homes which go some way towards alleviating the stigma that is often attached to these unfortunate people.

Madam Speaker, one fact that came out in the whole debate was the fact that in the Cayman Islands 50 per cent of our situations that we encounter at the moment are drug related. I think that is a very stark statistic, a very telling one, and certainly it behoves us to try to mitigate through other social programmes and through our educational programmes that we have talked about and all the other social programmes that we have, to certainly decrease the dependence on drugs in our society. I am not talking about prescription drugs; I am talking about illegal drugs.

Of course sometimes we do have people that suffer from the use of prescription drugs as well and there are people that actually fall into abuse. I have a friend from overseas, an executive actually, one of my old clients, and little did I know that that man had become the victim of prescription drugs. Thank God he is doing much, much better and recovered. So, it just goes to show, Madam Speaker, that the thin line between sane and insane is there and we have to be careful.

When we have people walking around who are in a state of mental imbalance, as the Second Elected Member for West Bay said, we have accidents waiting to happen: time bombs walking. And as a top-class tourist destination, if something triggers our [mentally imbalanced] individuals, the next thing we could have is a major incident with one of our tourists, or anybody for that matter. But, you know, this is the big picture that we have to look at.

We also have the fact that the whole issue as it currently obtains with the difficulty of getting people looked after when they become a threat to society and I know I encounter this firsthand in my own district. It is not easy because the police say, well, it is not really them, they cannot do much about it, the folk on the health side are in a quandary as to what to do about it and we get this difficult situation.

So, when we move forward and we get our facility, certainly, one of the things we have to make sure is that the regulations and the laws are clear in this area to avoid ambiguity and to avoid confusion.

Madam Speaker, the other thing, of course, that was mentioned was the cost of the whole exercise, not just to government but to the families that suffer from this matter because it is not easy, it is not cheap and we have to ensure that families without means are supported to the fullest extent to ensure that they benefit from the proposals and from the infrastructure that will be put in place.

Madam Speaker, I am very happy to know that this Motion has received the support of all Members of this honourable House, those who spoke and those who did not. I look forward to the new budget and the day when we can say that we no longer have to send our people off of these shores for this type of help.

I thank you, Madam Speaker.

**The Speaker:** The question is: Be it now therefore resolved that the Government considers the establishment of a long-term residential mental health facility to enhance the lives of these vulnerable members of our society and their families. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Private Member's Motion No. 8/07-08 is duly passed.

**Agreed: Private Member's Motion No. 8/07-08 passed.**

**The Speaker:** Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Madam Speaker, that concludes the business on the Order Paper today. There are some more questions and there is a short Finance Committee meeting that we also have to do during this Meeting and the Strategic Policy Statement has to be delivered. Given the timing of everything, I would move the adjournment of this honourable House until next week Wednesday morning at 10 am.

**The Speaker:** Before I put the question on the adjournment, I recognise the Honourable Leader of the Opposition, who wishes to raise a public matter for which the Government has responsibility, in order to elicit a reply from the Member of Government responsible for the matter.

Honourable Leader of the Opposition.

## RAISING OF A PUBLIC MATTER FOR WHICH THE GOVERNMENT HAS RESPONSIBILITY

*Standing Order 11*

**Government's Contract with Matrix International Ltd.**

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, there has been much said about the Government's contract with Matrix. Several Caymanian business people have come to me because they have been left to carry some heavy outstanding bills—bills that total well over \$400,000. These companies are small Caymanian-owned and operated companies and are finding it very difficult because of the company which has virtually "skanked" them, as one person put it to me.

They have said to me that they have tried to get a meeting with the Minister but have failed thus far. Madam Speaker, the Government ought to stand behind these Caymanian companies and do something about Matrix which they contracted with.

The question I have is, Did the Government conduct due diligence on the overseas persons who own the company? These persons, Madam Speaker, have run away from the Island and left these Caymanian businesses out of much hard-earned money.

The questions I have: Does the Government have any sort of surety that can be used to assist these Caymanians?

Can the Government at least commit to meet with the Caymanian owners of these companies?

Has the Government been paid?

Has Matrix taken out the most expensive metal and left the rest?

Just what is the position between the Government and Matrix?

Thank you, Madam Speaker.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure, I think this is your subject.  
Thank you.

**Hon. V. Arden McLean:** Madam Speaker there is a question on the Order Paper which I intend answering when we get back to this honourable House. But I think the *Cayman Net News* needs to stop its propaganda, and so should the Leader of the Opposition, particularly on the issue of these contractors trying to get any meeting with me. I have discussed with one contractor, verbally. He was talking to me about what was owed to him and that the people were paying him.

Now, I do not know where the Leader of the Opposition is getting all of this propaganda from, but he and the *Cayman Net News* seem to be in cahoots and are trying to embarrass someone. And they are assisted by Lyndon Martin as well.

Madam Speaker, I will answer the questions on the Order Paper and I trust that that will clear it up.

I do not know which one of the contractors tried to hold any meeting with me but that is a downright lie.

**The Speaker:** Unfortunately, that is unparliamentary. Could we say untruth?

**Hon. V. Arden McLean:** Well, it is stretching the truth, Madam Speaker, and whoever said it is not telling the truth. It is an untruth and I do not know if the Leader of the Opposition has now spun what he heard to ensure that it can get on the air to the people of this country. There has been no official request to me to hold any meeting with any contractors in this country with regards to Matrix.

**Hon. W. McKeeva Bush:** Madam Speaker, I know what the Order [Paper] says, but I just want to make it clear that I did speak to some of these people and they did tell me that they tried to get in contact with the Minister. The other day the Minister dodged the question in Finance Committee when he could have answered.

**The Speaker:** Honourable Leader—Honourable Minister, one moment—I do not think the Honourable Minister dodged the question. I think he was basing his answers on what was before the Committee, and—

**Hon. W. McKeeva Bush:** No. No.

**The Speaker:** And the question is—Honourable Minister responsible for Communications.

**Hon. V. Arden McLean:** Madam Speaker, if the Leader of the Opposition thinks that he can just bully people around in this country, and in particular this Government, or try to embarrass Government by saying that I refused to answer the question. There was no—

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** —substantive amount or question in Finance Committee concerning Matrix, and I was not prepared to answer any questions then—

**Hon. W. McKeeva Bush:** No.

**Hon. V. Arden McLean:** —for him or anyone else because it was not on the Order Paper.

**Hon. W. McKeeva Bush:** [inaudible] Matrix. That is what is wrong with you!

**Hon. V. Arden McLean:** You do not—I do not want to know what—

**The Speaker:** Honourable Members—

**Hon. V. Arden McLean:** You try to stay out of this, boy!

**The Speaker:** Honourable Members—

*[inaudible interjection by the Honourable Leader of the Opposition]*

**The Speaker:** Honourable Minister and Honourable Leader of the Opposition, please!

*[inaudible interjection by the Honourable Leader of the Opposition]*

**Hon. V. Arden McLean:** Madam Speaker, if that—

**The Speaker:** Please.

**Hon. V. Arden McLean:** [To the Honourable Leader of the Opposition] No, the disgrace is what you have done in this country, not me!

**The Speaker:** Honourable—

**Hon. W. McKeeva Bush:** No, you're a part of it!

**The Speaker:** Honourable—

**Hon. W. McKeeva Bush:** You're a part of it! You are very [much] a part of it!

**The Speaker:** Honourable Leader of the Opposition and Honourable Minister of Communications, Works and Infrastructure, please!

The question is that this honourable House do now adjourn until Wednesday next week at 10 am. All those in favour, please say Aye. Those against, No.

*[inaudible interjections]*

**Ayes.**

**The Speaker:** They Ayes have it. This honourable House now stands adjourned until Wednesday next week at 10 am.

**At 5.50 pm House stood adjourned until 10 am Wednesday, 28 November 2007.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**28 NOVEMBER 2007**  
**10.16 AM**  
*Fifth Sitting*

**The Speaker:** I will ask the Second Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

Elected Member for the district of Bodden Town who are overseas at a conference.

**PRAYERS**

**Mr. Moses I. Kirkconnell:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.19 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies from the Honourable Leader of the Opposition and the Third

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**1<sup>st</sup> Supplementary Annual Plan and Estimates of  
the Government of the Cayman Islands for the fi-  
nancial year ending 30<sup>th</sup> June, 2008**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the 1<sup>st</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the financial year ending 30<sup>th</sup> June, 2008.

**The Speaker:** So ordered.

Does the Honourable Third Official Member wish to speak thereto?

Honourable Third Official Member.

**Standing Order 67(1)**

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, in accordance with Standing Order 67(1), the 1<sup>st</sup> Supplementary Annual Plan and Estimates that have just been laid stand referred to Finance Committee. And as the estimates will be considered in Finance Committee, I do not need to say any more at this point except, with your permission, to move a motion in connection thereto.

**The Speaker:** So ordered.

**Standing Order 67(2)**

**Hon. G. Kenneth Jefferson:** Thank you.

Section 9 of the Supplementary Annual Plan and Estimates just tabled contains proposals for supplementary appropriations in respect of the 2007/8 financial year.

I beg, Madam Speaker, to move, pursuant to Standing Order 67(2), that Finance Committee approves the supplementary appropriation proposals that are set out in section 9 of the 1<sup>st</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the financial year ending 30<sup>th</sup> June, 2008, which have just been tabled.

Thank you.

**The Speaker:** The 1<sup>st</sup> Supplementary Annual Plan and Estimates shall stand referred to the Standing Finance Committee.

This House will now be suspended until Finance Committee concludes its business.

**Proceedings suspended at 10.21 am**

**Proceedings resumed at 4.37 pm**

**The Speaker:** Proceedings are resumed.

**Suspension of Standing Order 10(2)**

**The Speaker:** Before I recognise the Honourable Third Official Member, may I have a motion for the suspension of Standing Order 10(2) for the business of the House to go on beyond the hour of 4.30?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I move the suspension of Standing Order 10(2) to allow the business of the House to go on beyond 4.30 so that we can complete the business that is on the Order Paper.

**The Speaker:** The question is Standing Order 10(2) be suspended in order to allow the House to go on beyond the hour of 4.30. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed:** Standing Order 10(2) suspended.

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

**Report of the Standing Finance Committee on the 1<sup>st</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the Financial Year ending 30<sup>th</sup> June, 2008**

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the report of the Standing Finance Committee on the 1<sup>st</sup> Supplementary Annual Plan and Estimates of the Government of the Cayman Islands for the financial year ending 30<sup>th</sup> June, 2008.

**The Speaker:** So ordered. Does the Honourable Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker, just some brief remarks.

Madam Speaker, earlier this morning the first Supplementary Annual Plan and Estimates for the financial year ending 30<sup>th</sup> June 2008 were tabled in the House. By virtue of Standing Order 67(2), those Supplementary Annual Plan and Estimates stood referred to Finance Committee.

Finance Committee met, Madam Speaker, and considered the supplementary appropriations requested. There were 23 individual appropriations in total. Eighteen of those were positive appropriations—that is, those seeking additional budgetary amounts—and there were 5 negative appropriations which represent reductions to existing budget appropriations.

The value of the positive appropriations, Madam Speaker, was \$26,714,308; and the value of the negative or the reductions, in budget appropriations was \$3,357,736, for a net position of \$23,356,572.

Madam Speaker, the Committee obviously met and considered the appropriations requested in detail this morning, and the Committee also met a second time this afternoon to consider and agree that this be the Report of the Committee.

Madam Speaker, it is also important that I say that the Committee also agreed with the motion referred to the Committee by the Legislative Assembly that the individual appropriations shown in section 9 of the Supplementary Annual Plan and Estimates were approved. The Committee did agree to approve those appropriations.

Thank you very much, Madam Speaker.

## **QUESTIONS TO HONOURABLE MEMBERS AND MINISTERS OF THE CABINET**

**Suspension of Standing Order 23(7) and (8)**

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I beg to move the suspension of Standing Order 23(7) and (8).

**The Speaker:** The question is that Standing Order 23(7) and (8) be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed:** Standing Order 23(7) and (8) suspended to allow Questions to be taken after the hour of 11 am.

**The Speaker:** Question No. 31 standing in the name of the Fourth Elected Member for the district of West Bay is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

### Question No. 31

**No. 31: Capt. A. Eugene Ebanks** asked the Honourable Minister responsible for Communications, Works and Infrastructure are there any subcontractors who provided services to Matrix who have not been paid and, if so, will the Government provide compensation to those contractors.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, the Government, through the Ministry of Communications Works and Infrastructure and the Department of Environmental Health, signed a contract for the removal of scrap metals from the George Town Landfill with one company—that is, Matrix International Inc., who is operating within the Cayman Islands as Matrix International Ltd.

As far as I am aware, neither the Ministry nor the Department of Environmental Health has officially received any formal complaint(s) of non-payment by subcontractors who were hired or contracted by Matrix International Ltd. However, if a subcontractor was hired by Matrix International Ltd., then I would suspect that Matrix International Ltd. has an obligation to pay the subcontractors for works completed. At this time we do not see a reason why the Government should make payments to, or settle the debts of, any of the subcontractors based on a default of Matrix International Ltd.

**The Speaker:** Are there any supplementaries? *[pause]* Fourth Elected Member for the district of West Bay.

### Supplementaries

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

Madam Speaker, if I recall, just a few days ago there were some subcontractors from Matrix who had not been paid and were having difficulty in recovering their monies owed. I just wonder if the Minister could say if he has any knowledge of that.

**The Speaker:** Honourable Fourth Elected Member for the district of West Bay, that is a bit outside this question, but if the Honourable Minister is in a position to answer it.

**Hon. V. Arden McLean:** Madam Speaker, I do have knowledge which came to me from a number of differ-

ent sources, such as, I talked to two of the contractors thus far in an advisory capacity, and then I saw it in the papers and then last week the Leader of the Opposition brought it to the attention of the House. But as to any official requests to the ministry, there have been none that would tell the ministry or myself or the staff how much, under what conditions or the likes.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I wonder if the Minister could say whether the department that signed the contract with Matrix, whether there has been any seizure of any of the Matrix equipment or any of the subcontractors' equipment that may have been used in the fulfillment of the contract by Matrix at the landfill or anywhere there. It was reported that some of the equipment had been seized and I assume that would have been seized by the Department of Environmental Health, and I am just wondering if you can give any information on that.

**The Speaker:** Honourable Third Elected Member for the district of West Bay, that is not a supplementary, but if you would like to reword your supplementary based on the answer to the supplementary, you can have a try.

**Mr. Cline A. Glidden, Jr.:** I will try, Madam Speaker.

Madam Speaker, the question is whether the Department of Environmental Health, who signed the contract for the removal of scrap metals with Matrix, has seized any of the equipment of any of the subcontractors working on that contract.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

No, as far as I am aware there has been no equipment seized for any subcontractor, and if there is something happening between the subcontractors and the department it has not reached the ministry at this stage.

**The Speaker:** One more supplementary. Are there any further supplementaries?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

Madam Speaker, in the reports that I have seen there has been a claim that the equipment—the

baler specifically—has not been working. Can the Minister say whether it was Matrix that had subcontracted a baler or whether the ministry itself had subcontracted a baler for the one that the ministry has that apparently has not been working?

**The Speaker:** It is not a supplementary but if the Honourable Minister is prepared to answer, I will allow it.

**Hon. V. Arden McLean:** Madam Speaker, what I can say to the Member and the honourable House is that Government has not subcontracted any baler. We are using ours as is.

**The Speaker:** Question No. 32 standing in the name of the Fourth Elected Member for the district of West Bay is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

### Question No. 32

**No. 32: Capt. A. Eugene Ebanks** asked the Honourable Minister responsible for Communications, Works and Infrastructure to say what is the status of the scrap metal removal contract with Matrix in regard to the \$1.25 million Government is to receive for the scrap metal.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

(a) To date, Matrix International Inc., who is operating in the Cayman Islands as Matrix International Ltd., has shipped approximately 12,000 tons of mixed metals from the George Town Landfill. We understand that this involved approximately five shipments. In addition, some 20 containers have been shipped out with various metals, including used vehicular batteries, radiators and other scrap metals. It is estimated that approximately 45 per cent of the original amount of mixed metals—that is, precious and not-so-precious—still remains at the Landfill. Most of these mixed metals have already been separated, sorted into piles and ready for baling and ultimately shipping.

(b) A total of \$310,000 has been received from Matrix International Inc. towards the overall Contract total \$1,250,000. Therefore, an amount of \$940,000 as per the Contract is still outstanding. As per the Addendum to the Contract dated 30 July 2007, a penalty of \$500 per day is also being applied to all late payments.

(c) In accordance with the contractual terms and conditions, several notification letters were written to Matrix International Inc. informing them of the outstanding amounts owed to Government. The company was also officially informed that the penalty fees for late payment clause of the contract was in effect. A series of meetings were also held with the principals of the company during the period of operations.

(d) On September 19th, 2007, Matrix International Inc. was declared in default of its contractual obligations with the Government and duly notified for failing to make payments on time.

(e) On November 1, 2007, a letter was sent by the Ministry to the principals of the company requesting a meeting on November 2nd, 2007 and to advise them that the Ministry was prepared to terminate the contract and seek full payment of all funds owed, plus any accumulated penalty fees for lateness of payments.

(f) On November 2nd the Ministry and Department of Environmental Health temporarily suspended all operations of Matrix International Inc. and Matrix International Ltd. at the Landfill while demanding full payment of all outstanding fees to the Government. To date, this suspension remains in effect.

**The Speaker:** Are there any supplementaries?

Second Elected Member for the district of West Bay.

### Supplementaries

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, in what is labelled (f) of this answer, the Minister has said that there is a suspension in effect. Can the Minister say whether or not he knows if Matrix has used any local subcontractors?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I do not understand that question but, certainly, yes, as far as I know, Matrix International Ltd. was using contractors. I do not know if Matrix International Inc. was because that would be outside the contract that they have with Government and the laws of this country. But Matrix International Ltd., I know, had contractors engaged.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** The Minister has said that he knows Matrix International Ltd. has used subcontractors and that Matrix has not paid Government, hence the reason for the state of affairs. Could the Minister say therefore that given this state of affairs why there has not been any sort of formal approach by Government to see what the plight of local contractors would be given that Government is in this predicament?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I can tell this honourable House that the well-being of all subcontractors was foremost in our minds and has always been and I will be doing a statement later in which I will explain that.

But Matrix International Ltd. is a locally incorporated limited company, with the majority shareholder ownership Caymanian, and it certainly is not in the interest of Government to meddle in the private sector. That company is operating as a Caymanian company and it is the one that was engaging the subcontractors to do the work here within the Cayman Islands.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, whether or not Matrix Ltd. has, in Cayman majority, Caymanian ownership, I am not sure how that somehow would cause Government to react differently in that if Government knows they are not being paid—and as I understand it, subcontractors are being used and therefore would have been traversing on and off the dump. How would Government's reaction to just investigating their plight given the fact that Government is not being paid . . . I just do not get how Government would not look at that and say, well, we need to understand the big picture of what is going on.

**The Speaker:** Could I get a question, please?

**Mr. Rolston M. Anglin:** Madam Speaker, the question is: can the Minister give this House a commitment that his Ministry and/or the Department of Environmental Health will investigate what the situation is regarding this entity and the local service providers who have also provided services and would, obviously, more than likely not be paid given the fact that Government has not been paid?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, as I said, I am making a statement which will explain all of that

this evening. But, certainly, one of the reasons that Matrix has not paid the Government is because they were paying the subcontractors. That is the information we were getting. But I will explain that in my statement, Madam Speaker.

**The Speaker:** I will allow one more supplementary.

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, is the Minister saying that the answer that has been provided is not complete and therefore we should wait for the statement to get the complete facts?

**The Speaker:** I do not think that is what he is saying, Second Elected Member for the district of West Bay.

Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** No, Madam Speaker, to the contrary. I believe I am saying that the reason why Government was not being paid was because we were assured that they were using the proceeds from this to pay their subcontractors. That is the reason why we got no complaints from the subcontractors. We did not know anything because we were concerned about them. If they were not paying us, were they paying the subcontractors? And they were assuring us that they were.

**The Speaker:** Question No. 33 stands in the name of the Third Elected Member for the district of George Town and is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

Third Elected Member for the district of George Town.

### Question No. 33

**No. 33: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Communications, Works and Infrastructure to give an analysis of income derived from garbage fees and say whether or not the income is sufficient to support proper disposal of solid waste in Cayman as well as to keep Cayman clean.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, on average, the annual income that is derived directly from garbage fees is approximately CI \$4.1 million. The garbage fee income is broken down as follows: Commercial properties CI \$1,300,000 and Residential properties CI \$2,800,000. Other income streams include: (1) the "upfront disposal fees" on vehicles, tires and batteries, amounting

to approximately CI \$1.1 million dollars; (2) the income from other environmental and recycling fees estimated at CI \$450,000.

The total average income derived from solid waste is \$5,650,000, and this is not sufficient to support proper disposal of solid waste in these islands and to keep the Cayman Islands clean.

Madam Speaker, the estimated cost for garbage collection and disposal is about CI \$400 per household, annually. A private house that is not frontage on a canal, the beach or the North Sound and situated between the West Bay Cemetery (Block 5C Parcel 124) and the Wharf Restaurant (Block 13E Parcel 123), pays CI \$100 per annum, which works out to about CI \$0.96 per pick-up for the twice weekly collection service.

Madam Speaker, on average, the Department of Environmental Health's (DEH) annual budget is in the region of CI \$10.5 million. Approximately 76 per cent or \$7,995,000 of the DEH budget is related to the management of solid wastes.

In addition to the operational budget, funding in the form of equity injections of approximately \$1 million annually is provided to the Department to purchase much needed equipment and vehicles for the management of solid waste. There is also a need to upgrade the landfill facilities and this is an additional cost.

In summary, the total revenue derived from the solid waste operations is CI \$5,650,000, and the estimated operational expenditure this fiscal year is \$7,995,000, giving a shortfall of \$2,345,000, which is currently being provided by Cabinet via the annual budget allocation.

Madam Speaker, the current way garbage fees are collected will need to change in the future because everyone is using the services but are not paying a fair share of the costs. Therefore, consideration is being given to expanding the upfront fees to other goods on a phase-in basis. The upfront fees are collected by the Customs Department at the point of entry in the Islands on behalf of the Department of Environmental Health. Upfront fees are now in place for vehicles, tires and batteries.

There are several benefits to the upfront fees including an equitable distribution of costs. Fees are based on a user-pay philosophy, and there is no need to bill customers, nor to provide waivers to customers unable to pay. No fees will be in arrears, and this is more suitable to vacationers with homes. There is a full guarantee that the fees will be collected as they are collected up front, upon the importation of the goods and not upon their disposal. Additionally, it will provide for better projections of revenue and will provide the required funds to properly manage solid waste in our beloved Cayman Islands.

**The Speaker:** Are there any supplementaries? *[pause]* If there are no supplementaries, we will move on to the next question.

Question No. 34 standing in the name of the Third Elected Member for the district of George Town is addressed to the Honourable Minister responsible for Communications, Works and Infrastructure.

#### Question No. 34

**No. 34: Ms. Lucille D. Seymour** asked the Honourable Minister responsible for Communications, Works and Infrastructure to explain what systems are in place to ensure persons who continue to deface the Cayman Islands with litter and garbage will be dealt with judiciously.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, the Department of Environmental Health (DEH) currently operates under the Public Health Law (2002 Revision) and its Regulations. More specifically, Part III of the Public Health Law (PHL) covers Nuisances which includes both litter and garbage.

The Nuisance section allows for the serving of notices to offenders and gives them time to abate the nuisances. Failure to comply under PHL section 8(4) can lead to a fine on conviction in the court of up five hundred dollars a day and to a further fine of fifty dollars a day for each day the offence occurs after the date specified in the Notice. Also, under sections 10 and 11 of the PHL, the Chief Environmental Health Officer can enter the premises to abate or remove the nuisance and then seek to recover all the expenses and costs as a civil debt or as a simple contract debt in any court of competent jurisdiction.

Additionally, the (1982) Litter Law (1997 Revision) defines "litter" as "**anything whatsoever, including dust, dirt, oddments, leavings, waste paper, cigarette ends, bottles (whether empty or not), derelict vehicles and any dead animal or carrion**".

This law broadly covers a range of scenarios including whoever throws down, drops or otherwise deposits and leaves any litter on public or private property is guilty of an offence unless otherwise proven. A notice order can also be given under this law for compliance. A person is liable on conviction to a fine of five hundred dollars or to imprisonment for six months.

In some cases the monitoring and enforcement of the litter law is not easy to undertake due to the difficulty in collecting evidence. For example, when the offender removes identification details from a vehicle and leaves it in public places, finding the offender with limited manpower can be quite problematic. Both the Environmental Health Department and the Royal Cayman Islands Police Services (RCIPS) have increased their monitoring and enforcement of the litter laws in recent times. Several cases are now

pending in the courts brought by the Police Department relating to litter offences.

The laws and regulations regarding not only to control litter and garbage need to be modernised through new environmental health legislation. It is expected that on-the-spot tickets would be issued as part of the new enforcement strategies by the environmental health officers and police officers to offenders for littering.

The Department of Environmental Health will continue its efforts along with its partners such as the police department to prosecute offenders and through the Cayman Islands Beautification Committee to bring awareness to prevent littering. Part of the problem, Madam Speaker, is a lack of civic pride on the part of the perpetrators.

**The Speaker:** Are there any supplementaries?

Second Elected Member for the district of West Bay.

### Supplementaries

**Mr. Rolston M. Anglin:** Would the Minister say what, if anything, can be done in regard to gardening companies that regularly use their blowers to move waste, leaves and other waste they find on properties and blow that either right on to the public road or on to neighbouring properties.

**The Speaker:** Honourable Minister responsible for Communications and Works. I thought we had an amendment to some law.

**Hon. V. Arden McLean:** Madam Speaker, as I suspected, that part is considered littering. Certainly if evidence is provided, if someone comes forward or the police witness it, then those people can be prosecuted as well by any other means of littering in the country.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Just Thursday morning when I was driving in to the property of the Legislative Assembly, I witnessed littering because there were two persons from gardening companies who were simply using their blowers and blowing it onto the neighbouring properties surrounding the Legislative Assembly.

Can the Minister give an undertaking to the House that the Department of Environmental Health will write to the proprietors of these companies? We are not trying to rain on anybody's parade, but write to these companies to alert them that they are breaking the law and to come up with strategies to have it stopped.

**The Speaker:** Honourable Minister responsible for Communication and Works.

**Hon. V. Arden McLean:** I do not know how Mr. Roydell Carter knew, but he pre-empted the Second Elected Member for West Bay by saying to me just as he started to ask the question that they are in the process of writing all those landscaping companies now to inform them of the provisions in the law and that will be done shortly.

Madam Speaker, this Government paved all the streets of George Town recently and we are trying to keep George Town clean. I have noticed some people doing it in George Town too. They are sweeping off their sidewalks and dropping it on the road. We are in the process of commissioning a vacuum machine to clean the streets of George Town. My appeal is to the people of this country, particularly the people of George Town, to stop doing that.

**The Speaker:** Are there any further supplementaries?

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** I wish to thank the Honourable Minister for his detailed answer and to ask what you do with homes that continue to pile their debris outside of the premises as if waiting for the garbage trucks to pick it up. It becomes a public nuisance in the sense that dogs go and tear it apart and it can stay there for days. Is there a rule or a law that limits that? Does the law not say that garbage should be in containers?

**The Speaker:** Honourable Minister responsible for Communications and Works.

**Hon. V. Arden McLean:** Under the Public Health Law the Department of Environmental Health can issue abatement notices to proprietors, as I said in the substantive answer. But one of the issues that they are having difficulties with is that the type of receptacles that people use in the country are not suitable to hold garbage. Wild animals, dogs and the like, dig out this garbage and it is all over the street, really. So the director has indicated that there is a PR programme.

We have a committee as well that has an education programme that is soon to be launched. This strategic committee was created earlier this year. That is one of the objectives of that committee as well. So, hopefully we will get to the people and educate them through the PR process.

**The Speaker:** I will allow one more supplementary.

Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Madam Speaker, there is a place between someone's property and the road (I call

it no-man's land), if you walk or you drive, whatever, you will continually see that that area is not tidied up. I am sure in your driving from George Town to North Side you will see it.

I wonder if the Minister would tell us whether or not the Government has any responsibility for that, or who has the responsibility to ensure that it is cleaned up.

**The Speaker:** Honourable Minister responsible for Communications and Works.

**Hon. V. Arden McLean:** Madam Speaker, I do not know exactly where the lady Member is speaking of. But, certainly, I would encourage anyone, including the lady Member, to report it to the Department of Environmental Health.

**The Speaker:** Honourable Minister, I do not think she is talking about a specific site; it's from the edge of one's property to the edge of the road.

**Hon. V. Arden McLean:** Thank you, Madam Speaker, I am sorry for that mistake.

Certainly from the edge of one's property to the edge of the pavement is the road reserve. That is the responsibility of Government and, certainly the Department of Environmental Health has a crew that goes around and they pick up litter in those areas we are talking about. In addition, the National Roads Authority has a grass-cutting programme ongoing. It may be that if we see that it has been slipped. But, certainly, I would encourage the Member or other members of the public to inform the Department of Environmental Health whenever they see it and we will endeavour to get someone there as soon as possible.

**The Speaker:** We will move on to the next item of the Orders.

### STATEMENTS BY HONOURABLE MEMBERS/MINISTERS OF THE CABINET

**The Speaker:** I have received notice of three statements, one by the Honourable Minister responsible for Education, and two by the Honourable Minister responsible for Communications, Works and Infrastructure.

I now call on the Honourable Minister responsible for Education.

#### Congratulatory Message for U 17 Girls World Cup Team

**Hon. Alden M. McLaughlin, Jr.:** As Minister of Sports, I would like to take the opportunity to congratulate the history-making Cayman Islands National

Under 17 (U 17) girls' team on their recent successes in U 17 world cup qualifying in Antigua.

Cayman was grouped with Antigua, the US Virgin Islands and Jamaica in this round of qualifying and last Wednesday defeated Antigua at home by a score of 3–nil and followed up on Friday with a comprehensive victory over the US Virgin Islands; 4–nil. Jamaica narrowly escaped the Cayman girls by the slimmest margins, 2 to 1, on Saturday. I am informed by the Cayman Islands Football Association that this is the first time in Cayman Football history that we have won any matches in any category of world cup qualifying. And this is against the background that the Cayman Islands National U 17 program is one of the youngest within CONCACAF having only been in existence for exactly one year.

The girls themselves were also one of the youngest teams in the CONCACAF with an average age of 14 competing against older and physically larger girls. This is a testament to the significant effort put in by the girls who demonstrated a tremendous level of discipline and hard work over the past year, sometimes training as much as five times per week.

I wish to extend congratulations also to the Cayman Islands Football Association, the team manager Mr. Bernie Bush, head coach Mr. Bobby McLaren and technical director Mr. Thiago Cunha and to also offer congratulations to the parents of the girls for their support.

Madam Speaker, it was especially good to know that reports are that the girls carried themselves as true ambassadors of the Cayman Islands both on and off the field, with members of staff from the hotel and other entities such as restaurants making it a point to speak to the team's leaders and management to note their exemplary behaviour.

While they did not qualify for the next round of competition, their performances in Antigua bode well for the future of women's football in Cayman, and it is my hope that the programme will continue and that this group of girls will form the nucleus of that programme as it grows. I understand that some 10 of the 18 girls on the team will be able to play again in Under 17 qualifying in 2009.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

#### Scrap Metal Contract with Matrix International, Inc.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, for the past couple of weeks there have been a lot of discussions, stories and statements made about the scrap metal removal contract between the Government, in particular the Ministry of Communications, Works and Infrastructure, and Matrix International Inc.

On Thursday, 22 November, at the adjournment of this honourable House, the Leader of the Op-

position in his usual bullying and belligerent manner, raised the matter and proceeded to question the Government and me on the status of the contract. He went on to say that the local contractors had tried to convene a meeting with me, but failed. I refuted that untruthful assertion then and I do so now.

Prior to 22 November I had only discussed the matter with one contractor who was seeking advice which I gave as a friend. I have since discussed the matter with one other and have offered like advice.

Madam Speaker, it is not that I oppose the Leader of the Opposition asking questions on the country's business, but I have difficulty with the manner in which his questions are often asked. The Leader of the Opposition knows that there are questions pending and I am required by Standing Orders to reply and he is not at liberty to pre-empt matters set down for the current sitting of Parliament.

It appears that his attempt is to try to make the people of this country think that I am involved with something untoward with the contract between the Government and Matrix International Inc. The Leader of the Opposition must learn to pick his fights better. I am not going to settle for his trying to accuse me of any wrongdoing and I will reply every time.

The intention of the Leader of the Opposition is clear. He seems to think that he is a master illusionist versed in the art of misdirection with the intent of making the country pay attention to one or more of us with the desired result of not paying attention to his shortcomings.

Madam Speaker, I am here to tell the Leader of the Opposition that his *modus operandi* will not work on me. I have served this country, and in particular the people of East End for the last six years and no one can accuse me of any intentional wrongdoing—least of all, him.

He must therefore exert his energies in defending accusations aimed at him.

I do not believe that this country will be fooled by his antics. The people have the innate ability to measure us all. After all, they were the ones who conducted that measurement in the first place. The results of the last elections prove my point.

Madam Speaker, before we go any further, I think it would only be prudent to advise this honourable House and the people of this country of the following facts.

From my last statement made in this honourable House on 5 March 2007, I outlined the following: **“The invitation to bid [on the scrap metal contract] was first advertised on November 6<sup>th</sup> 2006 and closed on November 24<sup>th</sup> 2006. As I understand, at the December 1<sup>st</sup> 2006 sitting of the CTC [Central Tender's Committee], the sealed bids were opened. All names and amounts tendered were logged at this stage. As is customary for the CTC, the bids were referred to the Ministry for its recommendations. The Departmental Tenders Committee (DTC) of the Ministry then evaluated the**

**bids on 8<sup>th</sup> December 2006 based on the usual benchmarks of proof of financing, experience, price tendered, timeframe for completion, payment terms and equipment availability. Based on the bids submitted, the DTC was unanimous in its recommendations and submitted these to the Chairman of the CTC on 12<sup>th</sup> December 2006. The CTC in turn accepted the recommendation at its sitting of 15<sup>th</sup> December 2006.”** And the contract was awarded shortly thereafter.

On 19 March 2007 the Government, via the Ministry of Communications, Works and Infrastructure, and the Department of Environmental Health entered into a contract for the removal of scrap metal from the George Town Landfill with Matrix International Inc. who was operating within these Islands as Matrix International Limited. Matrix International Limited is a locally incorporated company with a majority Caymanian ownership.

The term of the contract has always been for 12 months starting from the date the contract was signed (19 March 2007).

In a *Cayman Net News* article on Thursday, 22 November 2007, it was reported that the contract was granted to Matrix International by the Cayman Islands Government as opposed to the local Caymanian company that had bid only \$50,000 less than Matrix's \$1.25 million.

It would appear that the editor of *Cayman Net News* does not listen very well and has no time to conduct a proper and thorough search of any topic. If so, instead of reporting that the contract was granted to Matrix International by the Cayman Islands Government, the editorial should have read that the contract was awarded by the CTC. If that editor was a good journalist he would also have reported that the membership of the CTC consists of two government employees, one of which is the chairman and six other private sector individuals.

Given those ratios it can hardly be said that the public sector including the Ministry awarded this contract. The CTC, its protocols, processes and procedures have been in place for quite a long time. Far be it for me to cast a shadow over or question its decisions. However, some persons appear to have no reservations about doing so.

If the editor of the *Cayman Net News* had conducted thorough and proper research, instead of reporting that the contract had gone to Matrix as opposed to a local Caymanian company, the editorial would have read that Matrix International Limited is a local company with a majority Caymanian ownership.

On Monday, 26 November 2007, there was an article in the *Caymanian Compass* reporting that the Leader of the Opposition had asked me, and I quote, **“Can the Government at least commit to meet with the owners of these Caymanian companies?”** He was referring to the subcontractors who were working along with Matrix International Limited. Madam Speaker, I have not refused to meet with the subcon-

tractors and I will meet with them whenever asked. However, I should add that the subcontractors are contracted by a duly registered Caymanian owned company and it is not prudent for this or any other government to interfere with the running of any private company.

Madam Speaker, I cannot enumerate the many times either I or the staff of my Ministry queried the management of Matrix International Limited on whether the subcontractors working along with them were being looked after, that is, were being paid regularly or in accordance with some agreed payment schedule. On every occasion we were assured by the management of Matrix International Limited that this was so.

The welfare of these subcontractors has been the only other principal concern of this Government throughout this entire contract. Although the Government was not present when these companies agreed to work with Matrix International Limited, concern over their welfare has always been at the forefront of our minds. In fact, at each meeting with the principals of Matrix International Limited, we were told the major reason they were unable to keep to the agreed payment schedule as per the contract was that they had to continue paying their subcontractors in order to keep the business running.

As I see it, Madam Speaker, and from what I just mentioned, the Government may be the only entity that appears to be looking out for these subcontractors that have outstanding invoices against Matrix International Limited. I say that because the Leader of the Opposition, the editor of the *Cayman Net News* and a few others, seem to be saying that the Government should move forward by hiring another company to complete the works to remove the scrap metal. I certainly have not heard of a company or an entity out there that is willing to settle the amounts currently owed to the subcontractors by Matrix International Limited and then continue the contract, but if there is one, perhaps they should come forward.

The Government is still searching for the best way forward in order to satisfy all interested parties, including the aggrieved subcontractors, the Government, and, by extension, the people of this country and the shareholders of Matrix International Limited.

The propositions offered by some are not true, equitable solutions to these issues, but merely political posturing. The Leader of the Opposition may be trying to paint himself as some kind of saviour or saint, but he does not offer any equitable solution or solutions to these issues and he seems hell-bent on wanting the Government to enter into a scrap metal removal contract with some other entity. Why?

What he fails to comprehend is that by going down that avenue, little or nothing may go towards those persons and companies already owed money by Matrix International Limited.

The Ministry staff and I are currently in discussions with the principals of Matrix International

Limited in an effort to assist with alleviating some of the difficulties they are experiencing in order to get this contract back on track in the interest of all concerned.

In addition to the scrap metal contract, much has been said about the management of solid waste in general, in particular on the need to have a comprehensive plan in place to handle the ever increasing problem. Madam Speaker, please allow me to again update the country on efforts made on that front.

In February this year the Government through my Ministry announced the creation of a Solid Waste Strategic Management Committee. This Committee includes Members of this honourable House and senior civil servants and its terms of reference include making recommendations on the way forward for the most suitable solid waste management strategies and procedures as they relate to waste to energy, waste reduction, reuse and recycling in the Cayman Islands.

Madam Speaker, I am proud to report that this Committee has made much progress in this endeavour. It has thus far made recommendations on the reorganisation of the three landfills in the country, met with major importers and produced a report on an education and public relation strategy.

Further, Madam Speaker, as a result of recommendations by this Committee, the Government recently engaged consultants to provide assistance in the following areas:-

- Waste to Energy and Transfer Station Design, Construction and Operations Service.
- Landfill Service; and
- General Solid Waste and Recycling.

Madam Speaker, as members are aware a meeting was scheduled for earlier today to update this honourable House on the activities of this Committee, and the progress of the consultancy. Unfortunately, due to circumstances the meeting had to be postponed.

Madam Speaker, I can assure the people that my Ministry is working tirelessly to address the many issues surrounding solid waste management in the country.

We have made much progress to date and while there is much to be done, I have every confidence that we will succeed in addressing many of the solid waste management issues facing our country. I am very grateful for the stalwart efforts of the many civic minded individuals and groups that have committed to this effort so far. They are too many to be named, but they know who they are. I look forward eagerly to working with them in the years to come for the benefit of these beloved Islands.

I thank you, Madam Speaker.

**The Speaker:** Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, under Standing Order 30(2), I beg to ask the Minister a few short questions on the statement he just delivered.

**The Speaker:** Honourable Second Elected Member for the district of West Bay, it is at the discretion of the Presiding Officer, and I will allow you provided they are short questions.

### Short Questions—SO 30(2)

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Can the Minister say what due diligence was done on Matrix International Inc., Matrix International Limited, and its Caymanian partners by the DTC that allowed it to recommend this entity to the Chairman of the Central Tenders Committee?

What lessons have been learned arising out of this particular instance and what will be done differently as it relates to due diligence in the future?

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** As I have said, the DTC conducted the evaluation of those bids and those companies, proof of financing and ability to finance experience and the likes.

What lessons have been learned? Well, the contract has not been completed at this time. We will see what happens, whether or not the contract is fulfilled. I do not think we can answer that at this stage because the contract has not been fulfilled. On the issue of Matrix International Limited, it is a Cayman-owned company, duly incorporated company.

**An Hon. Member:** A front?

**Hon. V. Arden McLean:** Well, I do not know if it is a front. I do not think it is a front, Madam Speaker, but certainly it was a Caymanian company and they demonstrated that they could do the job.

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure, your second statement.

**Hon. V. Arden McLean:** Thank you. I trust this one will be a little less controversial.

### Credit/Debit Card Processing Facilities for Various Subjects

**Hon. V. Arden McLean:** Madam Speaker, since taking office in May 2005, it has been our vision and determination to try to alleviate some of the day-to-day issues and problems faced by this Government. One such issue was the recurrent and significant amount of uncollected debt that would remain outstanding to the Government.

As I took the time to look into this matter, in relation to the subjects for which I hold responsibility as Minister, it became glaringly obvious to me that one of the ways or methods by which the Government would be able to reduce the amount of uncollected debt and provide better customer service would be to simply offer our customers different methods through which to pay fees.

I am sure that more persons in this country than me have experienced, for example, going up to a government cashier, expecting to pay in cash and then when we are told of the total amount realise that we are short by a few dollars or so and despite having a credit card or debit card with us find that the cashier does not have the facilities to carry out a credit or debit card transaction. Thus we are forced to leave the offices, go back to the bank, wait in line there, return to the government offices and then wait in line again to pay whatever we owe. Then, as a customer of government, we all say this would have been a lot easier if the Government would just get with the times. Well, Madam Speaker, I could not agree more with those words and those times are now here.

I do not know if it was a lack of foresight and vision, a lack of responsibility for public funds, poor management or poor financial management skills or a desire to irritate the general public on the part of some former ministers of government why in this technological and computerised age that we live in, it has taken so long for some government departments to move forward. Perhaps what was needed was proper leadership in government.

Madam Speaker, as I stated earlier, the Ministry for which I hold responsibility and the respective departments, authorities, units and sections thereunder are committed to providing the best customer service possible and also to make any effort to improve the quality of our service wherever we can.

It gives me great pleasure, Madam Speaker, to inform this honourable House, and the country in general, that for the first time ever the following government departments are (or in the very near future will be) able to serve their customers better through the development and implementation of credit and debit card processing facilities: the Department of Vehicle and Drivers Licensing; Radio Cayman; the Postal Services Department and the Department of Environmental Health.

Now, we all know that, perhaps with the exception of Radio Cayman 99, per cent of the people in this country have to interact with these other three departments at some point. You may then understand, Madam Speaker, my surprise when I found that the simple, everyday service such as credit/debit card processing was not available for the customers of these departments.

For the customers of these four departments those dark ages will be no more, Madam Speaker. It is time the Government became less antiquated and more progressive. I can only hope that our actions,

vision and work can be a beacon for future leaders of this country.

I thank you, Madam Speaker.

**The Speaker:** Second Elected Member for the district of West Bay.

### Short Question—SO 30(2)

**Mr. Rolston M. Anglin:** Madam Speaker, under Standing Order 30(2), I beg your indulgence and permission to ask the Minister a few short questions on the statement he just read.

**The Speaker:** Second Elected Member, as you quickly elucidated, it is at the discretion of the Presiding Officer. Could they be brief?

**Mr. Rolston M. Anglin:** Yes, Ma'am.

**The Speaker:** If they are not brief, I will stop you mid-stream.

**Mr. Rolston M. Anglin:** Madam Speaker, could the Minister say how any fees that will be charged in regards to these payments, credit card fees, are being accounted for? As I understand it, fees can vary somewhere between 3 and 5 per cent. Therefore if someone's bill was \$100, when Government accepts payment via that particular credit card, Government itself would only collect \$100 less the \$3 or \$4. How are those being accounted for and where are those to be found in the budget?

**The Speaker:** Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, as I understand it, it is some 2.5 per cent difference. The various departments are currently working with the Portfolio of Finance to address that issue.

However, let me just enlighten the Second Elected Member for West Bay.

When I did the research on this thing, between those four different departments we had somewhere in the region of between \$2 and \$3 million in bad debt and we were paying hundreds of thousands of dollars to recover that.

Now, Madam Speaker, that Second Elected Member for West Bay is the accountant. He is the accountant, not me! I know two plus two equals four, but he must know how to calculate all that bad debt versus 2 per cent that we have to pay. Now, he can tell me which one is on top, if we get the majority of our bills being paid by credit card, even if we have to pay 2.5 per cent and we lose that. It is much better than having \$2 or \$3 million sitting out there someplace that we will never recover.

Thank you very much, Madam Speaker.

**The Speaker:** Madam Clerk.

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READING

#### Supplementary Appropriation (July 2007 to June 2008) Bill, 2007

**The Clerk:** First Reading, The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

#### SECOND READING

#### Supplementary Appropriation (July 2007 to June 2008) Bill, 2007

**The Clerk:** Second Reading, The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** Could I have quiet on the Floor so that I can say what I have to say?

I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move, Madam Speaker, in accordance with Standing Order 48 the Second Reading of a Bill that is shortly entitled The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Third Official Member wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, the purpose of this Bill is to seek the Legislative Assembly's approval for supplementary appropriations in respect of the Government's financial year that will end on 30 June 2008.

The Bill, Madam Speaker, is exceedingly simple. It consists of three main parts: Clause 1 would give the name of the proposed Law; Clause 2 speaks to the appropriation authority which the Bill, if passed into Law, would provide; and thirdly, there is the Schedule to the Bill.

Madam Speaker, the details of the 23 individual supplementary appropriations are shown in the Schedule to the Bill. Those items in the Schedule have been considered by Finance Committee and that Committee has, in fact, approved that those supplementary appropriations be authorised in respect of the

30 June 2008 financial year. And since Finance Committee has already considered and approved the items in the Schedule to the Bill, the Bill is not shown on the Order Paper as having a Committee stage element.

Therefore, Madam Speaker, as these items were questioned, scrutinised and approved in Finance Committee today, it is not necessary for me to comment any further on the Bill other than to respectfully ask all honourable Members to support the Bill.

Thank you very much.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak, does the Honourable Third Official Member wish to exercise his right of reply?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, just simply to say thanks to all honourable Members for their silent support of the Bill.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, has been given a second reading.

**Agreed: The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007 given a second reading.**

#### **Suspension of Standing Order 47**

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

On behalf of the Government, I beg to move the Suspension of Standing Order 47 so that the Bill shortly entitled The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, can be given a third reading in the same sitting as the first two readings of the Bill.

**The Speaker:** The question is that Standing Order 47 be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 47 is accordingly suspended.

**Agreed: Standing Order 47 suspended.**

## **THIRD READING**

### **Supplementary Appropriation (July 2007 to June 2008) Bill, 2007**

**The Clerk:** The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Madam Speaker, thank you.

I beg to move that a Bill shortly entitled The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, has been a read third time and is passed.

**Agreed: The Supplementary Appropriation (July 2007 to June 2008) Bill, 2007, given a third reading and passed.**

**The Speaker:** That concludes the Orders of the Day, but before I call on the Honourable Leader of Government Business to move the adjournment, there is one matter that I seek the leave of this honourable House to do.

#### **Presentation of Wig and Gown to past Speaker Mrs. Juliana Y. O'Connor-Connolly, JP, MLA**

**The Speaker:** It is normal for us, and it has been done in the past, that the past Speaker is given their robe and wig. I seek the leave of this honourable House to give to the First Elected Member of Cayman Brac and Little Cayman her wig and robe that she wore as the Speaker of this honourable House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The First Elected Member for Cayman Brac and Little Cayman given her wig and robe worn as past Speaker of the House.**

**The Speaker:** Thank you.  
Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

I have informally informed Members that we would not be meeting tomorrow, but rather the Strategic Policy Statement (SPS) will be delivered on Friday morning at 10 o'clock.

I just wish to remind Members that that will be live on television and on radio. And the start time is 10 o'clock. There is nothing Madam Speaker can do about that and she will start at 10 o'clock. So I would advise everybody to be here on time because proceedings will begin at 10 o'clock.

I am just delivering your message, Madam Speaker. Thank you very much.

Madam Speaker, I move the adjournment of this honourable House until 10 am Friday.

**The Speaker:** Before I put the question, I do ask honourable Members, it would be appreciated if you could be in your seats at quarter to 10 so that when we roll at 10 o'clock, the TV is there and someone is not going to come in while the television is on.

The question is that this honourable House do now adjourn until 10 am on Friday morning. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until 10 am on Friday.

**At 5.57 pm the House stood adjourned until 10 am Friday, 30 November 2007.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**30 NOVEMBER 2007**  
**10.02 AM**  
*Sixth Sitting*

**The Speaker:** I will ask the Third Elected Member for West Bay to say Prayers.

**PRAYERS**

**Mr. Cline A. Glidden, Jr.:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

Proceedings resumed at 10.04 am

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the First Elected Member for Cayman Brac and Little Cayman, and from the Fourth Elected Member

for the district of George Town, who has a commitment at the John Gray High School this morning with the students.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**2008/9 Strategic Policy Statement for the Financial  
Year Ending 30 June 2009**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to lay on the Table of this honourable House the Strategic Policy Statement of the Government of the Cayman Islands for the year ending 30 June 2009.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Madam Speaker, I will do so when I move the Government Motion.

**STATEMENTS BY HONOURABLE  
MEMBERS/MINISTERS  
OF CABINET**

**The Speaker:** I have received no notice of statements from Honourable Ministers or Members of Cabinet.

**GOVERNMENT BUSINESS**

**MOTIONS**

**Suspension of Standing Order 24(5)**

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** I move the suspension of Standing Order 24(5) in order to move the Government Motion.

**The Speaker:** The question is that Standing Order 24(5) be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 24(5) suspended.**

**Government Motion No. 6/07-08—Approval of the Strategic Policy Statement for the 2008/9 Financial Year**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** I beg to move Government Motion No. 6 of the 2007/8 fiscal year entitled, “Approval of the Strategic Policy Statement for the 2008/9 Financial Year, and, with your permission I will read the Motion:

**The Speaker:** So ordered.

**Hon. D. Kurt Tibbetts:** The Motion reads, Madam Speaker:

**WHEREAS section 23(1) of the Public Management and Finance Law (2005 Revision) states that a “strategic policy statement for the next financial year shall be presented to the Legislative Assembly by a member of the Governor in Cabinet appointed by the Governor in Cabinet to do so on their behalf not later than the 1<sup>st</sup> of December in each year for approval within two months, and if the Legislative Assembly has not within that period resolved to approve, amend or reject the statement it shall be deemed to be approved”;**

**AND WHEREAS the Government has now prepared and presented a strategic policy statement for the 2008/9 financial year;**

**BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly approves the policy priorities, aggregate financial targets and financial allocations set out in the 2008/9 Strategic Policy Statement as the indicative parameters on which the 2008/9 Budget is to be formulated.**

**The Speaker:** The Motion has been duly moved and is open for debate.

Does the honourable mover wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

This Strategic Policy Statement (SPS) which I laid on the Table of this honourable House today sets out the policy and financial parameters that Government intends to use when preparing its Budget for the 2008/9 financial year.

In accordance with the requirements of the Public Management and Finance Law (2005 Revision), the SPS is both strategic and high level in nature. It does not allocate resources to individual expenditure items, nor does it specify the particular ini-

tiatives the Government intends to pursue; rather its principal role is to outline for consideration and approval by the Legislative Assembly the strategic parameters on which the Budget will be based. Additional detailed information will be contained in the Annual Plan and Estimates (the Budget) for 2008/9 when that is presented to the Legislative Assembly in April 2008.

With your indulgence, Madam Speaker, I would like to just spend a few moments to provide this honourable House with an overview of what the strategic policy document contains and its relevance to the business of budget preparation and submission.

Section 2 of the Strategic Policy Statement establishes the policy direction for the Government over the next three years and outlines Government’s outcome goals in broad terms. Additionally, they will be used by the Government to determine specific policy priorities for the Budget.

Section 3 contains an overview of the expected medium-term economic position for the Cayman Islands relative to the global economic outlook.

Section 4 establishes the aggregate financial targets that the Government has established for 2008/9 and the subsequent two financial years.

Section 5 contains long-term financial projections for the Core Government for the period 2011/12 through 2017/18. These projections are more indicative than absolute in nature, and provide a sense of the Government’s expected performance over the longer term.

Section 6 sets out the indicative allocations to each Minister and Official Member for the 2008/9 Budget, together with indicative planning allocations for the following two years. These allocations are to be used as the basis for Ministers and Official Members and their Ministries/Portfolios to establish their operating and capital budgets for the 2008/9 financial year.

Having said that, Madam Speaker, I now propose to speak at some length on the policy considerations which underpin the Strategic Policy Statement. While I will touch on some economic and financial aspects, I will leave it to the Honourable Third Official Member to highlight the principal features of the economic forecasts, the financial forecasts and long-run financial projections.

Madam Speaker and Honourable Members, since assuming office in May 2005, this Government has acted firmly to restore fiscal discipline and improve economic conditions and we are now beginning to see positive results flowing from our responsible actions.

I believe our approach to a broad range of development issues is the most comprehensive, pragmatic, innovative and manageable programme that this country has seen since the founding of our nation.

It is therefore on a positive note that I can say we are well advanced with the implementation of strategies outlined in the PPM manifesto, and it is my

firm belief that what we have achieved thus far in key areas since forming government is significant. We are not simply operating in a short-term vacuum. We have developed a clear vision as to where we wish to see these Cayman Islands go over the next five to ten years and beyond, and our policies are strategically directed toward the economic and social development of our nation over time.

In my Budget Address to this honourable House back in April, I stated that the principal objective of this Government is to improve the overall quality of life for all of the people in these Islands, and by quality of life, I speak not only of focus being placed on healthcare, education and roads, but also on the provision of affordable housing, the development of human capital, improvements in law enforcement and public safety and a myriad of other such day to day concerns which have an undeniable tangible impact.

As such, it is the goal of this Government to be the enabler of conditions and the provider of incentives that ensure that our people have a brighter future ahead, and one which spurs individuals and businesses towards the generation of greater prosperity. The fundamentals of this enabling environment rest upon several pillars of development which, Madam Speaker, must not only ensure medium-term results, but will also direct and manage this growth in a way that will provide lasting benefit for future generations.

The question of development brings with it the argument of which comes first—economic or social development. This Government's vision and strategies are steadfastly based on a combination of both—economic *and* social development, yielding pragmatic results in the areas of education, good governance and law enforcement, just to name a few.

The stable political and macro-economic environment provided by this Government has enabled many existing businesses to grow, and new ones to enter our market. This is not just a stroke of good fortune, Madam Speaker, but is indicative of improved and reliable good governance.

As a result, opportunities for investment and growth are increasing, leaving us with the latitude to well and truly get on with our commitment to further grow the economy, create jobs, boost incomes, and improve the delivery of services for all our people.

Madam Speaker, an examination of the global economy shows that economic uncertainty and volatility is being experienced the world over. While the economic fundamentals of this country are strong, we in the Cayman Islands are not immune from this global phenomenon. The Economics and Statistics Semi-Annual Report released just last week shows that the 3.7 per cent rate of inflation was driven by a 6.3 per cent increase in the cost of goods and services, a 5.9 per cent increase in the cost of food and a 5.3 per cent rise in the price of household equipment. Consequently, questions are being asked as to what this government is doing and what it intends to do to combat rising prices. For some, the

obvious answer seems to be instituting a wholesale reduction in duties, particularly as it relates to food items.

What is perhaps unknown by those who suggest such measures, is that the cost of virtually all staple food products such as milk, poultry, fish, salt beef, butter, cheese, cereals, beans, grains and macaroni, to name but a few, are already imported free of duty. Would that the answer to the spiraling cost of living be as simple as some newspaper economists think it is!

Steep increases in energy prices over the past several years have had significant consequences for households, businesses, and economic policy on a global scale and the cost of oil continues to increase way beyond the level of what would have been thought possible just a few short years ago. Whilst this affects just about every commodity produced, transported or sold, it is a situation that this Government and, indeed, governments the world over continue to wrestle with, yet are powerless to control. Notwithstanding, we are fully aware and very sympathetic to the pressures that this global situation is placing on our people and our local businesses.

I can assure this honourable House that this Government is not merely paying lip service to the promise of combating rising prices. Rather, we are doing everything possible to mitigate the knock-on effect of what is taking place in economic terms at a global level, especially as it relates to the purchasing power of the average citizen here at home.

The requirement to boldly advertise fuel prices at gas stations, for example, has resulted in a reduction in prices at the pump by making it possible for consumers to be more discerning about where they choose to purchase petrol, whilst benefiting from the inherent cost savings derived from a more transparent and openly competitive environment.

In the meantime, Madam Speaker, the two reports from the consultants comparing fuel prices with other jurisdictions have been presented to Cabinet and passed on to the two wholesale suppliers. Both have indicated that we will receive their comments by December 10, 2007, and on my return from London at the end of next week, meetings have been scheduled with regional executives. We will then swiftly decide on the necessary course of action to take.

I must warn at this juncture, that in the public interest, we will have to be looking both at the wholesalers and the retailers. We have to give both parties an opportunity to state their views, but as soon as that is accomplished, we will make the necessary decision coming from an informed position. We have no control over world fuel prices, but we certainly can ensure that both wholesale and dealer markups in Cayman are fair and not exorbitant.

Whilst this and other initiatives might at first glance be interpreted merely as small insignificant wins, the truth is that they are nonetheless incre-

mental steps in the right direction and form part of a broader strategic initiative aimed at addressing not only fuel costs at the pump, but the high cost of energy overall at a national level.

Today, Madam Speaker, I am extremely pleased to announce today that the Government has reached agreement in principle with Caribbean Utilities Company on the terms of new licences for power generation and transmission and distribution. The new Agreement will take effect on 1 January 2008.

As you will be aware, the previous Government initiated licence negotiations which resulted in a Heads of Agreement being drawn up in 2004 listing the terms of any new licence(s) to be issued to CUC. However, negotiations then stalled and no final agreement was ever reached.

Shortly after assuming office in May of 2005, this Government appointed a new Government Negotiating Team to get both parties back to the table, to commence new licence negotiations.

We gave instructions to the new Government Team based on two premises:

1. To secure the best possible rate reductions for consumers, and, at the same time;
2. To ensure that CUC remained a financially viable entity that could attract sufficient capital investment into the company and would allow it to invest over the term of any new licence(s) issued. That is, allow them to invest in new capital assets, thereby ensuring the continued high quality of supply of electricity to consumers in Grand Cayman, but at the same time at a reasonable price to consumers.

The agreement in principle reached by this Government with CUC improves significantly on the terms of the Heads of Agreement of 2004, and CUC customers will see considerably greater rate reductions over and above those agreed in 2004. While I will save the detail of the expected rate reductions until the signing of the new licences, the overall result is expected to produce on average a 15 per cent reduction in bills for residential customers, assuming there are no significant increases in fuel prices.

This has been achieved by a number of factors including the agreement by CUC to cease the Hurricane Ivan recovery surcharge (or CRS) from bills with effect from 1 January, 2008, as well as the decision of this Government to provide a rebate of duty on fuel equivalent to 20 cents per gallon to CUC every month on its fuel purchases. This rebate will be passed on directly to consumers and will be reflected on their bills starting in January of next year.

This is a significant departure from what was agreed in the Heads of Agreement, where the duty on fuel would have increased by 20 per cent in 2009 to the rate in effect at that time, currently 60 cents per imperial gallon.

We have taken the decision to provide this rebate of duty on fuel used for electricity generation because we recognise that the fuel factor is a major

component of the bill that consumers receive each month. The price of oil worldwide per barrel has reached its highest point ever, with prices now hovering in the US\$100 per barrel range. This is reflected in the fuel factor that CUC customers see in their bill, with a typical residential consumer of 1,000 kilowatts a month presently receiving a bill of \$293.12 of which 42 per cent represents the fuel factor.

In addition, this Government has agreed to allow CUC to continue with the 15 per cent duty rate on non fuel items it imports. This reduced duty rate will assist in maintaining lower future rate increases.

This Government is taking decisive action to reduce utility bills, and that action does not come without considerable sacrifice. The duty rebate on fuel will cost Government some CI\$5.9 million annually on present fuel consumption rates, and the lower import rate on non fuel items will cost Government another \$2 million a year of potential revenue. However, Madam Speaker we consider this money well spent, as it will contribute significantly to reducing the cost of living here in Grand Cayman.

There are many other positive aspects of the terms of the new licences that I would wish to refer to, all of which will have a direct benefit to CUC consumers.

The guaranteed 15 per cent return on rate base Licence that CUC has operated under for the past 21 years is being replaced by a formula where rate increases will be linked to the Consumer Price Index. We believe that this to be a fair agreement for both parties and ensures that rates are linked to the cost of doing business generally and not to CUC's investment in assets. The Heads of Agreement in 2004 would have measured CUC's financial performance based on return on equity (ROE), where CUC would be allowed to make an ROE of between 10 per cent and 24 per cent before there would be the possibility of any rate changes. That would mean downward reaching.

In the past CUC had been basically unregulated and allowed to invest in any assets it decided it needed. This could artificially inflate CUC's rate base on which it measured its Return on Rate Base (RORB). However under the new agreement CUC will have to have its five-year capital investment programme pre-approved by the Electricity Regulatory Authority (ERA). Under the Heads of Agreement there was no such agreement to regulate all of CUC's capital investments.

The ERA will become a truly regulatory body ensuring that consumer's rights are protected.

Licence Fees are again an area where this new agreement will assist the consumer. In the past licence fees paid by CUC were expensed, and contributed to rate increases. In the new agreement all consumers up to 1,000 kilowatts per month will be exempt from any licence fees, thereby again assisting the smaller electricity consumer to see lower electricity bills.

The new licence arrangements will encourage competition in generation, and we may see another generating company set up in Grand Cayman in the near future. All additional generation capacity requirements from the year 2010 will go to competitive solicitation, and this will assist in keeping future electricity bills lower.

The new licence arrangements will encourage generation from renewable resources and this could lead to the possibility of electricity generation from wind, solar power, or even ocean thermal exchange. Again, as technology changes in the industry, the changes made by this Government to the ERA Law will allow for more flexibility in allowing generation from alternative sources. At this time the waste to energy proposal is well underway, and Grand Cayman could see the generation of electricity from trash by 2010.

I would wish to place on record, Madam Speaker, the Government's sincere appreciation to the negotiating team comprising Chairman, Mr. Olivaire Watler, and members Mr. Charles Farrington, Mr. Samuel Jackson, Mr. Philip Thomas, Mr. Winston Hay and their consultants I.C.F. Their commitment and expertise in seeing this process through is worthy of the highest praise. Our own Minister of Communications, Works and Infrastructure has been the guiding light from our end throughout the negotiations.

Madam Speaker, that Minister, I am sure, will now move forward with arranging for the licences to be prepared and I am confident that he will be announcing a date for the signing shortly after my return from London at the end of next week.

Madam Speaker, responsible fiscal management is not only indispensable to good government; it is indispensable to *this* Government. Having acted responsibly with clarity of vision underpinned by a sound, decisive and strategic plan of action and strict adherence to the principles of responsible financial management, this PPM Government anticipates a cash surplus of more than \$40 million in the next fiscal year and \$35 million in the fiscal year of 2009/2010. Consequently, our ability to service our debts is not in question and our ability to fund new capital projects to improve the socioeconomic infrastructure of this country can move ahead.

These capital works will include new prison facilities within the Northward compound, which will be constructed during the next fiscal year. This new construction will greatly assist the issues of prisoner overcrowding as well as dilapidated buildings and will better facilitate rehabilitation whilst at the same time increasing efficiencies within the prison operations.

Madam Speaker, at present the government office accommodation is spread over 57 separate private sector leases at tremendous cost, which not only increases operational costs but hampers efforts to improve efficiency and productivity. Clearly, this situation is one which could not be permitted to continue indefinitely.

I am happy to report that groundbreaking on the new government office accommodation project will occur next month and construction will be in full swing by 2008/9 with completion and occupancy to take place in 2010. As well as eliminating the need to continually lease private space and eradicating the operational inefficiencies that have gone along with it, this new building will have a positive impact on government culture and our ability to provide efficient service.

I have high expectations for this building and anticipate that it will be very energy efficient, whilst at the same time providing a healthy indoor environment for our staff and the visiting public. It is also worth noting that we are committed to achieving LEED certification with this building—making it the first building in Cayman to be so certified, and the first building of its size in the Caribbean region.

After many years of unnecessary delays with the redevelopment of the Owen Roberts International Airport, the Cayman Islands Airports Authority has commenced redevelopment works. The first phase is currently underway involving construction of a new car park, relocation of utilities, extension of the ticketing hall, construction of a new arrivals hall, and the construction of a domestic departure and arrivals hall. The first phase is scheduled for completion in December 2008.

Phase 2 will overlap the completion of the first phase, involving the construction of the new international departures hall on the second floor, concessions areas and installation of jet bridges. Phase 2 is scheduled to be completed in August 2009.

Phase 3, which is the final phase, involves the renovations to those areas of the existing terminal that would not have been touched by the prior redevelopment work. This final phase is scheduled for completion in August 2010.

Whilst much is being accomplished with buildings and capital works, on an individual basis in terms of quality of life, Madam Speaker, a home is much more than a roof and four walls. It is the place where we are most comfortable, the place we look forward to returning to at the end of the day, and for many it represents the single largest investment of a lifetime.

Last year this Government announced a reduction in stamp duties from 7.5 per cent to 4 per cent on properties purchased by first-time Caymanian home owners. This significant reduction . . .

Madam Speaker, let me correct that: Last year this Government announced a reduction in stamp duties from 7.5 per cent to 4 per cent on properties purchased by Caymanian home owners. This significant reduction was designed to place the dream of home ownership within the grasp of many more of our own people, and to give our younger up-and-coming generation an opportunity to step on the first rung of the property ladder.

Notwithstanding the significant benefits derived from this initiative, it remained the firm goal and

resolve of this Government to do even more to change the landscape for Caymanians who are struggling to find affordable housing. And I dare say we have done just that!

The Cayman Islands Government Guaranteed Home Assistance Mortgage programme (GGHAM), administered through the National Housing Development Trust (NHDT) in collaboration with seven participating banks offers qualified applicants the ability to receive up to 100 per cent of a mortgage, with the Government guaranteeing up to the first 35 per cent as it deemed necessary.

The GGHAM initiative builds on concessions which are already in place to encourage more of our people to own property. Among these concessions you may recall, Madam Speaker, that first-time Caymanian purchasers of raw land are not required to pay duty on the purchase of land valued at CI\$50,000 or less. However, land valued at more than CI\$50,000 but not exceeding CI\$75,000 attracts stamp duty of only 2 per cent.

Additionally, first-time Caymanian buyers of property which includes a building on it now pay no stamp duty on the purchase of such property if it is valued at CI\$200,000 or less. Property which includes a building valued at more than CI\$200,000 but not exceeding CI\$300,000, attracts stamp duty only at the rate of 2 per cent. This has worked well and many Caymanians have seized the opportunity to become home and property owners as a result of these concessions.

Madam Speaker, I can say today that based on market trends very shortly we will be reviewing these ceiling amounts with a view to increasing them.

For those who suddenly find themselves eligible to take advantage of these concessions and become property owners as a result, this is truly a dream come true, the magnitude of which cannot be encapsulated in words.

Madam Speaker, the NHDT now has additional property identified in West Bay, George Town, Bodden Town and East End, and we are diligently searching in the district of North Side for property. This is in relation to the new affordable housing programme. Both properties in George Town and Bodden Town are now commencing site works, and construction of the first 72 homes in George Town will commence shortly. As soon as the sale is completed for the Eastern Avenue site, now that planning permission has been granted for the prospective purchaser, then construction will begin simultaneously of the affordable homes in the other districts.

The tremendous opportunities presented by schemes such as GGHAM and the elimination of duty on the purchase of land are predicated on the supposition that the intended recipients are on a positive career path with good earning potential.

This leads me, Madam Speaker, to mention the extent to which our people are provided with fair and equitable employment services, and the strides

being made by the Department of Employment Relations in matching suitably qualified Caymanian applicants with potential job opportunities. I am pleased to report that following the utilisation of a highly manipulative database which cross-references skill-set to skill requirement, a dramatic and positive difference is being seen in the provision of steady and viable employment to job seekers. Both the Work Permit Board and the Business Staffing Planning Board will be working more closely with the Department of Employment Relations to ensure that work permits are not granted where there are Caymanians ready, able and willing to take up the job.

Additionally, having recently received the Labour Consultancy report, it is the intent of this Government to address other labour issues through the creation of modern and relevant employment legislation which focuses on the needs and concerns of both employers and employees.

As you can appreciate, Madam Speaker, the question of employment has a direct and quantifiable bearing on the overall quality of life to be had in these Islands and remains of vital significance to us as a Government as we endeavour to represent the best interests of our people.

Relating to employment, the PPM has been very clear about its commitment to address the Islands' immigration issues. Much has been accomplished over the past two years in making the immigration legislation more comprehensive, clearer and certainly more equitable. As you know, the Government commissioned a comprehensive review of the Immigration Law which led to substantive changes at the end of last year. We also approved an increased budget to allow the Immigration Department to recruit additional personnel so that it can perform its duties more efficiently and more effectively.

We are committed to making the work permit process more business friendly and service oriented. Pending a minor change in the Immigration Law, which will occur early next year, the process of issuing work permits will be streamlined to allow certain, non-controversial categories of work permit applications to be processed administratively by Immigration Department personnel rather than by the Work Permit Board or the Business Staffing Plan Board. This change will require employers to prequalify before being able to apply for and obtain any work permits and will instill a higher degree of protection for Caymanians in the work place.

New procedures adopted by the BSPB has realised significant improvements in the processing times for applications for Business Staffing Plans with some 12-15 plans being considered per week as opposed to 3 plans per week under the old system. Additionally, new technology has been finalised which will allow for the Board to better track training and scholarship conditions on Business Staffing Plans, bringing about greater efficiency and more expediency.

With regard to the public service, as part of the modernisation process of Government and the new culture of governance between 2005 and 2007, the Portfolio of the Civil Service led a process to reform human resources management within the civil service, moving away from a centralized, administratively focused environment, to one that is decentralised and managerially focused.

In response to the new environment, the Portfolio of the Civil Service was restructured to include a Management Support Unit to provide free internal consultancy support to agencies on management issues, an HR Audit function, a Civil Service Appeals Commission and Strategic HR services. Additionally, a new Public Service Management Law (2006) and Personnel Regulations were developed and implemented in January 2007.

Looking ahead towards 2008/09, the strategic development priorities for the Portfolio of the Civil Service will include:

- Expanding the range of services and courses offered by the Civil Service College, including extending the services of the College to other territories within the region.
- Implementation of a revised performance management process for the civil service and preparation for the effective implementation of performance pay.
- Development and maintenance of a register of ex-civil servants for short-term employment within government.
- Assisting ministries and Portfolios to establish robust succession plans.

Madam Speaker, employment is not only a central element of national development, but for many it is also one of the most decisive characteristics of human identity. There is absolutely no doubt that the country today needs a workforce that brings new skills, competencies and attitudes, as well as aptitudes to bear upon a vast range of emerging occupational activities. In cultivating what is essentially a new mindset, full consideration has been given to developing a workforce that has:

- the ability to understand complexity;
- the competence to think proactively and critically;
- the ability to develop problem-solving skills;
- the drive to both adapt to new technologies and be in the forefront of technological innovation; and
- the characteristics and personality to become well rounded, responsible, law abiding and productive citizens.

To bring this about, we need—and I say the country deserves—world class quality human resources that will be able to thrive by virtue of their employability and their entrepreneurial skills, and who are able to satisfy the utilitarian need captured by the term ‘human capital.’

Madam Speaker, given our inherent need to develop our human capital resource in order to be better placed to participate in an ever-changing global environment, we can all understand why there is today a national consensus for fundamental reforms in our education sector with an overall emphasis on quality education for all.

An African proverb says that it takes a whole village to educate a child. I would add that it takes a whole nation to educate a new generation.

Education remains one of our key priorities and much has been accomplished in the transformation of the education system since the first National Education Conference, which defined challenges and identified solutions in a collaborative effort of unprecedented proportions.

The ‘schools within a school’ concept of small learning environments has proven to be a resounding success on the George Hicks campus. Plans for the construction of three new secondary school campuses—the John Gray campus in George Town, the Beulah Smith in West Bay and the Clifton Hunter in Frank Sound—are complete and the projects are on schedule for the start of school year September 2009. Design work on the George Town Primary School (that is the new George Town Primary School) is also progressing with construction slated to begin in May 2008 with an opening date of September 2009.

Intermingled with the myriad of benefits that these new facilities will provide to communities and the country as a whole, other less obvious benefits will be derived as a result of the economic stimulation generated by the need for additional employment and consequent local spending on housing, transportation, food, and other areas.

Improvements in teaching and learning are being realised as anticipated with the introduction of the new governance model for education services and its four regional Learning Communities. The new model, which was implemented in September of this year, places students in the centre of the education system exactly where they belong, and is already yielding numerous benefits on a variety of levels.

Underpinning the improvements in teaching and learning is the professional development of education professionals. Significant investment has been earmarked for this purpose and initiatives are in place that will continue through to the start of the 2009 academic year and beyond.

The new National Curriculum that will be adopted by all government schools from September of next year (2008), is designed to meet global and local requirements and will ensure that what our children learn at every level of the education system will leave them properly prepared for the next level.

Work is underway to realise the full integration between secondary and tertiary levels, and a strategic alliance has been forged between public schools and university. In this fiscal year, the Government has contributed \$3 million to the University College of the

Cayman Islands for the ongoing development of programmes designed to better align the secondary system with tertiary requirements.

The start of this new school year saw a marked change in the provision of education services for students with special needs. Significant increases in the provision of professionally trained staff has brought about a much faster response time, and I am delighted to note that this aspect of the system can no longer be described as inadequate.

For the first time ever, the take-up of scholarships to pursue studies overseas has exceeded 100 grants in a single year and 4 of our students are actually pursuing doctorates. Enrollment figures have leaped from 650 annually to more than 3,600 in just two years at the University College of the Cayman Islands. It should be noted that 95 per cent of these students are Caymanian.

With enhanced funding for scholarships and 'A' level tuition, and more emphasis being placed on early childhood care, this Government has shown that it is relentless in its pursuit and determined in its drive to ensure that our people are given every opportunity to grow, to develop and achieve their fullest potential.

Given the amendments and advancements that I have outlined, students, parents, teachers and the entire community will certainly be seeing a more responsive education service designed to provide the support necessary for them to become more engaged in the educational opportunities for their children. In the final analysis, our ultimate goal has always been, and remains to this day, inculcating in our people a culture of life long learning and self development that transcends well into the future.

Madam Speaker, we have taken a long, hard look at whether our education system is adequately geared to face up to the new and emerging challenges and live up to our legitimate national and personal aspirations, and found that we have both shortcomings and strengths. Consequently, the thrust of the education transformation process has been to significantly improve the present system in order to make it more responsive to the emerging needs of society.

This explains why it has been the unwavering policy of this Government to take up the challenge of providing an education system that is not only of a world class standards and accessible to all, but meets high international benchmarks in order to build a better and brighter future for all of us.

This has been our pledge to the nation since assuming office in May 2005. We have made no secret about this being our passion and we remain determined to see it through to the end so as to give the best possible head start to all our children and our young people.

Madam Speaker, Government is more than cognizant that every effort must be made to facilitate human capital development if we are to enhance the ability of our people to take their place anywhere on the world stage. But in so doing, measures must also

continue to be taken to ensure that opportunities consistently exist for Caymanians to participate in the tourism industry in a much more meaningful way, as staff, managers and even owners. Consequently, preserving the capability of future generations to earn a living in this robust and viable industry sector has been the focus of many strategic initiatives, ranging from scholarships to environmental programmes.

The Apprenticeship Programme for example which was launched this year is providing scholarships and stipends to some 20 persons. This group represents both school leavers who are entering the industry for the first time as well as experienced persons within the industry who are seeking additional training in order to pursue managerial positions.

After many years of talking about vocational training, the Ministry and the Department of Tourism now offer a programme, with the cooperation and financial support of the private sector, that allows apprentices to be placed where they will learn the most—in a combination of a classroom setting and actual work experience at various hospitality businesses where managers serve as mentors for the apprentices. This programme will be doubled next year with some 40 positions being available and work will commence on growing the number of certified programmes which are available.

Still on the subject of enhancing our tourism product, this Government remains committed to pursuing berthing facilities which will enhance the country's economic return and improve visitor satisfaction. It is worth mentioning here to clear up any confusion or misunderstanding that cruise arrivals last year were abnormally high due to neighbouring ports being closed as a result of hurricanes. This explains why arrivals this year appear to show a decline in comparison. Even so, this sector of the industry is performing well and the Port Authority estimates that some 1.7 million cruise passengers will visit our shores this year. Whilst that 1.7 million represents a decline from the height of 1.9 million last year, the Cayman Islands still remains a popular port for cruise tourism.

Tourism, one of the main pillars of our economy remains steady, recording a 3.3 per cent overall increase in visitor arrivals mainly due to an 8.4 per cent increase in stay over visitors during the first half of 2007.

Air arrivals showed an increase of 8.4 per cent above arrival figures noted in the same half year period of 2006, with visitors from the USA contributing 81.5 per cent of total air arrivals in the first half of 2007. This modest performance occurred amidst continued improvements in the supply of local accommodation, and enhanced air service to the Cayman Islands within recent months, such as the re-launching of direct service to and from the New York region after nearly 15 years.

Similarly, according to the *Semi-Annual Economic Report 2007*, our financial services sector has remained upbeat. Hedge funds remain at the cutting

edge of global financial markets and the Cayman Islands clearly lead other jurisdictions in the world in this particular asset class with roughly 75 per cent of the world's hedge funds registered right here. The report states that mutual funds grew by 14.4 per cent while new company registration rose by 13.2 per cent.

Madam Speaker, too often when focus is placed on the sensational events, the positive steps being made towards the improvement of services to the community and the holistic approach being taken to addressing human needs unfortunately becomes a casualty that is overlooked. However, this does not mean that good things are not happening and going on behind the scenes.

The provision of healthcare and medical insurance coverage has made headlines in recent weeks for a number of reasons. Whilst these are being reviewed with a view to identifying suitable solutions to the problems which may exist, we should not let those issues take our focus totally away from the other very positive developments in this area.

For example, with respect to the provision of care for the elderly, funding to the Pines Retirement Home has been increased in order to provide better care and services specific to the needs of senior citizens. The Golden Age Home is being renovated to accommodate 22 persons and provide an enhanced day care facility.

As we head into 2008/09, it is our intent to develop a National Plan for the elderly that will include the provision of more purpose built facilities and programmes specific to this sector of our society.

Funding to the Women's Crisis Centre has also been increased and in 2008/9 it is Government's intention to establish an Office of Gender Affairs which will focus on servicing the specific and unique needs of women and address issues of inequality through the development of a social policy.

In so doing, a Public Health Department will be established under the Ministry which will, among other initiatives, implement Government's intention to afford communities greater access to health services through the provision of more physicians and an increase in the availability of related services within district health centres.

As we forge ahead with healthcare initiatives, the provision of a purpose built, fully functional mental health facility for the long-term residential care of persons afflicted with psychological, emotional and mental disorders will not be overlooked. Rather, they will be carefully considered and provided for.

As it is this Government's conviction that veterans and seniors should be able to retain their independence to the greatest extent possible, over the course of the past two years we have increased the stipend to seamen, veterans and those persons receiving ex-gratia payments through the Department of Children and Family Services. Today, I am happy to announce that Government has decided to grant an additional \$500 to persons receiving payments I just

mentioned in the above three categories to enhance the lives of the elderly, seamen, veterans and those receiving the ex-gratia payment. The intention of that is to really enhance the lives of these people during this Christmas Season and enable them to share in the holiday festivities in a way which might otherwise not have been possible. This extraordinary payment will be paid along with their regular monthly cheque on December 17.

I am happy to see my colleagues smiling and nodding their heads.

Madam Speaker, I have said that this Government is resolved to improving quality of life for Caymanians and residents and, when speaking of quality of life, the negative impact of sitting in traffic for upwards of one or possibly two hours each day getting to and from work cannot be understated. With more than 40,000 vehicles on the road, this Government has adopted an aggressive and multi-faceted approach to reducing traffic congestion, and is delivering some 165 lane miles of roadway—the largest road development programme in the history of the Cayman Islands. Roads that were left to deteriorate for years are also being renewed mile by mile under a long-term plan for infrastructure stability.

The soft opening of the Esterley Tibbetts Highway on 28 September 2006 provided much relief and benefit to residents and the general motoring public of West Bay in particular. I have no doubt in my mind that the work currently underway on the Esterley Tibbetts Highway and the East-West Arterial will undoubtedly eclipse those sentiments, but more importantly, will pave the way for finalisation of the "Go East" initiative, which provides an ideal opportunity to spread the economic benefits of tourism to the eastern districts of Grand Cayman.

Notwithstanding the fact that these and other smaller, but equally important, traffic and infrastructure improvement projects constitute the short-term component of a long-term national roads plan, the bigger picture, so to speak, with regard to the development of roads for 2008/09 and beyond, will also include major enhancements, such as the development of an airport expressway (from the Esterley Tibbetts Highway through to the Owen Roberts Airport) and an examination of the viability of a 'Park and Ride' system for George Town.

The next fiscal year will see the introduction of the use road safety cameras which are an important safety initiative and law enforcement's latest innovative technology, specifically designed to slow the speed of traffic subsequently reducing the occurrence of collisions, resultant injuries and sadly sometimes fatalities while simultaneously assisting in transforming motorists' attitudes towards speeding.

It is this Government's intention to complete a coastal protection programme in Bodden Town (which will include road protection and protection of the cemeteries in Bodden Town), to ensure that should another major hurricane hit the Cayman Islands that

the people of Eastern Districts are not cut off from the rest of the Island and also to prevent the remains of our loved ones from being disinterred. Development of flood protection measures for flood-prone areas, Island-wide will continue once funding is in place.

Additionally, the Savannah Gully Flood Protection wall will be completed prior to the beginning of the next Hurricane Season. This much needed initiative will offer a great relief to the residents of this vicinity and to the motoring public that traverse this area regularly, including us, Madam Speaker.

Madam Speaker, a very peaceful environment is an essential element which underpins all aspects of development and this Government has remained committed to the imperative of law enforcement and public safety. Accordingly, it will come as no surprise that a high degree of attention is being paid to building partnerships with the community in the fight against crime so that we may continue to safely walk down our streets, travel our highways and sleep safely in our houses.

- In the 2008/09 financial year the RCIPS, Fire Service and Emergency Medical Service's capabilities to respond to the Eastern Districts in Grand Cayman will be dramatically increased due to the completion of the Bodden Town Emergency Response Centre. This will include state-of-the-art facilities and equipment as well as a complement of over 75 trained and qualified officers and staff within these respective agencies.
- The Country's Border Security will be greatly enhanced in the 2008/09 fiscal year by the delivery of 4 new marine vessels, the construction of the new Drugs Task Force Marine Base as well as an increased complement of Police, Immigration and Customs Officers who will receive special training to effectively and efficiently protect our shores.
- In the 2008/09 fiscal year the construction of the National Operations Centre will commence which will house the newly formed Hazard Management Cayman Islands, the 911 Emergency Communication and Electronic Monitoring Services, the Meteorological Office as well as the Office of Telecommunications which is scheduled for completion in 2010.

Madam Speaker, it is often said that Cayman Brac and Little Cayman are sometimes left behind when it comes to investing in social and infrastructural development. I dare say that is clearly not the case under the PPM Government.

Whilst we must remain cognisant that not everything that happens in Grand Cayman is suitable, or even necessary for the Sister Islands, several of the

initiatives being undertaken here are also being undertaken, as appropriate, in Cayman Brac and Little Cayman.

With respect to Cayman Brac, the Sister Islands Affordable Housing Programme which includes six homes and a recreational park for use by residents is well underway, and construction is expected to be completed by very early next year and the homes will continue to be constructed as the need is identified.

The opening of the UCCI Brac satellite campus, expected in January, will be the first tertiary education facility on the Sister Islands.

Funds have been allocated for the purchase of land on the Bluff for a new high school and construction is underway on a FIFA regulated sports complex.

Additionally, a new public daycare facility has been completed and the Aston Ruddy Centre now has improved hurricane shelter capabilities as well as a new medical wing.

The completion of the new wing at the Kirkconnell Community Care Centre and the redeployment of staff mean that the Centre can now provide accommodations for an additional 16 persons, bringing a new level of comfort and care to elderly persons residing on our Sister Islands.

I want to take this opportunity, Madam Speaker, to thank Mr. Linton Tibbetts, OBE, for his funding of the entire cost of the new wing, and I am sure all of us, including the residents of Cayman Brac would wish to do the same.

In the 2008/09 financial year, design and conceptual drawings will be complete for a new tri-purpose facility in Cayman Brac which will house a new Immigration, Police and Domestic Fire Department.

Major improvements have been made to the airport runway in Little Cayman and drawings are in hand to upgrade the existing facility. In addition to this, funds have been set aside to acquire public beach facilities, including Point of Sand, for the enjoyment of both residents and visitors alike.

The road works at Spot Bay Road, and I have to call it Ken Hall Road, which is a new road. It really does not have a name, but Mr. Ken Hall quite readily donated the land and had the road three-quarters of the way constructed and Government just simply has to do finishing touches. That road and the Spot Bay Road are nearing completion which will allow for two separate roads at different ends of the Island allowing one to be able to drive across. Also future plans include the upgrading of hurricane shelter facilities to minimise the need for evacuation.

And finally, the office of the District Administration, through the launch of a new website, continues to promote the Sister Islands as a tourist destination.

Madam Speaker, these are indeed challenging, but I say exciting times. They represent a period of unprecedented growth, development and maturity

of this nation. As this occurs it is increasingly critical that our constitutional framework is modernised to encourage, accommodate, and facilitate this increased maturity and the opportunities that it presents.

In this context, I would like to provide an update on the Constitutional Modernisation process which this Government has started. I announced the launch of the Constitutional Review Secretariat in February of this year, and it is now fully operational. In fact, it is going full steam ahead.

The Constitutional Modernisation Initiative consists of a four part programme. Phase one, which comprises the creation of a public discussion paper, is nearing a close. The discussion paper has now been formulated and is in the production stage. To mark the end of Phase One, the discussion paper, which is entitled "*The Cayman Islands Constitution: A Reflection of Who We Are*" will be released early January 2008. The release of this paper will kick off Phase Two of the constitutional modernisation programme which comprises a series of public and private meetings to discuss the constitutional proposals with members of the public and receive the necessary feedback.

Public consultation is to begin in early in January, immediately after the release of the discussion paper and is expected to last approximately two months.

The national discussion on constitutional reform is perhaps singularly one of the greatest opportunities for us, the people of the Cayman Islands, to actively participate in the model of governance we would like to see here in the Cayman Islands.

Following public consultation and necessary feedback, Caymanians are encouraged to vote and support the proposed constitutional reforms in our first ever national referendum which is scheduled to be held early in May of next year. We should therefore see voting in the referendum as a national and international signal that we in the Cayman Islands take participative democracy very, very seriously, especially when it relates to implementing measures in our constitution that promote good governance in our Islands.

Madam Speaker, the people of Cayman Islands have in this Administration, leaders that are vibrant, energetic and willing to face the odds in order to bring about positive change to the lives and living conditions of our people. We have demonstrated our maturity as a Government by taking on policies that we believe are not only in the best interest of the nation, but appropriate to our current circumstances.

We have succeeded in laying the foundations for more growth to take place, not just in the next term of government, but well into the future. To date, as a direct result of this Government's interventions there are more jobs today in the marketplace, our tourism product remains steady and our financial industry continues to prosper.

We have invested heavily in our people, from the rebuilding and recovery of homes in the aftermath of Ivan, to concessions on stamp duty on land and homes, to increases in the provision to seamen, veterans and the indigent, and to increased provision of scholarships to Caymanians.

This Government has from the very beginning had a very clear vision of where we expect our beloved Cayman Islands to be by the end of this decade from a local, regional and, indeed, a global perspective. By adopting a comprehensive, holistic and inclusive approach we have introduced inter-dependent reforms on several fronts and during our time in office, have provided for better governance, an enhanced public service, improved law and order, and provided numerous infrastructural services. All of these achievements to date are geared towards achieving a better quality of life and maintaining a high standard of living for all Caymanians.

The past two and a half years have proven a period of both challenge and opportunity. We have met the challenges and I dare say we have seized the opportunities. Without a doubt, more challenges lie ahead. But so are more opportunities for the growth and development of our people and of these beloved Islands. As we move forward let us do so in our own unique Caymanian style, using creativity, flexibility and pragmatism imbued with the spirit of optimism for the future, trusting always in our God—for that is the hallmark of our people.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause]

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I rise in support of Government Motion No. 6/07-08. As the Honourable Leader of Government Business has provided an excellent overview of the 2008/9 Strategic Policy Statement (SPS) and he has done so from the policy and strategic perspective, I would now like to highlight the main features of economic forecast, the financial forecast, and long run financial projections contained in the SPS.

## Economic Forecasts

### Current Economic Conditions

Section 3 of the SPS provides the forecast economic position of the Cayman Islands for the period 2008/9 to 2010/11. These forecasts were prepared by the Economics and Statistics Office within the Portfolio of Finance and Economics.

Due to the continued recovery in the tourism industry and stable growth in the financial and business services sectors, the economy grew by 4.6 per cent in 2006 calendar year compared to 6.5 per cent

post-Ivan growth in 2005. In comparison to the global economic growth of 5.4 per cent in 2006, the Cayman Islands were only slightly lower by 0.8 per cent.

The unemployment rate was 2.6 per cent in 2006, however, for the first half of 2007 the unemployment rate changed marginally to 3.0 per cent—which is consistent with the moderation of construction activities.

Consumer prices rose on average by 0.8 per cent in 2006 compared to 7.3 percent in 2005. The slower pace in 2006 resulted from declining housing cost which followed the increase in housing supply in the post-Hurricane Ivan period. However, in the first half of 2007, the average inflation rate stood at 3.7 per cent compared to zero per cent average inflation in the same period of 2006. This recent upward pressure was influenced by higher prices for personal goods and services, food and household equipment.

Overall, the latest economic data for 2006 and the nine-month period to September 2007 continue to show that the Cayman Islands' economy has rebounded from the effects of Hurricane Ivan. The 2006 and 2007 data also set the foundation for the economic forecast for the next three years, which I will now outline.

### **Economic Forecasts for the Next Three Years**

The Economics and Statistics Office forecasts an economic growth of 3.1 per cent in 2008/9, 3.0 per cent in 2009/10, and 2.8 per cent in 2010/11.

Employment levels are foreseen to rise from 35,520 in 2008/9 to 35,876 and 36,253 in 2009/10 and 2010/11 respectively. The unemployment rate is forecasted at 3.6 per cent in 2008/9, and 3.7 per cent in both 2009/10 and 2010/11.

The local inflation rate, which is highly influenced by inflation rates in the United States of America, is forecasted at 3.3 per cent in 2008/9, 3.1 per cent in 2009/10 and 3.0 per cent in 2010/11.

The balance of payments current account is forecasted at 18.5 per cent of Gross Domestic Product (GDP) in 2008/9, 18.0 per cent in 2009/10, and 17.7 per cent in 2010/11.

As with every SPS, Government's finite resources must be prioritised to meet the most essential needs of these Islands. The SPS for 2008/9 was not an exception. The Government went to considerable lengths to ensure that the financial targets—which are specified in this SPS—are not only robust, affordable and sustainable over the medium- and long-term but, that they are also in compliance with the Principles of Responsible Financial Management. These Principles are specified in the Public Management and Finance Law (the "PMFL") and those principles require that the Government to be fiscally prudent.

Honourable Members will see from section 4 of the SPS that the Government has forecasted Core Government operating revenue at \$539.2 million in

2008/9, \$552.5 million in 2009/10 and \$564.7 million in 2010/11.

Core Government operating expenses are forecasted at \$489.5 million in 2008/9, \$516.5 million in 2009/10 and \$537.9 million in 2010/11.

Operating surpluses are forecasted to be \$49.7 million in 2008/9, \$36.0 million in 2009/10 and \$26.8 million in 2010/11.

On the balance sheet, Government's net worth (which is the difference between its total assets and its total liabilities) is expected to increase steadily over the forecasted period. Aggregate borrowing (which is the balance outstanding at the end of a financial year in respect of those borrowings) is also expected to increase over the forecast period, however, as outlined by the Honourable Leader of Government Business, the anticipated borrowing levels remain within the limits prescribed by the Principles of Responsible Financial Management.

Net operating cash flows are targeted to remain at healthy positive levels which reflect the expected operating surpluses. Government has undertaken a deliberate fiscal strategy to use as much as possible of the cash arising from operating surpluses to finance its planned capital programme over the next three fiscal years.

Targeted net investing cash flows of \$199.3 million in 2008/9, \$103.4 million in 2009/10 and \$72.3 million in 2010/11, reflect the Government's capital expenditure programme which includes three new high schools, one primary school, new government offices and improved road infrastructure. The decline in investing cash flows between 2008/9 and 2010/11 indicates that the majority of the Government's capital plans will be carried out by the end of the 2009/10 fiscal year.

The net financing cash flows reflect the Government's anticipated borrowing over the three-year period less its repayment of debt principal.

The targeted closing cash balance for all years satisfies the level of cash reserves required by the Principles of Responsible Financial Management.

Overall, the financial targets indicate an affordable fiscal position over the three-year forecast horizon.

### **Longer-Term Financial Projections**

To prove that the financial parameters set for the next three years are sustainable over a longer-period, a set of longer-term financial projections have been developed by Government. These projections, which are contained in section 5 of the SPS, are for the seven financial years from 2011/12 through to 2017/18.

These projections, taken together with the three-year forecasts, provide a ten-year indicative fiscal track for the Government. This is long enough for the financial implications of policy decisions involving the end of the three-year period to be fully reflected.

It is important to note that projections are not the same as forecasts. There are many uncertainties involved in looking out over a longer-term period, and these uncertainties are too great to be able to prepare robust forecasts of likely financial activity. However, it is possible to project future revenues, expenditures and balance sheet activity on the basis of actual activity to date, and also on the basis of the three-year targets contained in the 2008/9 SPS, on the basis of current government policy, and on the basis of assumption as to future economic variables. The longer-term projections in section 5 have been prepared on this basis.

The value of those projections is not in the precise position they show but rather the trend that they indicate.

The financial projections indicate that the three-year target track is sustainable over the ten-year projection period. The projections show sustained operating surpluses. More importantly, the cash flow projections show that these operating surpluses are sufficient to finance the new borrowings to be entered into over the forecast period.

Madam Speaker, recently there have been a few incorrect remarks made about the level of Government debt—those remarks put the level of debt at approximately \$1 billion. Such an amount is incorrect.

Table 4, on page 17 of the SPS, just tabled, shows that at the end of the previous financial year, that is the year ended 30 June 2007, the level of Government debt stood at approximately \$244 million—which is considerably less than the *incorrect* \$1 billion figure.

I suspect that commentators may have made the mistake of adding together the borrowing appropriations that are granted by the Legislative Assembly each year in arriving at that *incorrect* \$1 billion figure. It is not usual for Government to borrow the full amount of its borrowing appropriation.

As an example, in the financial year ended 30 June 2007, Government had the authority from the Legislative Assembly to borrow \$94 million. During that year Government only borrowed \$23 million.

The projections show that new borrowings to fund the Government's planned capital programme, are affordable. The projections show that starting 2011/12, the Government's fiscal position will allow capital expenditure of at least \$61.0 million per annum. In other words, the capital expenditure and borrowing programme planned for the next three years still allows future governments enough capacity to incur sizeable amounts of capital expenditure over the medium to long term.

### Conclusion

Madam Speaker, strong economic growth over the past year together with a projected increase in employment levels and a decrease in inflation rates in 2007, confirms the resilience and strength of Cay-

man's economy. As shown in the 2008/9 Strategic Policy Statement, the Government practises fiscal prudence and complies with responsible financial principles that are stipulated in the Public Management and Finance Law. I, therefore, support the Government Motion No. 6/07-08 and I respectfully ask all Honourable Members to do the same.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? [pause]

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I rise to offer a few comments on this statement that has been delivered to the House and the country as a whole.

I note that in recent times these statements are typically given some sort of theme as it relates to the way in which the Government sees the development of the country and where it is hoping to take the country.

I think it is quite appropriate that what we have heard thus far has been seamless because as I listened carefully and tried to pull the threads together as to where we are headed, and bring it back to the reality of where this country is and where people in this country are, I found a wide disconnect.

The Strategic Policy Statement and the accompanying position put forward by the Honourable Leader of Government Business, says to the country that we have cost of living that is out of control; people's purchasing power being wiped out on a daily basis; a tourism product that has been described as steady-as-she-goes; a continuation of the massing accumulation of debt; and we as a legislature being asked to accept this position and to accept taking this country to a position that leaves us with no room for error. This seamless policy statement seems to be taken in a vacuum operating completely outside the realities of the average Caymanian and outside the economic realities of the world in which we live.

While we look at the forecasted growth in revenue to central government and the dramatic increase in debt, I am trying to connect where the Government expects the country to be and what position future generations are going to be left in when a rainy day comes.

Madam Speaker, we know from history that this economy and, indeed, the US and world economy, operates in cycles. There is no such thing as continued un-relented growth. Natural checks in the form of recession happens every number of years. Indeed less frequent in nature, we do have more drastic economic downturns that happen throughout the world and therefore inevitably the repercussions and effects are felt here at home in Cayman.

While I believe the Government has been coy over the last few days in the House as it related to questions surrounding CUC, they come now hoping

that the announcement of a New Deal is going to turn around the lack of confidence that all of us know the general public has in this Administration.

The analysis of this New Deal and the comparisons to what formed Heads of Agreements back in 2004 will inevitably have to be left for another day because until we are able to get the exact details of this New Deal, one would not be able to make detailed and intelligent analysis. However, there are some points that were raised by the Honourable Leader of Government Business, that I think were raised to somehow try to look (very [superficially] I might add) at the 2004 agreement, highlight those points and try to make those look as though they were ill-conceived.

One of those points is the whole issue of the duty on fuel impacting the fuel factor in 2009. In a vacuum if one were to look at that point, one could quickly say, yes, that would have been an ill-conceived point of negotiation. However, if you take the point in the broader and wider context and reflect back, that on November 30, 2004, world fuel was at \$44.23 per barrel. Today, it is at \$93.23 per barrel. When you look at that point and relate it and see that it was designed to allow for certain increases, those increases would have been based on where the duty on fuel would have been at that time.

The Opposition has long pressed the Government to reduce that very duty rate. I am happy to see that while just a short time ago the Government said it was impossible to do so because it would have caused no realisation of certain surpluses, we see now that after much pressing and after the Opposition clearly putting forward a case that this would assist the public—greatly assist the public—we see now that the Government is coming along merrily and dressing it up red and saying, *'Here it is ladies and gentlemen; here it is legislature; here it is Cayman Islands. We have done it.'*

The Minister of Works and Infrastructure knows the position he took on this a few months ago. I am not quite sure why he is pointing fingers at someone else, because at the end of the day, when you look at the plight of the average Caymanian family, and when you look at the erosion of the middle class of this country and you compare it to the fiscal policies of this Administration you see clearly that those policies do not take into account and do not work in conjunction with trying to lift up the people of the country and try to ensure the people of this country have increased purchasing power.

I am glad to hear of this duty rollback. I think a bit more could have been done but I leave that to the Government to justify why they have only gone this far. If we compare this to the projected operating surplus of Government and we see that there is room for Government to do more—to do more to help the Caymanian public. The surplus projection—some \$40.6 million in the SPS . . . and Madam Speaker, we see that given the performance so far in this financial year that the revenues of Government are more than

likely going to cause a realisation of such a surplus and targets of \$49.7 million for 2008/09, \$35.98 million for 2009/10, and \$26.97 million in 2010/11. We see that the Government has the capability to do more.

However, because the Government wants to try to build every building imaginable and not have any form of prioritization—getting us right back to where we have always been—five governments, five stars, everybody wanting to prove a point. Because of the borrowing forecast, and the borrowing level that they have kept on saying publically that they are going to put upon this country, we know that that is the underlying reason that they cannot do more to reduce the cost of living. They need to make this amount of money; they need to produce these surpluses because they need to feed this spiraling debt.

On page 21 of the SPS, at the end of the financial year 2008 the borrowing of this country is projected to be at \$243.847 million. And the target by 2010/11 is \$444.899 million. One would have thought that given the capital programme that this Government is saying that it has to undertake one would have thought that with the economic performance being projected, they would have been projecting into the future. The thought process that this would then naturally taper off and we would start to repay some of this debt and repay more than we borrow because every year we make a payment otherwise we would be in default.

But, we see the projection going through the year 2018 that takes the debt level of this country to \$594.175 million. So, while the Honourable Third Official Member has chided some of the commentators who apparently have taken information and either not understood it or not dealt with it accurately, certainly he cannot say (and the Government cannot say) that their strategic policy statement does not clearly tell the country that they are intent on their being a debt spiral because to go from \$243.847 million today, well, at the end of June, 30 June 2008, and to be at \$594.175 million 10 years later (and this is just core government) if that does not tell us where and how this Government sees this country nothing will.

I heard some comments from across the Floor, talking about that I was one of those. Madam Speaker, any time I have spoken about the debt of this country I refer back to the Strategic Policy Statement because the SPS is the official document of Government that tells the world and the country where the Government intends on taking the country. And I have never uttered anything that said Government would have been at a billion dollars in debt. Never! I know that the Member who said that knows better. However, I do not think that he knows better as it relates to a debt spiral. So, Madam Speaker, I think we need to have some semblance of sanity to where this country is headed.

As most of us here either have children and/or grandchildren, when we look at this not-so-rosy future, we have to be concerned. We have to be concerned.

Madam Speaker, thus far today, all I have heard is a couple of those nice-sounding juicy sound-bytes. We knew the CUC deal was coming. We started it. And, Madam Speaker, I dare say that if it had not been started, nothing would have been done about it. We know this Government's penchant for saying, *'Well, we can't do anything about that.'*

The next point the Opposition has been pushing the Government on is dealing with the cost of money. When we look at what the average family in this country has gone through over the last two and a half years, as interest rates have gone back to the historical position, and we see that on a \$250,000 mortgage the rise in the base prime rate has caused people to have to repay upwards of \$500 more per month. How is it that the Government can expect the public of this country to continue to accept this story, that nothing can be done?

Forming committees and sitting down and talking is one thing; real action, real leadership is needed in this area. So we will continue to push and agitate. Just as the rollback on the duty on fuel to CUC was seen just a few months ago as something that was not viable, I dare say that with continued pressing by the Opposition the Government will see the light and understand that something can be done with regard to the cost of money in this country.

We can talk about a CUC rollback, we can talk about a new agreement with CUC; however, we need to understand clearly that from what has been presented thus far, we hear that future rate increases at CUC are going to be allowed to be tied to the consumer price index.

Madam Speaker, when you take the current consumer price index, and when you now add on to that the fact that CUC would be allowed to continue to raise rates in some form or fashion in conformity with that, we then have to ask ourselves how will the average man and woman be able to keep pace. We have heard the cries of people who have not got pay increases in significant periods of time, and those pay increases, in most instances, have not allowed people to maintain their purchasing power. That is, their pay increases have been less than the rises in the cost of goods and services in this country.

And so, talking about this initiative is good. I am happy to hear that after much hitches and stops and promises that two and a half years later we do have what is, as we understand it, the basis for a new agreement and a new regime going forward.

Madam Speaker, what would be of interest is what new strategies the Government is going to implement to reduce bureaucracy and red tape, increase access to capital for Caymanian entrepreneurs. What is it that we are going to do to really ensure that we shore up and enhance our middle class? We know that in any society, and in any economy that is a free market economy, the crux is a vibrant middle class. We must have a vibrant middle class, Madam Speaker.

We appreciate the point made by the Honourable Leader of Government Business as it relates to lifelong learning and continuing to enhance people's access to education and training. And, Madam Speaker, that is something that is of paramount importance, because any of us that understand the world we live in and understand the society and the system that we have in Cayman will clearly understand that a strong public education system is the great equalizer.

Madam Speaker, I speak to that point and draw so many references in our community, so many people that if it was not for a strong public education system would certainly not be able to afford and achieve the great things that they achieve.

When we look at the young professionals in Cayman we see that there is a great cross-section within those professionals. We see, Madam Speaker, that they come from the humblest of beginnings, going right up to being born into what a lot of us would consider privilege. And so, enhancing and continuing to enhance our education and training systems, facilities and programmes is of utmost importance to the country.

Madam Speaker, I am not sure that we may ever get to the point that we might agree with the Government as it relates to how to get there and at what cost. There is no item that any of us could bring up and there are so many that are emotive. Education is emotive and it becomes even more so when you have children. Health is emotive and it becomes even more emotive when you are sick, or a person that is close to you is sick. Security and policing is emotive but it becomes even more so when you become, or someone you are close to becomes, a victim of crime.

And so, I have said many times in this House: If you ask someone how government should spend that dollar . . . How should government take that dollar and spend it? How should it be prioritized? How much should go on health? How much should go on education? How much should go on security? How much should go on caring for our elderly and our underprivileged?

We found that that is where we do not get any form of consensus and I dare say we never will. We never will because everyone's particular situation at a particular point in time is changed by his circumstances. That is, Madam Speaker, if you ask the 35 year old, if you ask the 40 year old who has a young family, has young children but has health, they will quickly argue, yes, education is the key. But when they grow older and when their parents grow older and when their uninsurable mother and father cannot get access to the adequate healthcare that they need, you will find that that argument will change.

So, for the Government to talk about national consensus in a vacuum and not really give the country the entire picture and let the country understand that at all times we must plan and prioritise and we must say to the country responsibly, *'Here is what we can afford today and here is where we want to get*

*to in 3, 5, 10 years,'* when we do not do that we are failing in our duties as legislators; we are failing in our duties as responsible leaders; we are failing in our duty in representational democracy.

Representational democracy demands that we clearly understand all of the constituents and all of their needs and how we are going to plan and prioritise to meet those needs in a responsible fashion. Madam Speaker, what we decide today and what we do today does not only impact current persons but it impacts future generations.

Madam Speaker, I can say that I will not be party to, or in agreement with, the mortgaging of the future of this country and the mortgaging of the future of the children who are around today and those who are going to be coming.

Let us look at the fiscal policy of this Government and let us try to tie it back to the reality of the times in which we live.

Madam Speaker, the Government says that it is good; the Government says that it is responsible. To say to the country that we need to borrow massive amounts of money to try to feed that appetite that this world and economies and societies like ours have . . . It is a 'me generation', you want everything yesterday. That is the times in which we live. We do not need to look any further than our neighbours to the north, the United States of America, and the parallels between that country's development and the road on which we are on are obvious.

That country has put its citizens in a situation where in the heart of New York there is a national debt counter. I do not know how many Caymanians have seen it, but there is a huge electronic display that only Blind Bartimaeus could not see when one stands on the street. I cannot remember the exact street in New York that it sits on, but it sits there and the numbers change so fast that you practically cannot keep up with it with human vision. That is the increase in the national debt of that country continues so rapidly.

Why does it continue so rapidly? It continues so rapidly, Madam Speaker, because the level of debt and the interest that is accumulated on the debt, less the repayments, cause there to be an overall increase instantaneously. It is in the trillions. And they are a massive country.

When they look historically at their economy and look at their population base, I can see where legislators in that country two decades ago would have gone down this road and felt . . . I cannot say that they would have felt comfortable but they would have felt confident enough that at least they would be able to feed that monster. While Hurricane Katrina could hit and devastate New Orleans and while the federal government's response could have been wholly inadequate, big picture: the country continued. Big picture: the country is going to survive.

Can the same be said for the Cayman Islands? Can the same be said for this 22-mile long by

8-mile wide Island and its two Sister Islands? Can it be said that we can project out and accept and feel comfortable and confident that we can take the national debt for core government from \$243.847 million, project out to the next financial year and have it increased to \$374.652 million? By the year ended 2010 \$422.818 million? By the year ended 2001 \$444.899 million? To the year ended 2012 \$461.84 million? To the year ended 2013 \$480.525 million? To the year ended 2014 \$499.907 million? To the year ended 2015 \$520.878 million? To the year ended 2016 \$543.339 million? To the year ended 2017 \$568.133 million? To the year ended 2018 \$594.175 million?

The Government is going to, of course, counter and say, well, that is debt. The economy is going to grow and we are going to be able to repay the debt. The benchmark that we use—and that is enshrined in the Public Management and Finance Law—is the borrowing ratio.

And so, if we go to page [25] of that same Strategic Policy Statement and look at figure 9 and we look at the long-term trend in the borrowing ratio, we see, Madam Speaker, an upward projection that goes from just above 6 per cent at the end of the 2008 financial year and it is going to be projected up to 8 per cent by the end of the financial year 2009, right around 8.5 per cent in 2010, somewhere around 9 per cent by 2011. And the benchmark is 10 per cent.

We have passed a law that says **under the principles of prudent financial management, our borrowing ratio should be less than 10 per cent.** Well, I would like to understand where the room for error is and where this country is heading under this current administration because, Madam Speaker, what happens? What happens? What happens, Madam Speaker, when the unforeseen occurs? We had it once with Hurricane Ivan and I certainly hope that it never happens again. But hurricanes are not the only events that can cause a real shake to this economy. Many other factors can.

Let us not deal with any natural disasters. Let us not talk about anything that is a manmade disaster. Let us just talk about general world economic conditions.

Right now, Madam Speaker, we see that the US Federal Reserve bank system is grappling with not only a sub-prime mortgage crisis, but it is also trying to stave off a recession. It is doing so by raising interest rates. Those rises on interest rates automatically have a one-for-one negative impact on this country because our banking system lends long-term mortgage products at prime plus. And so, every time the Federal Reserve moves prime our people are hurt. Let us combine that with the other side of the coin.

The United States dollar is at some historic lows. Our dollar is pegged to the US dollar. And so, what a lot of people who I have sat down and talked with over the last few months did not clearly understand is that when the US dollar weakens, as a country our purchasing power weakens because the cost

of our imports are not going down, the cost of our imports are going up. Generally speaking, the cost of all commodities goes up over time. It is exasperated because our dollar has weakened so drastically against other major world currencies. It is weakened because we are one-for-one pegged with the US dollar. When I say one-for-one that means for every movement the peg is one-for-one. We know what the actual .8 – 1 peg is. So, with every movement in US dollar good or bad, we have to deal with the consequences.

I cannot feel confident to stand here, on 30 November 2007, and say that given the world's economic performance and the fact that we know that the world economy will have natural periods of slow down and recession, Madam Speaker, that this is the path that we should take the country. I cannot stand here and say that we have institutions, like education institutions, that are in such a state of disrepair that we have to go headlong, headlong, into massive borrowings and massive debt to try to convince the country that that will be for their best interests.

While I understand and while for everything that we have been shown over the years . . . I have never sat as Minister of Education so I cannot say that I have seen it as firsthand as this current Minister or any of his predecessors, to know the intricacies and every single detail. But we do understand that despite its weaknesses, the education system of this country has produced a lot of very smart people. Could they have been smarter? Maybe! All I know is when I look at the current Minister and his performance in his profession as a lawyer, when I look around and I see the number of young, bright professionals that we have in this country, it tells me that certainly the system is not in the state that some would want the country to believe.

Yes, we understand some fundamental changes are needed to ensure that we can accommodate all of our children and not just have a system that caters to the academia. We understand that. We have talked about it, we have debated about it. Everybody understands that. At what cost is always the question. At what cost?

The Honourable Minister of Health has taken a lot of licks over the last few months. People have written letters in the papers saying that the hospital for which he has constitutional responsibility should have certain services. The Minister has had to come to the country and say, from an economic standpoint, from a practical standpoint, it cannot happen. I know he is a very caring individual. I know he is a man who cares passionately for this country and the people and for the subjects for which he has responsibility. So, I know for him to have to say that is not something that is easy for him. But he is giving a dose of reality. He is giving a dose of what is and is not practical at this particular point in time.

We have to, at all points, prioritise as we move forward. We must at all times want to move the

country forward, yes. No one is criticising the Government for wanting to do that but at what cost?

Madam Speaker, we have not heard in this Strategic Policy Statement what the Government intends to do to try to assist current homeowners who are finding it difficult to make ends meet, homeowners who got mortgages two, three, four, five years ago when prime was around 1.5 per cent, 2 per cent; homeowners whose salaries have certainly not kept pace with their increases in monthly payments as prime has moved upwards and is going to move, from all indications, even further upward.

And so, we need to understand what the plans are. I can say that certainly the Opposition has now written to all of the retail banks, trying to get them to give the country some sort of analysis as to how big a problem this could potentially be and to try and ensure that before we were to enter into any phase of massive foreclosure that we would try to rearrange people's affairs and give them the counselling that they need to ensure that disaster is averted.

One of my favourite sayings is that everything affects everything. And as we think about the many challenges that this country has and that the average family has, all of us know that financial difficulties can cause more hardship and heartache within the family unit than just about anything. It can cause pressures on marriages which then cause there to be increased negative pressures on the very children that we are looking to have educated.

You see, Madam Speaker, the home is where the child lays his head. The home is where the child has to get help with homework. The home is where the child needs to develop good work habits, and I use the words "work habits" because all school is a person's job before they enter the real world.

And so, if we are not going to protect the very environment that is of most importance to our children—that is, the home—if we are not going to protect the home and do everything that we can and understand the pressures that are in the home, then how is it that we are going to achieve the long-term national goals that all of us want this country to achieve?

There is no separation in this House as it relates to every one of our desires to see every Caymanian maximise their God-given potential. Every single Member of this House, and I dare say every single person who has sat in this House and who has aspired to get to this House, shares that one vision in common. Everyone wants to see us be the greatest nation we can be. However, we need to understand that our actions and inaction can inadvertently cause us to not achieve that lofty desire.

If children are not able to get the time and attention from parents because mother and father have to work overtime, have to take up second jobs to keep a roof over their head or pay the rent, I do not care how much money we spend on schools, how much money we spend on paying teachers, we will fail. We will fail and we will continue to have the situation

where the higher-end wage earners are always at the great advantage because they are ahead of the curve when it comes to being able to manage their house, their personal finances, being able to spend the time that is necessary with their children to ensure, ensure, that our children reach their God-given potential.

Madam Speaker, all of us can think about classmates that we had and say, wow, if only those persons had applied themselves what could they have become? That is something that all of us share in common as well. The number of people that we use to describe in that fashion, what we are saying is we want that as small as possible. We want that as small as possible, to put it very simply.

We want us to be looking in our community and meeting and greeting each other and seeing people and saying to ourselves, and them being able to say to themselves, wow, with what God gave me and with what was provided by the country as it relates to resources, when I have combined the two of those I have done the best I could do as an individual.

But, Madam Speaker, when I look at where the country is heading, I see a compromise of the long-term for short-term instant gratification. If that is not in direct parallel, and if that is not exactly what we have seen in so many other countries around the world—and we see it even in the great United States. You see, to do what it takes to win an election is fine. Then what? What happens 8, 10 years down the road when everybody realises the mistakes and then starts to say, *'Well, if we had done this a little different . . . if we had done that a little different . . .'*

Madam Speaker, when you talk to older Caymanians and when you listen to the talk shows you hear so much lamenting, you hear people wishing for yesteryear, wishing for so many things to not be the way they are. And a lot of what has caused that lamenting has not been some willful act by previous legislators.

Madam Speaker, I know how easy it is to criticise, I know how easy it is to simply make and lay allegations and accusations. So, I am not going to stand here and do that to any person that sat in this House because you know what? Just as I was to do that, the next person that comes and sits in my seat would do the same thing. So, I am not going to be so critical as to suggest that any former classes of legislators willfully, willfully, did anything to cause this country to be less than ideal.

When you look across the world you find that to generally be the case. Generally, persons who aspire to this office want to do well. Generally, persons who want to represent their people want to do a good job at that and they want to make life better for future generations. History has taught us that that, Madam Speaker, is not necessarily always the case.

Madam Speaker, we need to hear more from the Government as to how we are going to deal with the healthcare crisis in this country. We need to hear more for what it is that we are going to do about

health insurance. We need to hear more about what it is that we are going to do to ensure that better governance practices are instituted in this country so that we can start to mature, and continue to mature, politically and socially. We need to hear more about what we are going to do as it relates to the rehabilitation, not only of offenders, Madam Speaker, but of people whose lives wind up in shambles for no reason that they have a lot of control over.

Madam Speaker, we need to continue to hear more about what it is and how it is that we are going to deal with the future issues of persons without adequate pensions to retire. We need to hear more about what we are going to do within the civil service as it relates to past service liability. We need to address some issues that continue to be swept under the carpet, not talked about and, quite frankly, just not addressed.

Madam Speaker, how many people are going to be retiring in the next 5, 10 years who are not going to have an adequate pension to make ends meet? Do we honestly and truly think that we are going to continue to be able to dole out the \$500 a month and it is going to suffice? We have to understand that the people that are coming along, their profile and their needs are completely different than the elderly of today.

Let us do a quick history lesson. The elderly of today, the majority of them either built their home on a family homestead or they took their time and built out of pocket and therefore did not wind up with a massive mortgage. Is that true of the persons that are retiring tomorrow without adequate pension? Is that true of the people that are going to be retiring next year? We have many people in this country who are going to reach the age of 60 and still have a mortgage, many. Is the \$500 a month going to suffice for them?

So, while we hear that the Government is giving out Christmas presents—and, Madam Speaker, I am happy that our elderly and those who are not able to support themselves any longer are going to have something extra to spend at this Christmas. I am happy for them. You know what is funny, though. I would give just about anything to hear and see what the reaction would have been if the current Government were the Opposition.

You know, Madam Speaker, we have, I believe at all points, been extremely lenient and understanding toward this Government. Many of our supporters have become angry at us, have said that we have not been hard enough on the Government—we have not challenged them enough.

Madam Speaker, let me wind up by looking quickly at the way I see Cayman and I see the near term.

Apparently, the Government believes there are more jobs today, yet we are projecting on page 12 of their Strategic Policy Statement an increase in unemployment. Apparently, the Government believes that the tourism product remains steady, the numbers

may be remaining a little steady but the product is not, and the product, Madam Speaker, is what brings people here. And if we do not address the real deficiencies in the product, I predict that the numbers will continue to struggle the way they have and, I believe, will decline.

Madam Speaker, while I am on tourism, just one small point that, as I listened to it and then read it and reread it and reread it again, I was a little baffled. On page 25 of the contribution of the Honourable Leader of Government Business it is pointed out that cruise tourism is going to be down some 200,000 people and the reason for this approximate 11 per cent drop that is given is that we had some extraordinary circumstances which caused us to be the beneficiaries of more people last year. And so, last year's 1.9 million is somewhat of a mirage and the 1.7 million that we will enjoy this year is more the reality.

It then goes on to say that tourism, which is one of the main pillars of our economy, mainstayed a recording of 3.3 per cent overall increase in visitor arrivals mainly due to an 8.4 per cent increase in stay-over visitors during the first half of 2007.

Now, with the couple of hundred thousand stay over visitors that we have and the fact that the Government has acknowledged that cruise tourism is going to be down some 200,000—that is down some 11 per cent—I am not sure how we get to there being an overall 3.3 per cent increase. But, you know, Madam Speaker, anything can be printed and anything can be said.

More jobs today, more unemployment tomorrow. Tourism product remaining steady . . . Financial industry. What are we doing to continue to diversify? We know we enjoy great growth in funds in the insurance sector. What happens when large collapses continue to happen? And they will, it is just that the law of averages is the nature of the beast. Hedge funds will collapse.

What happens when more and more collapse and we perhaps get a democratic president in United States and we then start to feel the wrath of another wave of international initiatives? What contingencies do we have in place? How are we managing the country? How does it correlate to us not meeting our projections? Madam Speaker, so many things.

Our economy is so dependent, so dependent because we do not have natural resources, we import everything just about. We probably have one of the greatest rates of human capital importation in the world. What happens, Madam Speaker, when the smallest of events do not go our way and we are left with these massive amounts of borrowing? Where is the population base? How are we going to raise the revenue?

Madam Speaker, I know I am starting to sound like a broken record, because these are the points that I have pondered for three successive years now. But in the early years, in 2005, we had to give the Government a chance. In 2005, 2006 there was a

little doubt, in 2007 there is no doubt. There is no doubt that the direction that this country is heading is unsustainable. We can use whatever fancy words and measures we want to. At the end of the day what happens when the unforeseen occurs?

Madam Speaker, we need to hear more about what the Government is going to do to avert some of the crises that are looming on the horizon. We need to hear more about how the Government is going to prioritise. We need to hear more about how the Government looks responsibly to the future and understands that good and bad happens. When the good happens everybody is happy. When the unforeseen negative events happen that is when we really have to test our own mettle. I do not believe that given what has been put before us that we have a scenario that is sustainable and responsible.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I wish to commend the Second Elected Member for West Bay for an admirable performance just concluded. His performance was so good that he really is wasting his talent in here and he ought to be on the stage of at least the Harquail, if not Broadway.

Madam Speaker, it did require someone with his considerable acting ability to be able to speak in the terms in which he did to the Motion before this honourable House, the Strategic Policy Statement, and to the statement delivered by the Honourable Leader of Government Business a short while ago, as well as the address delivered by the Honourable Financial Secretary, because, Madam Speaker, not only did the Leader of Government Business speak extensively to the Government's Strategic Policy and perspective in relation not to just the upcoming year and the years which will follow, but he also spoke at length to the context in which this policy had been developed, and that is the context of the previous two years since this Government took office.

And the Honourable Financial Secretary, Madam Speaker, spent a considerable amount of time pointing out the fiscal prudence of the Government's Strategic Policy and direction. He spoke to all of the issues which the honourable Second Elected Member for West Bay also spoke, but the honourable Second Elected Member for West Bay had the real difficulty of countering the fact that, in fact, the borrowing proposed by this Government is entirely affordable.

He had the difficulty, Madam Speaker, of bolstering the complete nonsense and propaganda which he and the Leader of the Opposition and others have been spreading around the country that the debt of

this country is in the region of \$1 billion. And faced with the prospect of having to do that, he spent the best part of an hour wandering all over the world—up in New York, down in Louisiana—trying to extrapolate situations which exist in the United States of America and preaching doom and gloom about the prospects of these Islands.

Madam Speaker, we all know that the world economy, and particularly the US economy, is in a state of uncertainty. The Leader of Government Business spoke at some length to that. But the Second Elected Member for West Bay would have us sit in a paralysis of fear and do nothing following his pessimistic approach to the outcomes and the fortunes of these Islands. This is not that kind of a government.

Sometimes, Madam Speaker, when I hear the Second Elected Member for West Bay speak, I feel like I am ten years older. And why? Because sometimes I have to pinch myself and say, *'How long have you sat in this chair, Alden?'* And I remember it is only two and a half years. But when I hear the Second Elected Member for West Bay speak you would have sworn this Government had been in office for at least three terms. And you would also, if you did not know better, believe that he had not been in government for three and a half years—the three and a half years which preceded us assuming office.

Madam Speaker, the problems, the issues which this country faces and which this Government is tackling head on, did not come about in the last two and a half years; these have been developing for years and years and years. But what we have now, finally, is a government that is prepared to deal with the challenges head on. The three and a half years, when the Second Elected Member for West Bay and the Leader of the Opposition, and the entire UDP Government, was in control of the destiny of this country can only be characterised as a period of spectacular un-achievement. They had more false starts than one can shake a stick at.

He gets up, Madam Speaker, and has the audacity to talk about how it took us two and a half years to get to an agreement in principle with CUC. They had three and a half! And what did they end up with? A complete and total shambles incapable of reaching any agreement with anyone, principally because of the bulldozer approach of the Leader of the Opposition.

Madam Speaker, we had for three and a half years a government that gave this country spin, cynicism, patronage, uncertainty and little in terms of achievement. That is what they have delivered.

We, Madam Speaker, do not spend a great deal of time making promises, making huge statements. Every time you look at the front page of a newspaper there is some grand proposal. That was UDP style. This is a government that has worked assiduously, that has spent a great deal of time thinking about what its programmes are, working on his pro-

jects and his issues such as the CUC licence agreement.

And, Madam Speaker, we have produced, and are continuing to produce results notwithstanding the negative press, notwithstanding those who are upset because they cannot influence the Government, that they cannot buy the Government and they cannot buy decisions. That is what this Government has done. When our time is over, whenever that is, the country will look back at the legacy and say, *'Those boys and girls did deliver on the things they promised they were going to deliver on.'*

Now, Madam Speaker, let us look at this whole question of borrowing and how much the Government is spending. Let us ask ourselves what the Government is spending the money on.

The Second Elected Member for West Bay talks about the need for priorities. I just wish he could spend a little bit of time with us to understand how much time we invest in trying to work out priorities. We know we cannot do everything all at once. But his government left so many things undone that if this government did not have the courage and the conviction to deal with some of these issues this country would grind to a halt.

Ask yourselves what, in three and a half years, did the UDP deliver to this country? Boat-swain's Beach—a project which is at least \$20 million over budget, which the country is going to be paying for long after I am gone. They promised the country schools. What schools? You cannot build schools without money, not by standing here and making grand speeches as the former Minister of Education, Mr. Roy Bodden, used to do with distressing regularity. It takes work; it takes plans; it takes commitment; it takes conviction, and, finally, it takes M-O-N-E-Y.

What else did they give us, Madam Speaker?—Failed CUC talks. No licence. What else did they give us?—Three thousand new citizens with the Cabinet grants of status. Now, I want the Second Elected Member for West Bay to tell me something: where are we going to put the children of those 3,000 new Caymanians—which his government so generously gave this country—if we do not build new schools?

Madam Speaker, with a wringing of hands he talks about mortgaging the future of the children—and he has two (and soon to be three and I congratulate him) lovely children—mortgaging their future by creating better opportunities, better facilities, a better education system and better outcomes. What did he say? Allowing them to reach their true potential! That is what this Government is doing. That is what this SPS is about. That is what our programme is about. That is why we are where we are.

Madam Speaker, if anyone expects me to apologise for investing this country's money in the future of its young people they have another thing coming.

How can the Second Elected Member for West Bay, a member of the government which delivered us the Boatswain's Beach—a wonderful facility for our turtles to live in, to swim in, to have a wonderful lifestyle—how can he, a member of a government who believes that the environment in which turtles live is so critically important, believe that we should not be investing money in creating better environments, better facilities for teaching and learning for the children of this country? This Government, Madam Speaker, puts children above turtles.

Now, his government might have another view, but we are going to spend the money needed to give the children of this country in particular three new high schools and a new primary school for George Town Primary, and we are going to deliver them for the start of the school year September 2009.

If that is believed by the Second Elected Member for West Bay, and by extension his Opposition colleagues, to be a waste of money, to be mortgaging the future of this country, then I say the country must decide what its priorities are. And the chance to decide whether you want a government which believes in the future of the children of this country, which believes in educating them—the time to decide that is 18 months hence. That is what the country will be choosing between: a government that gives priority to turtles or a government which gives priority to its children. That is what it comes down to. It is not a joke. It is not a joke.

Madam Speaker, the other major capital expenditure for which the country has to borrow money is its road network. I could not believe that the Leader of the Opposition first, and secondly, the Second Elected Member for West Bay actually opposed the extension of the Esterley Tibbetts Highway.

Madam Speaker, if we did not have with us a man with the courage, with the vision and with the determination to get things done as the Minister of Communications and Works, who said to us we cannot wait to do the extension to Esterley Tibbetts Highway because traffic is going to grind to a halt in short order.

Imagine, Madam Speaker, aside from what that does to those who live here and have to traverse that distance every single day! Think about the tourism product! Who comes to what is supposed to be an ideal Caribbean destination to sit in traffic for an hour, hour and a half to get from the Westin to central George Town? That is where we were. Can you imagine where we would be at the start now of this tourist season if the Minister of Communications and Works had not had the determination and had not had the support of his ministerial colleagues and the Backbench to do what he did?

Madam Speaker, the people of West Bay should tar and feather the Leader of the Opposition and the Second Elected Member for West Bay for opposing such a project. It has improved significantly the quality of life for their constituents, and the only rea-

son they opposed it is because they did not have the courage, the conviction and the vision to do it in their three and a half years—in fact, in the case of the Leader of the Opposition, four and a half years—in Cabinet. And, in fact, if you go a little further, Madam Speaker, almost 24 years in this honourable House and the people in West Bay were deprived of an alternate route to George Town.

Madam Speaker, the programme that we are on in terms of road works is necessary; it is expensive. Lord knows we worry about it too, but there is no alternative. If this country is to continue to grow and to develop and to be an attractive place for people to live, work and invest and come to and visit, we have got to have an effective road network. We cannot have people tied up in traffic, losing productive hours and becoming incredibly and increasingly frustrated on their way into work and their way home.

It is about improving the quality of life for those who live, work and visit here. That is what this is about. If that is characterised as mortgaging the future of this country, then I say that is a mortgage for a very good thing.

Madam Speaker, if they can get up and point to something we are wasting money on that is unnecessary, then, please, tell us about it. But what this Government is investing in is critical infrastructure, critical, which was ignored by previous administrations but particularly by the last administration of which the Second Elected Member for West Bay, who just spoke so eloquently, was a part.

Madam Speaker, you see, in two and a half years the Opposition, who were previously the government, expects this country to forgive them of their sins and to say, *'Oh, that lot who are there now they are so bad, they are so much worse than you were that come May 2009 we are going to switch back.'* But whatever may be our fate this I know: This country is not going back to the dark days of the UDP—the Leader of the Opposition and the Second Elected Member for West Bay.

Madam Speaker, we had in them a government that was bereft of vision, bankrupt of ideas, unwilling to take any real important decisions while claiming to be decisive. Ask yourself what did they do? What did they do? And the problem they are having—the problem they are having—is that you have a government on this side who does not just get up one morning and decide, *'I am running down that road and the next Minister says he is going down the other road.'*

And so, they try to say that we are five governments because that is what they were and, of course, that is the only way that they can envision or imagine that a government works. But if you look at the way we have approached the governance of this country, administering the affairs of this country from the day we took office, you will see that the product that we present to the country is the result of a shared vision of collaborative thinking.

And what scares this Opposition more than anything else is that they now realise if they never did before that this is a government that is not only going to achieve significant things in a short four-year term but has already achieved more in that time than they did in their three and a half years of wallowing all over the place, engaging in fights physical and otherwise amongst themselves while trying to run a country like this. And that is why, Madam Speaker, the most eloquent, the most articulate, the most able of them all on that side stands up as he just did and gives us a Grammy performance.

Madam Speaker, he raised the spectre of cost of living. Cost of living is a useful thing to have to deal with when you are in the Opposition. I spent four and a half years over there. But I am yet to have heard or to hear one recommendation worth considering from the Second Elected Member for West Bay or any other person on that side about how we effectively tackle cost of living.

The Leader of Government Business acknowledged in his statement that it is a serious significant problem that is causing great hardship to virtually everyone who lives in these Islands, and the reality is it is not just a Cayman problem. We talk to our colleagues in the region. They are all struggling with the same issues. We all recognise that we cannot do anything about global oil prices which drive the increase of cost, production of goods, cost of transportation of goods right across the world and increasing demand for supplies, particularly food supplies, in nations like China—sheer volume.

So, those are things over which we have little or no control. It does not matter who is on this side. What we can do as a government is seek not to increase the cost of living by adding on taxes and so forth and this Government has worked extremely hard to avoid that. There was no proposal for an increase in any form of taxation in the last budget; there will be none in this one. The Second Elected Member for West Bay cannot say that about the administration of which he was a part. He cannot say that.

So, you see, Madam Speaker, magically in the course of two and a half years the Second Elected Member for West Bay, who was a proponent for increases in taxation, has now become a prophet of doom and gloom, an economic guru, challenging even the Honourable Third Official Member, the Financial Secretary, in his prognostications and his predictions in relation to the financial status of this country.

Madam Speaker, cost of living is serious and it is really uncharitable on the part of the Second Elected Member for West Bay to say that this Government has not been tackling it. I see and I hear that armed with the knowledge that the Leader of Government Business is still engaged in discussions with the Bankers' Association, and particularly the seven retail banks about the whole question of interest rates and so forth, the Opposition, led by the Leader of the Opposition, is now writing letters to all the banks. I am

not sure what they are saying to them, but they are asking them to reduce their interest rates (I presume, I do not know) perhaps seeking to claim—not “perhaps” I am sure “trying” to claim—credit for what they believe will be an inevitable success story on our part when those talks are concluded.

Madam Speaker, let us look at this cost of living thing. Let us look at this quality of life thing, quality of living, quality of life.

They spent four and a half years in some cases (three and a half years in others) on this side of the Floor of this honourable House. Ask yourselves: What did they do in relation to interest rates for mortgages besides talk? The Second Elected Member for West Bay in particular has talked about that since the day he came in here seven years ago, but I have not seen anything done.

Ask what they did in relation to improving the opportunities and chances of Caymanians obtaining affordable housing. I am surprised he has not jumped up and pointed to Dr. Frank McField's affordable housing scheme, because that is the sum total of what they have done—and the country is still paying for that vision.

Madam Speaker, in two and a half years we have developed a government guaranteed home assisted mortgage scheme. We have reduced stamp duty for Caymanians who are purchasing land from 7.5 per cent to 4 per cent. We have increased the ceiling for purchases by Caymanians of their first piece of property from \$50,000 to \$75,000. Between \$75,000 and \$100,000 there is only 2 per cent duty.

We have introduced the Government Guaranteed Home Assisted Mortgage Scheme, where Government guarantees up to 35 per cent of the mortgage for Caymanians, and we have actually pegged that interest rate at 1 per cent above prime. And they have the audacity to try to mislead this House and the wider community that we have not been trying—forget about trying, that we have not “succeeded” in reducing expenses to people generally, but increasing opportunities of Caymanians to own a piece of the rock, to have a home at a mortgage rate that they can afford.

Madam Speaker, you know, sometimes I do despair because there is just such a network dedicated to misinformation in this country. I have been trying to find out who the chairman is, and for a while I thought it was the Leader of the Opposition but I judged the man unfairly. His role, if he ever had it, has been supplanted by the Second Elected Member for West Bay. To adopt the words of the Minister of Communications and Works, in another context he has become a master illusionist versed in the art of misdirection.

Madam Speaker, having successfully concluded the Government Guaranteed Home Assisted Mortgage (GGHAM) discussions and those announcements having been made the Leader has set up a series of meetings with the Bankers Association and the retail banks to further the discussions about

interest rates generally and the global and local position because we are not unaware of the sub-prime crisis in the United States and its impact on housing and the inevitable spillover into Cayman.

This is not a government that is living in some airy-fairy world believing that we are immune from global phenomena. The Leader of Government Business said that in his statement.

Madam Speaker, the CUC deal is going to have significant positive impact on people's pocket-books because that is where it really matters. All the rest of it is necessary, but that is what this whole exercise was about for us. That is why it took us so long.

And we understand . . . to talk about us being uncaring. The Leader of Government Business spoke about the fact that we understand that we are going to give up \$5.9 million—the Government that is—in revenue as a result of what is effectively a cut (call it a rebate or whatever) in the cost of importing diesel for the production of energy, not to mention the continuation of the reduction of duty on other non-fuel items by CUC, which will also have a positive impact on the rate.

But, Madam Speaker, we are working, as I said earlier, assiduously, carefully, thoughtfully at doing everything we can to bring down the cost of living, understanding full well that in an economy such as ours, with a tax system such as ours, where there is no form of direct taxation, there are limits and where government's principal sources of income—licence fees, import duties and stamp duty on land—that there are limits to what the Government can do on that front. The Second Elected Member for West Bay well knows that. That is why his government, when asked early in 2004 whether or not they would reduce import duties on diesel for CUC, said no.

I heard a recorded statement of the Leader of the Opposition played just a few months ago in which he said just those things. And he now has the audacity to get up and say that our decision, our decision to reduce it by 20 cents per imperial gallon, is something driven by the Opposition. Not serious, Madam Speaker. And if he was not my good friend, I do not know what I would do.

*[laughter]*

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker—

**The Speaker:** Honourable Minister, is this a convenient point or are you going to conclude in five minutes?

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker, I think I need to deal with a couple more issues raised by the Second Elected Member for West Bay before I conclude.

**The Speaker:** So we can take the luncheon break at this time.

**Hon. Alden M. McLaughlin, Jr.:** Thank you.

**The Speaker:** Proceedings will be suspended until 2.30 pm.

**Proceedings suspended at 1.27 pm**

**Proceedings resumed at 2.50 pm**

**The Speaker:** Please be seated.

Proceedings are resumed. Debate continues on Government Motion No. 6/07-08.

Honourable Minister responsible for Education continuing his debate.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

Madam Speaker, I have risen today in relation to this Motion, not so much to outline the Government's plans and programmes over the course of the ensuing fiscal year—because the Leader of Government Business, I believe, has done an admirable job in doing so—but, really, to respond to the Second Elected Member for West Bay's criticisms of this Government's policies and programmes and, to be absolutely frank, to dispel some of the inaccuracies, misperceptions, misconceptions and misinformation which he has brought to the Floor of this honourable House and, of course, because the proceedings are being broadcast, so too the wider listening community. Some of the things he said, Madam Speaker, were, as I said, inaccurate but some, in fact, dangerously so.

Madam Speaker, the principal reason why we are in this situation where there is so much capital work to be done, so much infrastructure to be created or improved upon, is because of a lack of forward planning, a lack of thought, a lack of proper projections being made about the growth in population, and as far as the schools are concerned, about the demographics of the population.

The result, Madam Speaker, is that we wind up in a situation now where we have just over 1,000 students on the George Hicks Campus, just under 1,000 on the John Gray Campus and indications for continued growth over the course of the next four or five years.

Until I took office I could find no evidence of any real thought that had gone into planning for what seems to be the inevitable growth in the student population. This, Madam Speaker, in the context of a government which had proclaimed, as this one does, that it is committed to the continued growth and development of these Islands, and also a government which had in one fell swoop granted 3,000 plus people Caymanian status, I can only assume that they thought these people never had and would never have any children.

Notwithstanding their complete absence of planning and projections and programmes to deal with

inevitable growth of the student population, the Second Elected Member for West Bay has the audacity to get up and say that we really need to think carefully about whether we build schools. This, again, Madam Speaker, in the face of the fact that the government of which he was a part had actually purchased land and put up signs proclaiming the proposed construction of schools on these very same sites in West Bay and Frank Sound on which the new schools which this Government is building are going to be located.

So, I can only conclude, Madam Speaker, that either the Second Elected Member for West Bay is not being sincere when he opposes the construction of these schools and finds all sorts of reasons why we should not do it, or that he was dragged kicking and screaming to support it when he was a member of the UDP Backbench a short two and a half years ago.

Madam Speaker, [*sighs deeply*] I despair. I only wonder what—in fact, I do not have to wonder so much because some of them have spoken to me—what the constituents of the Second Elected Member for West Bay, and the Leader of the Opposition in particular, who opposed the construction of the Beulah Smith School in West Bay, must think.

Madam Speaker, I have made no secret. This Government has made no secret of the importance of equity in education and in amenities and facilities and environments to improve teaching and learning in these Islands and for the very first time in the history of these Islands the people at the outer ends of Grand Cayman will be able to say that their children have the benefit of the same amenities, facilities and opportunities as do those who live in George Town and its surroundings.

And so, Madam Speaker, when I have to listen and the country has to listen to this song about re-mortgaging the future of the country, re-mortgaging his children's and grandchildren's future, of course we are. But it is his children and grandchildren who will derive the benefit from the money that is being spent, and that is the true measure of whether or not you should properly borrow money to acquire a particular property or a particular building or any particular aspect of infrastructure. You look at the purpose. Is it short term? If it is short term you should not be borrowing money to do so.

But when you are proposing to do what we are doing—building critically important infrastructure, which is going to be around for 40 or 50 years for successive generations of Caymanians to enjoy and benefit from—that, I respectfully say, is the appropriate and proper type of asset that mortgages and the borrowing of money should be utilised to achieve or to build as the case may be.

Madam Speaker, the Second Elected Member for West Bay was quick to point to me and others saying, well, the education system could not have been so bad because it has produced a number of success stories. No one is gainsaying that, and the system

even unaltered is continuing to do so. But that is not the point.

The point is that the whole objective of this transformation of education that is going on is to ensure that the majority—in fact, virtually every young person in particular who comes through the system has the opportunity to achieve his or her fullest potential regardless of whether or not they are the academically inclined student like the Second Elected Member for West Bay obviously was. We are not building a system that caters principally to the likes of him.

We are seeking to build a system which caters to every single child and his or her particular aptitudes and abilities. That is what we are trying to do. We are seeking to create teaching and learning environments which allow all, including the brightest of the bright, to achieve at higher levels, to perform at higher levels than is currently the case.

Now, Madam Speaker, the Second Elected Member for West Bay and his party may take comfort in splendid mediocrity but that is not the approach that this Government has taken. That is not the approach that this Minister has taken to what we want for our children and what we want from our children in return. This country is entitled to, and our young people must have, a world-class education system that allows them the opportunity to function and perform at the very highest levels, and to be fit for the workforce or fit for entry in the top colleges, universities and places of higher learning in the world.

That is what the exercise is about; and if that kind of standard is too high for the Second Elected Member for West Bay, or for the party to which he belongs, then, Madam Speaker, the country will have to decide what it wants in terms of the development of its most precious resource, its human capital. That is a distinguishing factor between the PPM Government (of which I am proud to be a part) and our predecessors in office, the UDP—four and a half years of spectacular un-achievement, particularly on the education front.

Madam Speaker, speaking of spectacular un-achievements, he did not say a word about where we are on the constitutional modernisation exercise and I do not blame him. I am surprised he even mentioned the CUC licence because they ought to hang their heads in shame. Four and a half years to have those talks end in complete shambles.

But the same is true of their approach and their handling of the whole constitutional modernisation process, and I will not, I will not, treat this House and the broader listening community to a history of what went on in that debacle. But what I can say, and what is obvious and evident, is that we still are labouring in the same constitutional framework that we were when they took office, when they demitted office four and a half years later.

This Government is taking longer than we would have hoped for, and I have no difficulty in ac-

knowledging that, but this Government is on a path that is going to deliver this country a constitution before the next general elections. And, Madam Speaker, it is not going to be the 'you take it or leave it or we ram it down your throat' approach that the Leader of the Opposition and his acolytes on the other side adopted the last time around. We are going to a referendum as the Leader of Government Business has said in May, to get the mandate from this country to negotiate the terms of a constitution which fits the Cayman circumstances, which fits us at this particular point in our development.

And so, Madam Speaker, while the Second Elected Member for West Bay sounded good when he was speaking—and as I said, I have nominated him for an Emmy—the truth of the matter is there was little substance in much of what he said. I am going to sit down shortly and wait to see whether his colleague, the Third Elected Member for West Bay can improve upon his dismal performance.

But, Madam Speaker, I wish to say in concluding that the Strategic Policy Statement which has been laid on the Table of this honourable House sets out, I believe, with some clarity the sense of purpose, the sense of direction that this government is taking in relation to the continued development of these Islands, not just the physical infrastructure, but also addressing the social needs and doing so within the permissible parameters of present economic conditions.

The prospects for this country are bright. We have demonstrated through Ivan and before, the resilience of the people of the Cayman Islands. And I say 'the people of the Cayman Islands' to include all who live and work here because while resilience and resourcefulness are characteristics of those of us who have an historical connection to these Islands it seems, and I think Ivan has borne out, that those who have settled here subsequently generally tend to share those characteristics as well.

Yes, Madam Speaker, we know that there are troubling signs in the global economy, particularly the US economy, and that there is a sense of uncertainty in some respects. But the economic fundamentals of this country are sound. The Government is not going to sit around paralyzed by fear, afraid to make critically important decisions or to commit the country to proper expenditure when we have determined that it is necessary.

Indeed, Madam Speaker, if there is the downturn that the prophet of doom and gloom the Second Elected Member for West Bay has predicted, we know that given the significant amount of capital projects in which the Government is engaged, that will go a long way to keep our economy moving along quite nicely. I had a meeting just this morning with the contractors who are considering bidding for the new schools, and there is a tremendous sense of expectancy and excitement about taking on those projects. The Government Office Administration Project will be underway in

January; the George Town Primary High School will be underway in April; we are about to break ground on the annex to the public library in another week or two.

Madam Speaker, these are all projects which Caymanian construction companies, Caymanian construction workers and all of their allied support personnel will be engaged in. There is going to be significant money injected into the economy, circulating in the economy as a result of the economic activity that all of those people working on those jobs are going to create.

Madam Speaker, the future of this country is bright. This is not a spend-thrift government. This is not a government that goes out on harebrained schemes. This is not a government that would build Boatswain's Beach without a proper business plan. The projects in which we are investing are going to pay real dividends. The schools are going to deliver better students, better outcomes for our young people, better prospects for our young people, better opportunities for our young people. And when it is all said and done that is what we are all about, that is what we ought to be all about.

And so, Madam Speaker, I would ask this honourable House and the wider community to dismiss the propaganda, the negativity, the doom and gloom that has been offered up to them by the Second Elected Member for West Bay, on behalf of the Opposition. This is a government of optimism, of ambition, of courage, of fortitude, a government that is prepared to do what is necessary to ensure that this country has the best possible standard of living, quality of life and opportunities for all of its people. That is the kind of government this country deserves. It should not and it must not look back at the dark days of the UDP administration. We must not go back to a government that lives by cynicism, uncertainty and fear.

We have turned that leaf. There is a new culture of governance. There is a new freedom of expression. There is a new attitude to information within government. This Government, Madam Speaker, has brought that about. We are not perfect. We have made mistakes, we will make some more. But there is no question, I believe, in the minds of any person in this country that the country is better off, more progressive, safer, more buoyant, more prosperous than it has ever been and that, at least in large part, must be attributed to the kind of administration that is at the helm of this country.

And so, Madam Speaker, I commend to all honourable Members the Strategic Policy Statement delivered this morning by the Honourable Leader of Government Business. I ask for their support in relation to its accompanying Motion and I look forward to the approval of the Motion in due course.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to

speak? [pause] If no other Member wishes to speak, the Honourable mover, as we all understood this morning, had to travel to London so I will put the question.

The question is: BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly approves the policy priorities, aggregate financial targets and financial allocations set out in the 2008/9 Strategic Policy Statement as the indicative parameters on which the 2008/9 Budget is to be formulated. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, before the next item on the agenda, I would beg to move the suspension of Standing Orders 24(5)—

**The Speaker:** Honourable Minister, I have not yet said that Government Motion No. 6/07-08 . . .

**Hon. V. Arden McLean:** Oh.

**The Speaker:** Government Motion No. 6/07-08 is duly passed.

**Agreed: Government Motion No. 6/07-08 passed.**

**The Speaker:** Honourable Minister responsible for Communications, Works and Infrastructure.

#### **Suspension of Standing Order 24(5)**

**Hon. V. Arden McLean:** Madam Speaker, I was some place else. I was up in East End fishing, I guess.

Madam Speaker, I beg to move the suspension of Standing Order 24(5) to allow a Government Motion to be added to the Order Paper on the Cinematograph Law (1995 Revision).

**The Speaker:** The question is that Standing Order 24(5) be suspended in order to allow the Clerk to accept Government Motion No. 7/07-08. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 24(5) suspended.**

**The Speaker:** Madam Clerk, can we go ahead with the addendum now, please.

#### **Government Motion No. 7/07-08— Cinematograph Law (1995 Revision)**

**The Speaker:** I recognise the Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, I beg to move Government Motion No. 7/07-08 and it reads:

**WHEREAS section 2 of the Cinematograph Law (1995 Revision) states that “the Authority” shall be a board consisting of the Governor, three elected members of the Legislative Assembly nominated annually by the Legislative Assembly and one member nominated annually by the Governor;**

**AND WHEREAS section 8 of the said Law provides that the Authority may, with the advice and consent of the Legislative Assembly, make such Rules as may be deemed expedient for -**

**(a) regulating and controlling mutoscope, cinematograph and other similar exhibitions;**

**(b) regulating the granting of permission under section 3;**

**(c) regulating the health and safety of the public in connection with the conducting of cinematographic exhibitions; and**

**(d) regulating the health and welfare of children in relation to their attendance at cinematographic exhibitions;**

**BE IT NOW THEREFORE RESOLVED THAT the following members be appointed and approved by the Legislative Assembly in accordance with the provisions of section 2 of the Cinematograph Law (1995 Revision) for a period of (1) year from 30th November 2007.**

- Lucille D. Seymour, BEM, MLA
- W. Alfonso Wright, MLA
- Juliana Y. O’Connor-Connolly, JP, MLA.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Hon. V. Arden McLean:** No, Madam Speaker, it is very straightforward, just that it has to be approved here at the Legislative Assembly.

**The Speaker:** Does any other Member wish to speak?

If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

**Hon. V. Arden McLean:** No, Madam Speaker, just to say thanks to my colleagues for their support.

**The Speaker:** The question is: BE IT NOW THEREFORE RESOLVED THAT the following members be appointed and approved by the Legislative Assembly in accordance with the provisions of section 2 of the

Cinematograph Law (1995 Revision) for a period of (1) year from 30th November 2007.

- Lucille D. Seymour, BEM, MLA
- W. Alfonso Wright, MLA
- Juliana Y. O'Connor-Connolly, JP, MLA.

All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 7/07-08 is duly passed.

**Agreed: Government Motion No. 7/07-08 passed.**

**The Speaker:** That concludes the Orders of the Day. I will entertain a motion for the adjournment of this honourable House.

## **ADJOURNMENT**

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I beg to move the adjournment of this honourable House to Monday, 10 December 2007 at 10 am.

**The Speaker:** The question is that this honourable House do now adjourn until Monday, 10 December at 10 am. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until 10 December at 10 am.

**At 3.21 pm House stood adjourned until 10 am, Monday, 10 December 2007.**

**OFFICIAL HANSARD REPORT**  
**MONDAY**  
**10 DECEMBER 2007**  
**10.45 AM**  
*Seventh Sitting*

**The Speaker:** I will ask the Honourable Minister responsible for Health and Human Services to say Prayers.

### PRAYERS

**Hon. Anthony S. Eden:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.47 am**

### ADMINISTRATION OF OATHS OR AFFIRMATIONS

#### OATH OF ALLEGIANCE

*(Administered by the Clerk)*

*By Mr. Donovan W.F. Ebanks, MBE, JP*

**The Speaker:** Mr. Ebanks, would you come to the Clerk's table, please? May we stand?

**Mr. Donovan W. F. Ebanks:** I, Donovan Ebanks, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** Mr. Ebanks, welcome to these hallowed Chambers. Would you please take your seat?

Ms. Richards, would you come to the Clerk's table, please?

#### OATH OF ALLEGIANCE

*(Administered by the Clerk)*

*By Ms. Cheryl Richards*

**Ms. Cheryl Richards:** I, Cheryl Richards, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law so help me God.

**The Speaker:** Ms. Richards, I welcome you once again to these Chambers as Acting Second Official Member. I would ask that you now take your seat. Please be seated.

### READINGS BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

#### Student Welcome

**The Speaker:** First I would like to welcome the teachers and 17 students from the George Hicks Campus and apologise to the students for the late start this morning. It was something that we could not avoid and we hope you will enjoy the proceedings.

#### Apologies

**The Speaker:** I have apologies for late arrival from the Third Elected Member for the district of West Bay.

### PRESENTATION OF PAPERS AND OF REPORTS

**Cayman Islands Government Mid-Term Report  
2007**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to lay on the Table of this honourable House the Cayman Islands Government Mid-Term Report 2007.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** Yes, Madam Speaker, thank you.

Madam Speaker, when this Government took office in May of 2005, it did so with a pledge to the people of this country that it would embrace a style of governance that was open, honest and transparent. Indeed, this pledge has formed the underlying basis for this administration's governance ever since.

In the spirit of this Government's commitment to transparency, I am pleased to lay before the House today a document which we have called the Government's Mid-Term Report, which was conceived to provide a public and highly visible account of the highlights of this Government's achievements to date and its plans for the remainder of the term.

The Mid-Term Report details achievements and plans across all areas of Government. Within its pages each of Government's ministries and portfolios provides an overview of its work and that of its departments and reporting entities prefaced by a note from their respective minister or senior officer.

The Report provides a comparison with the promises that were made in the Manifesto and provide a real measure of this Administration's success in delivering on these goals which have brought about a great many improvements to the quality of life for the people of the Cayman Islands. Having said that, it recognises also that there remains much still to be accomplished and it outlines the substantial plans that are in place for the remainder of this Government's term across all of its departments and units.

Madam Speaker, this Mid-Term Report also highlights the unparalleled investments that this Government has made in long needed upgrades to the country's basic infrastructure. The post-Ivan redevelopment of these Islands has been a core focus of this Government's agenda and this Report demonstrates the significant progress which has been made to date.

For example, the Report demonstrates one of the largest road development plans ever seen, which forms part of a longer term overall strategy for roads.

The Education system of these Islands has been the subject of extensive transformation as a key priority of this Government, and the Report outlines the improvements which are now being delivered to the classroom virtually on a daily basis.

Such accounts serve as a reminder of this Government's commitment to the development of Cayman's human capital, in the firm belief that it is one of the major cornerstones upon which hinges the

future economic and social well-being of our country, a recurrent theme throughout the pages of the Report.

The Report also highlights the great strides that have been made in addressing the worrying increases in crime that were apparent before the Government took office. The resulting fall in serious crime and burglary is illustrative of the effect of these measures.

There are many other areas of Government's progress which are detailed within the Report and are likely to be of great interest, such as the review of the Immigration Law, the Constitutional review and the Freedom of Information legislation.

Madam Speaker, the Cayman Islands are entering into a new era of openness and transparency within government, ending the culture of secrecy and making the civil service more accountable. The pages of this document set out how this Government is perhaps the first ever to take a joined up approach to managing the affairs of the country, striving to ensure that all of its component parts work together strategically to achieve its broader aims and goals—not separate and disjointedly in silos as has often been the case in the past.

It is the intention of the Government that its Mid-Term Report be widely distributed for access to the general public and that it will, as such, serve as an account of this Government's achievements to date and plans for the future, as well as its continuing commitment to open, honest and transparent government.

Thank you, Madam Speaker.

### Matter of Procedure

**The Speaker:** Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, on a matter of procedure, as a member of the Business Committee, we did not meet but I gave consent for business since it was a short Order Paper for today, except for this Report. Madam Speaker, I do have concerns with it. I would have preferred to see it laid on the Table of the House by way of a statement and then we could have asked questions under the Standing Orders in this era where we end secrecy.

Madam Speaker, I would never say not lay the Report, because we would like the public to know what the PPM Government is doing and has not done. But I do have a concern that we are laying this Report—which is the PPM party's (although they have portfolios in it)—the PPM party's mid-term report being laid as a report. In my opinion as a member of the Business Committee, perhaps an innovation of the PPM so as not to have that cost factor. Nevertheless, I believe that reports as such are not this kind of report. That is my opinion as [a member of] the Business Committee.

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

The Leader of the Opposition did have a short word with me before Parliament started this morning, but I would just like to say that the Government was very careful from the onset because we realised what the Leader of the Opposition might think and maybe some others. And we were very careful that this Report is not a "Party" report, it is a "Government" report.

**Hon. W. McKeeva Bush:** Yeah!

**Hon. D. Kurt Tibbetts:** Now, the fact of the matter is that we are the Government; somebody has to be the Government.

**Hon. W. McKeeva Bush:** Oh yeah!

**Hon. D. Kurt Tibbetts:** Had it been his party that were the Government they would have the option to do the same thing. They are always questioning what we do, what we do not do, and what people do not know. And here is the opportunity for him, like he has done with the other "Red Book", to take another red book and do as he wishes.

It is the Government's prerogative, Madam Speaker, to inform the public of what the Government is doing.

**The Speaker:** Madam Clerk.

**Hon. W. McKeeva Bush:** Madam Speaker—

**The Speaker:** Madam Clerk—

**Hon. W. McKeeva Bush:** Not to have a—Madam Speaker, just a minute.

As a member of the Business Committee, I just want to say I have no problem with the document being laid as a statement. That way I could ask the Leader of Government Business some of the very pertinent matters in this what he calls a "Red Book". It seems to be red and blue to me but anyway he called it red.

Thank you, Madam Speaker.

*[inaudible interjections]*

### **First and Second Reports of the Standing House Committee**

**The Speaker:** I recognise the Chairman of the House Committee, the Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the First and Second Reports of the Standing House Committee.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

### **Standing Order 74(5)**

**Mr. W. Alfonso Wright:** No, Madam Speaker, but I would like to say that the Committee agrees that this Report be the Report of the Standing House Committee to this honourable House. And in accordance with the provisions of Standing Order 74(5), I do so move that the recommendations contained in the Reports be adopted.

**The Speaker:** Do I have a seconder?

**Ms. Lucille D. Seymour:** Madam Speaker, thank you very much. I do second the Report.

## **QUESTIONS TO HONOURABLE MEMBERS AND MINISTER OF THE CABINET**

**The Speaker:** Question No. 35 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

### **Question No. 35**

**No. 35: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Tourism, Environment, Investment and Commerce to say -

- (a) How much has been paid to date for the renovation of Sammy's Inn;
- (b) What is the balance to be paid at completion; and
- (c) What is the timeframe for occupancy by the staff of Cayman Airways Ltd.

Madam Speaker, that part, question (c), I think we can say is answered since the staff already occupies the building. I would like to know the other two: (a) and (b).

**The Speaker:** Honourable Leader of the Opposition, I think we will just go ahead with the answer to all three rather than having you withdraw part (c) of the question even though you know the answer.

### **Suspension of Standing Order 23(7)**

**The Speaker:** May I have a motion for the Suspension of the relevant Standing Order to allow questions to go on beyond . . .

Honourable Minister of Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, I move the Suspension of the relevant Standing Order to allow questions to proceed beyond the Hour of 11 am.

**The Speaker:** The question is that Standing Order 23(7) be suspended in order to allow Question Time to go beyond the hour of 11 o'clock. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 23(7) is accordingly suspended.

**Agreed: Standing Order 23(7) suspended to enable Question Time to continue beyond the hour of 11 am.**

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

a) Madam Speaker, a total of CI\$2,434,002.97 has been paid for the renovation of Sammy's Inn. This total includes CI\$257,024.83 for the filling and paving of new car park which is adjacent to the property.

b) The only remaining balance on the project is the retention funds which total CI\$ 48,540.35.

c) The Cayman Airways team began to occupy the building at the end of June 2007 and it is now completely occupied. The CAL Headquarters houses 10 departments including Administration, Finance, Operations, IT, Reservations, City Ticket Office, Cargo, Human Resources, Commercial and Cayman Airways Express.

By owning its own offices, Cayman Airways is saving some CI\$339,620 in annual leasing and related costs. Even when the insurance and direct operating costs associated with owning the new CAL headquarters are factored, the net result is an annual savings of approximately CI\$100,000.00. This does not take into consideration, Madam Speaker, the significant indirect savings realised by the greater efficiencies and increased productivity as a result of having these 10 departments operating under one roof.

Thank you, Madam Speaker.

**The Speaker:** Are there any supplementaries?

Honourable Leader of the Opposition.

## Supplementaries

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Can the Minister say what is the square footage for the building, or how much this equates to per square foot?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, the building is just under 20,000 square feet.

**The Speaker:** Are there any other further supplementaries?

Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Madam Speaker, could the Minister say what is the current value of the property, post renovation?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, the current value of the property as determined by Deloitte is US \$6.76 million.

**The Speaker:** Are there any further supplementaries?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Thank you, Madam Speaker.

Madam Speaker, could the Minister say what was the original acquisition cost of the building?

**The Speaker:** Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, the acquisition cost was US \$2,850,000.

**The Speaker:** I will allow one more supplementary. Are there any further supplementaries? *[pause]*

If there are no further supplementaries, we will move on to the next question.

Question No. 36 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

**Question No. 36**

**No. 36: Hon. W. McKeeva Bush** asked the Honourable Minister responsible for Tourism, Environment, Investment and Commerce to give the names of the companies that have rented space at the Royal Walter cruise facility, and what are the amounts being paid per month for each shop.

**The Speaker:** Honourable Minister responsible for Tourism.

**Standing Order 23(5)**

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, I have asked for this question to be put on the Order Paper because much has been said about it. But I am going to ask for the question to be deferred because two of the leases at the Port Authority are currently in the final stages of negotiation and to answer the question at this point would most likely prejudice those negotiations. So I would ask that it be deferred until a future meeting of this honourable House.

Thank you, Madam Speaker.

**The Speaker:** The question is that Question No. 36 be deferred to a later sitting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 36 deferred to a later sitting.**

**The Speaker:** Question No. 37 standing in the name of the Honourable Leader of the Opposition is addressed to the Honourable Minister responsible for Tourism, Environment, Investment and Commerce.

Honourable Leader of the Opposition.

**Question No. 37**

*Deferred*

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, 'tis the season of Christmas. So as not to give the Minister any more grief, I will ask that this be withdrawn seeing that there is an investigation by the Complaints Commissioner going on. I move for this to be deferred to a later date.

**The Speaker:** Honourable Leader, are you asking for it to be deferred or are you asking for it to be withdrawn.

**Hon. W. McKeeva Bush:** Deferred to a later date.

**The Speaker:** Do I have a Seconder?

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second the motion.

**The Speaker:** The question is that Question No. 37 be deferred to a later sitting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 37 deferred to a later sitting.**

**The Speaker:** Question No. 38 standing in the name of the Third Elected Member for the district of West Bay.

Honourable Leader of the Opposition.

**Question No. 38**

*Deferred*

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, my colleague, the Third Elected Member for West Bay had to be off with his son who is sick and he is unavoidably absent. So, I would ask that this be deferred to a later sitting.

**The Speaker:** May I have a Seconder, please?

**Hon. W. McKeeva Bush:** Madam Speaker, I beg to second the motion.

**The Speaker:** The question is that Question No. 38 standing in the name of the Third Elected Member for the district of West Bay be deferred to a later sitting. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Question No. 38 deferred to a later sitting.**

**PRESENTATION OF PAPERS  
AND OF REPORTS**

*(Recommitted)*

**First and Second Reports of the Standing House  
Committee**

**The Speaker:** Before we move to the next item on the Orders, I think I made a mistake when the Chairman of the Select House Committee asked for the

Report to be adopted. I did not put the question because I misread the Standing Order.

So I put the question that the Report of the House Committee, the First and Second Reports of the House Committee be adopted as the report of the Committee. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The recommendations contained in the First and Second Reports of the Standing House Committee adopted.**

**The Speaker:** Madam Clerk.

### **STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET**

**The Speaker:** I have received notice of a statement by the Honourable Minister responsible for Education.  
Honourable Minister of Education.

#### **Visit of Gifted and Talented Students to the Legislative Assembly**

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

It is my pleasure today to join you in welcoming to this honourable House a very special group of students from the George Hicks Campus in George Town, who are involved in the Gifted and Talented Education Programme.

For those who may not be familiar with it, the Gifted and Talented Education Programme at George Hicks is new for this academic year and has been designed to provide assistance to students who require educational provision, which is additional to or otherwise different from the provision made generally for children of the same age.

Madam Speaker, we have the pleasure of these children's company today here in the House because the staff of the programme felt strongly that they would benefit from the experience of watching government at work, particularly observing Members of the Legislative Assembly demonstrating their leadership and debating skills. It is usual that the development of such skills plays a dominant role in the growing number of youth programmes which are currently available to Cayman's young people.

I would like to expand a little on the scope of the Gifted and Talented Education Programme at the George Hicks campus.

The philosophy which underpins the programme is that all children should enjoy the benefits of a broad, balanced, and relevant education.

The Gifted and Talented Programme lists the following as its core beliefs:

- Gifted children have a right to an appropriate education, one grounded in the recognition of individual differences and unique learning needs.
- Gifted children need a curriculum responsive to their individual learning rate, style and complexity.
- Gifted children learn best in an instructional environment that encourages and nurtures complex thinking.
- Gifted children need time to interact with intellectual peers to nurture and support their unique cognitive needs.
- Gifted children need to spend time with their age/grade peers to nurture and support their social development.

The programme is headed by Mr. Brent Holt at the Department of Education Services, who is head of the Department's 'Student Services' unit, which is now providing vastly improved support to students with special needs under the restructured organisation.

Madam Speaker, you may recall that the issue of provisions for children with special educational needs has been particularly sensitive among parents in past times, with unacceptably long waiting lists and inadequate interventions plaguing the development of a significant proportion of Cayman's school children.

The Gifted and Talented Education Programme is just one example of how, under the new governance model for Cayman's education system, students are now receiving services which are tailored to their specific needs. With the advent of the new Student Services unit, such programmes are—for the first time—now robustly supported by significant increases in special needs staff as well as early intervention measures which will ensure that no child who needs extra support is denied.

Referrals for assessment for Gifted and Talented Education Programmes may originate from multiple sources including teachers, parents, and school leadership. Screenings are performed using various methodologies, such as teacher nomination, behavioural checklists, observation of performances, results on standardised achievement tests (such as Terra Nova) and Key Stage tests although all students must have signed parental consent prior to such an assessment.

Only when a student has been identified through means of formal assessment, will they be placed on an official Gifted and Talented Education register.

The programme identifies principal indicators that a child may be eligible for inclusion in the programme. These are when a child:

- Shows high levels of insight into the obvious and ordinary;

- Makes sense of, and draws meaning from, metaphors, texts, and practices;
- Enjoys complicated games;
- Is independent and self-sufficient;
- Has advanced vocabulary, and expresses themselves clearly and fluently;
- Has a good sense of humour;
- Puts unrelated ideas together in new and different ways;
- Has a keen interest in the future and/or world problems;
- Is prepared to take some social risks.

The four schools on the George Hicks Campus practise a graduated response—meaning that it employs intervention strategies on a continual basis.

The Gifted and Talented Education Programme currently comprises 17 students from across all four schools on the George Hicks Campus. Students were identified for participation in the programme using the Cognitive Abilities Test, which is also used in the United Kingdom. Each of these 17 students scored at or above the 95<sup>th</sup> percentile in one or more of the areas tested. The test measured reasoning skills in three areas:

- Verbal;
- Quantitative; and
- Non-verbal skills.

Madam Speaker, as an aside, I should point out here that permission was sought and granted from all parents before any testing took place. Parents were also informed as to the nature and purpose of the programme and the meaning of its scoring system.

I think it is apt also to point out that the student services team is delighted to have this group of students identified within the programme's first term. As a result these students will now receive the special provisions they require at school to help them aim for higher achievement levels within their important middle years.

Madam Speaker, I am of the opinion that these special children will find their experience here today most beneficial, and I know that I join all other Members of this honourable House in extending a warm welcome to them this morning.

*[applause]*

## GOVERNMENT BUSINESS

### BILLS

#### Suspension of Standing Order 46(1) and (2)

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg on behalf of the Government to move the suspension of Standing Order 46(1) and (2) so that the Bill on the Order Paper can be read a first time.

**The Speaker:** The question is that Standing Order 46(1) and (2) be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Standing Order is accordingly suspended.

**Agreed: Standing Order 46(1) and (2) suspended.**

## FIRST READING

### Monetary Authority (Amendment) Bill, 2007

**The Clerk:** First Reading, The Monetary Authority (Amendment) Bill, 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a Second Reading.

**The Clerk:** Suspension of Standing Order 46(4).

### Suspension of Standing Order 46(4)

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move the suspension of Standing Order 46(4) so that the Bill can be read a second time without having quite satisfied the 21-day rule.

Thank you, Madam Speaker.

**The Speaker:** The question is that Standing Order 46(4) be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 46(4) is accordingly suspended.

**Agreed: Standing Order 46(4) suspended.**

## SECOND READING

### Monetary Authority (Amendment) Bill, 2007

**The Clerk:** Second Reading, The Monetary Authority (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, in accordance with Standing Order 48, I beg to move the Second Reading of a Bill that is shortly entitled the Monetary Authority (Amendment) Bill, 2007.

**The Speaker:** The motion is duly moved and is open for debate. Does the honourable mover wish to speak thereto?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Yes, thank you, Madam Speaker.

Madam Speaker, this Bill is being dealt with in an expedited manner and hence the Suspension of the relevant Standing Order just made because it is in the interest of the Cayman Islands that this Bill be enacted in a timely manner for the reasons that I will outline in the course of my introduction of the Bill.

Madam Speaker, for some time now officials of the Cayman Islands Government and the Cayman Islands Monetary Authority (CIMA) have been in dialogue with the International Organization of Securities Commission (IOSCO) on a range of international co-operation issues. These discussions started as a result of an application by CIMA for membership in IOSCO in 2002, but have since evolved into a series of discussions on CIMA's ability to effectively cooperate with other securities regulators.

IOSCO is regarded as the international standard setter in the area of securities regulation. Some 183 securities regulators in the world are now members of IOSCO, including leading members such as the United States Securities and Exchange Commission (SEC) and the United Kingdom's Financial Services Authority (FSA) as well as regulators from our offshore competitors such as Jersey, Isle of Man, Singapore, Hong Kong, Bermuda, the Bahamas, Dubai, and, more recently, the British Virgin Islands.

CIMA's application for membership in IOSCO has stalled since 2003 because of doubts expressed by some leading IOSCO members about the adequacy of the existing provisions in the Monetary Authority Law for providing assistance to other securities regulators.

It is these matters that both representatives of the Government, including myself and the Honourable Attorney General, and CIMA officials have been discussing with IOSCO, with a view to arriving at an acceptable solution that would bring the relevant Cayman Islands legislation—that is, the Monetary Authority Law—in line with what is now regarded as the International Benchmark for cooperation in securities matters, IOSCO Multilateral Memorandum of Understanding (IOSCO MMOU), which was approved by IOSCO in 2002.

Madam Speaker, failure to find a solution would put the Cayman Islands in further conflict with IOSCO and the financial stability forum and major securities regulators like the SCC and the FSA, who are members of IOSCO and who make requests for assistance from CIMA from time to time, in order to carry out the enforcement of securities laws in their respective jurisdictions.

Among the major areas of concern with the existing provisions of the Monetary Authority Law, section 50 are:

- (a) The Monetary Authority Law does not clearly indicate that the request for assistance from overseas regulatory authorities will be treated as confidential; and
- (b) The Law does not currently allow CIMA to consent to the use of information provided to overseas regulatory authorities in relevant criminal investigations and proceedings without the consent of outside bodies or agencies like the Attorney General and the Financial Secretary; and
- (c) The Monetary Authority Law is not clear on the circumstances in which a specific undertaking of confidentiality from an overseas regulatory authority is necessary.

Both the concerns outlined in (a) and (b) are key requirements of the IOSCO MMOU, and the concern in (c) relates to a lack of clarity and what are perceived as inconsistencies in the relevant requirement.

Madam Speaker, it is necessary for these matters to be addressed as a matter of urgency if CIMA is to gain membership of IOSCO, and to fend off criticisms that the Cayman Islands is not in compliance with the relevant international standards in securities regulations. This is even more important now that our main competitors have become members of IOSCO and signatories to IOSCO's MMOU. As a result, the matter has now become a competitive one for a jurisdiction, in addition to the regulatory issues raised by IOSCO.

CIMA has been advised by the relevant IOSCO Standing Committee that it supports the proposed amendments given in this Bill and would encourage CIMA to reapply for IOSCO membership once the amendments in this Bill are enacted into law.

There is, however, a very short window for CIMA's application to be processed as the application will need to be reviewed by a screening group that will meet in December 2007, and early in 2008, before the next annual meeting in June 2008, at which time CIMA's application could be approved. If it is not approved in June 2008 following the relevant screenings in January 2008, then the next available opportunity would be a year later, June 2009. In the interim, the jurisdiction stands to suffer reputational damage and to be put at a competitive disadvantage with our competitors.

While there is no guarantee that CIMA's application will be approved, the Government is of the view that the proposed amendments will place CIMA and the jurisdiction in the best possible position to obtain membership of IOSCO and to remove one area of unwanted and unnecessary criticism of our regulatory regime. Madam Speaker, the proposed amendments are designed to address the matters that I have just referred to and thereby bring the Monetary Authority Law more in line with accepted international standards for cooperation between securities regulators.

Madam Speaker, therefore, based on what I have said so far, it is clear that the principal driving force for the existence of this Bill is CIMA's attempt to obtain IOSCO membership.

The Bill that is now before this honourable House seeks to amend the Monetary Authority Law by repealing and replacing the current section 50 of the Law to implement the agreed position reached with IOSCO as reflected in its 2002 MMOU on cross-border cooperation and exchange of information.

While CIMA has a very strong international cooperation record, the areas of divergence from the requirements of the IOSCO MMOU have a direct bearing on CIMA's admission to membership in IOSCO. An admission to IOSCO would also put it alongside other members such as the US, Ireland, the UK, the Crown dependencies of the UK, Bermuda, British Virgin Islands and Dubai.

Madam Speaker, section 50 of the Monetary Authority Law contains the provisions that enable CIMA to share information with overseas regulatory authorities.

The current provisions in section 50 have evolved over a number of years and at the same time the requirements of international standard setters like IOSCO have also evolved. The IOSCO MMOU is now regarded as the international standard against which securities regulators are to be reviewed in the area of international cooperation. Furthermore, it is also now a requirement that all regulators applying for membership in IOSCO must qualify to become signatories to the IOSCO MMOU.

IOSCO regards the current section 50 of the Monetary Authority Law as not being in full adherence to the IOSCO MMOU in that it does not enable CIMA to independently consent to the use of information provided to other security regulators in criminal investigations and proceedings for contraventions of securities laws or regulations.

In order to address this concern, the Bill, as reflected in Clause 53, would allow CIMA to consent to the use of information provided by CIMA to an overseas regulatory authority for the purpose of criminal investigations and proceedings related to the violation of laws and regulations administered by a requesting authority without the need to obtain approval from any third-party authority. This is in addition to its existing ability to provide information for civil and administrative investigations and proceedings.

Madam Speaker, the proposed new section 50(3) just described represents the material change from the current Law's section 50.

I should like to note that further to other IOSCO comments the Bill in Clauses 51(e) and 58 respectively now make clear that a request for assistance by an overseas regulatory authority will be treated as confidential and is subject to:

- (a) Disclosure only through the established gateways in section 52 of the existing Law; and
- (b) That CIMA will not require a specific separate undertaking of confidentiality from a requesting overseas regulatory authority when the authority (CIMA) has satisfied itself that the intended recipient is subject to adequate legal restrictions on further disclosures.

Madam Speaker, Government has been advised that the passage of this Bill will position CIMA to receive positive consideration of its IOSCO membership application at the next available opportunity, which is June 2008. But as I explained earlier, before we get to June 2008, the membership application must first be screened and that shall take place next in January 2008.

Madam Speaker, also based on internal consultations and external feedback from industry practitioners, the Government is satisfied that it is in the best interest of CIMA, it is in the best interest of the industry and these Islands that CIMA makes its application for IOSCO membership.

Accordingly, Madam Speaker, the Bill deals with a priority matter and I therefore commend the Monetary Authority (Amendment) Bill, 2007, to this honourable House for passage.

Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, I rise to offer support for the Bill before the House. This Bill, Madam Speaker, encompasses a course of action since 2002. In particular, when discussions and negotiations on the European Union's Savings Directive were in progress with the Islands, we said we would not just sign on or just agree to the directive, we wanted some things done to enhance our financial services industry here.

On this particular matter we wanted support from the Financial Services Authority in the UK for our application for membership in IOSCO, as explained by the Honourable Financial Secretary. As part of our agreement for the savings directive, we asked the UK for that support and they said they would not stand in our way. In fact, they said they would help us, to quote them directly.

We went on that basis, among other agreements from the UK, on various other matters. We wanted to enhance our financial services here in these Islands. Over the passage of time and since 2003, I understand that an objection, nevertheless, came from the UK's Financial Services Authority to our membership application because, as was pointed out, of our local law.

Well, it seems that that has all been worked out and this Bill before the House hopefully will be the last step, when we amend these laws, to getting us that membership. And I trust, Madam Speaker, that as the Government has said, what they are doing will serve our financial services industry here well. We would not hope to have anything done that would hamper it but would help to enhance it. So we certainly support that move.

**The Speaker:** Does any other Member wish to speak? *[pause]* Does any other Member wish to speak? *[pause]* If no other Member wishes to speak, does the Honourable Mover wish to exercise his right of reply?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I would like to start by thanking the Honourable Leader of the Opposition for his observations, and I do not believe there was anything that he said that I need to necessarily address or need necessarily disagree with.

Madam Speaker, I would just like to give my concluding remarks on two basic fronts.

First of all to say, Madam Speaker, as I said in my substantive remarks, there has been positive feedback from the industry that CIMA's application for IO-SCO membership would put the jurisdiction in good standing and therefore there is industry support for the Bill.

Madam Speaker, I would also like to make it abundantly clear that the existing Law, and even this Bill, do not involve CIMA handing over information in a wholesale manner without due consideration as to what is being requested.

For example, Madam Speaker, the present Bill, in what would be Clause 50(4), speaks to, essentially, checks and balances which CIMA would have to consider.

In (4), Madam Speaker, it says that in **deciding whether or not to assist an overseas regulatory authority, the authority [CIMA] shall take into consideration whether corresponding assistance would be given in the relevant country or territory to the authority, and CIMA shall take into account whether the inquiries relate to the possible breach of a law or other requirement which has no close parallel in the Islands or involve the assertion of a jurisdiction not recognised by the Islands.**

Importantly, Madam Speaker, (c) CIMA **must take into consideration whether it is in the public's interest to give the assistance sought.**

Madam Speaker, in addition to (4), Clause 50(8) outlines a number of areas in which CIMA, **the authority, shall not give to the requesting overseas authority the assistance sought.**

And so, for instance, in (8) it says that **the authority shall not give that assistance unless:**

**(a) the authority (CIMA) has satisfied itself that the intended recipient authority is subject to adequate legal restrictions on further disclosures; and**

**(b) that CIMA, the authority, has been given an undertaking by the recipient authority not to disclose the information provided without the consent of the authority.**

And it goes on in (c), Madam Speaker, to say that **the authority CIMA is satisfied that the assistance requested by the overseas regulatory authority is required for the purposes of the overseas regulatory authorities/regulatory functions, including the conduct of civil and administrative investigations or proceedings, to enforce laws corresponding to the regulatory laws and administered by that authority.**

Finally, in (d), Madam Speaker, it speaks to CIMA **has to be satisfied that the information provided following the exercise of its powers will not be used in criminal proceedings against the person providing the information other than in proceedings for an offence of perjury.**

So, Madam Speaker, I say all of that to say that there is not going to be wholesale disclosure or handover of information by CIMA without due consideration of the request that is received from the overseas regulatory authority.

Madam Speaker, I therefore thank all honourable Members for their support of the Bill. Thank you.

**The Speaker:** The question is that a Bill shortly entitled the Monetary Authority (Amendment) Bill, 2007, be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Monetary Authority (Amendment) Bill, 2007, has been given a second reading.

**Agreed: The Monetary Authority (Amendment) Bill, 2007, given a second reading.**

**The Speaker:** The House will go into Committee.

House in Committee at 11.40 am

**COMMITTEE ON BILLS**

**The Chairman:** The House is now in Committee.

May I assume that, as usual, we should authorise the Honourable Second Official Member to correct minor errors and suchlike in the Bill?

Would the Clerk please state the Bill and read the clauses?

**Monetary Authority (Amendment) Bill, 2007****Clauses 1 and 2**

**The Clerk:**

|          |                                                                                                     |
|----------|-----------------------------------------------------------------------------------------------------|
| Clause 1 | Short title                                                                                         |
| Clause 2 | Repeal and substitution of section 50 of the Monetary Authority Law (2004 Revision) Confidentiality |

**The Chairman:** The question is that Clauses 1 and 2 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Clauses 1 and 2 passed.**

**The Clerk:** A Bill for a Law to Amend the Monetary Authority Law (2004 Revision) to Revise the Monetary Authorities Powers of Disclosure; and to Make Provisions for Incidental and Connected Matters.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Title passed.**

**The Chairman:** The question is that the Bill be reported to the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Agreed: Bill to be reported to the House.**

**The Chairman:** The House will resume.

**House resumed at 11.43 am**

**The Speaker:** Please be seated. Proceedings are resumed.

**REPORT ON BILL****Monetary Authority (Amendment) Bill, 2007**

**The Clerk:** Report on the Monetary Authority (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I am to report that a Bill shortly entitled The Monetary Authority (Amendment) Bill, 2007, was passed by a Committee of the entire House without amendment.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

**Suspension of Standing Order 47**

**The Speaker:** Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, on behalf of the Government, I beg to move the suspension of Standing Order 47 so that the Bill on the Order Paper can be given a third reading in the same sitting as its first two readings.

**The Speaker:** The question is that Standing Order 47 be suspended. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Standing Order 47 is accordingly suspended.

**Agreed: Standing Order 47 suspended.**

**THIRD READING****Monetary Authority (Amendment) Bill, 2007**

**The Clerk:** Third Reading. The Monetary Authority (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Madam Speaker, I beg to move that a Bill shortly entitled The Monetary Authority (Amendment) Bill, 2007, be given a Third Reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Monetary Authority (Amendment) Bill, 2007, be given a third reading and passed.

All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Monetary Authority (Amendment) Bill, 2007, has been read a third time and is passed.

**Agreed: The Monetary Authority (Amendment) Bill 2007 given a third reading and passed.**

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, before I move the adjournment I suspect that Members may wish to exchange pleasantries since this will be the last day of the meeting before year end. So, before I move the adjournment, Madam Speaker, I would humbly ask that you allow for that to happen.

**The Speaker:** Honourable Leader of Government Business, you can move the adjournment. Before I put the question I will allow honourable Members to say their good things and niceties about all of us.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you very much, Madam Speaker.

Madam Speaker, again, craving your indulgence, just quickly explaining to Members of the House that there are two matters which we have to deal with in this Meeting: one is a matter regarding CINICO and another is a matter regarding the ERA Law whereby amendments have to be made with regard to the new agreement with Caribbean Utilities Company Inc. As a result, we wish for the meeting not to end today, but we are going to move the adjournment until a date early in January. By that time the necessary amending legislation will have been prepared and Members will have had time to peruse.

So, as a result of that, Madam Speaker, I would move the adjournment of this honourable House until a date to be announced as early as possible in January of 2008.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, the year is drawing nigh to a close. Christmas is upon us. The New Year, as I said, is close by. And we certainly want to give God thanks for all His mercies to us in the past year.

There have been trials. There have been some triumphs. In all these things we give thanks to the Good Master. We recognise Christmas for what it is, Madam Speaker—time to celebrate the Christ Child. “For God so loved the world that he gave us his only son. . .” and so we celebrate that birth.

And so, Madam Speaker, I want to wish for you and your family, to all Members of this House and their families, to all members of the staff for their very hard work over the year. Life in this Assembly has not been easy for them and so we want to thank them especially. And we want to thank the members of the press for their distribution of what happens here on a daily basis.

Indeed, Madam Speaker, we would want to wish all our people, our constituents, those of our people throughout these Islands that we may all have a very Merry Christmas.

When we forget about the ups and downs, the divisions and where we show a unity, that is good for us. We pray for health and indeed a better 2008 than what we had in 2007. All of this, Madam Speaker, can only come through the love of Almighty God and we should ever continue to thank Him for his goodness to us.

And so, on behalf of my colleagues, I want to again wish everyone a very pleasant season indeed.

**The Speaker:** Fourth Elected Member for the district of George Town.

**Mr. W. Alfonso Wright:** Thank you, Madam Speaker.

Madam Speaker, I too would like to wish God’s richest blessings on all of the Members of the Legislative Assembly, elected and official, their staff, their respective families and the staff of the Legislative Assembly and their families.

Also, Madam Speaker, as we move into the period of celebrating the birth of Jesus Christ, I encourage all to celebrate with good, common sense. I hope everybody will do their best to have a very safe and peaceful Christmas season.

But I also want to make mention that this is also a period of mourning for many of our families this Christmas who have recently lost loved ones, and I would like us to remember them in our prayers and to take them into consideration as well.

To all of the people of the Cayman Islands, in particular our constituents in the district of George Town, I do wish a most pleasant Christmas season and the very best for the New Year.

**The Speaker:** Third Elected Member for the district of George Town.

**Ms. Lucille D. Seymour:** Thank you, Madam Speaker.

Madam Speaker, first of all, let me wish you and your family the best for the coming festive season, Christmas and the New Year. I hope that you will

get a lot of rest as it has been some very challenging times for you in this honourable House. I dare say that 2008 will not be any different.

I also want to thank my colleagues on both sides of the House for a year which gave me the opportunity to raise points, challenging and positive, and also to wish for their families the best for 2008 and a very festive season.

I wish to say Merry Christmas to the people of the Cayman Islands and, in particular, the George Town people who put me here, and to thank them for giving me the opportunity to be their servant.

Madam Speaker, I wish to thank Radio Cayman, in particular, for the opportunity to let our people hear us when we speak without any embellishment whatsoever.

Madam Speaker, this has been a very challenging year for all of us. Because Cayman is a global country it has the threats of all globalisation—skyrocketing prices in oil and interest rates. Therefore it is a challenge for all of us to try to make things easy for our people. But I do wish that all of us may understand why we are here in this honourable House. We are here to represent the people, to help them to live well both as Christians and as good citizens.

I thank the people of George Town for being patient and understanding. Everything is also correctable in terms of their help, and that is helping us as Members of the legislature to be transparent, open and accountable, and to pray every day that all of us in this House may not fall prey to corruption.

Thank you, Madam Speaker.

**The Speaker:** Honourable Minister responsible for Communications and Works.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

Madam Speaker, as we come to the end of another challenging year as Members of this honourable House, and in particular as Members of Cabinet, I believe there is a message to our people that needs to be said. And that is that, contrary to how they may hear us debate and counter debate in this honourable House, we do live good. We do have respect for each other. There are times when things flare up and I do not know who will be here ever in our lifetime or beyond that that will not happen. But particularly during the festive season we tend to extend that respect much more, much further.

And, Madam Speaker, today I wish for you and all of my colleagues and their families a very festive season and trust that 2008 will bring a New Year where we can all support each other and carry on with the work that we were put here to do, in the interest of the people.

I would also like to extend Season's Greetings to the people of East End, the people that I represent in this honourable House. They are the reason I am here and this is one of the best times to extend those

pleasantries to them and thank them for having given me that opportunity to represent them.

Madam Speaker, I would also like to thank my family because the last seven years have been as challenging for them as they have been for me. As much as I enjoy it, I know it has been challenging for them. But they have tolerated it, they have put up with me, and I would like to thank each and every one of them for tolerating me. The Minister for Tourism said that is not easy to do, so they need a lot of encouragement.

Madam Speaker, I would also like to wish the Ministry staff and all of the departments the very best for the season. Now, Madam Speaker, we have had many challenges but we have seen many successes as well. These people have worked tirelessly for those successes, to overcome those challenges. There are times when we do not leave the Ministry offices until 3.30 in the morning and back by 7.30, 8 o'clock. That is commendable and I would like to thank them for putting up with me also. Much has been done but there is much to be done.

Madam Speaker, also the press. The responsibility of the press is dissemination of information and contrary to what they may believe, that sometimes we do not want to reply to them and the likes, we really appreciate the press. I believe that with journalism comes certain responsibilities and many, many within the press corps have shown us that they understand that. And I would like to thank them for their understanding and their patience and wish them a Merry Christmas as well.

I wish for the entire country safe travels throughout this season. I would encourage the country, in particular, to utilise the new road but do it with caution. Because it is new, not many people are familiar with it. Be very, very careful on it. Madam Speaker, it is there for the convenience and not for the abuse. Particularly during this season let us not have any accidents on the road.

Madam Speaker, this Government has tabled its Mid-Term Report today and I would like to encourage the country to read it over the holiday season and give us feedback. Let us start the New Year afresh with constructive criticism, comments and suggestions to this Government. This is the best time, while we are relaxing with our families, for us to look back over the last two and a half years and see what those challenges have been, look at the successes and think about what the future needs to hold for us.

Madam Speaker, I thank this country for their patience, particularly with my Ministry because of the works that we do. I really thank them for their patience. I know it has been trying at times.

But now during this season I implore them to relax, sit back and relax with their families. This is the time for families and I wish them God's blessing and safety during the season.

Thank you, Madam Speaker.

**The Speaker:** Second Elected Member for the district of Cayman Brac and Little Cayman.

**Mr. Moses I. Kirkconnell:** Thank you, Madam Speaker.

Madam Speaker, I rise to wish Season's Greetings to you and your family, to all of my honourable colleagues here in the House on both sides. I thank them for the time that we have spent together this year. I would like to thank God for the blessings that He has given the Cayman Islands in 2007 and ask for the continued blessing to this country.

As we take this time to reflect what Christmas really is, we must remember that it is an opportunity for all of us to be together and be one big family, to understand each other and appreciate the time that we have to do this because those moments are so very, very precious.

Madam Speaker, this has been a year for Cayman Brac and Little Cayman with unexpected tragedy, and I think that there are also people in the Cayman Islands as a whole that through this Christmas season will need support. My prayer for them through this season is that God will comfort them through their loss. But let us clearly understand the gifts and the good fortune that we have had as families and as a country as a whole.

So I take this opportunity to wish all the people of the Cayman Islands a very Merry Christmas and a blessed New Year, and in particular thank my constituents in Cayman Brac and Little Cayman and wish them and their families a very Merry Christmas and Happy New Year.

Thank you.

**The Speaker:** The Honourable Minister responsible for Tourism.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Madam Speaker, I rise to thank you and the staff of the Legislative Assembly for all the hard work over the course of the last year, and to wish for you, Madam Speaker, and the staff, and indeed all Members of this honourable House, a blessed Christmas and a happy and prosperous New Year.

Madam Speaker, I would also like to thank the staff in my Ministry for the very, very hard work that they have undertaken over the course of the last year, and I would ask all of us to say a special prayer for them this Christmas because as we know just recently, indeed while I was in London for the Overseas Territories Consultative Council Meetings, we lost a member of our staff to a very tragic accident. I had the opportunity while I was in London to speak to the staff by conference call and I want to also thank Reverend Yvette Noble-Bloomfield, who was present with them at the time, for her assistance and support during their hour of need.

Madam Speaker, I want to say to the honourable Members of this House and indeed to the wider

community what I said to the staff when I spoke to them that day, and that is that as difficult as it might be for us to have to deal with such a tragic loss, we must always remember that it is that much more difficult for the family of that individual and to encourage us to reach out to the family during this particular season, when we know they will need the support most.

Madam Speaker, there have been others. Just yesterday was the funeral for Mrs. Della Jean Campbell. We should also during this festive season reach out to that family to provide the support that we know they need.

Madam Speaker, I am indeed sorry to have to speak to these matters at a time when we are talking about Christmas greetings, but it is in fact the reality of what we as a community are living through at this point in time. And let us remember that as we celebrate the birth of our Lord, Jesus Christ, this Christmas season that we should visit with those families and as I said provide the comfort and support that we know they need.

Finally, Madam Speaker, I wish to thank my constituents of the electoral district of Bodden Town for the trust which they have given to me and for electing me to this high office. It is certainly my privilege to serve them and to wish for each and every one of them a very blessed Christmas and a happy and prosperous New Year. My other two colleagues, the Honourable Minister of Health and the Third Elected Member for Bodden Town, and I, will certainly be visiting with as many of them as we possibly can over the Christmas season. I also wish to extend those greetings to the wider Caymanian community.

As those who have spoken before me have said, we have achieved much in the last year. There are certainly many projects and programmes in the works beginning to mature and come to fruition. We certainly look forward to an equally productive 2008.

I thank you, Madam Speaker.

**The Speaker:** Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, let me first wish you and your family and all Members of this House and the staff of the Legislative Assembly God's richest blessings this Christmas Season, and a healthy and prosperous 2008.

Madam Speaker, I also wish to extend those greetings not only to our constituents in West Bay but, indeed, all of these Cayman Islands. In particular, I would also wish God's richest blessings on all those involved in public service, particularly those who from time to time throughout this year have come down to this Legislative Assembly to assist us in the important work that we do.

As we reflect on the year that is just about done, and we look with renewed vigour at the New Year, I just would admonish us all to remember the reason that we celebrate Christmas; that is, because

of giving—God giving to us our Saviour and our Redeemer. I know that the Members in this House as the Christmas season gets here and throughout the season will be involved in all of the normal activities that we would do. But I encourage each and every one to think of something different, special, that you can give this Christmas season to someone, in particular someone who may be a little less fortunate than you.

I encourage everyone to participate in the Purple Ribbon Campaign and keep this holiday season safe. None of us is immune. Once you are on the street, Madam Speaker, you are at risk. So we do need to take our safety very seriously.

As we enter a New Year, I know there will be the resolutions we make. I encourage us all to make new commitments and commitments to family, the community, the country, to make these Cayman Islands the best place there is to live on God's earth.

So, Madam Speaker, I just pray that all of us would remember the Christ child; remember that he is our Saviour, our Redeemer; to do our very best so that in all things we would please him.

**The Speaker:** Honourable Minister responsible for Health, followed by the Third Elected Member for the district of Bodden Town.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

I would like to echo all of the sentiments by the preceding speaker, my colleague. But first of all I would like to thank God for sparing our lives another year. As you, the Leader of Government Business and I enter our 16<sup>th</sup> year serving the people of these islands I would like to take this opportunity to thank you, Madam Speaker, for the leadership you have demonstrated to us in this House since you ascended to that Chair. And to also thank you, your family, and the staff of this honourable House for the hard and dedicated work they have performed over the years.

I would like to thank my family for the support and sacrifice they have made to support me here as we work for the people of these Islands—my Bodden Town constituents, especially our older people, and our young people—as we demonstrate how better we can improve the plight of their lives. We are committed to continue doing that. My two colleagues from Bodden Town look forward to visiting with them over the next few weeks and to meeting with them at this special time of year for all families. That is what Christmas is all about, Madam Speaker, helping those who are less fortunate, especially our seniors and our young children.

There are a number of children in our communities that desperately need help. As leaders, we need to be able to provide the love they need, and we should be able to provide and show them that loving care, if not how to access it.

I want to thank all of my colleagues in here. I want to wish all of them and their families the best of everything.

I want to thank the staff in my Ministry and the departments for which I am responsible—some of the most challenging areas within Government—Children and Family Services, Health Services, National Drug Council, Counseling Services. They are the people who deal with pain almost on a daily basis and are so dedicated. The Women's Resource Centre . . . and this is a job that we all have to work together to make it better for our people.

Madam Speaker, on the whole the entire Cayman Islands must remember where we come from and that our heavenly Father has given us our health. As we face the challenges going into a New Year, as we face new laws, we must remember the number one Law Giver, and tailor the laws that we deal with around the Commandments that He has given. We must not sacrifice that.

Once again, Madam Speaker, I wish all of my colleagues, all of the people of our Cayman Islands, a healthy Christmas and a blessed New Year. May God bless us all.

**The Speaker:** Third Elected Member for the district of Bodden Town.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

I join my colleagues in wishing everybody a wonderful Christmas.

Madam Speaker, to you and your family, God's richest blessings, also to the hardworking staff of the Legislative Assembly who support us on a daily basis.

Madam Speaker, Christmas is a special time of year in the Cayman Islands, one of my favourite times of the year, when we get together with family and friends. I have never spent a Christmas away from these Islands and I am 46. I do not think I will start now! I look forward to many more working hard for our people to improve their lot in life.

I am proud to be part of a Government that certainly is working hard at improving the quality of life for those in the Cayman Islands. The motions that have been brought before this honourable House and supported by both sides of the House are evidence of that.

I also join my colleagues in remembering those who are not having the happiest of times at the moment. I mentioned in church on Saturday at the service that I ministered in Savannah that we have to remember those who mourn at this time. We have lost some very good contributors to our country, young people in their 40s; people who were contributing highly to this country. We have lost them suddenly. Those voids will not be easily filled and the void in their families' lives certainly will not be easily filled.

So, Madam Speaker, while we enjoy and celebrate and have good times, we must reach out and touch those and remember them in our prayers.

I would like to extend special greetings to my constituents, the good people of Bodden Town, who put me here to carry out their work and their wishes. I look forward to seeing them at my colleague's over the Christmas season and I wish for everyone in these Cayman Islands a very blessed and prosperous New Year.

I thank you, Madam Speaker.

**The Speaker:** Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

I too would like to extend Season's Greetings to you and the staff of the LA and all of my elected and official colleagues. I wish for you all, and all the people of the Cayman Islands, and especially the people of West Bay, a very safe, joyous and happy holiday season.

Madam Speaker, let us never forget that Jesus is the reason for the season.

Thank you.

**The Speaker:** Honourable Minister responsible for Education.

**Hon. Alden M. McLaughlin, Jr.:** Thank you, Madam Speaker.

I want to join voice with my colleagues on both sides of the Floor of this honourable House in wishing for the people of these Islands a blessed and sacred Christmas.

Madam Speaker, it has been a long, tough, challenging, but in many ways highly rewarding, year. I want to give God thanks for all of those things.

My colleagues have referred to the loss that so many of the families in this community have experienced just recently. Death is always keenest around this time of the year. Somehow it seems there is more of it at this time of the year. I just want to take the opportunity to extend our heartfelt condolences to those families in the various communities who are mourning at a time when the world is generally celebrating.

Madam Speaker, I said that it has been a long, tough year. And that it has. We have all worked extremely hard. I am guilty, I know, of pushing too hard most of the time, and, in consequence, pushing those around me as well to go harder than sometimes is good for any of us. But I, myself, have been in close touch with my own mortality this year. That experience, although habits are strong things, has taught me that while it is critically important that you get done what you were elected to get done, what you are committed to do, you do need to take the time to enjoy relationships, to enjoy your family, your children; to spend time with your friends, your constituents doing nothing—which is about the hardest thing in the world for me to do! But I have resolved, Madam Speaker,

this Christmas season especially, to spend more time doing those important things, just spending time with people who are important than has hitherto been the case in the recent past.

As part of a Government such as this I am immensely proud of the achievements and of the plans we have over the course of the coming year. But I understand better than I ever have that life is tragically short, that we can only do so much, and that whatever we do we need to ask for God's guidance and direction and support; that we are mere mortals.

Madam speaker, I hope that all of us take this important season, the birth of Christ, as a time for reflection, a time for rest, a time for renewal, a time for restoration, so that we can commence the labours of the New Year with new strength, new vigour, new determination, new ambition.

And I just want to say to my colleagues that the nature of the form of Government that we have is adversarial and there is no getting around that. It performs a very important function of checks and balances on the work of the Government. It is important that everybody in this community understands that, that the differences between us are perhaps philosophical in many cases not even that. It is a matter of a different approach to the same issue. But there ought not to be any personal differences between all who serve in this honourable House for we are all representatives of the people. I do believe that there is general good will and friendship among all Members of this honourable House.

I take this opportunity to wish you and your family, Madam Speaker, a happy, blessed Christmas and a prosperous New Year, and to extend those sentiments also to my colleagues in the Opposition.

Madam Speaker, ever since I was a boy the Christmas season in Cayman has always been particularly special to me. There is just something about the season, what Caymanians call the "Christmas Breeze", the butchering of lots and lots of cattle, something of which I was always very fond; and the time spent cooking and hanging out with family and friends. So I look forward to the advent of the season.

Madam Speaker, the national song of these Islands puts it better than I or anyone else could. I think it is the last verse of that song. The last four lines go something like this:

*And when comes on the season,  
Of peace, good will to man,  
'Tis then I love thee best of all,  
Beloved Isle, Cayman!*

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

The glutton for punishment that I am, I would wait until the last when everybody has said everything! But I chose to at least beat you, Madam

Speaker, to the draw, so that as is usually the case your task will be a difficult one.

Madam Speaker, to you and yours this season, on behalf of all of my family, we wish for all of you a blessed and safe holiday season and for all of yours a prosperous New Year.

I have a wish-list, not very extensive, but I wish for this season for all of us to remember that we are our brother's keeper. Like some of those who have spoken before (most of them in fact, Madam Speaker) I too have not escaped being around the sadness during the course of the year and even up until now of people who you know well, family, friends, even some who we do not know, who have passed on, many of them under different circumstances, but the end results being the same.

While there is always hope for those of us who believe in the Bible and its teachings, there is still the pain. I thank God that he made time as the ingredient that will take care of that pain along with His blessings. So, there is sadness to encounter and there will be those who we visit during the holidays or those we speak to on the phone who will not have such a happy holiday. And that is the way it is. As time goes on there will be others.

Having said that, Madam Speaker, in reminiscing over the year there is indeed much to be grateful to God for. There have been challenges—there have been many challenges. But we must remember that, having overcome the challenges we have overcome, it is God's mercy why we are able to do so. So we have to be grateful to Him.

As has been said before too, Madam Speaker, we must not forget the reason for this season. It is to celebrate the birth of our Lord, Jesus Christ, as we recommit ourselves to the things that he would have us do. And to shun those things that he would have us not do.

Madam Speaker, to all the people of the Cayman Islands I speak on behalf of my entire family. We wish for them a happy and a joyous season. I want to say special thanks to the staff here at the Legislative Assembly who have put up with us. I know at some points in time we have tried their patience almost to the limit. And you, Madam Speaker, are so kind to us even when we know that you would want to wring our necks or something of the sort.

Madam Speaker, there are departments and staff in the Ministry who I would also wish to extend season's greetings to and to the constituents of the district of George Town. My colleagues and I will be spending much time visiting during the course of the season. Unfortunately it is the best of wills, we just always find ourselves falling short of spending the time we would like to. But we are going to endeavour to do our best as I am sure all of our other colleagues will be doing during the course of the season.

I wish for the entire country a safe, happy, joyous season.

Again, I want to reiterate, Madam Speaker, it is important for us to remember why we are here, the task we have ahead of us. And, finally, to sum it all up, Madam Speaker, we will have done our part to make this place, these beloved Cayman Islands, a better place if we bring ourselves to do God's will.

Thank you.

**The Speaker:** I crave the indulgence of honourable Members to allow me to say a few words from the Chair also.

First, let me thank all Members for their kind wishes for my family and me for the holiday season. I wish for you, the Members of this honourable House and your families, the staff and their families, the people of the beloved district of North Side and all their families, and all people of the Cayman Islands whether resident or visitor, God's blessing for a safe and festive Christmas and a prosperous and healthy New Year.

I would like to say a special thanks to the Serjeant-at-Arms who leaves this department on 8 January for a job well done. We may not return to have our meeting in January before his departure. But I would say on behalf of all Members to the Serjeant-at-Arms we thank you very much for your time with us, and wish for you and your family a prosperous and a happy and healthy Christmas and New Year.

I would like to thank God for keeping me sane and guiding me during the past year in this Chair, and to all Members for your support of the Speaker for the past year.

But I now am going to say the New Year's resolution that the Second Elected Member of West Bay suggested we all should take, I am going to ask all Members to take (and this is a light moment) a New Year's resolution. Don't worry about the cigarette smoking and so forth—keep the Speaker stress free in 2008!

**Some hon. Members:** Hear, hear!

**The Speaker:** And the other resolution is to take a little time over the New Year and learn all the Standing Orders so that we can work together.

Thank you all, very much.

The question is that this honourable House do now adjourn to a date to be set in early January. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House stands adjourned until a date to be set in early January.

**At 12.37 pm the House stood adjourned until a date to be set in early January 2008.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**18 JANUARY 2008**  
**10.46 AM**  
*Eighth Sitting*

**The Speaker:** I will ask the Third Elected Member for the Ministry of Tourism, Environment, Investment and Commerce to say Prayers.

**PRAYERS**

**Hon. Charles E. Clifford:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated.

**Proceedings resumed at 10.48 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Third Elected Member for the district of Bod-

den Town and apologies for the late arrival of the Third Elected Member for the district of West Bay.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Financial Reporting Authority (CAYFIN) Annual  
Report 2006/2007**

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

With the leave of the House, I wish to lay on the Table the Financial Reporting Authority (CAYFIN) Annual Report 2006/2007.

**The Speaker:** So ordered.

Does the Honourable Member wish to speak thereto?

Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you.

Madam Speaker, just to say that the report itself is prepared pursuant to sections 30 and 33(2) of the Proceeds of Criminal Conduct Law (2005 Revision) and it sets out the accomplishments and activities for the relevant period. Page 4 of the report speaks of some of the accomplishments and activities at a glance. It speaks to issues such as "having completed review of 189 cases out of 290 received", "replied to 26 requests for information from overseas FIUs" and "signed a number of memoranda of understanding with countries such as Australia, Chile, Guatemala, Indonesia, Nigeria, Mauritius, and Thailand, as well as participating in the CFATF (Caribbean Financial Action Task Force) Review, and the drafting of the proposed new Proceeds of Criminal Conduct Law", and so on.

Madam Speaker, at page 17, it speaks to the strategic priorities for 2007/2008 under the caption, "Building of Strengths". The report itself is very insightful and very informative and I would commend its contents to Members of this honourable House as well as the wider public. Thank you.

**Extraordinary Report to the Legislative Assembly  
prepared by the Complaints Commissioner on The  
Liquor Licensing Board and Ministry of Tourism,  
Environment, Development and Commerce, JM—  
Written Complaint Number 60 made 4 May 2005 –  
Publication of Rules and Procedures**

**The Speaker:** I recognise the Chairman of the Committee of the Legislative Assembly responsible for overseeing the Office of the Complaints Commissioner, the Honourable Minister responsible for Education, Training, Employment, Youth, Sports, and Culture.

**Hon. Alden M. McLaughlin, Jr.:** I beg to lay on the Table of this honourable House, the Extraordinary Report to the Legislative Assembly prepared by the Complaints Commissioner, entitled "The Liquor Licensing Board and Ministry of Tourism, Environment, Development and Commerce, JM—Written Complaint Number 60 made 4 May 2005 – Publication of Rules and Procedures."

**The Speaker:** So ordered. Does the Honourable Chairman wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker.

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received notice of two statements by the Honourable Minister responsible for Tourism, Environment, Investment and Commerce. Honourable Minister.

### National Update on Berthing Negotiations

**Hon. Charles E. Clifford:** Thank you, Madam Speaker. Madam Speaker, the first statement is entitled, "National Update on Berthing Negotiations."

Madam Speaker, locally no industry invites such broad-based public interest as our tourism industry, and within this industry no sector is more topical than cruise tourism. The Government takes seriously its responsibility to keep the community informed on key issues impacting or potentially impacting the performance of this vital sector.

Over a year ago, I announced that the Government was in negotiations with parties to develop cruise berthing locally. I outlined the sound reasons for upgrading our facilities which included maintaining our competitiveness, providing a safer and more hospitable visitor reception facility and building for the future to facilitate the increasing size of ships serving the market.

The negotiations yielded a number of positive results including:

- reaching agreement to satisfy local requirements for a thorough environmental impact assessment,
- agreeing to maintain berthing facilities within the immediate GT harbour area,

- increasing the space allotted for managing cruise passengers and thereby improving the visitor experience, and
- agreeing to build the facility sufficiently strong to withstand major storms.

However, the negotiations faltered on the important issue of maintaining an adequate revenue stream for this country. Much has been said about the toll of the cruise sector, given the sheer volume of persons who call on our shores. But when effectively managed, the sector makes a major and positive contribution. Proceeds from this sector are applied to funding the mitigation of environmental impacts, sustaining our existing port operations and for contributing to general revenue needed to fund everything from tourism promotions to social needs such as education and health care and, of course, providing employment and entrepreneurial opportunities for thousands in the tourism sector.

The interests of these islands must be preserved in any negotiations. There will always be trade-offs with any business transaction; give and take is necessary. However, agreements must also be mutually beneficial. No agreement which erodes the economic interests of this country would be acceptable to this Government.

Since the joint venture negotiations have recently broken down, the Government has been approached and is in active negotiations with at least two highly viable stakeholder investors. As a result of this second round of negotiations, a more strategic approach is being pursued which will facilitate the establishment of separate facilities for berthing and cargo handling.

Madam Speaker, the current configuration of the Port is severely limited. At present, our cargo facilities are essentially constrained on both sides by cruise operations at the Royal Water Cruise Terminal and the North Terminal. The Port's capacity to grow to meet increasing demand for cargo and aggregate will be exhausted within a few years if we do not act. I have felt for some time that these issues must be considered in tandem.

Madam Speaker, we are almost certain to make fundamental errors if we do not approach this opportunity holistically. Otherwise, in the interim, the movement of increasing cargo volumes would continue to be limited to night operations, nighttime trucking would continue to hinder the ability for the downtown area to come alive with commerce at night, and beautification options will be hampered due to having to continue to facilitate heavy trucking over what would otherwise be a mainly pedestrian thoroughfare.

The proposed investors bring very strong credentials and offers to the negotiating table. One interested party already owns substantial landholdings near the George Town Port which could be developed for cargo operations and which would also allow for easier and quicker access to the cargo distribution centre without the need to utilise the road network in

the central downtown area. Both potential investors have stated their commitment to work towards the long-term interest of the cruise sector in the Cayman Islands and acknowledge that this interest is best served by separating our cruise and cargo facilities.

The names of the parties will not be revealed until we have finalised a memorandum of understanding (which we are currently working on). The Government aims to conclude this as soon as possible, noting that much groundwork had been covered in the earlier round of discussions.

It would be remiss of me in discussing the bright outlook for the establishment of berthing facilities and the optimisation of cargo capacities not to address concerns about the performance of the cruise sector in 2007. Preliminary numbers from the Port Authority suggest that the cruise totals for 2007 total just over 1.7 million passengers. While this is a decrease of some 200,000 passengers from the prior year when we peaked at 1.9 million passengers, this amount is still a respectable, if not enviable, total.

Our projections for next year call for modest growth but this is dependant upon any number of issues, most of which fall outside of the Cayman Islands strict control. This leads me to another issue.

The fact is, Madam Speaker, that I simply cannot be everywhere. And sometimes these Islands' interests are, quite frankly, best served by not being in the midst of the pack. Madam Speaker, if you do not travel enough they criticise you, and if you travel too much they criticise you. So it is almost a no win situation. But I know from experience that the interests of these Islands are not always served by being in the midst of the pack.

When criticism was leveled at me for not attending the 2007 FCCA Conference which travel logistics simply ruled out, stakeholders should know I did not neglect to address Cayman's cruise tourism interests at that time. In the week immediately prior to the conference, I met here in the Cayman Islands with cruise executives for a critical discussion on forecasts for the Cayman Islands and the cruise sector. We discussed the implications of the softening US economy, the weakening of the dollar, particularly in comparison to European and Asian currencies, and some shifting in supply from the region as far away destinations are competing with the Caribbean as they are becoming increasingly accessible via cruise.

Throughout this discussion, which also touched on the possible opening of Cuba to US travelers, we arrived at the conclusion that the future of cruising was evolving and that the Caribbean—and specifically the Cayman Islands—remained a valuable partner and highly sought after itinerary. The cruise lines have confirmed my view that the Cayman Islands would continue to be a port of call for any future itineraries calling on Cuban ports given our geographic proximity and the attractiveness of our tourism product. This is anticipated to be years subsequent to any liberalisation of US policies toward Cuba, as we

have been advised that substantial port infrastructural improvements in Cuba would be needed to accommodate the sector.

Madam Speaker, it should also be known that we have also not avoided tackling difficult issues. When some administrations have paid lip service to managing cruise schedules, I have instructed the Port Authority and Ministry to consider the matter and to propose a solution. Their recommendation was that a maximum of 6 ships, or 15,000 passengers, whichever is greater, be allowed to dock in Grand Cayman at any given time. This policy has been in place for about one year now. And before critics rush to the flawed judgment that this has resulted in the loss of 200,000 passengers, let me immediately address this point.

At no time in the summer months, which is when the sharp decline in business was noted, was this policy triggered as the schedules for this period are much lighter and indeed allow for significant growth if the demand exists. Rather, this policy impacts a few peak days when visitation levels are high in both cruise and stay over markets and the carrying capacity of our existing Port facilities are overloaded.

In 2006, there were some 16 days when this occurred and, indeed, these volumes sometimes went in excess of 20,000 people calling on our shores in a single day, always during the winter season but particularly during the Christmas holidays. These volumes resulted in severe traffic congestion, notable frustration among cruise passengers, who were being overrun by one another, and calls from local businesses which do not cater to the cruise sector that their residential-based businesses were suffering as customers could not access their stores. Even cruise captains have made disparaging remarks about this situation when we had opportunities to speak with them.

This had gone on for years but I am happy to report that while we had high volumes of cruise visitors this Christmas, a better balance was struck to allow for the equivalent of one-third of our standing population to call on our shores per day rather than allowing the daily population to rise by some 50 per cent as had occurred more frequently in years past. So, in 2006 we had a total of 16 days where numbers exceeded our existing policy. In 2007 there were 12 such days, and in 2008 there is showing only 3 such days and yet modest overall growth is still forecasted for the cruise visitation numbers.

A more harmonious relationship exists and cruise passengers are melding into our own population more effectively. The benefit of this is a happier visitor, and happy visitors spend more, return again and make positive referrals to their friends. I should add that this is not a static situation. As our Port capabilities are enhanced we will constantly assess our carrying capacities. There is still much more work to be done to manage and enhance cruise tourism, but the team is committed to doing so.

I want to thank the Port Authority and the Ministry staff for working jointly to monitor and enforce this policy.

In terms of the berthing negotiations, Madam Speaker, sometimes partners will disagree, and sometimes they must disagree. I believe that the breakdown in the initial negotiations for berthing was such a time. I wish to assure key stakeholders, be they transport and tour operators, restaurants, merchants, attractions, and most importantly the people of this country, that at all times your interests are paramount and being defended.

The improved management of cruise tourism continues to be a major policy objective and having led the call for berthing, Madam Speaker, I am pursuing that objective together with responsible partners in the private sector. I want to underscore the message, Madam Speaker, that in these discussions and negotiations for the establishment of berthing facilities I am determined to ensure that the interests of the Government, people and stakeholders of this country are not compromised.

Also, I wish to underscore that this Government has taken the strategic decision to separate cargo and cruise operations as it is not feasible for them to continue to exist at the same location in the medium to long term.

Thank you, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, Standing Order 30(2), I have a question if you would so permit.

#### **Short Question Standing Order 30(2)**

**The Speaker:** Honourable Leader of the Opposition, I will allow a short question to be put to the Minister making the statement for the purpose of clarification.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Will the Minister say . . . well, let me say first, Madam Speaker, there were expressed ideas to develop the present Port for berthing. Are you doing that? And, Madam Speaker, is it still intended to develop further north, including keeping the cargo port in George Town but further north just down the road?

**The Speaker:** Honourable Minister.

**Hon. Charles E. Clifford:** Thank you, Madam Speaker.

Just to clarify that the cruise berthing facilities will be built by the existing George Town Port. In other words, where the two currently co-exist, where cargo and cruise operations currently co-exist, that is where the berthing facilities will be established.

The cargo facilities, as I indicated, one of the parties we are in negotiations with now, currently has substantial landholdings in the George Town area, but not in the immediate downtown area. Madam Speaker, I am not going to go any further than that at this point because I would not want to compromise the discussions before we even sign off on the memorandum of understanding.

So, that is all I can say at this point, but the important message is that this Government has taken a position to separate the two, to separate cruise and cargo operations.

**The Speaker:** Honourable Minister, would you now please do your second statement?

#### **Proposed Amendments to the Wildlife Interaction Zones**

**Hon. Charles E. Clifford:** Thank you.

Madam Speaker, this statement is entitled, Proposed Amendments to the Wildlife Interaction Zones.

Madam Speaker, as Minister with constitutional responsibility for Tourism and Environment I rise to address this honourable House with regard to the establishment of the Wildlife Interaction Zones in the North Sound.

Honourable Members will recall that in December of 2006, the Legislative Assembly passed amendments to the Marine Conservation Law in order to provide a framework for the regulation of water sports activities involving the interaction of divers and snorkellers with marine life.

In March of 2007, Regulations to this Law were passed by Cabinet; however, prior to the passage of these Regulations, consultations were held with Members of the Opposition and several amendments were made based upon their input.

Madam Speaker, Stingray City and the Sandbar are two of our most visited tourism attractions and it is critical that we manage these areas in a way that ensures their viability in the long term. With this goal in mind, the Regulations designated these two areas as Wildlife Interaction Zones under the Marine Parks Regulations in order to address three main areas:

- (i) protection of the rays through controlling the way that people interact with them;
- (ii) protection of the reefs and natural environment in and around the designated zones; and
- (iii) the licensing of tourist boats entering the areas.

The enforcement of the Wildlife Interaction Zones came into effect in June 2007.

As we continue to employ more sustainable practices in the management of our Tourism product, we have found the implementation of the Wildlife Interaction Zones to have struck a healthy balance between Tourism-related obligations to improve the

management, safety, and overall experience of visitors to the North Sound and our Environmental obligations to protect and relieve human-induced stress on some of the unique marine life such as stingrays and coral reefs within the Zones.

Furthermore, the creation of the Wildlife Interaction Zones is a testament of what can be established and accomplished by broad consultation. The matter of instituting better controls on these activities, particularly at the popular Sandbar and Stingray City locations, had been under consideration for a number of years by a stakeholder group comprising representatives from the water sports industry, the Marine Conservation Board, the Land and Sea Cooperative and the Department of Environment. This group formulated recommendations to better manage activities at the Sandbar and deep Stingray City sites which have now been incorporated into Regulations that are currently in place.

However, as is sometimes the case with new regulations and policies, and despite comprehensive consultation, once in operation new issues may arise. In this case, stakeholders have identified a few incidental matters and have brought these to the attention of my Ministry.

The present coordinates of the Wild Life Interaction Zone which encompasses the Sand Bar and Coral Gardens has inadvertently included a conch bed traditionally used by local fishermen and tour operators during the open season. Because of the wording of the regulation, conch cannot be taken in this area. Among other things, the Regulations prohibit the removal of a stingray or any other marine life from the water and prohibit fishing or the taking of any form of marine life by any means.

Therefore, since this matter has come to our attention, we will seek to consult with the original stakeholder group and, if necessary, the Opposition in order to seek a possible re-configuration of the coordinates to the south of this zone that would still protect the Sand Bar and Coral Gardens, while allowing fishermen to access a portion of the conch beds in this area.

It has also been brought to the Ministry's attention that visitors in the Wildlife Interaction Zones sometimes stand up on the coral heads while swimming and snorkelling in the area. We must discourage this practice and we will seek to amend the Regulations in order to make this illegal and enforceable by our Marine Enforcement Officers.

Finally, there are wide concerns about allowing waverunners and other small personal watercraft operated by inexperienced drivers into the Wildlife Interaction Zones. During the original consultation with the stakeholder group, the licensing of guided tours on waverunners and other small personal watercraft to enter the Wildlife Interaction Zones was not envisioned. Therefore, we will fully consider the matter and communicate a decision shortly.

Madam Speaker, these three specific matters may all be addressed by Cabinet as they are part of the Marine Conservation (Marine Parks) (Amendment) Regulations, 2007.

Given the importance of the Wildlife Interaction Zones to our tourism product I am satisfied that, this limited review of the Regulations is warranted. Once the recommendations are brought before Cabinet, and the requisite changes are approved, I will make a further public statement.

Thank You.

## GOVERNMENT BUSINESS

### BILLS

#### Suspension of Standing Order 46 (1) and (2)

**Hon. V. Arden McLean:** I beg to move the suspension of Standing Order 46(1) and (2) to allow the Electricity Regulatory Authority (Amendment) Bill 2008 and the Electricity (Amendment) Bill 2008.

**The Speaker:** The question is that Standing Order 46(1) and (2) be suspended. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 46(1) and (2) suspended to allow the Electricity Regulatory Authority (Amendment) Bill 2008 and the Electricity (Amendment) Bill 2008 to be read a first time.**

### FIRST READINGS

#### Electricity Regulatory Authority (Amendment) Bill, 2008

**The Deputy Clerk:** The Electricity Regulatory Authority (Amendment) Bill, 2008. First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

#### Electricity (Amendment) Bill 2008

**The Deputy Clerk:** The Electricity (Amendment) Bill, 2008. First Reading.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

**The Deputy Clerk:** Suspension of Standing Order 46 (4) to allow the Electricity Regulatory Authority (Amendment) Bill, 2008 and the Electricity (Amendment) Bill, 2008 to be read a second time.

**The Speaker:** Honourable Minister responsible for Communication, Works and Infrastructure.

#### **Suspension of Standing Order 46 (4)**

**Hon. V. Arden McLean:** I beg to move the suspension of Standing Order 46(4) to allow the Electricity Regulatory Authority (Amendment) Bill, 2008 and the Electricity (Amendment) Bill, 2008 to be read a second time.

**The Speaker:** The question is that Standing Order 46(4) be suspended. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Standing Order 46(4) suspended to allow the Electricity Regulatory Authority (Amendment) Bill 2008 and the Electricity (Amendment) Bill 2008 to be read a second time.**

### **SECOND READINGS**

#### **Electricity Regulatory Authority (Amendment) Bill 2008**

**The Deputy Clerk:** Electricity Regulatory Authority (Amendment) Bill 2008, second reading.

**The Speaker:** I recognise the Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

I beg to move the second reading of the Electricity Regulatory Authority (Amendment) Bill, 2008, which is a Bill for a Law to amend the Electricity Regulatory Authority Law (2005 Revision) for the purpose of restructuring the power industry in the Cayman Islands to strengthen the enforcement provisions of the Law; and to make provisions for related matters.

**The Speaker:** The motion has been duly moved and is open for debate. Does the Honourable Minister wish to speak thereto?

Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, the Bill before this honourable House to amend the Electricity Regulatory Authority Law (2005 Revision) I believe has its genesis far in advance or prior to today. The current ERA Law (as it is commonly termed) followed on from a Heads of Agreement agreed between the negotiating teams – that is the Cayman Islands Gov-

ernment Negotiation Team and CUC's Negotiation Team, and signed in 2004.

The terms of the Heads of Agreement were never implemented and, with the intervention of Hurricane Ivan in September 2004, fell away. After the hurricane further negotiations with CUC failed.

Although CUC had input in the drafting of the ERA Law at the time, it was decided in April 2005 to finalise the ERA Law without further consultation with CUC. The Law as it currently exists was first issued in May 2005 and revised by the Law Commissioner in July 2005, together with some minor changes to the Electricity Law. This Bill now proposes further amendments to the existing ERA Law as a result of two years of negotiations between Government and CUC.

When the current Government Negotiation Team was requested in October 2005 to commence negotiations with CUC for new licences, the goal was to ensure the best possible licensing arrangements for the benefit of the people of the Cayman Islands.

Madam Speaker, please allow me to stop briefly and thank all those involved in the negotiations over the last two years. Firstly, I would like to thank the Cayman Islands Negotiating Team, which comprised the Chairman, Mr. Olivaire Watler (who is with us today); the Deputy Chairman, Mr. Charles Farrington; the Legal Advisor, Mr. Samuel Jackson (who is also with us today); our Technical Advisors, Mr. Elliot Roseman, of the USA, and Mr. Winston Hay, of Jamaica.

I should stop here briefly and say that the Team received some very disturbing news this morning about Mr. Winston Hay, who was recently diagnosed with prostate cancer. It is unfortunate, Madam Speaker, he is a very valuable member of that Team for the last two years. Certainly he is managing the best he can with this new development, but I would like to refer to Mr. Winston as the "kind little giant" because he is a very huge man, but a very quiet person, but very, very, very capable. I wish him, on behalf of the Cayman Islands Government, a speedy recovery from his illness, and also on behalf of the Team.

Last, but by no means least, the Secretary of that Team, Mr. Philip Thomas.

Madam Speaker, I can assure this honourable House and the people of this country that we can be justly proud of these men. They have worked assiduously on behalf of the consumers, whilst ensuring that the country will continue to have the level of electrification we have become used to and also one that will continue inspiring confidence in developers.

I am particularly proud of the three young Caymanians who drove this process because their interest was also at stake. It is not often that we see Mr. Charles Farrington come out in these public arenas, but he is one of the young Caymanians that we can be very proud of and also Mr. Olivaire Watler. And we all know Mr. Samuel Jackson, who is a very accomplished lawyer, as well as Mr. Watler.

In their Terms of Reference of their appointment, I made it very clear that there was no specific deadline for the completion of negotiation, but rather that it was more important that a new licence was agreed for the economic betterment of the people of Grand Cayman. I am proud to stand before the people of this country to report that they have achieved that requirement, the results of which will be evident in consumer bills starting this month (that is, the end of January).

It would be remiss of me if I did not mention the CUC Negotiating Team as well. I would also like to thank them for their professionalism and assistance with bringing this phase to its conclusion.

Having said that, Madam Speaker, I must acknowledge that it has not all been a bed of roses. Negotiations with CUC between October 2005 and the present time have been very intense and have on more than one occasion led to an impasse where the two sets of negotiating teams could not reach agreement on specific points and I, as Minister responsible, as well as the Leader of Government Business, had to intervene to find a solution to the problems. We nevertheless overcame those bumps in the road and came through with what we believe is a fair conclusion.

Initially both teams tried to use the Heads of Agreement where specific terms had been agreed prior to 2005 as a base document to recommence the negotiation. However, it soon became apparent that the terms of the Heads of Agreement in many cases no longer applied and both teams suggested a different basis for the ongoing negotiations.

Over the past two years, Grand Cayman has seen and continues to see large development of property which in turn leads to a large increase for demand for electricity. This continued increase in demand for electricity dictates that Grand Cayman must have a dependable source of electricity generation at a competitive price and the new Law, the proposed amendments, will allow for competition in generation whilst allowing CUC to earn a fair rate of return to ensure their financial stability.

Madam Speaker, upon the successful passage of these proposed amendments to the ERA Law, the Government will sign a new licence with CUC which will reflect many changes to what hitherto existed.

The Bill proposes to amend the Electricity Authority Law (2005 Revision) for the purpose of restructuring the power industry in the Cayman Islands. The Memorandum of Objects and Reasons of the Electricity Regulatory Authority (Amendment) Bill 2008, schedules those proposed changes to the existing Electricity Authority Law (2005 Revision). I wish to now advise this honourable House of the amendments proposed to the ERA Law in this Bill.

Madam Speaker, before I begin, I think I should inform honourable Members that because of how fluid these talks are and the discussions surrounding this Bill, there are a few additional amend-

ments that we will propose at Committee stage and we are hoping to have those circulated later this morning.

I will try to go through the Bill clause by clause. Maybe it will be a little difficult for some to follow, and it is going to be tedious, but it is necessary for us to do it in that manner.

Clause 1 of the Bill provides the short title “**in respect of the commencement of the**” law.

“**Clause 2 amends section 2 of the principal Law in order to define some new expressions for the purposes of the legislation and amend some of the existing definitions.**”

Clause 2 of the Law . . . during the period of licence negotiations, some definitions were found to be lacking in specific terms and some definitions were omitted from the Law. These changes are now being proposed to correct those deficiencies as advised by our technical and legal consultants.

For instance in the definition of the term “**additional electricity generation**”, we are proposing to insert the words “**a generating unit therein or**” after the words “**generating station or**” to show that additional electricity generation can be for a specific generating unit. So the definition would now read: “**Additional electricity generation means any electricity capacity or energy that the Authority solicits to be generated either in substitution for a generating station or generating unit therein, or in addition thereto.**”

Madam Speaker, (b) is proposing to insert in the appropriate alphabetical sequence the following definition: “**backup electricity supply**”. This was omitted from the Law and relates to a consumer who may be generating for self supply, but at the same time wishes to have a backup supply by having a connection to CUC’s T&D supply, that is, their system, for which a charge will be made by CUC.

Madam Speaker, in the past we all considered “**back up**” to mean just having our own supply at home, back up generation. This amendment to the Law changes all that. Back up supply can also mean that one who is generating his own electricity, CUC will be required to provide backup. Before now, CUC was the primary provider and no one could be a primary provider other than CUC. But the [Bill] proposes to change that and allow self-providing, or self-provider, if we may wish to term it that way, where one can provide one’s own supply and CUC will provide back up. So it is reversed, so to speak, in that instance.

So, “**‘back up’ electricity supply means the provision of electricity supplies by a Generator or a T & D Licensee to another person which is temporarily unable to satisfy its system demand with the generation resources normally available to it.**”

Madam Speaker, “**Capital Investment Plan**” is a new definition and does not appear in the existing Law. It relates to the plan by CUC for its future capital investment in new assets, that is generation, T&D and

sundry assets, which will form part of its rate base if approved by the Authority—because it now has to be approved by the Authority on which it calculates its return on rate base (that is RORB). That capital investment plan (which is CIP) would have to be approved by the Authority annually.

So, Madam Speaker, it would read: **“Capital Investment Plan’ means those additions to its generation and T & D assets that a licensee intends to make, that, when added will form part of its rate base as approved by the Authority.”**

The next definition is **“destructive event”**. This is a new definition and does not appear in the Law and refers to an event such as a hurricane, flood, fire, earthquake, act of terrorism or other calamity, which may prevent a licensee temporarily from meeting its obligations under a licence such as the event of Hurricane Ivan and when CUC could not meet its obligations because of the destruction of Ivan and CUC’s infrastructure. So this is just a definition of what **“destructive event”** means.

Madam Speaker, the definition **“electricity”** was omitted from the law. It **“means electric current or energy”** generated by CUC or anyone else that will be generating electricity and which passes through CUC’s T&D system to consumers.

**“Electricity service industry” means commercial provision of electricity supplies to the general public.”**

**“General Regulatory Principles”** — Madam Speaker, this definition relates to **“the overall guidelines relating to the regulation of the electricity industry in the [Cayman] Islands.”**

These regulations have been added to the Law as Schedule 2. These guidelines were agreed between Government and CUC during the course of the license negotiations.

Madam Speaker, **“generation assets”** — this definition was omitted from the Law and refers to **“all assets used and useful in the generation of electricity, [not only by CUC but also by any future additional generator, or electricity granted a licence by the Authority.]”**

**“Generation assets”** would include **“property, infrastructure, (for example, prime movers, generating units, switches and switch yards, breakers, transformers, fuel delivery and storage systems), controls and other support equipment and facilities up to the specified point of interconnection with the T&D system of a T&D licensee.”**

Madam Speaker, **“licensee”** was also omitted from the Law and refers to **“a person to whom a licence is granted”** under the Law either for generation or T&D— that is transmission and distribution.

Madam Speaker, **“RCAM”** or **“rate cap and adjustment mechanism”** is the method of calculation to establish what, if any rate adjustment up or down, CUC might be allowed to its billing rates after being approved by the Authority. And, a little later on we will

about the removal of the other mechanism that was in place in the Law.

Madam Speaker, the **“standby connection”**— this definition was also omitted from the Law and refers to **“an electrical connection between the T&D system of a T&D Licensee and premises”** of a consumer **“for the purposes of”** providing **“a backup electricity supply”** which I referred to earlier.

Madam Speaker, **“T&D assets”** definition was omitted from the Law and refers to **“all the electrical transmission and distribution assets owned by the T&D licensee and used and useful in the provision of licensed transmission and distribution services, including property, rights of way, infrastructure (for example, poles, wire, switches, transformers, capacitors and substations)”** and the likes.

Madam Speaker, 2(c) proposes to delete **“the terms “electric line”, “generation licence”, “interconnection”, “licence”, “publish” and “T&D code”** and substituting the following definitions respectively- which is **“electric line”** meaning **“a line which is used either solely or primarily for the transport of electricity for any purpose and includes – (a) a support for such line, that is to say, the structure, pole, or other thing in, on, by or from which such line may be supported, carried or suspended; (b) apparatus connected to such line and related to the transmission and distribution of electricity; and any wire, cable, tube, pipe”** and all the other associated hardware.

Madam Speaker, **“generation licence”** will be replaced with the meaning **“a licence which permits a Generator, among other things – (a) to generate electricity for sale to a T&D licensee for further transmission and distribution to consumers; and (b) to construct, reconstruct, replace or modify a generating station or any generating unit therein for the purpose of generating electricity for sale to a T&D licensee;”**

**“Interconnection”** will be replaced with **“the electrical connection of a generating station of a Generator, or of a generating unit used for self supply to the T&D system of a T&D Licensee;”**

**“Licence”** Madam Speaker, will mean **“a licence granted to a person by the Governor or by the Authority under this Law and includes any renewal thereof or modification thereto;”**

**“Publish”** will be replaced with the meaning of being **“in relation to any regulation rule, direction, decision, accounts or notice required to be given or promulgated under this Law means causing the regulation, rule, direction, decision, accounts or notice to be published in the Gazette and either published in electronic format on the Internet or in a newspaper circulating in the Islands;”**

But, Madam Speaker, under the current Law (if Members will permit me) some of those provisions such as **“electronic format”** were not as clear as they

should have been. And it read, **“in relation to any regulation [ . . . ] required to be given or promulgated under this Law means causing the regulation to be published in the Gazette and either published in electronic format on the Internet or in a newspaper circulating in the Islands;”** So, some change was needed there to bring that in line with new modern times.

Madam Speaker, the term definition **“T&D code”** we are proposing that it be changed to mean **“a set of rules adopted, prepared or adapted by a T&D licensee and approved by the Authority under this Law to be observed in respect of all technical aspects including safety, relating to interconnection and connection to and operation of the transmission and distribution system operated by the T&D licensee, including the dispatch of generating units to serve the load and reserve requirements of that T&D licensee.”**

Madam Speaker, under (d) of the Amendment Bill, it is proposed to delete the definitions of the terms **“electric plant”, “generation charge”, “price cap mechanism” and “service”**. And Madam Speaker, while these are contained in the present law, it was recognized that during the course of the license negotiation that they were no longer necessary and are being deleted by this Amendment Bill.

Madam Speaker, I spoke earlier about **“the RCAM”**. Under the old heads of agreement the previous government had reached agreement on a different method of calculation which was the “price cap mechanism” and now the advent of having changed that calculation system means that there is no need for a definition to be left in the Law for that. Thus the new definition for **“rate cap adjustment mechanism”** which is **“RCAM”** thus the reason we are proposing to remove that.

Madam Speaker, in the definition of the term **“generation solicitation process”** we are proposing to insert after the words **“set out in”** the words **“the regulations made under”**. Madam Speaker this will clearly define that not only are there procedures, but there are regulations to find under this Law in the way the process must be conducted.

Madam Speaker, under (f) of the amending law it is proposed to delete **“the definition of the term “generator” and substitute it with the definition “Generator” [which] means a person possessing a valid licence to generate and deliver electricity to a T&D licensee.”**

Now, Madam Speaker, the word **“generator”** with a small **“g”** under the current law says that it means **“a person possessing a valid licence to generate and deliver electricity to a T&D licensee”** [for reward.] That has now been changed to **“Generator”** with a big **“G”** — a capital **“G”** to distinguish the difference between the person holding a valid generation licence called a **“Generator”** from a generating unit which is capable of producing electricity. So the person who will have a licence to generate will be

called a **“Generator.”** We are trying to distinguish the difference between that person and the actual generating unit.

Madam Speaker, (g) is proposing to delete the two definitions of the term **“Governor”** and substitute the following with one definition. What happened was that in the revision of the Law there were two governors put there — one, the Governor as the person holding office and the other one as in Cabinet. So, the definition of **“Governor”** is amended now to mean **“Governor in Cabinet”** rather than the definition in the Law which is the person for the time being holding the office of **“Governor”** of the Cayman Islands.

Madam Speaker, another area is the definition of **“Power Purchase Agreement” (PPA)**. It is proposed to amend that to read **“PPA” or “Power Purchase Agreement”** [which] **means an agreement made or terms and conditions agreed between a Generator and a T&D licensee approved by the Authority whereby the T&D licensee contracts to purchase or acquire electricity generated by a Generator as specified in the agreement or terms and conditions;”**

Madam Speaker, let me stop and explain briefly what that means. It has been said by many that we were not going to liberalise the electrification market. Well, Madam Speaker, following on the heels of the previous government we continued in that vein because that is what needs to be done. There is liberalisation in the generation of electricity.

On the T&D (transmission and distribution) side, it would not be in the economic best interest of this country to have liberalisation in that arena. But under the generation what would happen is that when another company wins a solicitation process CUC would still have a licence for the T&D. So they are being required to purchase that electricity (that the other company person, who would be considered the **“Generator”** in this instance), from them. By law they must purchase it from them. So between them they would have to be what you call a **“PPA” — Power Purchase Agreement**. (The Third Elected Member from West Bay knows exactly what I am talking about). But it would have to be approved by the Authority.

Madam Speaker, this Amendment Bill gives more authority to the Authority—much, much more. I said that a long time ago. You cannot expect a regulatory body to walk around without teeth. They have no usefulness and under the old Law there were not too many teeth in the ERA. And we sent out, in particular, Madam Speaker, two of the young Caymanians I talked about earlier. They set out, on my instructions, to insure that there were teeth put in to the ERA. And from hereon, in, the ERA will have authority over the electrification industry in this country.

Madam Speaker, sub paragraph (i) proposes to delete the term **“renewable, sustainable or alternative forms of energy”** and substitute it with the following definition—**“renewable, or alternative forms**

**of energy means non fossil energy used in the generation of electricity which does not deplete the amount of that energy available in the future or for which the supply can be readily regenerated, including energy derived from wind, hydro, biomass, waste (including waste heat), bio-fuel, geothermal, fuel cells, tidal, temperature inversion or convection, solar or wave or any combination of such forms of energy;”**

Madam Speaker, therein lies what the people in this country . . . Many people in this country have made representation to me about renewable forms of energy. Therein lies one of the objectives of this Government when we talk about waste and biomass. To ensure that that is defined as a renewable source of energy, solar, wind, and in these amendments further on in the Law. Madam Speaker, we are also requiring CUC to look at renewable sources of energy in the interest of efficiency and cost effectiveness.

It is good that we are changing this definition to include all of those things because when we talk about fossil fuel — energy from fossil fuel — that is the same diesel fuel that we are currently using. We know the cost of that and what it is doing to this country. So this Government is ensuring that provisions for renewable forms of energy become available.

The Government is set [on trying] to put in place a waste energy plant to dispose of the waste in this country and sell what is not used at the Plant back to CUC. That is considered a renewable source — waste energy.

Madam Speaker, in the definition of **“transmission and distribution”** the proposal is to remove two words—**“electric plant”** and substitute the words **“electric meters.”**

Clause 3 of the amending Bill calls for the repealing of sections 4 and 5 of the principal Law and substituting it with certain provisions on the appointment of directors which will be responsible for the governance of the Cayman Islands Electricity Regulatory Authority. Directors would be required to have certain skills and expertise and would be paid remuneration and allowances, approved by the Governor in Cabinet. This amendment also prevents any Member from the Legislative Assembly from sitting on the Electricity Regulatory Authority. And that is in keeping with the position that the PPM Government has taken a long time that no Member, no Member of Parliament should be sitting on boards—Statutory, Authority or whatever, of Government.

So, Madam Speaker, section 4(2) of the Law will be amended to show that the new board of directors of the ERA, when appointed, will consist of a chairman and not less than four and not more than six other directors. Currently the Law makes provisions for not less than five or more than seven, and it makes no reference to there being a chairman. So, under this amendment, at the time of appointment of directors, the Governor in Cabinet would appoint a chairman.

Section 5, Madam Speaker, makes a change to make provision for the qualification of members, directors of the ERA. Now, there is no specific reference to the duties of directors and the following words would be added: **“the Board shall be responsible for the governance of the Authority including the policy and general administration of the affairs and business of the Authority in accordance with the provisions of this or any other Law.”**

So, Madam Speaker, it is bringing in line some things that probably were an oversight by the previous government. Certainly nothing is etched in stone, especially laws: the time has come now to make those necessary changes.

One of the very controversial things in this country, when it came to the ERA Board of Directors, was that there was very little provision made for the termination of directors. So, clause 4 of this Bill repeals sections 7, 8 & 9 of the principal Law wherein the Governor (that is the Governor in Cabinet) will be given more opportunity/provision to be able to rid the Authority of directors who are not necessarily on the whim and fancy of the Governor in Cabinet, but certainly for reasons such as physical or mental illness which would incapacitate the person and prevent him from carrying out the duties of the directorship.

The person who **“is declared bankrupt;”** the person who **“is convicted in any jurisdiction of an indictable offence or any offence involving dishonesty or fraud;”** persons who are guilty of gross **“misconduct in relation to the duties as a director;”** where directors are **“absent without the leave of the Chairman from three consecutive meetings of the Board;”** where a director **“fails to disclose a conflict of interests in accordance with this Law;”** or, additionally, **“after his appointment, acquires a financial or other interest likely to affect prejudicially the exercise of his functions as a director;”** and an open one, where **“in the Governor’s reasonable opinion, is otherwise unable or unfit to discharge the duties of a director competently under this Law or any other applicable law of the Islands, or is otherwise unsuitable to continue as a director.”**

I think the country will remember the discussions that we got into with regards to that. But this hopefully, Madam Speaker will resolve that. The principal Law does not sufficiently cover the conditions, but we believe now the amendments will.

Madam Speaker, clause 8 only rewords the principal Law by changing the words **“First Schedule”** to **“Schedule 1”**.

Clause 9 of the amending Law makes provisions for the function of the Authority. Madam Speaker, under the existing Law there was no reference to granting licences regarding the use of alternative resources. So, the following words were added to give the Governor the right to amend the functions of the Authority, varying the functions of the Authority, for example, to enable the Authority to grant, modify, or

renew licences for generation from alternative or renewable sources of energy.

Now Madam Speaker, it also defines that **“without prejudice to subsection (1), the principal functions of the Authority shall include (a) to monitor and regulate the tariffs, rate structures and terms and conditions for electricity transmission and distribution charged to consumers by T&D licensees in accordance with the respective RCAM”**

Madam Speaker, it is very important that we understand that all of these were in the existing Law, but I am trying to streamline it if I may, to make provision that there is no misunderstanding between the licensee and the Authority. The Authority has certain responsibilities as well that they cannot act in frivolous manners and the likes. But certainly it is to ensure that they remain a regulatory Authority.

And **“(b) to review and approve other rates offered by T&D licensees outside of the respective RCAM and available at the option of the consumer;”**

**“(c) to monitor and regulate the rate, price terms and conditions of electricity generated by Generators and supplied to T&D licensees for reward.”** Madam Speaker, earlier I spoke briefly on the provision to have that licence between the two entities which would allow for one to purchase from the other which is the Power Purchase Agreement (PPA).

So, clause 9 is saying that the Authority must oversee all these things **“(d) to establish and enforce regulations, processes and licence standards regarding the granting of licences.”**

Now, Madam Speaker, that is particularly important to this entire process. If the Authority does not enforce the regulations then we will have licensees all over and the standards will be no more. It also under (e) gives it the authority **“to grant, modify or renew electricity generation in the context of the generation solicitation process.”**

Now, Madam Speaker, that too is very important. The Authority must oversee the solicitation process. It makes no sense for us to have liberalisation in the generation side of the electrification or the industry and no one oversees what is going on and ensure that all and sundry is protected, that is, the consumers, the T&D licensee and the proposed Generator who is the potential . . . who would get the licence for generation. It requires that the Authority has oversight. It also gives them the right (section 9) where Authority is satisfied that it is economic to extend the life of a generating unit or units of a generator held under an existing generation licence.

Now, Madam Speaker, that is very important because generators have a life of a specified period. But if they are maintained properly they will be able to go much longer. So, the Authority must be able to look at that and see if it is in the best interest of the consumer to extend the life of that generator maybe one

year, maybe two years, I do not know, whatever the case may be. But the Authority must have that ability to look at it and decide and approve or refuse.

Madam Speaker, (f) gives the Authority the right **“to solicit additional generation capacity and conduct the generation solicitation process”** which I spoke of earlier, and **“to grant, modify or renew a T&D licence to provide a T&D system in each of the Islands;”** that is, Cayman Brac, Little Cayman and the likes. It gives it the right -

- “(h) . . . to conduct the tender process for applicants for any new T&D licence to provide a T&D system, and to select the successful tender;**
- (i) to monitor and regulate the divestiture of T&D assets when required by this Law;**
- (j) to monitor and regulate the divestiture of generation assets when required by this Law;**
- (k) to review and approve rates for backup electricity supply and for interconnection charged by a T&D licensee to another person in accordance with this Law;”** which is what I went over earlier, Madam Speaker, in the definitions, where there will be interconnection charged by the T&D licensee for anyone who is generating the electricity.

Madam Speaker, it is a requirement of the Board of the Authority:

- (o) to monitor and regulate all licensees in a manner that –**
- (i) promotes sustainable, competitive practices;**
- (ii) provides an opportunity for a fair and reasonable return to licensees; and**
- (iii) protects, the economic interests and well being of consumers by keeping tariffs and rate structures as low as can reasonably be achieved; and**
- (p) to review and approve annually the Capital Investment Plans for all licensees.”**

Now, Madam Speaker, those four things are very important to the new regime. The Authority must be a very robust, robust entity. It must be an independent entity. And we will get to that a little later as well. But it is very important that the Authority knows it has the responsibility to protect consumers but also to

protect licensees and to promote sustainable, competitive practices.

Under (3) there are other responsibilities of the Authority. Section 11 talks about direction given from the Governor, and when we reach that section, Madam Speaker, I will talk on that as well. I certainly do not want to jump to that now, but the Authority has a responsibility to give effect to those directions.

It has a responsibility to **“engage in a public consultation process on the procedures to be adopted by the Authority to implement the processes and arrangements developed under paragraph (a)”** which are the directions from the Governor in Cabinet. And **“advise the Governor”** that is in Cabinet **“on the effect of electricity, generation or transmission and distribution upon the environment, having regard to sustainability and international agreements on the environment to which the Islands are or may become a party”**.

It also has responsibility to **“formulate publish and implement such rules as the Authority may consider necessary after the public consultation process referred to in paragraph (b) taking account of matters raised in the public consultation process; and (e) advise the Governor on the development and regulation of the electricity industry in the Islands and on the exercise of the functions of the Governor under this Law.”**

Under (4) – **“The Authority shall carry out the functions and exercise the powers conferred upon it under this Law in a manner which –**

- **is reasonable;**
- **does not discriminate unfairly between applicants for licences or licensees;**
- **protects the interests of consumers;**
- **protects the security and public interests of the Islands;**
- **is consistent with the General Regulatory Principles,”** which I spoke of earlier, Madam Speaker. The General Regulatory Principles.

Madam Speaker, there are certain things under (5) that the Authority must have regard to –

- “(a) the need to develop and promote sustainable competition for additional electricity generation in accordance with this Law;**
- (b) the need to regulate and supervise licensees in such a manner as to ensure that all reasonable demands by consumers for electricity are satisfied;**
- (c) the need to ensure that applicants and licensees are capable of financing the activities they are, or seek to be, licensed to undertake;”**

Madam Speaker, that is very important. This country cannot afford fly-by-nights coming in here talking about “wanting” to put up electricity plants. This country has progressed too much and too far and it is because we have a very, very robust infrastructure which promotes and inspires confidence in developers. To have some of these people come in here and want to put up plants, go and buy land and get ready to do it and then bring in some old Third World generator. Everywhere in this world, Madam Speaker, you have these people who think they can outsmart small-island people. But the ERA will have the responsibility to ensure that these people are capable, whoever is in the public solicitation process, to ensure they can finance the activities they seek to undertake or they try to bid to undertake.

It also must have regard to **“whether licensees have promoted or will promote safety, sound environmental practices, technical proficiency and efficiency in the generation and transmission and distribution of electricity.”** And that is very important, Madam Speaker. In this day and age of green it is very important that the Authority ensure that the emissions and the likes from any generation, that the effects on the environment are as little as possible.

It must also take regard to **“whether licensees have ensured or will ensure the continuity, security and quality of supplies of electricity within the Islands”**. It will also take regard to **“whether licensees have promoted or will promote the development and use of renewable or alternative forms of energy by licensees and consumers”**.

Madam Speaker, the Authority has a lot of responsibility to ensure sustainability in our country. At the beginning I said there is a whole new regime now. This is a brand new part of going into the future. And if we do not do it now we are going to have to come back to this honourable House and do it at some stage. I respectfully submit that it will not be long.

Madam Speaker, need must be taken for **“the needs of rural customers, the disadvantaged and the elderly.”** Regard must be paid by the Authority to those people. It is no longer the Governor or the Minister responsible; the Authority needs to do this work. That is why later on we will talk about the qualifications that must be thought of when these people are appointed.

Madam Speaker, they must look out for the elderly as well. (i) requires **“the need to permit and promote the use of renewable or alternative forms of energy by consumers so as to reduce the load on any T&D system.”** They have a major job on their hands to ensure they educate the public about how they can reduce their consumption. In the past it has been the electrification company, CUC, who goes out there and promotes that or businesses who promote energy efficient products. The Authority has a responsibility too to try to educate the consumers on what it means.

Madam Speaker, (6) makes the provision that **“the Authority shall have the power to establish environmental standards and to ensure that licensees –**

**comply with planning standards; and take effective measures to comply with safety and environmental standards.”**

How many times have we heard about things or areas in this country where we hear the general public saying, *‘Oh, there are no standards to their madness, there are no standards to their way of developing, certain developers.’* Well, the Authority will have the power to establish things like environmental standards to ensure that licensees comply with planning standards and take effective measure to comply with safety and environmental standards.

Madam Speaker, clause 5 makes provisions for the amendment of section 10 of the principal Law to allow the Authority to convene hearings of any matter that it sees fit because before it was merely meetings that the Law made provisions for. So, the amendment now allows it to hold hearings and convene meetings for any matter it sees fit.

Madam Speaker, clause 6 seeks to amend the principal Law **“in section 11 by deleting the word “Minister” wherever it appears in the marginal note and the section and substituting the word “Governor”.**

Madam Speaker, it is important that the principal Law reads that the Minister may give to the Authority directions of a general character as to the policy to be followed in exercise and performance of the functions of the Authority in relation to matters appearing to the Minister to concern the public interest. And the Authority shall give general effect to any such direction. Now, Madam Speaker, we are proposing to change that to Cabinet, the Governor meaning why should the Minister be allowed to make such sweeping or general directions to the Authority which he believes, appears to him, to concern the public interest? That could get out of hand real quick. I do not know where but it could get out of hand.

The functions of this Authority should be carried out without political interference and we are proposing that the responsibility lies with the Governor (that is in Cabinet). Let the decision be made there and then general directions can be issued by the Minister on behalf of Cabinet.

Clause 7 of the Bill amends section 14 of the principal Law to require the Authority to **“no later than three months before the commencement of each financial year cause estimates of expenditure and revenue to be prepared for the financial year following, for consideration by the Board.”**

Madam Speaker, section 14(2) (4) of the Law requires the Authority to cause estimates of expenditure revenue to be prepared and adopted each year. However, the specific time by which these estimates

should be prepared was not defined, and the following is added –

**“(4) The Authority shall no later than three months before the commencement of each financial year cause estimates of expenditure, and revenue to be prepared for the financial year following, for consideration by the Board, and upon adoption by the Board, such estimates shall be published.”**

Madam Speaker, clause 8 amends section 21 of the principal Law to require the Board’s approval before publication of the Authority’s statement of its assets and liabilities.

**The Speaker:** Honourable Minister, is this a convenient point to take the luncheon break?

**Hon. V. Arden McLean:** Yes, Madam.

**The Speaker:** Proceedings will be suspended until 2 pm.

**Proceedings suspended at 12.39 pm**

**Proceedings resumed at 2.12 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

The Honourable Minister of Works, Communications and Infrastructure, continuing his debate.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

When we took the luncheon suspension, I was dealing with Clause 6 of the Bill which amends section 11 of the principal Law. And then on to [clause] 7 and 8, I believe we had also gone through.

So I will now turn to Clause 9 of the Bill which amends . . . and Madam Speaker, I will try to speed this up as much as possible at this stage in the interest of time.

**“Clause 9 amends section 22 of the principal Law to make provision for the employment, by the Authority, of persons such as consultants.”**

Madam Speaker, there will be times when the Authority will have to engage consultants, therefore, it is a necessity to amend the Law.

**“Clause 10 of the Bill amends section 23 of the principal Law to make it an offence for unlicensed persons to generate or transmit electricity for reward.”** So anyone who wants to generate electricity for a reward will have to receive a licence from the Authority under the provisions of the Law.

**“Clauses 11, 17, 24, 27, 28 and 36 respectively amend sections 24, 32, 52, 58, 59 and 75 of the principal Law, and clause 25 repeals section 54, with a view to strengthening the enforcement provisions of the legislation.”** Such as section 32,

which imposes fines on the licensee who fails or refuses to immediately discontinue or refrain from a practice specified in a notice from the Authority and now reduces certain fines that were previously in the current Law for “one million dollars” to “five hundred thousand dollars”.

“Clause 12 repeals and replaces sections 26 and 27 of the principal Law to -(a) empower the Authority, if it is satisfied that it is economic to extend the life of an existing generating unit, without application of the generation solicitation process, to grant a new generation licence the terms of which would correspond with the new estimated life of the generating unit . . .” which I spoke to earlier, because the life of a generating unit is depreciated over 20 years presently. However, with good maintenance the economic life of a generating unit may be longer than 20 years. If at the end of an accounting life of a generating unit (20 years) the Authority is satisfied that it is more economic and beneficial to consumers to extend the life of that generating unit, rather than replace it with a new generating unit and increase the rate base (because that is exactly what it would do), they may issue a licence to that Generator for the period of the economic extension of life of that generator.

“Clause 13 of the Bill amends section 28 of the principal Law to enable the modification of a licence in the public interest.” That is, to allow the Authority to modify licences on the direction of the Governor. However, Madam Speaker, it may be possible that for reasons of security or public interests that the licence may need modification. So provisions have to be made to allow for that.

“Clause 14 amends section 29 of the principal Law to impose on a licensee a duty to submit to the Authority, on an annual basis, audited financial statements and, within thirty days of each quarter end, unaudited detailed management financial accounts.

“Clause 15 amends section 30 of the principal Law to enable the suspension or revocation of a licence in the public interest.” This allows the Authority to suspend or revoke a licence if it is necessary for reasons of the security of the country.

“Clause 16 inserts into the principal Law a new section 30A which prescribes the circumstances in which the Authority may enter upon and take possession of the generation assets or T & D assets of a licensee.” Again, that is making provisions for the Authority to have some degree of control within the industry.

“Clause 18 amends section 36 of the principal Law to enable a single legal entity to be both a T & D licensee and a generation licensee at the same time.” And that provision is put in there specifically for CUC at this time because they will be issued both licences since they are the only entity now.

“Clause 19 amends section 37 of the principal Law to provide that agreements preventing

competition are prohibited only if they are implemented in such a manner as to affect generation or transmission and distribution of electricity in a way that prejudices the interests of consumers.”

“Clauses 20, 21, 22 and 23 of the Bill respectively amend sections 40, 42, 44 and 51 of the principal Law to remove the Authority’s ability to act upon a reasonable suspicion in respect of various matters and, instead, enables the Authority’s action only where the Authority has reasonable grounds for its belief.”

“Clause 26 amends section 56 of the principal Law to correct a clerical error.”

“Clause 29 inserts into the principal Law a new Part VIII regulating interconnection and electricity infrastructure sharing and containing provisions which – (a) deal with interconnection [. . .]” and “back up connection to a transmission and distribution system.”

“Clause 30 amends section 66 of the principal Law to empower the Authority, instead of the Governor in Cabinet, to prescribe standards for the provision of service by licensees.” Before this, Madam Speaker, it would have to be the Governor in Cabinet who did such, but the Authority should have that ability.

“Clause 31 of the Bill amends section 67 of the principal Law to empower the Authority, instead of the Governor in Cabinet, to prescribe the circumstances in which a licensee may discontinue service to a consumer where the consumer has illegally abstracted electricity from the licensee, or the connection to the consumer creates a hazard to health or property.” Before it was left up to CUC to decide, but provisions under the Electricity Law makes it illegal.

“Clause 32 amends section 68 of the principal Law for greater clarity and provides that no licensee shall incur any liability for any exemption granted to another licensee or other person.”

“Clause 33 repeals and replaces section 70 of the principal Law to remove the requirement for the Authority to establish procedures to enable licensees to declare any information imparted to another licensee to be confidential information.” And that is done to protect the commercial interests of a licensee where an interconnection is made from one licensee to the other.

“Clause 34 of the Bill amends section 71 of the principal Law to remove the ability of the Governor in Cabinet and the Authority to prescribe miscellaneous decisions which may be reconsidered by the Authority.”

“Clause 35 amends section 73 of the principal Law to enable an appeal from a reconsideration made by the Authority to be made in accordance with the prescribed dispute resolution procedures.” Which would be resolution procedures under regulation made pursuant to section 89(1)(d).

**“Clause 37 amends section 84 of the principal Law to correct a clerical error.**

**“Clause 38 repeals and replaces section 88 of the principal Law and provides that licences, decisions and approvals issued under the legislation, must be consistent with the General Regulatory Principles. The General Regulatory Principles are set out in Schedule 2 which is inserted in the legislation by clause 43 of the Bill.”**

**“Clause 39 of the Bill amends section 89 of the principal Law to require the Authority to consult with the Governor in Cabinet (instead of the Minister charged with responsibility for electricity generation, transmission and distribution) before making rules.**

**“Clause 40 inserts section 90A in the principal Law to make provision in respect of the service of notices.”** I spoke to that earlier.

**“Clause 41 repeals and replaces section 92 of the principal Law to make provision for new transitional provisions.”** Madam Speaker, at present the ERA Law does not apply to any licensee issued a licence prior to the Law being introduced in May 2005. There has to be a transitional provision for the procedure of the old licence to be surrendered and the new licence to take effect. So, **“Where a person who possesses such a licence or enabling instrument as described in subsection (1) [which is prior to the Law coming into effect] has entered into an agreement with the Authority; or in a case where the Board has not yet been appointed pursuant to section 5, or there is otherwise no extant Board, has entered into an agreement with the Governor, being an agreement to surrender and terminate such licence or enabling instrument and to replace the same with a new licence or licences, immediately upon surrender and termination of such licence or enabling instrument, the Authority or the Governor, as the case may be, shall grant to such person such new licences on such terms, conditions and exemptions as have been so agreed, but such licences shall otherwise be subject to this Law; and the Governor may, for such period of time as he shall determine, appoint such persons as he considers necessary to assist in carrying out such functions as are deemed reasonably necessary to effect the issuance of such licences.”**

So, Madam Speaker, in effect, what has happened is that CUC has a licence and under this provision it would continue providing if we do not sign a new licence. In the absence of a duly appointed Board the Governor, Cabinet, that is, would be allowed to sign that licence on behalf of the ERA.

**“Clause 42 of the Bill amends the Schedule to the principal Law to enable the Authority’s Board meetings, at the discretion of the chairman, to be open to the public.”**

Madam Speaker, I just had a note passed to me by one of my colleagues. It is true, it also affects

Cayman Brac Power and Light, this transitional provision to ensure that the Governor (in Cabinet) in the absence of the ERA Board, can sign a licence with Cayman Brac Power and Light.

Now, Madam Speaker, the public has been crying for this in all aspects of openness and transparency. This is a good place to start with it. To promote transparency, the meetings of the Board of the ERA should be open to the public. Unless, of course, the Chairman decides that there are matters of a confidential nature to be discussed.

**“Clause 43 inserts into the principal Law a new Schedule which sets out general principles regulating the generation and transmission and distribution of electricity in the Cayman Islands.”**

These general regulatory principles were agreed between the parties during the negotiations and are attached as Schedule 2 of the Law.

Madam Speaker, it is very important that we understand that there must be some principles under which we regulate generation and transmission and distribution of electricity in the country. Therefore, these principles were developed and are hereby being proposed as Schedule 2 to the Law.

I think I have gone through all the Clauses. As I said earlier, there are some small changes to the [Bill], amendments that we will want to make at Committee stage. I am hopeful those will get to us shortly and at that time we will explain those.

Now, I think the only thing left for me to do is to commend this Bill to this honourable House and ask Members for their support. Certainly we will wait to hear where Members may have their concerns and we will address them as much as we possibly can.

Thank you.

**The Speaker:** Does any other Member wish to speak?

Third Elected Member for the District of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you, Madam Speaker.

I just rise to give some brief comments on the Bill for a Law to amend the Electricity Regulatory Authority Law (2005 Revision) for the purpose of restructuring the power industry in the Cayman Islands; to strengthen the enforcement provisions of the Law; and to make provisions for related matters.

Before getting started, I too would like to express thanks to those individuals involved in moving this admittedly difficult process to where it is today. Having been a part of the negotiating team prior to 2005, I know how much time and effort, and the sacrifices made by those members. So I would like to echo the Minister’s heartfelt gratitude to the country for the work that was done.

Having said that, and the Minister has already acknowledged CUC for the part that they have played as well, I also think it would be remiss of me not to

thank (as acknowledged by the Minister) the members who started the process even before that—those members of the negotiating team, along with me, who started the work and put in much time and effort to get it to the stage where it was taken from in 2005. So I am quite happy to see that we have reached the stage we have.

I fully acknowledge the need for the amendments. Obviously, when the initial Law was in place it was at the beginning stages of the negotiations. But it was always recognised that when we got down to the point of issuing a new licence it would be necessary to further amend the Law. I see that is what the Minister is doing at this stage, and we support that process.

I do have a few questions, I guess, that may have well been considered, but I do not think it was clear when the Minister gave his explanatory remarks for the various amendments that have been made. The first one was referring to clause 10, where we got into the re-selling of electricity for a reward. I have a bit of a question that I think came up during our discussions, and it had to do with what was referred to enclaves, as I am sure the members of the team would have been familiar.

When the provision now says that no one will be allowed to generate electricity for reward without a licence, I wanted to get an answer to what could be a hypothetical situation. But I am sure that if the Members listen they will either have a solution for that potential problem or a solution may already exist, which I have missed. That is, if we have an existing development that is providing or “re-selling” (as we like to say in telecommunications) a provider’s product . . . so we have a development. It has tenants in there that pay rent, but included in that rent there is a fee for electricity as well as for telecommunications. In many cases those fees are marked up to include capital costs that have to be recovered for those fees.

Currently I know of that situation existing in at least one location on the Island. I assume that at the current stage the provision of the electricity is being provided by the electricity company, CUC. That is being passed along and whether we term it “resold” or whatever we term it, it is being provided to its clients at a fee. And those clients will pay directly to CUC for that provision.

My concern would be as to what would happen now if we ended up getting into a hurricane stage, or a loss of power where that particular entities’ own generation equipment comes on line and is providing, whether for a short period of time or an extended period of time, and so they now do not have to pay CUC for that power; they are providing power and it can no longer be considered self-generation because they are now providing it. I guess (depending on the terminology used which) would be included for reward. I wonder if they will be strictly liable under this legislation to say that those fines of \$20,000 per day (or whatever) would fall into play, or whether there is some provision in there for emergency situations

which would allow them to resell (if we use that terminology), or to pass the power on for reward.

I know that was a great difficulty during our time of negotiation, and I see the Minister acknowledging that. I know it can cause some questions. I am not sure that it has been addressed or if there is some provision in there. It is a small issue that I am sure can be taken care of with some slight amendments if necessary.

My other concern was the issue . . . even though the Minister said there was a transition process for the allowance of what in the industry is termed a vertically integrated company, where we have one company both selling (as far as transmission and distribution), as well as generating power. The difficulty that poses is . . . obviously, when we talked about the support for competition, especially with the generating aspect, it is difficult for any entity to compete if they are only competing for one portion of that. So, if we have a generating company coming in and competing with CUC for a PPA (Power Purchase Agreement), they are going to come in and have all the costs that are associated with the provision of that generation attributed to one company and, therefore, having to be reflected in whatever their bid price is. Whereas, if we have a vertically integrated company, we have the concern of having a subsidised cost whereas some of the costs . . . for example, security guards. If we look at security guards administration cost, whatever may be there, that could be subsidised from one side of that company to the other and therefore make it unfair for the company that is hoping to come in and compete.

Obviously, the reason for not allowing a company (except in special cases) to be allowed to do that was for those concerns. I recognise that since we are going into a process and we are at the transition stage that it might be necessary to allow the existing entity to (having found ourselves in the position that we are in) allow that to happen. I just wanted to highlight the need for those concerns and to see what the Minister was proposing to do to remedy that.

Picking up on that point, one of the existing issues that was left that I never heard about in all the negotiation talks was the whole data link issue. It got that same cross-subsidisation concern that was expressed there where we have a situation where an existing utility provider (CUC) used capital to invest in a fibre optic link, a fibre optic network, that was not wholly and solely used for the provision of electricity but was paid for by the customers, and was there as a part of their asset base, and ended up being paid for. There was an attempt at one stage for that to be used as a revenue-generator and be leased to one of the telecommunication companies.

I can remember CUC actually making an application to get a telecommunications licence to allow them to do some infrastructure sharing. Obviously that caused an issue, because there was a question or criteria for that to occur for there to be, I think (my

memory fails me) it was 6 per cent of the revenues of the company. Obviously, while that seemed quite attractive to the ICT and to government's revenue, CUC had a bit of difficulty with that and so they withdrew their application for that licence.

During our negotiations we were obviously in discussions to try to find some way of pulling that out of the asset base and to see how compensation would be given at least for the component of the cost that was not being used for the provision of electricity. And it just goes down to that point of the difficulties with regulating a utility with an integration overlapping and the possibility of cross-subsidisation. So I just wanted to highlight that point as well.

Madam Speaker, we look forward to good things. We look forward to competition if necessary. We note that the Bill talks about actively seeking or pursuing competition where necessary or where it is the beneficial interests of the country. While the amendments to the Law seem reasonable at this stage, the interesting aspect of this obviously would be the new licence. We will have to wait until we see the new licence to see what that is providing for.

But with those few comments, I look forward to hearing the Minister's response and also look forward to the process moving on and seeing the new licence and wishing the Authority well.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause]

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

We are not concerned about suspension of Standing Orders because we know, and it has always been our policy, when Government has to run the country, [Standing] Orders will have to be suspended.

As I understand it, the Law needs to be changed in order to get a licence. And we cannot have a licence ultra vires the Law.

Madam Speaker, I want to thank those who are working on the agreement now. But I also want to thank those who worked hard as a government team before 2005. I would imagine (because I have not been part of the team) that having to deal with this great issue was not easy for the team before 2005, nor easy for the team that is in place now. It required a lot of time. Our people, when they participate like this, give of their time that we cannot really pay for. So that is why the least we can do here in the legislature is to say thanks to all of them.

In all my years in this honourable legislature, any time we had to deal with the electrical company was a hard road to traverse. That was so because so many people have shares in that company, and hard because the fact is that we have always had good service. Whether [or not] we became aggrieved of

some situation, we have always had good service. So, it was always a hard issue to deal with.

When as a government we had to take the company to task on some matters, some people took it personally. We recognise in this country that the company has a lot of shareholders, big and some smaller people, so you would find letters and emails and discussions and accusations. You would find that in this small Island of ours.

It was not easy to get the electrical company to rollback their increases between the years 2000 and 2005. But that was done in the best interests of our people. At least the electrical company was not able to increase the bill to the people for that much. But that too caused a lot of hard feelings.

Government gave the electrical company permission after the hurricane to get back between \$11 million and \$13 million—money the people of these Islands (Grand Cayman) have to pay. I thought that was generous, to say the least, since so many individuals and companies had to pay for their own recovery. But we understand.

As I said, if it were me, I would not have done that to that extent. But we still understand that government cannot always extract from the community; government has to sometimes crunch up, particularly in times of such a disaster that we had with Hurricane Ivan.

But, Madam Speaker, I smile to myself—and only to myself—when I get criticised. I have been criticised, and I continue to be criticised that we had to assist CNB and its subsidiary to be able to pay thousands of Caymanians for their losses.

Madam Speaker, as I said, getting to this process where the Minister is at now has not been an easy road. My concern is not so much the Law, as the Third Elected Member for West Bay—who has experience and was on the negotiating team before—went through it. My concern is what is being negotiated for the long-term benefit of the people of this country. So far, we have not heard all (I guess) what has been agreed in that Head of Agreement. We now wait to hear what will happen and how this will all pan out after the government completes its final discussions on this matter.

The development and the progress of this country can never be, in my view, compromised by anything because from that flows the progressive good of the people of these Islands. A good electrical company enhances this territory. Regardless of what is said about development—and we will always push for good development, and that is what we continue to want—from that flows the revenue to the country, to the government's coffers, so the government can pay us, can pay for education, can pay for roads, can pay for healthcare and all the things that we as legislators and the government are called upon to provide—money. So, that comes and flows from development.

What we are talking about here—a good electrical company, a reliable electrical company—is of

paramount importance to the progressive and continued development of these Islands. And that is what we want to ensure. While we ensure that, we must ensure that we get the best out of the agreement for the people of these Islands.

While we have received this great service . . . and in recent times we get aggravated because of outages. But it is not like other territories. Far from it! We get aggravated when some of our equipment gets knocked out and we can pinpoint that it is due to surges and so on. Now we are being educated as to how we can remedy that and stop that in some instances. We need to hold them accountable for that as well.

While we have had the good service that we have had, we have paid for it. We have paid for it tremendously. Madam Speaker, I certainly do not like to see the kinds of bills I have had to face. I imagine what people, who are less able to pay than us legislators, have had to go through. I have experienced it particularly in the last two years as the bills kept mounting, the cost kept growing and the bill kept getting higher and higher. It became aggravating. But you see we only have . . . how many households paying?

The lesson is that we cannot get this type of service unless we pay for it. It has to be reasonable. And that I have always maintained can come with competition. That has to come. But the lesson for all of us who like to complain, point fingers and blame people in the past and the present, is that this great standard of living that we have comes with a price. It always came with a price. We wanted to progress from the cookrum, the oil burner stove, and from outside kitchens with no floor except the ground and we put white sand on it and called it "heritage and culture." But we wanted to progress from that.

We all wanted to progress from having to study by lamp, and in the morning our faces were as shiny as the black paint on your *Papa car* with smut. We called it progress and we wanted that. We wanted to get to a point where we could get electrical power. It came with a price.

Today, throughout the length and the breadth of this country we hear complaints about where we are at. And it is easy for the government of the day to say '*Blame McKeeva. He was there. You blame him.*' It is easy to do that. But the people of this country had better learn. Do we want to turn back the hands of time? Do we want to get back to just a fishing village, where only a few had, Madam Speaker? Where you and I had to scramble and the next one had to scramble to try to even get a half decent education? Don't talk about scholarships. We never got that. That was left for the privileged few.

So, Madam Speaker, all of this may be traversing far out of reach of the Bill, but I am talking about the whole concept of what we have to pay for and what we can expect to get, that we can be like the United States, that we can have the parks, that we are going to have the roads, and we can have a round-

about out in front of the clock and one by the courthouse. Uh-huh.

We believe that we can get all of that and we are not going to pay for it? Well, you better think more soberly because we have to pay for it. Someone has to pay for it.

To get back to this, we want a good electrical company, we want it to be fair to us, and we expect to be fair to them because nobody is going to put money in just because they love us. If any one of us thinks that, we are making a big mistake also. We want to ensure that we are treating everyone on equal terms and that we are not going to make a law to benefit one side and not the other side.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] If no other Member wishes to speak, does the honourable mover of the Bill wish to exercise his right of reply?

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

First of all let me thank the two Members from the Opposition, the Leader of the Opposition and the Third Elected Member for West Bay, for their contribution. Both of them spoke on one particular subject, which I would like to address first, which was about thanking the people who started this process way back when, in 2003 (I think) into 2004. Whilst one may not believe what I am about to say, I can say that part of my notes included that provision to talk about that team.

Whilst the Leader of the Opposition, and I think the Third Elected Member [for West Bay], did not go very deep into what transpired during that period, we can today thank those same members that they were referring to, that team, for having put in place an agreement with CUC. One thing that is very significant that I will point out: they put a stay of execution (so to speak) on increases. They froze increases through that agreement with CUC up until 2008 I think it is. That is very measurable in this country. I believe, based on the old licence, the current licence, if those rates were not frozen by the [former] negotiating team, they would have been entitled to some \$16 million over that period of time in increases. So, Madam Speaker, I too can stand here and thank those members on behalf of this country for doing that.

One of the things the Third Elected Member for West Bay spoke on was the provision of other business that CUC was hoping for under the business, such as the data link he mentioned. I can assure him that it will be a provision of the new licence that they will be permitted to allow third parties to utilise or have access to its infrastructure on an arm's length basis, where they will allow CUC to utilise more fully and efficiently their T & D assets.

Madam Speaker, he was right. That arrangement would have to be allowed, agreed, by the Authority. He was right when he said there was some-

thing around 6 per cent when they applied for this from the ICTA. And he was also right when he said that the team at that time was having some difficulties with it. Any dedicated telecom or ICT business conducted by any other company, subsidiary or otherwise, will be subject to the ICTA licensing. But CUC's business will not be subject to the ICTA because it would not be in the interest of the electricity consumers to charge for ICTA to also charge 6 per cent on top of CUC's generating full income, revenues from the generation of electricity.

But, certainly, if they have a subsidiary, that subsidiary must be subject to the ICTA provisions. And the proceeds from that must go back into the CUC's infrastructure. Because consumers initially paid a capital investment to put in such things as fibre optic cable and the likes, and that comes at a price. If someone else wants to utilise that, then the consumers, CUC, the parent CUC, must be paid for it and the benefits must go to the consumers. So I think this negotiating team has carried on in line with what the previous negotiating team was doing.

On the subject of cross-subsidisation, the purpose of competition is to really benefit consumers. If CUC underbids and wins the solicitation it will be bound by it and the consumer benefits from lower rates. Thus, their purpose will have to be achieved. They cannot afford to underbid. There cannot be cross-subsidisation in order to be able to win the solicitation. Those are closed bids and no one will know what the others are bidding. But, certainly, unless CUC was split into two separate entities, which is a complex process, complex to the point where you would have duplication of personnel and the likes, which may very well throw that cost that much higher. Now, in that instance, since they are not going to be split into two different entities, we may not be able to prevent cross-subsidisation. But, certainly, in the instance of generation, when they bid for generation, if they go below anyone else that means they have efficient generation. If not, they are going to suffer. But under T & D they have to get approval for the rates based on their returns that they are required to present to that ERA within a specified period of time. So their returns are going to be based on their investment, and the rate base is going to be based on the financials they have submitted to the company.

Further, Madam Speaker, again to prevent it, section 26(4) of the principal Law provides that if CUC is unable to provide, the ERA may issue a temporary licence to generate outside the solicitation process where this is for reward. So it is not in their best interests, with the provisions in the amendments, to try to underbid anybody, because if they do then they are going to pay for it in penalties because they will not be able to provide the same service.

Madam Speaker, I hear the Third Elected Member for West Bay, and I see where he is coming from. But there is one financial for both so you can only have one . . . whether you have 20 cents coming

from that side and 80 cents from that side, it is still only \$1 at the end of the day. And that is what the ERA is going to require them to calculate their returns on.

Madam Speaker, I think the Leader of the Opposition . . . and let me thank the Leader of the Opposition for recognising the need to suspend Standing Orders on the rare occasion that we do. Nevertheless, he is right. In this case it is absolutely necessary. Again, we can thank CUC because CUC agreed to the reductions which are going to be a little over 15 per cent to many of our consumers. They will average around 15 per cent—

**The Speaker:** How many people do we have winding up this debate? Three, four, or five?

Honourable Minister, please continue.

**Hon. V. Arden McLean:** They have agreed with the government negotiating team to allow the consumers to realise those savings in January even though a licence has not been signed yet. But the licence cannot be signed until the Law has come into place. So the provisions to suspend Standing Orders was necessary in this instance, and I thank the Opposition for their support on that.

I also thank them for supporting this Bill.

Madam Speaker, I believe that the Leader of the Opposition also spoke about allowing CUC to get back, he said between \$11 million and \$13 million after Ivan. Let me clarify what transpired here.

After Ivan, under the current licence (which we remember now has this 15 per cent return) CUC, after the interim returns were done, claimed a 9.5 per cent increase on the rate base. After much negotiation with them, we got it down to 4.7 per cent, which is about 50 per cent of what they were entitled to under the licence.

Madam Speaker, we went further, myself, at one time the Leader of Government Business (and then me as I took over the responsibilities), and instead of putting it in the rate base we negotiated with them to have it recovered over a period of three years, that is, up to August/September 2008 (this year). Now, once you increase a rate base it stays there forever and ever, and ever and a day. And in the future we will then be working on that basis. It was called the CRS.

It was somewhere about \$11.2 million. CUC, over that period that would have to be collected based on consumption, there is some \$2.2 million left to be collected as of December 2007. CUC, in the negotiations with the team led by Mr. Olivaire Watler, got them to agree to rescind that now effective 31 December. So in the January bills consumers will see that taken off. That is part of the overall reduction in the bills, that same 4.7 [per cent] that was applied in 2005.

I believe that much has been said in this country about me as a former employee of CUC. I

have said before that I am on my third job. I was hired by the people of East End in 2000. That is the third job I have had in my life. I have said before in this honourable House, Madam Speaker, that I know where my loyalties are. There is no employer that I have had, albeit only two prior to this one, who can come before me and look me in the eye and say I was not loyal to them when I worked for them. No one!

Therefore, by extension of that, Madam Speaker, it says that I am now going to be loyal to the people of East End and, in general, to the people of this country. I believe I have done that. I believe that I have spearheaded, managed and directed more so, this process in the interests of the people of this country.

Madam Speaker, the Leader of the Opposition talked about CUC and, yes, they are a good corporate citizen. But my underlying objective was the people of this country and, also in tandem with that, CUC and its overall stability and ability to continue providing electricity in this country but at a fair exchange to the consumer.

Madam Speaker, CUC has been very professional. I expected no less. But the fundamental difference between me and people like Mr. Olivaire Watler and Mr. Sammy Jackson and Mr. Charles Farrington and those who would criticise me, is that we can draw the line when it comes to friendship and professionalism. We can walk away from a negotiating table after having mega arguments and go and have a beer with our friends who are on the other side of the table and know that we have just left a table where we fought in the interests of our employers. Madam Speaker, that is what this was all about. But I also have to congratulate CUC on their professionalism.

Madam Speaker, I know this goes a little off, but I said to Ms. Vernicia and Mr. Trevor (on their 50<sup>th</sup> wedding anniversary recently where I was the MC) that she did a pretty good job with me and Olivaire when I was there as a scout. Yes, Madam Speaker, she did a pretty good job because those are the people who taught Olivaire and me to look straight down the line and be loyal. And we have done that.

Madam Speaker, the Leader of the Opposition said his concern was not so much the Bill, because he respected the changes, and so did the Third Elected Member for West Bay as well. But they both expressed their concerns over what was to come in the main agreement and the licence that would be signed with CUC. Whilst I cannot give them the intricate details of that now, because it is still being worked on, I can assure my good friends across the aisle that it is in the best interests of the country going forward.

The people we negotiated with on CUC's side, with the exception of one, were all Caymanians too. So that made it that much easier with the number of impasses that we had to break that grid, to break that tie. We all knew that all of us have no place else to go but right here, and we all know that whatever affects the country now affects it tomorrow, affects it 10 years

from now, affects it 20 years from now. And every one of us, bar none, either have children who are at child-bearing age, or have children that we have to take care of still under the age of majority. So all of us understood that, and all of us had that one focus and concern in our minds because it is going to affect generations to come, whatever we do today.

I agree with the Leader of the Opposition. Development in this country has been much. I do not know if I can term it what GM likes for its slogan. They like to say that GM is the Heartbeat of America. But, certainly there have been some utility companies in this country that have played a pivotal role in the development of this country—Cable and Wireless, when no one else was here, when we were beating mosquitoes; CUC . . . and it has progressed over time to the point where we are.

We need an electrification industry in this country that is robust in order for us to maintain that standard and in order for developers, be they foreign or Caymanian, to have that confidence in this country to be able to develop it.

Yes, development is our stock market. And yes, Madam Speaker, we have paid for it dearly. But I believe that now we see the light where we believe it is fair. I look forward to it continuing and the ERA having the right to control and manage and ensure that Caymanians and the electrification system in this country operate in the best interest of the people, the consumers, whilst maintaining stability within the utility as well.

I look forward to the conclusion, the real conclusion [long pause]

Madam Speaker, I do apologise.

I believe one of the things the Third Elected Member for West Bay spoke about was enclaves and that they have started to negotiate. In our negotiations we have removed enclaves from the interim and final agreement. But what is interesting is that now people will be able to produce their own electricity. Yes, there will be some gray areas as to the scenario he painted about the apartment complex that would have meters on their own and then sell it for reward. I am glad he brought it to our attention. Certainly I will get the negotiating team to look into that because it may require an amendment to the Law.

All that is left is to thank all honourable Members for their support. The UDP Government has supported this (now the Opposition, but the Government when this started) and has seen the need for these amendments. I am very glad that we can come to an agreement on these types of very important issues on behalf of the people of this country. It is good when we get bipartisan support on these issues.

It appears that maybe I went on too far, I should have stopped a little earlier if I had known we were going to get such support for these amending Bills. But it was necessary to explain a lot of that.

Madam Speaker, let me thank Mrs. Myrtle Brandt, at the Legal Drafting Department, and her

staff for all the support that she has given us in this regard. I know the legal teams, which were sub-teams of the real negotiating teams, worked very hard to draft some of these amendments which included my good friend, Mr. Jackson, the Chairman, and Mr. Thomas as well. Whilst the negotiating team had this for the last two years I believe they dropped it on the Legal Drafting Department within the last two weeks. So for us to get to this point, I really have to thank those people as well.

Madam Speaker, I would also like to thank the staff at the Ministry for all their work, their many long hours at night to assist me, and all I have not mentioned who supported this.

The PPM Government has been very supportive of this. We have had numerous meetings. The Leader of Government Business and I and other Ministers as well, Members of the Backbench have all been very supportive—sometimes a little pushy to get things done much quicker. We had an objective, we had a mandate, and we worked on that mandate in the interest of the people of this country. I would like to thank every elected Member and others of the PPM. They have been extremely supportive, but I can say that I am glad this period is over now. I may get a little rest now. Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Electricity Regulatory Authority (Amendment) Bill, 2008, be given a second reading. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Electricity Regulatory Authority (Amendment) Bill, 2008, has been given a second reading.

**Agreed: The Electricity Regulatory Authority (Amendment) Bill, 2008, given a second reading.**

#### **Electricity (Amendment) Bill 2008**

**The Clerk:** Second Reading, The Electricity (Amendment) Bill, 2008.

**The Speaker:** I recognise the Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

I beg to move the Second Reading of a Bill for a Law to Amend the Electricity Law (2005 Revision) to effect various amendments as a consequence of the enactment of the Electricity Regulatory Authority (Amendment) Law, 2008; and for incidental and connected purposes.

**The Speaker:** The motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Hon. V. Arden McLean:** Thank you, Madam Speaker. I know I will not be that long on this one because it is only five clauses!

As I said, this Bill seeks to amend the Electricity Law (2005 Revision) to effect various amendments as a consequence of the enactment of the Electricity Regulatory Authority (Amendment) Law, 2008; and for incidental and connected purposes.

Clause 1 only provides the short title and provision for the legislation to commence immediately after the coming into force of the Electricity Regulatory Authority (Amendment) Law, 2008.

Clause 2 seeks to amend section 2 of the Electricity Law (2005 Revision) to delete references to the Electricity Regulatory Authority.

Clauses 3 and 4 of the Bill repeal and replace the provisions of sections 9, 10, 11, 33 and 34(1) of the principal Law which enables the grant and renewal of a licence which permits a licensee to purchase, transmit and distribute electricity for delivery to consumers for reward; and makes provision in respect of the taking over of a licensee's assets in specified circumstances.

The repeal of section 11(2) of the Electricity Law removes a conflict with the Electricity Regulatory Authority Law to make it clear that self-supply of electricity will not require licensing.

It is very important that under the Electricity Law, the principal Law, it is a requirement to have a licence if you are going to produce electricity. Now, if we are going to exempt that or make provision to not have a licence in the Electricity Regulatory Authority Law, then there is a need to change the Electricity Law to reflect that, which says "**No person shall install, maintain or operate any private plant unless licensed by the Authority.**" So, section 11 is repealed to allow for one to be able to self supply without requiring a licence.

[In Clause 5] the Bill amends section 36 of the principal Law to insert a savings provision "**enabling licences granted prior to the date of commencement of the legislation, to continue in operation on and after that date, as if they had been made under the legislation.**" Which is the same thing we just did in the amending Bill for the Electricity Regulatory Authority [Law], which will now read [in Clause 5]:

**"(2) Any licence-**

- (a) granted by virtue of Electricity Law in force immediately before the date of commencement of the Electricity (Amendment) Law, 2008; and**
- (b) remaining in effect immediately before that date,**

**shall, on and after that date, continue in operation as if it had been granted under the authority of the Electricity Law as amended by the Electricity (Amendment) Law, 2008, until terminated or until the date of its expiry, whichever is sooner."**

So, Madam Speaker, I wish to commend this short amendment Bill, the Electricity (Amendment) Bill, 2008, to Members of this honourable House.

**The Speaker:** Does any other Member wish to speak? [pause] If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

**Hon. V. Arden McLean:** Thank you, Madam Speaker. I guess silence gives me a lot of options, but I take it as absolute support on behalf of honourable Members. I thank each and every one for their support.

**The Speaker:** The question is that a Bill shortly entitled The Electricity (Amendment) Bill, 2008, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Electricity (Amendment) Bill, 2008, has been given a second reading.

**Agreed: The Electricity (Amendment) Bill, 2008, given a second reading.**

#### **Firearms (Amendment) Bill, 2007**

**The Clerk:** Second reading, The Firearms (Amendment) Bill, 2007.

**The Speaker:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I crave leave of the House to move the Second Reading of the Firearms (Amendment) Bill, 2007.

**The Speaker:** The motion has been duly moved and is open for debate. Does the mover wish to speak thereto?

**Hon. Samuel W. Bulgin:** As I said, I rise to move the Second Reading of the Firearms (Amendment) Bill, 2007. Honourable Members of the House will recall that the first reading was done in December 2007.

Madam Speaker, at the appropriate time I will also be moving a couple of committee stage amendments.

Since the amendment in 2005 to the Firearms (Amendment) Law, 2005, time has provided all of us involved in the criminal justice system to review the practical workings of the amended legislation. There is now the opinion that, although the Law has served its intended purpose, in its current form the Law can and will result in some unintended consequences.

For example, the current language does not provide for the Court to impose a lesser sentence than 10 years, even in instances where there are clearly exceptional circumstances that dictate a lesser sentence would be appropriate.

Additionally, there has been a Magistrate's Court ruling to the effect that the amending Law of 2005 is unclear because, according to the Court, it did not expressly stipulate that the mandatory minimum sentence was to be imposed on convictions by the Magistrate's Court. Of course, we do not necessarily agree with this interpretation by the Magistrate's Court, but rather than pursue the matter on appeal it is decided instead to tighten the language of the legislation in order to make it abundantly clear that it does, in fact, apply, and was always intended to apply, to convictions in the Magistrate's Courts.

The Bill is seeking to amend the existing Law to provide that the 10 year minimum sentences will continue to apply except in cases where the Court is satisfied that there are exceptional circumstances that justify the imposition of a lesser sentence.

The Bill will also change the Law to say that where a person pleads guilty to a relevant firearms offence he will be given credit by the Court for the guilty plea and, instead of getting the 10 years, will instead be given a minimum of 7 years unless, again, there are exceptional circumstances justifying a lesser sentence than 7 years.

The amendment also provides that the application to this Law is in respect of offences committed since November 2005. That is the date when the 10 year sentence came into being. Accordingly, persons who have committed offences from that date onward and whose cases are still pending before the Courts, whether for trial, sentence or appeal, could potentially still receive a lesser sentence if the Court is satisfied that there are exceptional circumstances justifying a lesser sentence.

Madam Speaker, let me also use this opportunity to clarify what appears to be confusion about the scope and application of this amendment, or the 2005 amendment for that matter. These are confusions such as evidence, in at least two reports done by the Cayman Islands Human Rights Committee, and have unfortunately been shared by others.

In its most recent report on Juvenile Justice, the Committee opined that where these mandatory sentences exist they do not only apply to adults but equally to children who are over the age of criminal responsibility—which, in the Cayman Islands stands at 10 years. The report stated that under these provisions children are facing mandatory 10-year terms of imprisonment for a wide variety of offences, some as trivial as possession of air guns or membership in gangs.

This assertion is a follow up to one of its earlier reports on Lifers in which it stated at paragraph 31 of that earlier report that (and I quote), "**A 10-year old convicted of an offence will receive the same sen-**

**tence as a 30-year old man”** and that the position in the Cayman Islands is that **“a 12 year-old with an unloaded air gun, who has never been in trouble, and who pleads guilty to an offence under the Firearms Law [will be] sentenced to at least 10 years imprisonment.”**

The simple answer to these assertions by the Cayman Islands Human Rights Committee is that it is incorrect. The reports are incorrect. Ten or 12 year olds and, indeed, anyone up to age 17 who commits an offence, including murder, any offence for that matter, falls to be sentenced according to the provisions of the Youth Justice Law (2005 Revision). It is that Law that prescribes the sentencing powers of the Court in relation to the offenders under the age of 17.

There is and was no repeal, either expressed or implied, of that Law when the 2005 amendment to the Firearms Law was done. Indeed, if Parliament had intended to repeal or amend the Youth Justice Law at the time, it would have said so. At an instance where Parliament had intended to repeal or change the Law was in 2005 when the Legislative Assembly passed this amendment. It also made it clear that notwithstanding any provision in the Prison Law, persons who were convicted and sentenced to 10 years for firearms would not be entitled to parole. It was an expressed amendment done to another Law when the 2005 amendment was done. So there was no repeal, changes or any amendment to the Youth Justice Law, the governing legislation, as it relates to sentences to persons up to 17 years old. It is the Youth Justice Law (2005 Amendment).

Section 21 of the Youth Justice Law enables a Youth Court to punish a young person found guilty of an offence before the Youth Court by making various orders. For example, an order absolutely or conditionally discharging a young person, a community service order, a probation order, or, for example, youth rehabilitation, or to require the person to attend a rehabilitation school.

Similar powers are exercisable by the Summary Court and by the Grand Court by virtue of section 25 of that Law, which provides that where a young person has been found guilty of an offence before the Summary Court or the Grand Court, the Summary Court or Grand Court may, in addition to or in lieu of any other sentence it has power to impose on the young person for the offence, make any of the orders which a Youth Court has power to make (and I just enumerated some of them) a youth rehabilitation order, discharge, probation, a fine or some other sentence.

And paragraph 1.1 of the Schedule to that Law provides that only custodial sentences a Court may make where a young person is found guilty of an offence are the sentences mentioned in that schedule. Quite clear.

So, Madam Speaker, I would commend the Youth Justice Law to those who have an interest in seeing how these young persons up to age 17 are

dealt with for any of these offences. It is incorrect to state that these youngsters will be sentenced to mandatory life imprisonment or 10 years for that matter. The Cayman Islands has never (as far as I am aware) sentenced any young person to life imprisonment or any minimum mandatory sentence, and Government is not about to do so. So there need not be any alarm or fear that young persons 10 years, 12 years, 14 years for that matter, are going to be sentenced to either life imprisonment or any 10-year minimum mandatory sentence for firearms.

Of course, we are hoping, Madam Speaker, that we do not get to the stage where we will have 10- and 12-year olds walking around with firearms in this country.

It is on record that this Government not only supports, it promotes Human Rights. Therefore all necessary steps are being taken to safeguard persons' human rights in these Islands. We are conscious of the fact, however, that we are living in a democracy and, therefore, the Rule of Law prevails. Therefore, if the unlawful possession of firearms is prohibited, the Government, and, indeed, all law abiding persons in these Islands, expect persons to obey the law. So if a person takes a conscious decision to be in possession of a firearm, or to commit any other crime, they must expect to be punished.

I cannot think of any reason why anybody in this country would want to have an unlicensed firearm in their possession. I cannot think of any justification. Sometimes when we speak, or people like to comment on these issues, we would really like as legislators to hear the justification—if there is any—for persons to be in possession of unlicensed firearms in this country. It is clear to us that they are up to no good, and they ought to expect to be punished.

So, the amendment here is that the Court will have discretion to impose a lesser sentence where there are exceptional circumstances for doing so. And we are aware, of course, that defence attorneys will understandably be urging everything upon the Court as exceptional circumstances. This is understandable, of course, because they will be seeking to do the best for their clients. But I am confident that our Courts will get it right and will not be swayed by mitigations such as *‘My mother is ill and I am the only person who can take care of her.’*

Of course, Madam Speaker, all cases will depend on the particular facts of that situation and everything and anything will be urged as exceptional circumstances. We will just have to see how the jurisprudence develops in this case.

Finally, I hardly need remind this country about the circumstances that have arisen for the need for hard-line by the Legislative Assembly to firearm offences. This place in 2005 was becoming like the Wild Wild West—there were guns everywhere. Law abiding people were under siege. So the Government of the day sought to take the fight to the criminals to

bludgeon the proliferation of guns and gangs and its growing subculture.

Madam Speaker, those are factors that are still around today. They might have been contained or tamed, but they are certainly not eliminated. So let me just issue a word of caution to some of those who have reservations about the severity of the sentence: that the rationale for the stiffer penalty was based, as a judge in the UK puts it, on an inherent danger of unlawful possession of dangerous firearms and their availability. It was not based on the dangerousness of any particular offender. So the firearms are still available. They are still dangerous. And so we should not become too complacent simply because we might be experiencing the eye of a storm.

The legislation, as we all know, was challenged in the Court of Appeal. The challenges were widely reported. However, the Court of Appeal has dismissed the challenges. And a fact which a lot of you would not have noticed (because it got very little media coverage at the time) the Court of Appeal ruled that it is for the Legislature of the Cayman Islands to enact legislation for the peace, order and good governance of these Islands. It is for the Legislature to determine whether in view of the social conditions which existed in the Cayman Islands it was necessary to enact the 2005 Law, and it is not within the province of the Court to second guess the Legislature and to substitute its views as to whether the conditions in the Cayman Islands required the 2005 Law to be passed with minimum sentence for unlawful possession of firearms.

Madam Speaker, I cannot improve upon the reasoning of the Court of Appeal. I simply commend the language to Members of this House and the wider listening public. So I seek the support of this honourable House to put forward these suggested amendments in the Firearms (Amendment) Bill, 2007.

**The Speaker:** Does any other Member wish to speak? [pause] If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

**Hon. Samuel W. Bulgin:** Thank you, Madam Speaker.

I would like to extend my gratitude to all honourable Members for their support of this amending legislation.

**The Speaker:** The question is that a Bill shortly entitled The Firearms (Amendment) Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Firearms (Amendment) Bill, 2007, has been given a second reading.

**Agreed: The Firearms (Amendment) Bill, 2007, given a second reading**

**The Speaker:** I recognise the Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

There are a few more items on Business Papers that we need to complete. Just so that all Members will know, unfortunately we will not be able to resume on Monday because there is an event in the Brac where the University College of the Cayman Islands and the Civil Service College are having their opening. So I would beg to move the adjournment of this honourable Legislative Assembly.

[pause]

**Hon. D. Kurt Tibbetts:** Yes, Madam Speaker, so sorry.

I am just taking this moment to explain that we will not be resuming on Monday. I am assuming that you will then go into Committee this afternoon and then we can—

**The Speaker:** Honourable Leader, I think where the confusion is coming in . . . we are not going into the Committee stage because the Honourable Minister of Communications is awaiting some amendments. So that is why we are not going to continue with the Orders. That is what you need to—

**Hon. D. Kurt Tibbetts:** That is what I was asking.

So we can suspend. Thank you very much.

We will resume on Wednesday morning 10 am and we will continue the Order Paper then.

I beg to move the adjournment of this honourable House until 10 am Wednesday [23 January 2008].

**The Speaker:** The question is that this honourable House stand adjourned until 10 am Wednesday [23 January 2008]. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House stands adjourned until 10 am Wednesday [23 January 2008].

**At 4.02 pm the House stood adjourned until 10 am Wednesday, 23 January 2008.**

**OFFICIAL HANSARD REPORT  
WEDNESDAY  
23 JANUARY 2008  
10.33 AM  
Ninth Sitting**

**The Speaker:** I will ask the First Elected Member for the district of Cayman Brac and Little Cayman to say Prayers.

Human Services and from the Second Elected Member for West Bay.

**PRAYERS**

**Ms. Juliana Y. O'Connor-Connolly:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**Proceedings resumed at 10.35 am**

**The Speaker:** Please be seated.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received notice of apologies for late arrival from the Honourable Minister of Health and

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Special Report to the Legislative Assembly prepared by the Office of the Complaints Commissioner on the Written Complaint Number 10344 made December 19th, 2006 and the Department of Immigration – Refused Entry**

**The Speaker:** I recognise the Chairman of the Committee of the Legislative Assembly responsible for overseeing the Office of the Complaints Commissioner, the Honourable Minister responsible for Education, Training, Employment, Youth, Sports, and Culture.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I beg to lay on the Table of this honourable House a Special Report to the Legislative Assembly prepared by the Office of the Complaints Commissioner dated December 4, 2007 entitled "Written Complaint Number 10344 made December 19th, 2006 and the Department of Immigration – Refused Entry."

**The Speaker:** So ordered.

Does the honourable Chairman wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker.

**Own Motion Investigation Report Number 8 prepared by the Office of the Complaints Commissioner on the Allegations against Cayman Airways Ltd in the wake of Hurricane Dean, 2007**

**The Speaker:** I recognise the Chairman of the Committee of the Legislative Assembly responsible for overseeing the Office of the Complaints Commissioner, the Honourable Minister responsible for Education, Training, Employment, Youth, Sports, and Culture.

**Hon. Alden M. McLaughlin, Jr.:** Madam Speaker, I beg to lay on the Table of this honourable House an Own Motion Investigation Report Number 8 prepared by the Office of the Complaints Commissioner on the Allegations against Cayman Airways Ltd in the wake of Hurricane Dean, 2007.

**The Speaker:** So ordered.

Does the honourable Chairman wish to speak thereto?

**Hon. Alden M. McLaughlin, Jr.:** No, Madam Speaker.

## QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

**The Speaker:** The Honourable Leader of the Opposition. [pause]

### Question No. 39 (Deferred)

*No. 39: (a) how much money the Government has paid, or is paying, to consultants, local and overseas since June, 2005; and (b) Who are the consultants and which Ministries or Departments or other Government entities are they working for or have worked for.*

**The Speaker:** Would someone move that the question be deferred until a later . . .

Madam Clerk, would you move on to the next item?

## STATEMENTS BY HONOURABLE MINISTERS/MEMBERS OF THE CABINET

**The Speaker:** I have received no notice of statements by Honourable Ministers/Members of the Cabinet.

## GOVERNMENT BUSINESS

### BILLS

#### FIRST READINGS

##### Explosives (Amendment) Bill 2007

**The Deputy Clerk:** Explosives (Amendment) Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Customs Tariff Bill 2007

**The Deputy Clerk:** Customs Tariff Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Customs (Amendment) (No.2) Bill 2007

**The Deputy Clerk:** Customs (Amendment) (No.2) Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

##### Customs (Amendment) (No. 3) Bill 2007

**The Deputy Clerk:** The Customs (Amendment) (No. 3) Bill 2007.

**The Speaker:** The Bill is deemed to have been read a first time and is set down for a second reading.

## SECOND READINGS

### Explosives (Amendment) Bill 2007

**The Deputy Clerk:** Explosives (Amendment) Bill 2007.

**The Speaker:** I recognise the Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

I beg to move the Second Reading of a Bill for a Law to amend The Explosives Law (1997 Revision) to transfer from the Chief Engineer to the Managing Director of the National Roads Authority various functions relating to blasting; and to make provisions for incidental and connected matters.

**The Speaker:** The motion has been duly moved and is open for debate. Does the honourable mover wish to speak thereto?

**Hon. V. Arden McLean:** Thank you, Madam Speaker.

After coming into office it was brought to my attention that The Explosives Law (1997 Revision) was in need of amending. The Law was originally enacted in 1975, and then revised in 1997. Whilst the staff was working on those amendments we recognised that a section of the Law was in need of change immediately. And that is that section 2 of the Law defines the "Chief Engineer" to mean the "Chief Engineer of Public Works Department and includes any person acting under his authority."

Now, in 2004 the advent of the National Roads Authority meant that the nomenclature of Chief Engineer no longer existed. That position in effect became defunct. We now have a "Director" of Public Works and then we have a "Managing Director" of the NRA.

The responsibility of blasting and explosives was then transferred to the NRA. So, in effect, the NRA would be acting ultra vires the Law and all their actions since 2004 may have been ultra vires the Law; thus, the need to now change the definition of "Chief Engineer" to clearly define the responsibilities of "Managing Director" and, by Law, transfer that responsibility over to the Managing Director of the NRA with the responsibility for explosives.

This Bill merely asks to delete that description of “Chief Engineer” and to make it “Managing Director” in section 2 of the Law and also in section 4 and section 6(g) by deleting the words “Chief Engineer” and substituting the words “Managing Director.”

Madam Speaker, clause 5 validates all of the actions taken or the exercise of powers by the principal Law prior to the enactment of the legislation. That is, the Bill validates any unauthorised acts that may have been carried out by the Managing Director in purported exercise of powers conferred by the principal Law prior to the enactment of this legislation.

We have now a number of quarries in this country that need to be looked at and the Explosives Law needs to be revised urgently. It really does not pay justice to what is going on in the country today.

With that short explanation, I commend this Bill to honourable Members and ask for their support.

**The Speaker:** Does any other Member wish to speak? [pause] If not, would the mover wish to exercise his right of reply?

**Hon. V. Arden McLean:** Madam Speaker, just to say thanks to my honourable colleagues for their support in getting the Law amended.

Thank you.

**The Speaker:** The question is that a Bill shortly entitled The Explosives (Amendment) Bill, 2007, be given a second reading. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Explosives (Amendment) Bill 2007, given a second reading.**

**Customs Tariff Bill 2007**  
*(Deferred)*

**The Deputy Clerk:** The Customs Tariff Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

On behalf of the Government I beg to move the deferral of the Second Reading of The Customs Tariff Bill, 2007, until the next Meeting of the House.

And just a few more words, Madam Speaker: The reason for the deferral is that the Customs Department is still continuing with their discussions particularly with merchants with regard to the Tariff Bill. So I beg the deferral of the Second Reading of the Bill until the next Meeting of the House. Thank you.

**The Speaker:** The question is that the Second Reading of The Customs Tariff Bill, 2007, be deferred until the next Meeting of the House. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Customs Tariff Bill 2007 deferred to the next Meeting of the House.**

**Customs (Amendment) (No.2) Bill 2007**  
*(Deferred)*

**The Deputy Clerk:** The Customs (Amendment) (No. 2) Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Because there is a connection with the next two Bills on the Order Paper with the Customs Tariff Bill, I therefore beg to move the deferral of the Second Reading of The Customs (Amendment) (No. 2) Bill, 2007, until the next Meeting of the House.

**The Speaker:** The question is that the Second Reading of The Customs (Amendment) (No. 2) Bill, 2007, be deferred until the next Meeting of the House. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Customs (Amendment) (No. 2) Bill, 2007, deferred to the next Meeting of the House.**

**Customs (Amendment) (No. 3) Bill 2007**  
*(Deferred)*

**The Deputy Clerk:** The Customs (Amendment) (No. 3) Bill, 2007, second reading.

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

Once again, because of the connection with The Customs Tariff Bill, I beg to move the deferral of the Second Reading of The Customs (Amendment) (No. 3) Bill, 2007, until the next Meeting of the House.

**The Speaker:** The question is that the Second Reading of The Customs (Amendment) (No. 3) Bill, 2007, be deferred until the next Meeting of the House. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: The Customs (Amendment) (No. 3) Bill, 2007, deferred to the next Meeting of the House.**

**The Speaker:** The House will now go into committee.

**House in Committee at 10.49 am**

## **COMMITTEE ON BILLS**

**The Chairman:** Please be seated. The House is in Committee.

With the leave of the Committee, may I assume that, as usual, we should authorise the Honourable Second Official Member to correct minor errors and suchlike in this Bill?

Madam Clerk, would you please state the Bill and read the clauses?

### **Electricity Regulatory Authority (Amendment) Bill, 2008**

**The Deputy Clerk:** The Electricity Regulatory Authority (Amendment) Bill, 2008.

Clause 1—Short title and commencement.

**The Chairman:** The question is that Clause 1 do stand part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 1 passed.**

**The Deputy Clerk:** Clause 2—Amendment of section 2 of the Electricity Regulatory Authority Law (2005 Revision) - definitions.

**The Chairman:** I recognise the Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Chair.

In accordance with the provisions of Standing Order 52 (1) and (2), I wish to move the following amendment to the Electricity Regulatory Authority (Amendment) Bill, 2008:

In clause 2 in paragraph (c) by deleting the words “publish” and “T&D code”, and substituting the words “publish”, “T&D code”, “T&D system” and “transmission and distribution.”

And by inserting, in appropriate alphabetical sequence among the definitions to be replaced in the principal Law, the following definitions:

“‘T&D system’ means the T&D network of a T&D licensee for the transport of electricity from the generating station of a Generator to consumer meters and consists of structures, lines, underground conduits, conductors, transformers, relays, switchgear and associated equipment.”

“‘transmission and distribution’” means the transport of electricity by means of a T&D system for delivery to consumers for reward.”

And in paragraph (g), in the new definition of “Governor” proposed for insertion in the principal Law by deleting the words “in section 22” wherever they appear and substituting the words “in section 22(4)”;

And by deleting paragraph (j).

**The Chairman:** The question is that the amendment form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that the Clause 2 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 2, as amended, passed.**

**The Deputy Clerk:** Clause 3—Repeal and substitution of section 4 and 5—Board of directors - appointment of directors.

**The Chairman:** The question is that Clause 3 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 3 passed.**

**The Deputy Clerk:** Clause 4—Repeal and substitution of section 7, 8, and 9—resignation of directors and termination of office; procedure of Board; functions of Authority.

**The Chairman:** I recognise the Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Chair.

In accordance with the provisions of Standing Order 52 (1) and (2), I wish to move the following amendment to the Electricity Regulatory Authority (Amendment) Bill, 2008:

In clause 4, in the new section 9(2) proposed for insertion in the principal Law, by deleting the word “and” appearing at the end of paragraph (o).

And by deleting the full stop appearing at the end of paragraph (p) and substituting the following:

“; and (q) to authorise a T&D licensee to purchase renewable or alternative forms of energy from consumers who generate electricity for self-supply subject to the requirements of the Electricity Law (2005 Revision) and any regulations made thereunder.”

**The Chairman:** The amendment has been duly moved and is open for comment or debate. [pause]

If no one wishes to debate, the question is that the amendment do stand part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 4 as amended do form part of the Bill. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 4, as amended, passed.**

**The Deputy Clerk:** Clause 5—Amendment of section 10 – additional powers of Authority.

Clause 6 Amendment of section 11 - directions by the Minister.

Clause 7 Amendment of section 14 - financial procedure.

Clause 8 Amendment of section 21 - publication of accounts and annual report.

Clause 9 Amendment of section 22 - power to employ staff, etc.

**The Chairman:** The question is that Clauses 5 through 9 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 5 through 9 passed.**

**The Deputy Clerk:** Clause 10—Amendment of section 23 - procedure for the grant of a licence.

**The Chairman:** I recognise the Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Chair.

Again, I move the following amendment to the Electricity Regulatory Authority (Amendment) Bill, 2008:

In Clause 10 (a), in the new section 23(1) proposed for insertion in the principal Law, by deleting the words “No person” and substituting the words “Subject to section 9(2)(q), no person,”.

**The Chairman:** The amendment has been duly moved and is open for debate. Does any Member wish to speak? [pause]

If no Member wishes to speak, the question is that the amendment do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 10 (a) as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 10, as amended, passed.**

**The Deputy Clerk:** Clause 12—Repeal and substitution of sections 26 and 27 - duration of licence; renewal of licence.

Clause 13 Amendment of section 28 - modification of licence.

Clause 14 Amendment of section 29 - licence and regulatory fees.

Clause 15 Amendment of section 30 - suspension or revocation of licence.

Clause 16 Insertion of section 30A - power to take possession of electricity infrastructure in certain cases.

**The Chairman:** The question is that Clauses 12 through 16 do form part of the Bill. All those in favour, please say Aye. Those against, No.

[Inaudible remark by Deputy Clerk]

**The Chairman:** [Addressing the Deputy Clerk] Clause 11 is a new clause, so the question comes up there.

All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 12 through 16 passed.**

**The Deputy Clerk:** Clause 17—Amendment of section 32 – directives—

[inaudible comment]

[pause]

**The Chairman:** I guess we will withdraw what just took place and start all over again. I hope we get it right now.

**The Deputy Clerk:** Clause 12—Repeal and substitution of sections 26 and 27 - duration of licence; renewal of licence.

**The Chairman:** I recognise the Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** And Madam Chair, thank you, but Clause 11 is really not a new one either. It is a deletion.

**The Chairman:** You are deleting the original Clause that came in the Bill and replacing it with a new Clause 11, which is a new clause because that has not been circulated to Members.

**Hon. V. Arden McLean:** Okay. Thank you.

Madam Chair, I again move the following amendment to the Electricity Regulatory Authority (Amendment) Bill, 2008:

In clause 12, by deleting the new section 26(1) and (2) proposed for insertion in the principal Law and substituting the following -

“(1) A T&D licence shall be for a period not exceeding [twenty] years from its date of commencement.

(1a) A generation licence shall be for a period not exceeding twenty-five years from its date of commencement.

(2) Where a Generator is awarded the right to supply additional electricity generation pursuant to the generation solicitation process its existing licence shall be cancelled and a new licence issued to the licensee for a term not exceeding twenty-five years, to correspond with the period required for construction, reconstruction, replacement or modification of a generating station or any generating unit therein, together with the estimated economic life of the relevant generating unit or units or the term of the relevant PPA as appropriate; and the new licence shall cover -

- (a) the new generating unit or units and any existing generating unit or units covered under its previous licence which have not been retired; or
- (b) the new PPA and any existing PPAs covered under its previous licence which have not expired,

as appropriate.”

And in the new section 26(3) proposed for insertion in the principal Law, by deleting the words “generation licensee” and substituting the word “Generator.”

Madam Chair, I believe I made a mistake. In 12(1) it should read “A T&D licence shall be for a period not exceeding twenty years from its date of commencement.” Not twenty-five. I am sorry about that. I read that wrong.

**The Chairman:** Don't worry about that Minister; everything is going wrong this morning!

**Hon. V. Arden McLean:** Sometimes it's like that.

**The Chairman:** This is a new Clause too.

The Clause has been duly moved and is open for debate. Does any Member wish to speak?

If not the question is that the amendment do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 12 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 12, as amended, passed.**

**Hon. V. Arden McLean:** Madam Chair, everything is going wrong today. I totally agree with you. I don't know it must be something in the air!

**The Chairman:** No, if the amendments would come here a bit earlier [inaudible].

**Hon. V. Arden McLean:** Okay.

Madam Chair, there is another section to that 12 as well, which goes on to read "and" (and then goes on to the second page) "(2)" . . . I am sorry, Madam Chair, but these things happen I guess.

**The Chairman:** Go right ahead. One day at a time. Go right ahead.

**Hon. V. Arden McLean:** One day at a time! One minute at a time here it looks like!

[laughter]

**Hon. V. Arden McLean:** If we were perfect, we wouldn't be here!

**The Chairman:** That's perfectly true, sir, but if we could get these things a little bit earlier so that one could go through them, we might not make so many mistakes. Continue, sir.

**Hon. V. Arden McLean:** I appreciate your intervention there with that, Madam Chair, but these things are very fluid and sometimes . . . anyway, after (2)(b) . . . "and in the new section 26(3) proposed for insertion in the principal Law, by deleting the words "generation licensee" and substituting the word "Generator."

**The Chairman:** The amendment has been duly moved and is open for debate. Does any Member wish to speak?

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Chair.

Just a quick question for clarity to make sure I understand what is happening this morning. Are we seeking to increase the licence for the generation by five years within your amendment? As I read what was being proposed . . . "26[2] Where a generation licensee is awarded the right to supply additional electricity generation pursuant to the generation solicitation process, its existing licence shall be cancelled and a new licence issued to the licensee for a term not exceeding twenty years . . ." Is that the same licence?

**The Chairman:** This says Twenty-five.

**Ms. Juliana Y. O'Connor-Connolly:** So, in fact the generation licence that we are giving . . . we are not increasing what it used to be by five years? It is still the same? That is what I want to clarify.

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** No, it is the same.

What happened is that if a new generator is going in you have no control over that licensee unless you give them a licence from the solicitation process. Once that solicitation process has been completed you have to have some control over them because, you can appreciate, some of them may very well walk away in the middle of that construction. So the licence will be issued from the time the solicitation process is over.

But that construction or reconstruction may take two or three years. The life of a generator is 20. So, what will happen is that from the time of commencement, from the time of commissioning of that generator it has a life of 20 years. So you have to make provision up front to ensure that that licensee gets the full 20 years life on that generator.

What we are proposing here is that the Authority will issue it for up to 25 years (which will probably never happen). So from the solicitation process to the end of the life of that generator—whether it is a PPA, a new power provider, or whatever—they would have that licence whereby it would cover the construction period.

If you figure it is going to take 2 years to do that construction then you can issue it for 22 years; but the generator still only has 20 year's life on that. So that is basically what we are trying to do. The generator will still have 20 years because if we do not . . . in the middle of a construction someone could walk away. So you cannot just say you are going to give them a licence when they commission the generator, because they you are leaving out two or three years while they are building it where someone could just walk away. So the licence has to be issued from the time the solicitation process is over and it has been awarded. But then the generator starts its life two years later. So you have to cover that.

**The Chairman:** Are they any further questions?

Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** The relevant fees for that generation, when would they start to be paid?

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** Well it would be when the time comes for the commissioning because it is getting no reward during construction.

**The Chairman:** Are there any further questions? First Elected Member for the district of Cayman Brac and Little Cayman.

[inaudible]

**Hon. V. Arden McLean:** Maybe that is a little confusing but the generation does not actually pay licensing fees. What you get from them is other fees, such as, importation and what have you. Who pays the fees on that is when that goes through to the distribution. So, at the time of the commissioning of that generation, then you will realise fees from the T&D licensing.

**The Chairman:** Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Just so I can be clear, we are saying there are no fees proposed for any generators of power? There is only going to be a fee from the T&D company?

So, if we have a person who just has a PPA with CUC, for example, they do not pay any fees to government for being a power generator?

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** Not for the sale of that electricity because they are not selling to the consumer for reward. They are selling only to the T&D licensee. So they are issued a licence, but they do not pay a continuous fee, such as a T&D licensee.

**The Chairman:** Are there any further questions?  
Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you.

I just wanted to be sure, obviously we are moving into a new territory. Currently we only have one company that pays fees based on its returns for both generation and transmission and distribution. Basically they pay as a percentage of their fees to government overall. All right?

So now we have separated and made a determination that in the future the only entity that will be paying the ongoing fee based on the ongoing revenue generated will be the T&D part. Even though the generation company is going to be continuously providing power we have made a determination that the generating company only pays a one-time fee. Is that correct?

**Hon. V. Arden McLean:** Yes. You have to understand that we are going to double-whammy the consumer if we charge the generation and then we charge distribution—the overall income as a result of that generation of electricity. So, consumers will have a double-whammy.

**Mr. Cline A. Glidden, Jr.:** If you remember . . . sorry Madam Chair.

**The Chairman:** Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** If you remember, I made the point during my contribution of the vertically integrated company and the challenge of having that company. I agree with you that it will be a double-whammy on the *existing* situation because you have the same company providing the generation and the T&D. But in your discussions, you have always talked about the possibility or the hope that we would have another entity.

So, if we have another entity, how can it be fair that a separate company besides CUC is now providing generation, CUC now currently pays for both and I can understand the double-whammy from them. But now you will have CUC paying all the fees for the purchasing of power (right?), the new generating company coming in and not paying any fees.

So assuming, again—and this is the challenge I talked about—if CUC was being charged for just the T&D, and they were being charged for just their generation, when you have another generation company, the consumer would not be double-whammy'ed because only one generating provider would be charged. CUC would no longer be charged if they were not the generator.

So you would be getting a single whammy from the generator for their generation part; and you would be getting CUC paying for their T&D part. All right?

But under the current proposal you will end up getting CUC paying and a new company coming in to provide, not paying.

**Hon. V. Arden McLean:** Madam Chair, I respectfully beg to differ with my colleague, in that, if another company comes in they have to sell it to CUC, who is a T&D licensee. The higher the cost to CUC, CUC has to pass that on to the consumer. So, I believe it is going to still be double whammy. So if they do not have to pay a licence fee then they can sell the electricity as a PPA.

And, Madam Chair, the Third Elected Member [for West Bay] and I are talking on things he will understand in that we then find that . . . let us use an example.

If the new power provider, IPP, could sell it for 10 cents without an ongoing licensing fee (that is, the generation) and could sell it to CUC (who is the T&D) at 10 cents. But we put fees on that. Then they are going to have to top that to 11 cents. CUC is going to pass that on through the T&D to the consumer because it is costing them 11 cents as opposed to 10 cents. Do you see where I am coming from there?

**The Chairman:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Thank you.

Let us just use the example he used. We are going to have 25 cents as an overall cost to the consumer.

**Hon. V. Arden McLean:** Mm-hmm.

**Mr. Cline A. Glidden, Jr.:** Then 10 cents out of that is the generation cost, and 15 cents out of that is administration of T&D costs. Okay?

Somewhere in that 15 cents CUC is paying a fee which is a component based on the generation aspect of that, and a component based on the T&D aspect of that. Obviously I can see that once you have one single company there is no way of deciding what that is. Okay?

Now, there is my initial reason for having two separate entities. Now we separate that out and we go out for bidding purposes. When we go to the bid, we look for the lowest bid. CUC is paying—and this is a cross-subsidisation issue that I also brought up in my debate. CUC comes out and says *'we are going to be able to bid for that because we have already included in our T&D the licensing aspect of that.'* And because the Authority has no way of knowing what part is coming out from generation and what part is coming out from the T&D, how can you have fair bidding process for a PPA to compete with that when CUC can place any part of that component as a part of the T&D?

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** Thank you.

What happens in those instances is that we do a cost of service study and that forms part of the report that is made to the Authority (which is under another section of this amending Bill) where the T&D licensee, whoever that is (in this instance it is CUC), would have to show the entire cost of service study to the Authority and their returns as well, which, as you well know, forms part of that overall rate base, the cost of that rate base. And then we have the band, between 9 and 13, and they must stay within that.

So, in effect, if those are not correct, then the Authority has the right to go in and do what they have to do to look at it and do their own studies.

So, purchasing from that IPP is going to be extremely crucial in the projections and the cost of service study to that T&D licensee. It is going to be extremely crucial because . . . that is why we talk about renewable. The lower the cost of that generation, the lower the cost to the consumer delivered to him from that T&D licensee. The lower the cost.

If we get a lot of people doing private generation and selling the cost continues to shrink.

Now, it would be unfair if we are looking for renewable to then hit the consumer at the end of that

electricity with another cost which drives up the price to the consumer. The more you can do the better.

**Mr. Cline A. Glidden, Jr.:** Madam Chair.

**The Chairman:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Chair, the Minister has gone into another level which has opened it up even more. I can say that my concern is, while I have heard the utterances to discuss the possibility of competition in this field, my concern—and it is just being magnified more and more—is that there is not a genuine belief or understanding that we will ever . . . or, we are not preparing for competition, in my opinion.

The reason why I say that (picking up on what the Minister just said) is that the Minister is saying that CUC is going to be given a licence for T&D at a fixed price for, I guess, a twenty year period. As a part of their licence they will know what their price is.

Now, their relationship with the PPA is going to be hands-off from the government, even as far as fees are concerned because the fees are included as a part of CUC's component. So the government has no way of knowing.

So, if the government is saying . . . and this is my thought process: If we were looking at competition, we would have an agreement between the PPA. They would say, *'We are going to sell CUC X amount of power, these are the fees we are paying to government and this is the fee we are selling to CUC for.'* Right?

Under the present understanding (as I just heard elucidated by the Minister) the PPA has an agreement with CUC for whatever the fee is, CUC pays all fees to government and CUC charges the consumer. Under that relationship how is the reduction in fees benefitting the consumer?

How is the reduction in fees benefitting anyone other than CUC?

**The Chairman:** Honourable Minister, I think we are getting way out . . .

**Hon. V. Arden McLean:** I appreciate that, but I think I really need to respond to [the Member], in that if PPA must be approved by the Authority, there is no private agreement that can go on between CUC, who is the T&D licensee, and an IPP through a PPA. That also has to be agreed, approved, by the Authority.

You understand the Authority is responsible for the solicitation, eh?

Okay?

So that solicitation, the process, means that whoever is involved in that solicitation process is making their bids (whatever you wish to call them) directly to the Authority.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** So the Authority knows exactly what . . . because they are going to award that. They know exactly what that IPP is going to generate it for.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** So, the agreement, the PPA between those two entities has to be agreed by the Authority on that basis.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** So there is no way there can be any private agreement between them, i.e., to reduce cost and what have you. Then that must also be reflected in the rate base.

**Mr. Cline A. Glidden, Jr.:** But, Madam Chair . . .

**The Chairman:** Third Elected Member for the district of West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Chair, that is the exact point.

So I have a licence for an agreed fee. CUC has a licence for 25 years for T&D to sell to the consumer at an agreed price. If they come along and are now able to buy electricity cheaper from a PPA, how does the consumer benefit from that? While CUC has an ongoing agreed, fixed price for a period of 25 years, how is that cost . . . or is CUC getting a contract for 25 years, but the price is not fixed?

Is CUC making a commitment? Are they expected to make a financial commitment buying the generators, putting them in place, and getting a licence for 25 years, but not be able to determine what that return is going to be? They have to have a fixed price for that 25 year period.

**Hon. V. Arden McLean:** But, Madam Chair.

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** We have announced that already. There is going to be a spread from 9 per cent to 13 per cent. So if they get it cheaper, that means their returns are going to increase, and the Authority has the right to review those returns and make them rebate.

**Mr. Cline A. Glidden, Jr.:** Okay.

**Hon. V. Arden McLean:** Very simple.

**The Chairman:** Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Okay. So, if their returns increase over that spread, so they have a spread, and

even if they are buying it cheaper, there can be expenses increased on other aspects so their returns will not necessarily be reflective of the cheaper cost of buying electricity. The administrative costs, for example. So, while we talk about a spread, this spread is not directly linked to the cost of buying electricity.

**Hon. V. Arden McLean:** We agree with that. It is all factored in. But, if I may, there is also another factor that we are missing, and that is the cost of service, which is what that spread is predicated upon.

The cost, i.e., generation and other aspects of administration, and everything else that has to be factored into that cost of service study.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** And then profit margins and what have you, and it has to stay within that spread.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** And if it goes above, they have to rebate, or up around the top part of it they have to rebate. If it goes too low, then you know we go into the aspect of calculating how much increase is required to get them back in the middle band of that spread.

**Mr. Cline A. Glidden, Jr.:** Madam Chair,

**The Chairman:** Third Elected Member.

**Mr. Cline A. Glidden, Jr.:** As you have said, we have gone off. Trying to get it back to this specific topic directly associated . . . if we go back to the PPA process and we accept that some component of the cost of generation is going to be the amount that is paid to government as a licence fee, I think we are in agreement with that. Regardless of who pays it—whether it is the generator who pays it, or if it is the T&D provider—there is a fee associated with the cost to government because government charges a percentage based on the revenues. Right?

Now, if I am a PPA coming in and I know what the cost is to produce my electricity, but I do not know what the cost is because it is bundled somewhere in CUC's total cost . . . we do not have them broken down. So we cannot say the fee to government is 2 cents and the administrative aspect is 13 cents. It is all included in that 15 cents that CUC pays.

But I am the PPA and I am preparing a proposal. How do I prepare and present a comparative proposal not knowing what those fees would be?

CUC will know what the fees would be. CUC would say *'It's .5 per cent of the amount that we are getting from the generated component.'* And they would include that in their figure.

The other company coming in supposedly is just going to sell to CUC at their straight cost. CUC,

putting on a new generator, knowing that they are going to have to pay fees on that, is going to include this government fee because for increased generation means increased revenue and therefore it means an increased amount that they are going to have to pay.

**The Chairman:** Honourable Minister, I would suspend if you care to discuss this further with your staff or . . .

**Hon. V. Arden McLean:** There is a fundamental flaw in what you are proposing, or what you are . . .  
No, Madam Chair.

**The Chairman:** Honourable Minister, continue.

**Hon. V. Arden McLean:** There is a fundamental flaw in that. Why would we . . . first of all, the consumers are the ones who will pay the licence fees. So the less we can charge those licensees the better off it is for the consumer. Now, if it does not matter what those fixed amounts are, because it is competitive you are looking for the one that can be produced at the lowest price. That is any other IPP.

Then, no person going into a business is not going to put their profit margins on. Therefore, all of that will have to be factored in.

Like I said earlier, if you had a licence fee over the life of that generator, then you are going to factor that in as well. And we are saying, no, the consumer is eventually going to pay for that. That is not there, therefore CUC (the T&D licensee) gets it at a cheaper cost and it can be passed on to the consumer at a cheaper cost.

Why would there need to be a cost in for government on that IPP when they are bidding? It is going to be more . . . so CUC separates their generation bidding process from their overall. It is about how much, how cost effective you can generate electricity to be able to be sold to that T&D licensee for distribution to the consumer who is the end user and who is paying the entire cost of generation and anything else for that matter. So, the cheaper you can get it at its source, the more beneficial it will be for the end user, who is the consumer.

**The Chairman:** Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** Madam Chair, I hear the Minister keep referring to this cost to the consumer, but whether there is a separate PPA provider, or whether there is CUC, whoever is paying those fees to government is going to pass those fees on. So, it is no different whether the generator is doing it or unless you are allowing the generator to pass it on as well as CUC to pass it on. If CUC is not paying it, they would have no reason to pass it on. That is why I disagree, respectfully, with the idea of a double-whammy, unless the controls in place are not going to be such that we would be able to get it from the PPA provider and not from CUC.

If the Authority would allow the PPA provider to charge fees as well as CUC to charge those same fees, I agree it would be a double whammy. But I am giving the benefit of the doubt to the Authority to say that if you separate the two of them the fees that are paid by the generator would not then be charged by CUC as well.

So the issue to the consumer is revenue neutral. Unless we are proposing to allow CUC to charge whatever fees they want to charge. All we are saying is that if the generator is going to compare and compete, an external generator independent of CUC is going to compete now, right—

**Hon. V. Arden McLean:** Mm-hmm.

**Mr. Cline A. Glidden, Jr.:** —when CUC is putting their bid in place they know what that fee is going to be. They know what the fee to government . . . because they are one company and whatever their revenues are they are going to have to pay based on those. And they know what component of that is going to be a licence fee to government.

**Hon. V. Arden McLean:** Of course, they know. It is based on gross revenue, you know.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** So, it is based on demand. And you use your projections.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** Which CUC has to do as a T&D licensee.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** To do a three year projection. So, of course, they would know. So would the ERA under the provisions of those projections as to what the demand is going to be—and that is an easy calculation as you well know. What the demand is projected, how much generation is needed, and what the revenue from those are.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** It is a fixed percentage; it is not a fixed amount.

**Mr. Cline A. Glidden, Jr.:** Right.

**Hon. V. Arden McLean:** And it is the consumer that is paying it based on demand. So it is not like we know exactly what it is going to be, the amounts. We know what the percentage is.

**Mr. Cline A. Glidden, Jr.:** Exactly.

**Hon. V. Arden McLean:** But it is based on demand.

So, if those generator licensees, that is CUC as well, and IPPs whenever they bid, they are going to bid based on generating electricity to meet that requirement in that solicitation process. If it is 40 megawatts we need over the next two years, three years, or whatever, they are going to be bidding on that basis.

Now, no one knows how fast that demand is going to come up to utilise that 40 megawatts. That may be two years afterwards. But that is where the consumer is going to pay, based on that gross revenue. And then the T&D licensee has the privilege, the licence, to go out and sell it to consumers. And the cheaper we can keep it before it reaches the end user—which is the consumer—the better off it is for the consumer.

**The Chairman:** I think I have been a very understanding Chairman in giving debate on this.

The question is that the amendment forms part of the clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 12, as amended, do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 12 as amended passed.**

**The Deputy Clerk:** Clause 13—Amendment of section 28 - modification of licence.

Clause 14 Amendment of section 29 - licence and regulatory fees.

Clause 15 Amendment of section 30 - suspension or revocation of licence.

Clause 16 Insertion of section 30A - power to take possession of electricity infrastructure in certain cases.

Clause 17 Amendment of section 32 - directives by Authority to protect public health, etc.

Clause 18 Amendment of section 36 - interpretation for the purposes of this Part.

**The Chairman:** The question is that Clauses 13 through 18 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 13 through 18 passed.**

**The Deputy Clerk:** Clause 19—Amendment of section 37 - agreements, etc. preventing, restricting or distorting competition.

Clause 20 Amendment of section 40 - cancellation, etc. of exemptions.

Clause 21 Amendment of section 42 - Authority's power to investigate.

Clause 22 Amendment of section 44 - power to enter premises under a warrant.

Clause 23 Amendment of section 51 - interim measures.

**The Chairman:** The question is that Clauses 19 through 23 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 19 through 23 passed.**

**The Deputy Clerk:** Clause 24—Amendment of section 52 - notice to show cause.

Clause 25 Repeal of section 54 - level of penalty.

Clause 26 Amendment of section 56 - cease-and-desist orders.

Clause 27 Amendment of section 58 - powers of Court in respect of cease-and-desist orders.

Clause 28 Amendment of section 59 - administrative fines.

**The Chairman:** The question is that Clauses 24 through 28 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 24 through 28 passed.**

**The Deputy Clerk:** Clause 29—Repeal and substitution of Part VIII - Interconnection and Electricity Infrastructure Sharing.

**The Chairman:** Honourable Minister responsible for Communications, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you.

Again, I move the following amendments to the Electricity Regulatory Authority (Amendment) Bill, 2008, in Clause 29: In the new section 65(2) proposed

for insertion in the principal Law by deleting paragraph (c) and substituting the following paragraph –

“(c) a Capital Investment Plan including information as to the level of generation and T&D investment required to carry out and complete the Plan, with specification of all major items on a project-by-project basis for review and approval by the Authority.”

And in the new section 65(5) proposed for insertion in the principal Law, by deleting the words “Generation licensee” and substituting the word “Generator”.

**The Chairman:** The amendment has been duly moved and is open for debate. Does any Member wish to speak? [pause]

If no Member wishes to speak the question is that the amendment do form part of the clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 29 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 29 as amended passed.**

**The Deputy Clerk:** Clause 30—Amendment of section 66 - quality of service.

Clause 31 Amendment of section 67 - non-discrimination and continuity of supply.

Clause 32 Amendment of section 68 - equipment standards and technician certification.

Clause 33 Repeal and substitution of section 70 - licensee confidential information.

**The Chairman:** The question is that Clauses 30 through 33 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 30 through 33 passed.**

**The Deputy Clerk:** Clause 34—Amendment of section 71 - reconsideration of decisions by Authority.

Clause 35 Amendment of section 73 - dispute resolution and appeals to the Court.

Clause 36 Amendment of section 75 - engaging in licensed activities for reward without a licence - further penalties.

Clause 37 Amendment of section 84 - offences under Part V.

Clause 38 Repeal and substitution of section 88 - power to take possession of electricity infrastructure or permit another licensee to do so in certain cases.

**The Chairman:** The question is that Clauses 35 through 38 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 35 through 38 passed.**

**The Deputy Clerk:** Clause 39—Amendment of section 89 - power to make regulations.

Clause 40 Insertion of section 90A - service of notices.

Clause 41 Repeal and substitution of section 92 - transitional provisions.

Clause 42 Amendment of Schedule - Procedure of Board.

Clause 43 Insertion of Schedule 2 – General Regulatory Principles.

**The Chairman:** The question is that Clauses 39 through 43 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 39 through 43 passed.**

**The Deputy Clerk:** Clause 11—Amendment of section 24 – shares of licensee etc. not to be issued or transferred without approval of Authority.

**The Chairman:** Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Thank you, Madam Chair.

I again move an amendment to the Electricity Regulatory Authority (Amendment) Bill, 2008, and the amendment is to delete Clause 11 and substitute the following Clause:

“Clause 11— ‘Repeal and substitution of section 24 - shares of licensee etc. not to be issued or transferred without approval of Authority.’”

“The principal Law is amended by repealing section 24 and substituting the following section -

“Shares of licensee etc. not to be issued or transferred without approval of Authority”

“24.(1) A licensee that is a company shall not issue shares and a person owning or having an interest in shares in the licensee shall not transfer, otherwise dispose of, or deal in those shares or interest where such issuance, transfer, disposal or dealing would thereby result in a total shareholding or total voting rights by the person acquiring such shares or voting rights by such issuance, transfer, disposal or dealing of more than ten percent of the issued share capital or total voting rights of the licensee without the prior written consent of the Authority.

“(2) In subsection (1), the reference to shares being issued, transferred, disposed of or dealt with includes the issue, transfer or disposal of or dealing with either the direct or indirect legal or beneficial interest in the shares.

“(3) A licensee who may wish to deal with shares as provided in subsection (1) shall request the consent of the Authority in writing, and the Authority shall reply in writing within seven days of the receipt of such request.

“(4) Where the Authority refuses to give its consent it shall give reasons in writing for such refusal.

“(5) The Authority may, in respect of a licensee whose shares are publicly traded on a stock exchange recognised by the Cayman Islands Monetary Authority, waive the obligation to obtain consent under this section, and any such waiver shall be subject to -

“(a) a condition that the licensee shall, immediately upon becoming aware of same, notify the Authority of -

“(i) any actual or proposed change in control thereof;

“(ii) any actual or proposed acquisition by any person or group of persons of shares which results or would result in a total shareholding by that person or group of persons of more than ten per cent of the issued share capital or total voting rights thereof; or

“(iii) any actual or proposed acquisition by any person or group of persons of shares which results or would result in a total shareholding by that person or group of persons of more than ten per cent of the issued share capital or total voting rights of the parent company of the licensee;

“(b) a condition that the licensee shall, as soon as reasonably practicable, provide

such information to the Authority as may be required by the Authority for the purpose of satisfying that the persons acquiring or proposing to acquire control or ownership in the circumstances set out in paragraph (a) are fit and proper persons to have such control or ownership, but the licensee shall not be required to provide to the Authority information that is either not in its possession or that it does not have a legal or contractual right to obtain; and

“(c) such terms and other conditions as the Authority may deem necessary.”

“(6) Notwithstanding any waiver issued under subsection (5), where the Authority has been notified by a licensee or otherwise becomes aware of any of the circumstances set out in that subsection, and the Authority has determined that such person or group of persons are not fit and proper persons to have control or ownership of the licensee or its parent company, the Authority may -

“(a) in the event of a proposed acquisition of shares in the licensee, refuse to allow the proposed transfer of shares;

“(b) in the event of an acquisition of shares in the licensee or its parent company -

“(i) impose such conditions on the licensee as it may deem necessary;

“(ii) issue a directive or directives to the licensee as to the management and operations of the licensee; or

“(iii) suspend or revoke the licence on the order of the Governor where he determines such suspension or revocation is necessary for reasons of the security or public interest of the Islands.”

“(7) Where shares in a company which is a licensee vest automatically through process of law in another person or group of persons and such vesting results in a total shareholding by that person or group of persons of more than ten per cent of the issued share capital or total voting rights in the company, the secretary of the company or the Registrar shall, immediately upon becoming aware of such vesting, inform the Authority of the number of shares and the identity of the person in whom they have vested, and the Authority shall have the power to impose conditions on the licence and to issue directives as to the management and operations of the licensee.”

“(8) Where a licensee-

“(a) fails or refuses to obtain the consent of the Authority in accordance with this section or proceeds to deal with shares

where the Authority has refused to consent to such dealing; or  
 “(b) fails to comply with subsection (5), (6) or (7),

“the licensee commits an offence and is liable -

- “(i) on summary conviction to a fine of ten thousand dollars; or
- “(ii) on conviction on indictment to a fine of twenty thousand dollars,

“for each day that the offence continues after the date it first occurred.”

“(9) In this section -

“‘control’ means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a company or other entity, whether through the ownership of voting rights, by contract or otherwise; and

“‘parent company’, in relation to any company or other entity, means any company or other entity by which it is directly or indirectly controlled.”

**The Chairman:** The amendment has been duly moved and is open for debate. Does any Member wish to speak? [pause]

If no Member wishes to speak the question is that the amendment do form part of the clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 11 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 11 as amended passed.**

**The Deputy Clerk:** Clause 34—Amendment of section 71 – reconsideration of decisions by the Authority.

**The Chairman:** Honourable Minister.

**Hon. V. Arden McLean:** I beg to move the following amendments to the Electricity Regulatory Authority (Amendment) Bill, 2008: by deleting Clause 34 and substituting the following Clause - “Amendment of section 71 - reconsideration of decisions by Authority.”

“34. The principal Law is amended in section 71(1) as follows - by inserting after paragraph (b) the following paragraph –

“(ba) made under section 24 or 25;”

And by repealing paragraphs (k) and (l) and substituting the following paragraphs -

“(k) to impose a penalty in accordance with Part V or in respect of the amount of such penalty;

“(l) made under section 65 in respect of a Capital Investment Plan; or

“(m) as may be prescribed by the Governor or the Authority.”

**The Chairman:** The amendment has been duly moved and is open for debate. Does any Member wish to speak? [pause]

If no Member wishes to speak the question is that the amendment do form part of the clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 34 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 34 as amended passed.**

**The Deputy Clerk:** A Bill for a Law to Amend the Electricity Regulatory Authority Law (2005 Revision) for the purpose of restructuring the power industry in the Cayman Islands; to strengthen the enforcement provisions of the Law; and to make provision for related matters.

**The Chairman:** I think we have a Schedule somewhere in this Bill . . . [pause]

The question is that the Title do form part of the Bill. All those in favour, please say Aye.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

**Hon. V. Arden McLean:** Madam Chair . . . there is a Schedule 2 attached thereto.

**The Chairman:** Yes, but I think what happened . . . the Schedule question and the Schedule should be the last thing, but it was put in Clause 43 “Insertion of Schedule 2.”

**Hon. V. Arden McLean:** Okay. Yes. It was in [Clause] 43.

### Electricity (Amendment) Bill 2008

**The Deputy Clerk:** The Electricity (Amendment) Bill, 2008.

- |          |                                                                                                                                                                                       |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clause 1 | Short title and commencement.                                                                                                                                                         |
| Clause 2 | Amendment of section 2 of the Electricity Law (2005 Revision) – definitions.                                                                                                          |
| Clause 3 | Repeal of sections 9, 10, 11 and 33 – licensees; limitation of right of supply to the public; private plants to be licensed; power to take possession electric work in certain cases. |
| Clause 4 | Amendment of section 34 - regulations.                                                                                                                                                |
| Clause 5 | Amendment of section 36 – savings.                                                                                                                                                    |

**The Chairman:** The question is that Clauses 1 through 5 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

### Clauses 1 through 5 passed.

**The Deputy Clerk:** A Bill for a Law to amend the Electricity Law (2005 Revision) to effect various amendments as a consequence of the enactment of the Electricity Regulatory Authority (Amendment) Law, 2008; and for incidental and connected purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

### Firearms (Amendment) Bill 2007

**The Deputy Clerk:** The Firearms (Amendment) Bill, 2007.

- |          |                                                                                                                                                |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Clause 1 | Short title.                                                                                                                                   |
| Clause 2 | Amendment of section 3 of the Firearms Law (2006 Revision) – restriction on the importation or exportation of firearms and bullet-proof vests. |

- |          |                                                                                                                                     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------|
| Clause 3 | Amendment of section 15 - possession and use of firearms and bullet-proof vests.                                                    |
| Clause 4 | Amendment of section 18 – restriction relating to the discharge and carriage of firearms and the wearing of the bullet-proof vests. |
| Clause 5 | Amendment of section 38 – Category B offence.                                                                                       |

**The Chairman:** The question is that Clauses 1 through 5 do form part of the Bill. All those in favour, please say Aye.

**Ms. Juliana Y. O’Connor-Connolly:** Madam Chair.

**The Chairman:** Those against, No.  
Sorry. First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O’Connor-Connolly:** Thank you. Just a couple of quick questions for clarification.

Where it relates to an offence that was committed on or after the 15<sup>th</sup> of November 2005 . . . I wonder if the Hon. Second Official Member would enlighten me or perhaps the committee as to the significance of this date.

**Hon. Samuel W. Bulgin:** The objective is to remove any retrospectivity in the 2005 amendment. So it would only apply prospective.

The original amendment in 2005 had a retrospectivity provision in it. Well, not “a” but “some” retrospective provisions in it. This amendment is removing those retrospective provisions. So the law applied prospective November 2005 and onward, that is for offences committed on or after.

**The Chairman:** We have not reached Clause 6 as yet, honourable Member. I am putting the question on 1 through 5, because there is an amendment to 6.

**The Chairman:** The question is that Clauses 1 through 5 do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

### Clauses 1 through 5 passed.

**The Deputy Clerk:** Clause 6—Insertion of section 38A – minimum sentences for certain offences.

**The Chairman:** I recognise the Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you.

In accordance with Standing Order 52 (1) and (2) I move the following amendments: That the Bill be amended as follows in Clause 6 in the new section 38A (1)(a) proposed for insertion in the principal Law, by inserting after the word “convicted” the words “following a trial or a plea of guilty”;

And by deleting the new section 38A(2) proposed for insertion in the principal Law and substituting the following -

“(2) Notwithstanding sections 6(2) and 8 of the Criminal Procedure Code (2006 Revision), the court of summary jurisdiction or the Grand Court before which the individual pleads guilty or is convicted, shall -

“(a) in a case where the individual pleads guilty, impose a sentence of imprisonment for a term of at least seven years (with or without a fine); or

“(b) in any other case, impose a sentence of imprisonment for a term of at least ten years (with or without a fine),

“unless the relevant court is of the opinion that there are exceptional circumstances relating to the offence or to the offender which justify its not doing so; and such exceptional circumstances shall be stated by the relevant court.”

And by inserting after clause 6 the following clause – “Clause 6A”:

“Repeal of section 44 6A. The principal Law is amended by repealing section 44.”

**The Chairman:** The amendment has been duly moved and is open for debate.

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O’Connor-Connolly:** I wonder if the Honourable Second Official Member can say whether it is usual for the Courts to be mandated to state exceptional circumstances?

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** Did you say usual?

Well, there is a precedent for it Madam Chairman. We have looked at precedence from the UK where . . . sorry. I was going to say that we looked at precedence from the UK where there are exceptional circumstances. But I am just trying to think . . . there is a precedent somewhere that we looked at that was used to craft this which requires the Court to state what those exceptional circumstances are. I cannot speak to the exact precedent, but in fact there is one that we have looked at that was used.

**The Chairman:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O’Connor-Connolly:** Thank you.

Is the Honourable Second Official Member then saying that he is satisfied that this provision in no way represents an intrusion into the discretion of the Court?

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** No, Madam Speaker, not at all. It would be, I am almost sure, that in any event the Court would have listed those exceptional circumstances; maybe not exhaustively, but it would have said what those are in any event. It is quite in order in these circumstances because usually what will happen is that assuming that the matter goes one way or the other the Court finds that there are exceptional circumstances or there are no exceptional circumstances and there is an appeal. The Appellate Court will be guided by the thinking of the learned judge as to what is and what was not taken as exceptional circumstances. All the questions that we looked at from the United Kingdom they are all there and the Court of Appeal found the elucidation (for want of a better word) of those as very useful.

**The Chairman:** First Elected Member for Cayman Brac and Little Cayman.

**Ms. Juliana Y. O’Connor-Connolly:** Just a general question. Have we been experiencing sentences that are perhaps not pleasing to the public in general as it relates to firearms offences?

I am just trying to find out the reason, Madam Chair, behind this. Thank you.

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** Madam Chair, that is a very tricky question. I have to be careful how I answer that.

Did you say if I have been experiencing instances where—

**The Chairman:** No. I think she was asking the question if the public are referring to any instances or having any grievances with the law as it is now.

**Hon. Samuel W. Bulgin:** Why we require the—

**The Chairman:** Amendment.

**Hon. Samuel W. Bulgin:** Any particular aspect of it? Or the exceptional circumstances provision.

Maybe you could just repeat the question in its totality please.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you. Madam Chair, might I rephrase it?

Can the Honourable Member perhaps respond in two parts? Can he say, firstly, whether he has been experiencing any difficulty with the sentencing that has been handed down; and (b) whether the public in general has been experiencing any difficulty with the leniency or stringency of the sentences as they relate to firearms, and hence the reason for this particular amendment.

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** Madam Chair, from time to time we do read in the press where members of the public express their opinion one way or the other as to level of sentences imposed by the Court. In some instances they criticise it as being harsh; and in some instances they criticise it as being unduly lenient.

Certainly from the Crown's perspective, whenever we think that these sentences are unduly lenient, rather than express that publicly we would certainly go to the Court of Appeal to seek guidance as to the leniency or otherwise of it.

**The Chairman:** First Elected Member for Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, I would like to ask my last one, I believe.

I wish to thank him first and foremost for his response. But would he also concur that this amendment is another alternative to achieve what he just said?

**The Chairman:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** Madam Chair, the overall amendments in this Bill are, as I said when I moved the second reading of the Bill . . . since the amendments in 2005, stakeholders have had an opportunity to reflect on the workings, the practical workings of the Bill, and a number of issues came up including the fact that in its current form it can often lead to unintended consequences. One of those unintended consequences, for example, is that there is no provision in the Bill as it is now for the Court to take cognisance of the particular circumstances of an offence or an offender. So it was considered necessary in the circumstances to amend the Bill to allow the Court that sort of flexibility and to fashion or tailor the sentence as appropriate where the particular circumstances are exceptional circumstances that relate to the offence and/or the offender which would justify attracting a lesser sentence.

We are also amending the Bill to provide that where a person pleads guilty or throws themselves at the mercy of the Court they ought to be given some credit for that and something akin to maybe a discount

of 7 years instead of the mandatory 10 years should be imposed.

The jurisprudence, of course, is going to be developing in this area in terms of what constitutes and what does not constitute exceptional circumstances. Ones that are articulated and documented by the Court will have some degree of consistency in terms of how the jurisprudence develops in this area rather than having sort of different judges or the Court taking different approaches at different times.

So it is all part and parcel of reviewing the practical workings of the law as we progressed over the last two and a half years.

**The Chairman:** The question is that the amendment do form part of the Clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 6 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 6 as amended passed.**

**The Deputy Clerk:** Clause 7—Savings and transitional provisions.

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** Thank you.

In accordance with Standing Order 52(1) and (2) I wish to move the following amendment in Clause 7 (1)(a) and (3) by deleting the words "convicted of or pleads guilty" and substituting the words "convicted following a trial or a plea of guilty."

**The Chairman:** The amendment has been duly moved. Does any Member wish to speak?

First Elected Member for Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you. Just a quick question.

Is it my understanding that Clause 7 is a retroactive provision? If that understanding is correct would he just enlighten me as to why?

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** Clause 7 is, in fact, a retroactive provision that works in favour of the accused

person. In other words, there are persons now who, I think, have matters that are pending that were committed on or after November and this amendment would allow them, if the matter is still pending, to take advantage of the new provision here that will allow the Court to consider whether there are exceptional circumstances which warrant them getting a lesser sentence. So it is a retrospective provision which is in favour of the accused persons in that regard.

**The Chairman:** First Elected Member for Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Chair, just to ask a generic question.

Are there any exceptional circumstances at this juncture why we would want as legislators to bring a provision that would be in favour of an accused seeing the type of offence that we are dealing with?

**The Chairman:** Second Official Member.

**Hon. Samuel W. Bulgin:** I am not aware of any exceptional circumstances, Madam Chair, but the Government took the view that if we are going to be removing the retrospectivity pre-November 2005, and we are going to be addressing these things and persons whose matters are still pending before the Court ought to benefit from any provisions which would allow exceptional circumstances.

Otherwise, you would have a situation where some are dealt with (because their matters were disposed of post-November 2005) and they are still languishing; and others who committed offences before that period and whose matters are still pending would not be able to take advantage of this new provision as well. So it is really sort of an equitable approach. Let me say that again. It is taking an equitable approach to the scope of the amendment to allow for that.

But to answer the Member's question, there are really no exceptional provisions that compel us in this direction.

**The Chairman:** The question is that the amendment do form part of the clause. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Amendment passed.**

**The Chairman:** The question is that Clause 7 as amended do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clause 7 as amended passed.**

**The Deputy Clerk:** Insertion of new Clause 6A—  
Repeal of section 44 - savings and transitional provisions.

**The Chairman:** What are we doing? I thought we did that already. [pause]

Second Official Member, I thought you moved that amendment a while ago when you moved the entire clause.

**Hon. Samuel W. Bulgin:** I think I did, unless the Clerk says it is a new clause which I must do. But it was part of Clause 6, so . . . but I can read it again. But really it was part of an amendment to an existing Clause 6.

**The Chairman:** If it is a new Clause, the question is that the Clause be read a second time. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chair:** The Ayes have it.

**The Chairman:** The question is that the Clause be added to the Bill as Clause 6A, and that subsequent Clauses (which there are none) be renumbered accordingly. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chair:** The Ayes have it.

**Clause added to the Bill as Clause 6A.**

**The Deputy Clerk:** A Bill for a Law to amend the Firearms Law (2006 Revision) to clarify the Law in respect of the imposition of mandatory minimum sentences; to restate the Law relating to the trial of certain offences; and for incidental and connected purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

**Explosives (Amendment) Bill 2007**

**The Deputy Clerk:** The Explosives (Amendment) Bill 2007.

Clause 1                      Short Title.

- Clause 2 Amendment of section 2 of the Explosives Law (1997 Revision) – definitions.
- Clause 3 Amendment of section 4 – offences and penalties.
- Clause 4 Amendment of section 6 – regulations.
- Clause 5 Validation.

**The Chairman:** The question is that Clauses 1 through 5 do stand part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Clauses 1 through 5 passed.**

**The Deputy Clerk:** A Bill for a Law to amend the Explosives Law (1997 Revision) to transfer from the Chief Engineer to the Managing Director of the National Roads Authority various functions relating to the blasting; and to make provision for incidental and connected purposes.

**The Chairman:** The question is that the Title do form part of the Bill. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it.

**Title passed.**

**The Chairman:** The Question is that the Bills be reported to the House. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Chairman:** The Ayes have it. The Bills shall be reported to the House. The House shall resume.

**Agreed: Bills to be reported to the House.**

**House resumed at 12.22 pm**

**The Speaker:** Please be seated.

Proceedings are resumed.

Reports. I recognise the Honourable Minister responsible for Communication Works and Infrastructure.

## REPORTS ON BILLS

### Electricity Regulatory Authority (Amendment) Bill 2008

**Hon. V. Arden McLean:** I have to report that a committee of the whole House considered the Electricity Regulatory Authority (Amendment) Bill, 2008, and approved it with amendments.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

Honourable Minister responsible for Communication Works and Infrastructure.

### Electricity (Amendment) Bill 2008

**Hon. V. Arden McLean:** I have to report that a Bill entitled The Electricity (Amendment) Bill, 2008, was considered by a committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

Honourable Second Official Member.

### Firearms (Amendment) Bill 2007

**Hon. Samuel W. Bulgin:** I beg to report that a Bill entitled The Firearms (Amendment) Bill, 2007, was considered by a committee of the whole House and passed with amendments.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

Honourable Minister responsible for Communication Works and Infrastructure.

### Explosives (Amendment) Bill 2007

**Hon. V. Arden McLean:** I have to report that a Bill entitled The Explosives (Amendment) Bill, 2007, was considered by a committee of the whole House and passed without amendment.

**The Speaker:** The Bill has been duly reported and is set down for a third reading.

## THIRD READINGS

### Electricity Regulatory Authority (Amendment) Bill 2008

**The Deputy Clerk:** The Electricity Regulatory Authority (Amendment) Bill, 2008, Third Reading.

**The Speaker:** Honourable Minister responsible for Communication Works and Infrastructure.

**Hon. V. Arden McLean:** I beg to move that a Bill entitled The Electricity Regulatory Authority (Amendment) Bill, 2008, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Electricity Regulatory Authority (Amendment)

Bill, 2008, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Electricity Regulatory Authority (Amendment) Bill, 2008, has been given a third reading and passed.

**Agreed. The Electricity Regulatory Authority (Amendment) Bill, 2008, given a third reading and passed.**

#### **Electricity (Amendment) Bill 2008**

**The Deputy Clerk:** The Electricity (Amendment) Bill, 2008, Third Reading.

**The Speaker:** Honourable Minister responsible for Communication Works and Infrastructure.

**Hon. V. Arden McLean:** I beg to move that a Bill entitled The Electricity (Amendment) Bill, 2008, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Electricity (Amendment) Bill, 2008, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Electricity (Amendment) Bill, 2008, has been given a third reading and passed.

**Agreed. The Electricity (Amendment) Bill, 2008, given a third reading and passed.**

#### **Firearms (Amendment) Bill 2007**

**The Deputy Clerk:** The Firearms (Amendment) Bill, 2007, Third Reading.

**The Speaker:** Honourable Second Official Member.

**Hon. Samuel W. Bulgin:** I beg to move that a Bill entitled The Firearms (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Firearms (Amendment) Bill, 2007, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Firearms (Amendment) Bill, 2007, has been given a third reading and passed.

**Agreed. The Firearms (Amendment) Bill, 2007, given a third reading and passed.**

#### **Suspension of Standing Order 24(5)**

**The Speaker:** Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** Madam Speaker, I beg to move the suspension of Standing Order 24(5) to enable a Government Motion to be made for the approval of the issuance of a letter of credit in respect of the Cayman Islands National Insurance Company Ltd.

**The Speaker:** The question is that Standing Order 24(5) be suspended. I shall put the question. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed. Standing Order 24(5) suspended to enable a Government Motion to be made for the approval of the issuance of a letter of credit in respect of the Cayman Islands National Insurance Company Ltd.**

**The Speaker:** Proceedings will be suspended until 2 pm.

**Proceedings suspended at 12.23 pm**

**Proceedings resumed at 2.25 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

#### **Suspension of Standing Order 47**

**The Speaker:** Honourable Minister responsible for Communication, Works and Infrastructure.

**Hon. V. Arden McLean:** I beg to move the suspension of Standing Order 47 suspended to allow The Explosives (Amendment) Bill, 2007, to be read a third time.

**The Speaker:** The question is that Standing Order 47 suspended to allow The Explosives (Amendment) Bill 2007 to be read a third time. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed. Standing Order 47 suspended to allow The Explosives (Amendment) Bill 2007 to be read a third time.**

## THIRD READING

**The Deputy Clerk:** The Explosives (Amendment) Bill, 2007, Third Reading.

### Explosives (Amendment) Bill 2007

**The Deputy Clerk:** The Explosives (Amendment) Bill, 2007, Third Reading.

**The Speaker:** Honourable Minister, I am totally confused at this point. I do not know when you reported . . . you moved the third reading or are you doing that separately.

Honourable Minister.

**Hon. V. Arden McLean:** I thought I was moving the third reading now.

**The Speaker:** I don't know if you said it when you reported, that the Bill be reported and read a third time.

**Hon. V. Arden McLean:** Yes I did.

**The Speaker:** You want to move it again? Go ahead. You have just suspended the Standing Orders, so go ahead, move the Third Reading.

**Hon. V. Arden McLean:** Yes, Madam Speaker.

I move that a Bill shortly entitled The Explosives (Amendment) Bill, 2007, be given a third reading and passed.

**The Speaker:** The question is that a Bill shortly entitled The Explosives (Amendment) Bill, 2007, be given a third reading and passed. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. The Explosives (Amendment) Bill, 2007, has been read a third time and passed.

**Agreed. The Explosives (Amendment) Bill 2007 given a third reading and passed.**

## MOTIONS

### GOVERNMENT MOTIONS

**Government Motion No. 8/07-08—Approval for the issuance of a Letter of Credit in respect of the Cayman Islands National Insurance Company Ltd.**

**The Speaker:** I recognise the Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker.

I beg to move Government Motion No. 8/07-08, which is captioned: Approval for the issuance of a Letter of Credit in respect of the Cayman Islands National Insurance Company Ltd. And with your permission I would like to read the Motion.

**The Speaker:** Go ahead.

**Hon. G. Kenneth Jefferson:** Thank you.  
The Motion reads as follows:

**WHEREAS** the Cayman Islands National Insurance Company Ltd (CINICO) is a wholly owned Government Company that was granted a Class "A" Insurance Licence on 1 February 2004 by the Cayman Islands Monetary Authority under the Insurance Law (2003 Revision);

**AND WHEREAS** CINICO was established for the principal purpose of providing health insurance to persons whose healthcare costs are covered by the Government, including: civil servants; civil service pensioners; employees of other government entities; seamen; veterans; as well as residents of the Cayman Islands who have low income, impaired health status or who are elderly;

**AND WHEREAS** CINICO is required, under the terms of its Class "A" Insurance Licence, to maintain a minimum positive net worth of CI\$3,000,000;

**AND WHEREAS** since its inception CINICO has accumulated net losses of CI\$18.1 million and it had a negative net worth of CI\$6.2 million at the 30<sup>th</sup> June 2007: which is CI\$9.2 million less than the minimum required to maintain its Class "A" Insurance Licence;

**AND WHEREAS** the Cayman Islands Monetary Authority has confirmed that the issuance of a Letter of Credit in favour of CINICO for at least CI\$9.2 million will satisfy the net worth requirements of CINICO's Class "A" Insurance Licence;

**WHEREAS** a Letter of Credit is a particular form of guarantee;

**AND WHEREAS** section 8 of the Public Management and Finance Law (2005 Revision) provides that, as a general rule, no guarantee may be given by or on behalf of the Government unless it has been authorised by a resolution of the Legislative Assembly;

**BE IT NOW THEREFORE RESOLVED** that the Legislative Assembly authorises the Government of the Cayman Islands to arrange for a Letter of Credit to be issued in favour of the Cayman Islands National Insurance Company Ltd for an amount not to exceed CI\$10,000,000, in order to maintain compliance with its Class "A" Insurance Licence.

**The Speaker:** The motion has been duly moved and is open for debate. Does the mover wish to speak thereto?

**Hon. G. Kenneth Jefferson:** Thank you.

The motion seeks the approval of the Legislative Assembly for a letter of credit to be issued in favour of CINICO for the purpose of satisfying the minimum net worth requirements of its Class "A" Insurance licence. CINICO is a Government owned company which was granted a Class A Insurance Licence on 1 February 2004. CINICO was established for the main purpose of providing health insurance to persons whose health care costs are covered by the Government, which includes civil servants; civil service pensioners; employees of other government entities; seamen; veterans; as well as residents of the Cayman Islands who have low income, impaired health status or who are elderly.

CINICO is a major player in ensuring that many persons in the country have access to health care. As of 30 June 2007, CINICO operated five separate insurance plans providing health insurance coverage to some 12,730 persons in the Cayman Islands.

In addition, the health insurance claims paid by CINICO account for approximately 80 per cent of the Health Services Authority's revenue. Historically, there have not been extensive statistics regarding the rate and type of medical service usage among the categories of persons insured by CINICO. The lack of this type of information has negatively impacted CINICO's ability to accurately set its health insurance premiums, which has significantly contributed to CINICO's poor financial performance.

Other factors contributing to those financial difficulties include the requirement for CINICO to set its insurance premium rates, six to eight months prior to the start of the financial year in order to comply with the government's annual budget cycle.

Another contributing factor, Madam Speaker, is an increase in the number of costly overseas referrals. This is usually caused by a number of factors, but is usually as a result of the required care not being available in the Cayman Islands, for example, certain types of cancer care, chronic stroke and heart care.

Another factor, Madam Speaker, is also the absence of specialists in the Cayman Islands. Obviously, with fewer specialists, more overseas referrals take place, and the Cayman Islands now has the lowest level of specialists in recent years. Medical inflation, as well, is a factor and this has been rising 8 per cent to 10 per cent per annum globally.

Another factor, Madam Speaker, contributing to CINICO's financial performance, has been the absence of cost sharing. Statistics categorically prove that where healthcare has no cost sharing, that is, no co-payments and no deductibles, patients will seek the most expensive care and will not seek to minimise the cost of that care. And this situation has been occurring with concerning frequency.

Another factor, Madam Speaker, has also been the types of cases. In 2006 and 2007, the Cayman Islands experienced a series of very costly overseas referrals, including a very expensive kidney transplant, a number of deteriorating cardiac cases and nine neonate ('neonate' meaning premature baby) cases. As an example, a neonate case costs an average, approximately, US \$0.5 million. While these cases are reinsured, Madam Speaker, they show how the type of case can impact costs.

As a condition of its Class "A" Insurance licence, CINICO is required to maintain a positive net worth of \$3 million, and as at 30 June 2007, CINICO had a negative net worth of \$6.2 million, that is some \$9.2 million less than the minimum required. Failing to correct this licensing breach, Madam Speaker, will result in the company's insurance licence being cancelled.

The options available to fix the regulatory non-compliance of CINICO are quite limited. The government could request the approval of the Legislative Assembly to make an equity investment into CINICO of \$9.2 million in cash, and this would solve CINICO's immediate regulatory non-compliance.

The other option is for the government to arrange for a Letter of Credit to be issued in favour of CINICO. This is the preferred option as it will satisfy the regulatory requirements for CINICO's net worth while allowing the government to maintain its cash reserves and only release cash to CINICO on a more controlled as- and when-needed basis.

Madam Speaker, in addition, the Ministry of Health is coordinating efforts with CINICO and the Portfolio of Finance to develop and implement a comprehensive strategy to improve CINICO's overall financial performance.

Madam Speaker, before I conclude, over the luncheon break, the Second Elected Member for the district of West Bay and I had a conversation along the lines of: *'Well, why is the government bringing a Letter of Credit as opposed to just simply seeking an equity investment into CINICO? And was there a comparison done between the cost of putting in place a Letter of Credit facility versus the interest, which would be foregone as a result of paying over \$10 million to CINICO?'*

Over the luncheon break, Madam Speaker, the results of our analysis indicate that the cost of a Letter of Credit facility is approximately .75 per cent per annum, whereas, on a CI \$10 million fixed deposit rolled over from one month to the next, the interest that would be foregone would occur at a rate of 3.4 per cent, approximately, at today's rate.

So, Madam Speaker, the brief analysis does indicate that the Letter of Credit facility is administratively less costly than the interest we would forego by paying over the \$10 million.

Madam Speaker, I would respectfully ask all honourable Members to support the Motion. Thank you.

**The Speaker:** Does any other Member wish to speak? *[pause]*

If no other Member wishes to speak, does the Mover wish to exercise his right of reply?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker, just simply to thank all honourable Members for their silent support of the Motion. Thank you.

**The Speaker:** The question is: Be it now therefore resolved that the Legislative Assembly authorises the Government of the Cayman Islands to arrange for a Letter of Credit to be issued in favour of the Cayman Islands National Insurance Company Ltd for an amount not to exceed CI\$10,000,000, in order to maintain compliance with its Class "A" Insurance Licence.

All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. Government Motion No. 8/07-08 is duly passed.

**Agreed. Government Motion No. 8/07-08 passed.**

**The Speaker:** That concludes the Orders of the day. Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. Madam Speaker, the Legislative calendar originally called for the next meeting of the honourable Legislative Assembly to be on 4 February, but at that time we had not anticipated that this meeting would extend itself to this date. So, having had the discussion that I had with you, I would move the adjournment of this honourable Legislative Assembly until 15 February.

**The Speaker:** The question is that this honourable House do now adjourn until 15 February. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned until 15 February.

**At 2.42 pm the House stood adjourned until 10 am Friday, 15 February 2008.**

**OFFICIAL HANSARD REPORT**  
**FRIDAY**  
**15 FEBRUARY 2008**  
**11.34 AM**  
*First Sitting*

**The Speaker:** I will call on the Fourth Elected Member for the district of George Town to say Prayers.

**PRAYERS**

**Mr. W. Alfonso Wright:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies from the Honourable Minister responsible for Tourism, Environment and Commerce who is off Island on official business, and from the Third Elected Member for the district of Bodden Town.

**PRESENTATION OF PAPERS  
AND OF REPORTS**

**Report and Recommendation of the Minister Responsible for Lands – Vesting of the filled areas of Crown Seabed on Block OPY Parcel 20 to JIL Corporation Ltd.**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I beg to lay on the Table of this honourable House the Report and Recommendation of the Minister Responsible for Lands – Vesting of the filled areas of Crown Seabed on Block OPY Parcel 20 to JIL Corporation Ltd.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?  
Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, I confirm that as required by the Law the details of this land matter have been published in the Cayman Islands Gazette, Issue No. 20 of 2007 dated 1 October 2007, and the local newspaper, namely the *Caymanian Compass*, on 27 September 2007.

Also as required by law, three valuations have been carried out on the subject property. Each valuation report forms part of the overall Report and it provides a general indication of the value of the property that the Government now proposes to vest.

Madam Speaker, the Report deals with vesting of filled areas of Crown seabed adjacent to Block OPY Parcel 20 to JIL Corporation Ltd. This property is located on North Church Street north of the Royal Watler Cruise Terminal in George Town. The area of the filled Crown seabed is approximately 3,789 square feet, which is comprised of two separate areas that have been filled as a result of coastal works on the parcel and the cruise terminal. The parcel is currently vacant although my understanding is that the owner has plans to develop it once the vesting is complete.

By way of background, Madam Speaker, I will provide the following information. In June of 2004 the Ministry of Tourism, Environment, Development and Commerce issued a coastal works licence which allowed the owner of Block OPY Parcel 20 to reclaim Crown land. The owner had advised that some of this

filling was required as a result of one cove becoming land locked by the filling of the adjacent cruise terminal property. The purpose of this vesting is to regularise the situation and to allow the land owner to re-establish their parcel boundaries to reflect the reclaimed area.

As you will see when you review the tabling report, the valuations have been done based on the date of the grant of the coastal works licence and that date is 11 June 2004. In addition, the valuations reflect that there is a special circumstance in that the filled areas are only of interest to the owners of OPY 20 so the valuations are based on the increase in market value of that parcel due to the increased area less the cost of reclamation and the coastal works licence royalty fees already paid.

Thank you, Madam Speaker.

### **Report of the Standing Business Committee - Third Meeting of the 2007/2008 Session of the Legislative Assembly**

**The Speaker:** I recognise the Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Report of the Standing Business Committee for the Third Meeting of the 2007/2008 Session of the Legislative Assembly.

**The Speaker:** So ordered.

Does the Honourable Leader of Government Business wish to speak thereto?

**Hon. D. Kurt Tibbetts:** No, Madam Speaker.

### **Health Services (Fees and Charges) (Amendment) Regulations 2008**

**The Speaker:** I recognise the Honourable Minister responsible for Health.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Health Services (Fees and Charges) (Amendment) Regulations 2008.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Anthony S. Eden:** Madam Speaker, when I move the Motion I will speak at that time. Thank you.

## **QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET**

**The Speaker:** Question No. 40 stands in the name of the Honourable Leader of the Opposition, the First Elected Member for the district of West Bay and it is addressed to the Honourable Leader of Government Business.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

### **Question No. 40**

**No. 40: Hon. W. McKeeva Bush** asked if there has been a review and re-valuing of the Government property remaining on the Benson Greenall Estate. Can the Minister say:

- (a) how much of the property and leases have been re-valued;
- (b) how many new leases have been granted; and
- (c) who renegotiated the new leases.

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, first of all, to be clear, I must say that there has not been an overall review or re-valuing of the Government property remaining on the Benson Greenall Estate. Revaluations have been made on an "as-needed" basis as and when the Government has been approached by leaseholders wishing to extend their leases.

Of the twelve (12) land Parcels which cover the extent of the original 1950 Benson Greenall lease,

- one (Block 12C Parcel 374) was vested to the Port Authority in March 2003;
- two are "occupied" by the Crown, one being Government House and "Governor's Beach", the second being a strip of land between SafeHaven and the Ritz-Carlton; and
- of the remaining parcels, three have seen a renegotiation and extension of their leases.

The three lease extensions that have been renegotiated and approved in this Honourable House are SafeHaven, The Ritz Carlton, and Governor's Square.

### **SafeHaven:**

- Lease area of 284 acres
- The term of the original lease was extended to create a new 99 year lease term in April 1991.
- The capital premium was US \$2 million.

- At the time of this lease extension, the Governor (Vesting of Lands) Law did not require that lease extensions be tabled in the Legislative Assembly. However, it was approved by Cabinet, or “ExCO” as it was referred to at that time.

**The Ritz-Carlton:**

- Lease area of 144 acres, comprised of six (6) acres of prime Seven Mile Beach-front land and 138 acres between West Bay Road and the North Sound.
- A License Agreement for a new lease was tabled in the Legislative Assembly in 1998.
- The terms of the License included conditions requiring the completion of various works prior to the granting of the lease. The lease was ultimately executed in November 2005, based on the terms and conditions of the formal License approved in 1998.
- The capital premium was payment of US \$6 million, and an additional contribution of US \$5 million towards the Esterley Tibbetts Highway extension.

**Governor's Square:**

- Lease area of 8.197 acres between West Bay Road and the Esterley Tibbetts Highway.
- The new 99 year lease was negotiated in April 2005.
- The capital premium was US \$1.25 million.
- A vesting report for this lease extension was tabled in the Legislative Assembly in May 2006.

Madam Speaker, some of the other leaseholders who have not yet extended the terms of their leases have approached Government with an interest in extending their leases, and the very professional staff of the Lands and Survey Department continue to negotiate with these leaseholders on the Crown's behalf. I have attached, for Members' information, the guidelines which the Lands and Survey staff use in their negotiations. Madam Speaker, I am sure that once you review these guidelines you will agree with me when I say that they are quite complex and they reflect the fact that property valuation is both a science and an art.

As Members of this honourable House are likely aware, the market value of a property is what a willing buyer will pay a willing seller, and there is always some negotiation required to arrive at an agreed price for a property. In the case of a leasehold property, as the term of a lease diminishes the value of the tenant's interest decreases, while the value of the freeholder's interest actually increases. Accordingly, values are liable to change significantly with time. The premiums paid for these lease extensions represent the market value of those lease extensions at the time of the negotiations.

Madam Speaker, as I outlined when I commenced my response, there has not been an overall revaluation of the Benson Greenall lease properties. And given that values fluctuate with time and changing circumstances, I believe that it is a more prudent approach to continue on the course we are on whereby we revalue these leases as the need arises.

As I have already mentioned, Madam Speaker, the negotiations occur between the Lands and Survey Department and the leaseholders, and the lease extensions are required to be tabled in this honourable House. Therefore, I am confident that with the professional staff of Lands and Survey, and the watchful eyes of the Members of this honourable House, the Crown's interest is being duly protected in these leases.

Thank you, Madam Speaker.

**Supplementaries**

**The Speaker:** Are there any supplementaries?  
Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, on the matter of the 8.197 acres now known as Governors Square can the Member say how long this property has been filled?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I would be happy to answer the Member if I knew, but I really have no idea. And just so that the Member will be aware, I did not know anything about these negotiations until they had been completed and the Lands and Survey Department had sent the papers up to the Ministry for the paper to be brought to Cabinet for approval.

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, that is okay if the Member did not know; but he should have known. Anyway, Madam Speaker, can the Member say whether this was swamp property or was this property that was dredged and filled for 30-odd years?

**The Speaker:** I think we are dealing in this question with leases. But if the Honourable Minister is in a position to answer or will give the answer at a later time I think that would satisfy the request of the supplementary.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I can inquire of the Lands and Survey Department. And perhaps the Leader of the Opposition makes assumptions that I should know certain things that I really do

not know. If I can get an answer from them I certainly will give him an answer but I do not know the answer to it.

**The Speaker:** Are there any further supplementaries?

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

Can the Honourable Leader say who is responsible for signing the leases as mentioned in his substantive answer?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, as I understand it, it is His Excellency the Governor.

**The Speaker:** First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

Madam Speaker, I will have to [make] reference before I put my question, with your permission, to the Leader's last statement. He says, Therefore I am confident that with the professional staff at the Lands and Survey and the watchful eyes of the Members of this honourable House, the Crown's interest is being duly protected in these leases.

Is the Leader saying, Madam Speaker through you that he is not confident that the watchful eyes of the Governor are protecting the Crown's interest as well?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, I was saying no such thing and I really would appreciate if the honourable Member would not try to assume what I was trying to say.

**The Speaker:** Are there any further supplementaries?

First Elected Member for the district of Cayman Brac and Little Cayman.

**Ms. Juliana Y. O'Connor-Connolly:** Thank you, Madam Speaker.

Would the Honourable Leader inform this honourable House why there is an omission of His Excellency the Governor in the last statement that he was giving to this House and his substantive answer? Could he provide the reason for the omission of the most important signatory to the lease, being His Excel-

lency the Governor? Was it a Freudian slip or was it a direct omission?

**The Speaker:** I think we are getting way outside this original question—

[Inaudible interjections]

**The Speaker:** —and we are now bringing the Governor, as Her Majesty's representative, into an argument.

Honourable Leader of Government Business—

[Inaudible interjections]

**The Speaker:** —are you in a position to answer this supplementary?

[Inaudible interjections]

**Hon. W. McKeever Bush:** Oh, Lord! Lord, help us.

**Hon. D. Kurt Tibbetts:** Madam Speaker, the real truth of the matter is that this is way outside the line of questioning. I hear where the lady Member intends to go. Certainly it was not either a slip or an omission. The answer was prepared by staff, I vetted the answer, it was satisfactory to me, and the answer has come down here in all 40 copies. And that is the end of the story, Madam Speaker.

**The Speaker:** I will allow one more supplementary.  
Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, it is a pity that with such an important question that we are being shortcut here.

In one of the supplementaries I asked, the question came directly because we talked about the value, and certainly swamp land and land that has been filled—

**The Speaker:** Could I have a question, please?

**Hon. W. McKeever Bush:** I am explaining something, Madam Speaker.

**The Speaker:** Honourable Leader—

**Hon. W. McKeever Bush:** I think I have that right.

**The Speaker:** I want a question—

**Hon. W. McKeever Bush:** I have a right to explain something before I ask the question.

[Inaudible interjection]

**Hon. W. McKeever Bush:** If you are curtailing me, tell me to sit down.

There are two separate things, Madam Speaker, that come right out of this answer: one is swamp land and one is land that is filled for 30 years, different values. Nevertheless the Minister does not seem to know and I leave it at that.

Can the Minister say if he knows whether property such as Villas of the Galleon has been requested for a new lease? If it has, has it been granted?

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, the Lands and Survey Department along with the independent valuations (the other independent valuations as explained in the answer) cause for the determination of the value of the lease extension.

When the Honourable Leader of the Opposition asked about the difference between swamp land and land that is filled, these valuations that were carried out, not only by the Lands and Survey Department but by independent valuers, must, Madam Speaker, have taken into consideration the condition of the property at the time.

I would find it very difficult, and the Leader of the Opposition is very familiar with these procedures being in the real estate business—

[Inaudible interjection and laughter by the Honourable Leader of the Opposition]

**Hon. D. Kurt Tibbetts:** —that these valuers would not have taken the condition of the property at the time the value was done into consideration. So obviously it was done based on the value of the property at the time.

And his second supplementary, Madam Speaker, regarding the Villas of the Galleon, the proprietors of the Villas of the Galleon have negotiated with Lands and Survey. The Lands and Survey Department has made a recommendation to the Ministry. The paper has been taken to the Cabinet, the Cabinet has approved what Lands and Survey have recommended, and as I understand it they are still in negotiations with the Lands and Survey Department to complete the leasehold extension because some of the landowners are not in sync with paying what the fee is.

**Hon. W. McKeever Bush:** [inaudible] independent—Madam Speaker, will you allow another supplementary?

**The Speaker:** Honourable Leader of the Opposition, I made a ruling that that was the last supplementary. If these supplementaries cannot be based on the origi-

nal question we are getting way outside of what Question Time is.

**Hon. W. McKeever Bush:** But that is what they are, Ma'am.

**The Speaker:** I will allow this one final supplementary. Then we move on to the next item on the Orders of the day.

**Hon. W. McKeever Bush:** Thank you, Madam Speaker. I see we all need the patience of Job here already.

Madam Speaker, can the Member say if he knows who the independent valuers are?

**The Speaker:** Honourable Leader of Government Business.

[Inaudible interjections]

**Hon. D. Kurt Tibbetts:** Madam Speaker, I do not know them offhand by memory, but the Report that I just tabled contains all of that information so the Member can get the information from that.

**Hon. W. McKeever Bush:** So you agree that you do not know who gave you the valuation?

**The Speaker:** Madam Clerk.

## STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

**The Speaker:** I have received no notice of statements by Honourable Ministers and Members of the Cabinet.

## GOVERNMENT BUSINESS

### MOTIONS

#### Government Motion No. 9/07-08 Health Services (Fees and Charges) (Amendment) Regulations, 2008

**The Speaker:** I recognise the Honourable Minister responsible for Health.

[Inaudible interjection by the Honourable Leader of Government Business.]

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

[Inaudible interjection by the Honourable Minister of Communications, Works and Infrastructure]

**Hon. Anthony S. Eden:** I will first read the wording of the Motion which is entitled The Health Services (Fees and Charges) (Amendment) Regulations, 2008—

[Inaudible interjections]

**The Speaker:** Honourable Ministers, could we hear what the Honourable Minister of Health is saying in his Motion? Thank you.

Honourable Minister responsible for Health, please continue.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker.

**WHEREAS section 13(1)(a) of the Health Services (Fees) Law (2002 Revision) provides that the Governor in Cabinet may make regulations specifying the fees payable under section 3 of the said Law;**

**AND WHEREAS section 13(3) of the said Law provides that regulations made under section 13(1)(a) of the said Law shall be subject to affirmative resolution;**

**AND WHEREAS the attached Health Services (Fees and Charges) (Amendment) Regulations, 2008 were laid on the Table of the Legislative Assembly; [which was today, 15 February 2008]**

**BE IT NOW THEREFORE RESOLVED THAT the attached Health Services (Fees and Charges) (Amendment) Regulations, 2008 be affirmed by the Legislative Assembly pursuant to the provisions of section 13(3) of the Health Services (Fees) Law (2002 Revision).**

This has been moved by myself, Madam Speaker.

Madam Speaker, today I bring before this honourable House a motion requesting approval for the Health Services Authority to increase the fees currently listed in the Health Services (Fees and Charges) Regulations. Members should note that this is only an interim measure as there are still many services for which the Authority cannot charge as the Fees Law restricts the HSA to only make adjustments in the cost of those services listed in the regulations.

It is well known that the previous Health Services Department and the current Health Services Authority has had a long history of both not charging and undercharging for services. While there was an attempt to address this problem in 2002, the current fee structure is still not adequate to cover the operational costs of providing services.

For those services for which the Health Services Authority does charge even with a 10 per cent increase, many of these fees will still be well below the actual cost of the service. Therefore in accordance with the Health Services Authority Law, Cabinet granted approval in June last year for the Authority to implement a new Charge Master.

Madam Speaker, the new Charge Master is a master list of services and rates charge for their delivery to patients. This comprehensive document contained a 10 per cent increase on the fees listed in the Regulations and also included additional fees for which the HSA is currently not charging a fee.

Unfortunately the HSA experienced technical difficulties with implementing the Charge Master, so until this problem is resolved amendments will have to be made to the Health Services (Fees and Charges) Regulations in order for the HSA to increase fees.

Madam Speaker, I will briefly read the two amendments that affect . . . and I should have paused, Madam Speaker, for your permission to go ahead. Thank you.

Under the amendment, Madam Speaker, it is simply updating the Immigration Law which was referred to at that time as the 2003 amendment and that is now changed in the Law and the Regulations to the 2007 Revision. And the other amendment to the Regulations was in section 3(a) **“subregulation (1) by deleting the words “thirty-five dollars” and substituting the words “thirty-eight dollars”;** and changing from the **“Chief Medical Officer” and substituting the words “Medical Director”.**

Madam Speaker, I would ask that my colleagues give support to this knowing the financial situation at times at the hospital.

Thank you.

**The Speaker:** Honourable Minister, I am to assume that you have already spoken on the Motion so it is now . . . Does any other Member wish to speak?

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, this Motion and its accompanying package—some 20 pages at least—containing the Motion that was spoken to by the Honourable Minister and outlining the fees that are proposed, these were sent to Members on Tuesday, 12 February. The House received them on late evening Friday, 7 [pm], I think after the Speaker had already left because it was that late in the evening, and then they were sent to Members on the 12<sup>th</sup>.

Madam Speaker, the hospital has been quite topical recently, but over the years it has drawn considerable debate and discussions by the House and by the public.

Madam Speaker, there are no two ways about it: a country that boasts what we boast, with trillions of dollars passing through it and is— I do not know how far up we are now as a financial centre, but we are still an important international business centre [with our] main industries being international business and tourism. I, [along with past Members of the House], were always of the opinion that the country must have a good health service, not just for those reasons. Of course we must have a health service that can service our people's needs. To get that we have to pay but it must always be affordable.

Madam Speaker, we cannot put health services as precious as they are out of the reach of people. And if insurance does not pay—and not everybody can get insurance—there has to be a proper mechanism. There have to be no questions. When I say no questions, no ifs and ands about health no matter whether that person is a West Bayer, an East Ender or a Cayman Bracker or Jamaican or wherever they come from. If they here and they get in a problem we must be able to deal with that problem.

Madam Speaker, I can say that I have only had the best of treatment from the hospital. However, that is not always the case with far too many people. Far too often we are getting complaints that things happen there that should not happen. When you investigate them you find out it did happen unfortunately.

And I have never been one, Madam Speaker, to beat up upon any officer in the public service. That has not been my habit. I do not like to criticise staff and I try not to. Well, Madam Speaker, except those who jump into the political fray!

[Laughter]

**Hon. W. McKeeva Bush:** And when they do, well, they open up themselves to questions by politicians. But that has not been my habit. I know what kind of accusations fly around, Madam Speaker, but I live with my conscience. I know.

[Inaudible interjections]

**Hon. W. McKeeva Bush:** Madam Speaker, an increase coming at this time when the whole outlook of the world is not a good picture, and when our closest trading partner and one that we depend mostly for everything including medical health, probably 99 per cent of it, is in a downside when people will feel the pinch quicker than normal, is not a good time to increase the fees of the Health Services.

Madam Speaker, coupled with what I have just said is the fact that the Leader of Government Business just most recently at a Chamber of Commerce forum announced that there were not going to be any new fees charged in this country. Well, what are these? What I see here are increases.

Madam Speaker, an adjunct to that, we as an Opposition have not had a meeting with health officials to be informed as to what is taking place. I cannot see how we can be expected to come and say yes today.

One, it is a bad time. Our country is feeling the effects of recession, and if all the indications and indicators are correct, we will be feeling it much worse as the year goes along.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] Sorry?

Madam Speaker, the fact [is] that there are people already who have it difficult to pay the hospital. I believe where the Minister is heading and trying to get some things done now, if he can get those things done yes, we can say the health services have improved. But right now there are far too many questions that cannot be answered and I do not think that on behalf of the people of these Islands that I can stand here today or sit here today and offer any support for an increase. Improvement and then with justification an increase but certainly not the other way around, it must be improvement.

So, Madam Speaker, as far as I am concerned we will not support the Government's Motion.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] If no other Member wishes to speak, does the honourable mover wish to exercise his right of reply?

Honourable Minister responsible for Health.

**Hon. Anthony S. Eden:** Thank you, Madam Speaker, and I would like to thank the Leader of Opposition for the comments he has made.

Madam Speaker, it is never easy to have to raise fees, and Members of this honourable House may recall that on 22 June last year I made a statement entitled *Quality Healthcare: Its Value, Its Cost*. Several of the points made in that statement have been reiterated in different forums, the most recent being in an editorial and an article that appeared in the *Caymanian Compass* dated 6 February this year.

I would like to again remind Members of a few important facts. First the healthcare industry is the biggest industry in the world and healthcare costs are increasing at a rate which is faster than any economy. With an 8 to 12 per cent annual increase over the past four years the healthcare industry continues to grow at a rapid rate. As I alluded to earlier it is the largest contributor of the world's GDP, the cost of healthcare and any of us, unfortunately, that have to go overseas, especially to the great United States, know some of these costs.

Madam Speaker, just to draw an illustration, when I took over at the hospital we found out that the pensions had not been paid for I think it was a year or a year and a half. Pressure came from us from different sources and without batting an eyelash and getting foot on the ground we had to find I think it was about \$1.5 or \$1.7 million that had to go into the pension fund for people working at the hospital. I just use this, Madam Speaker, as an example of the costs of what we have to face.

We have a CT scanner at the hospital continually breaking down. I refer to it sometimes as nearly a collector's item. The MRI is needed and we cannot move forward if we do not have in place the

proper diagnostic equipment. We are arranging with some of the overseas tertiary facilities to provide us with better support especially in the area of cardiology where we can actually have some of our patients monitored remotely via the satellite, and thus reducing having to send them overseas for a diagnosis.

The Government believes that once the Charge Master has been adjusted to charge at an increased rate of 10 per cent and payment of services that were once left unaccounted is initiated, the hospital will be one step closer to achieving such financial independence.

As Minister of Health, it is my responsibility to keep health services affordable and accessible to the people of these Islands. As I have previously expressed the Government is facilitating a number of key initiatives to battle the rising cost of healthcare.

The Ministry has been reviewing our current model of healthcare and exploring alternative dimensions to create a new model that is prevention focused and will reduce our dependence on overseas providers.

Madam Speaker, we hope as we go forward, especially working with the Ministry of Education—and we all know the old people said an ounce of prevention is worth a pound of cure—we want to put in place primary healthcare public health, especially at the early level trying to educate our young people the dangers of the kind of food they eat, better exercise and so on. And this has to be a multi-pronged approach. We all have to buy into this.

For us to continue this approach it is critical that government allows the HSA to charge the appropriate fee for services delivered. However, until fees are brought in line with operational cost and the Authority is able to resolve its deficits the Government will continue to provide subsidies to the Health Services Authority to balance the cost of delivering sustainable healthcare to our nation.

I will interject here, Madam Speaker, that I was pleased to learn that the health insurance forum that was held a couple of months ago that from figures supplied by the insurers we now have in the area of 85 per cent coverage through health insurance. And of course government then still has to cover—and we are endeavouring to get wherever coverage is needed for those people out of the 15 per cent.

As you know we cover all of those entitled – the civil servants, the pensioners, the seamen, the veterans, the indigents. It is a massive sum of money and I remember at one stage when some of these outstanding bills totaled, if I am not wrong, close to \$40 million to \$50 million.

Anyone who knows me, I strongly believe that if someone needs help we give that to them, especially in times like these. But there are still some people out there that can afford to pay, they have the resources, they need to help these Islands move forward with helping support and pay their fair share whether it be through insurance or however to help

this nation. We cannot continue the way we are going. It is simply not sustainable.

While we can expect that healthcare costs will continue to rise adjusting the Authority's Charge Master is only one accomplishment along a road of many challenges. We can all do our part to drag down costs by adopting a healthier lifestyle which I alluded to, Madam Speaker. That is cutting down on foods that are high in fat and consuming more fruits and vegetables, increasing our level of exercise, lowering alcohol consumption and, most of all, legislation that will come later on, quit smoking.

The road ahead to transform our healthcare system will challenge us all, and there will be bumps along the way. But this Government, we stand ready to continue the development of a sustainable world class healthcare system for the entire population of the Cayman Islands. I want to encourage all of us to work at this, to support it. Government alone cannot do this, Madam Speaker. It has to be a total effort by all the representatives of the people and I know – going into my sixteenth year in this Parliament – when it comes to areas like this everybody agrees.

One of the areas that we will be dealing with coming up in the next budget is renovations over at the Faith Hospital in Cayman Brac. We have seen some preliminary estimates of I think it is \$1.3 million. Madam Speaker, the money has to come from somewhere and we just want people to assist us. There are rates that are in here and I apologise if the regulations came down a bit late, but the basic stuff was three minor amendments that are referred to. But if you go back to the last Regulations all that had happened was that 10 per cent was added to the fees in there.

I thank the House for their support. Thank you.

**The Speaker:** The question is be it now therefore resolved that the attached Health Services (Fees and Charges) (Amendment) Regulations, 2008 be affirmed by the Legislative Assembly pursuant to the provisions of section 13(3) of the Health Services (Fees) Law (2002 Revision).

All those in favour please say Aye. Those against, No.

**Ayes and Noes.**

**The Speaker:** The Ayes have it.

**Ms. Juliana Y. O'Connor-Connolly:** Madam Speaker, may we have a division, please?

**The Speaker:** Madam Clerk.

**The Clerk:** **Division No. 7/07-08**

**Ayes: 7**

**Noes: 3**

Hon. D. Kurt Tibbetts  
Hon. Anthony S. Eden

Hon. W. McKeever Bush  
Mr. Rolston M. Anglin

Hon. V. Arden McLean      Mrs. Juliana Y. O'Connor Connolly  
Hon. George A. McCarthy  
Hon. G. Kenneth Jefferson  
Miss Lucille D. Seymour  
Mr. W. Alfonso Wright

**The Speaker:** The results of the Division: 7 Ayes, 3 Noes. Government Motion No. 9/07-08 is duly passed.

**Agreed: Government Motion No. 9/07-08 passed by majority.**

**The Speaker:** That concludes the Orders of the day.  
Honourable Leader of Government Business.

## **ADJOURNMENT**

**The Speaker:** Madam Speaker, the Government Business—the Bills that were scheduled to be in this Meeting have had to be postponed to the April Meeting. So, what is left on the Business Paper is the single Private Member's Motion and the remaining questions that have been asked.

I move the adjournment of this honourable House until Wednesday at 10 am at which time we will have all the remaining business on the Order Paper including the questions.

**The Speaker:** The question is that this honourable House do now adjourn until 10 am Wednesday 20 February [2008]. All those in favour please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned.

**At 12.26 pm the House stood adjourned until Wednesday 20 February 2008.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**20 FEBRUARY 2008**  
**10.34 AM**  
*Second Sitting*

**The Speaker:** I will call on the Fourth Elected Member for the district of West Bay to say Prayers.

responsible for Tourism, Environment, Investment and Commerce.

**PRAYERS**

**Capt. A. Eugene Ebanks:** Let us pray.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated. Proceedings are resumed.

**Proceedings resumed at 10.36 am**

**READINGS BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Fourth Elected Member for George Town, apologies for late arrival from the Honourable Minister

**QUESTIONS TO HONOURABLE  
MINISTERS AND MEMBERS  
OF THE CABINET**

**The Speaker:** Question No. 41 standing in the name of the Fourth Elected Member for the district of West Bay is addressed to the Honourable First Official Member.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker.

**Question No. 41**

**No. 41: Capt. A. Eugene Ebanks** asked the First Official Member what the policy is regarding work permit holders adding dependants to their work permit.

**The Speaker:** Honourable First Official Member.

**Hon. George A. McCarthy:** Madam Speaker, the policy: work permit holders who are on a salary in excess of \$3000 per month can be considered to add one dependant, and for each additional dependant thereafter a further \$500 per month increase in salary is required. Work permit holders who are married are allowed to combine their income to meet the salary requirement. However, unmarried couples are not allowed to combine their salaries. Additionally, in the case of the dependant being a child and where the custody of the child is not apparent, the work permit holder will be required to provide proof of legal custody. Approval for the dependant child will also be conditioned to require the child to attend a private school

Madam Speaker, the section of the law which governs the policy, reads as follows:

The Immigration Law (2007 Revision) defines a "dependant" as a spouse, child, step-child, adopted child, grandchild, parents, step-parent, grandparent, brother, sister, half-brother, half-sister, being in each case wholly or substantially dependent upon that person.

**The Speaker:** Are there any supplementaries?  
Fourth Elected Member for the district of West Bay.

**Supplementaries**

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker. It is the public's perception that some nationalities are given preference in being able to have their dependants here more than other nationalities. Could the First Official Member possibly give us a breakdown as to what nationalities have the most dependants?

**The Speaker:** Honourable First Official Member.

**Hon. George A. McCarthy:** Madam Speaker, through you I can assure the honourable Fourth Elected Member for West Bay that the Immigration Department does not pursue any discriminatory practices.

I will select those countries with more than five dependants:

| Country                        | Number of dependants |
|--------------------------------|----------------------|
| Argentina                      | 9                    |
| Australia                      | 59                   |
| Belgium                        | 5                    |
| Bermuda                        | 9                    |
| Brazil                         | 23                   |
| Barbados                       | 45                   |
| Canada                         | 449                  |
| Switzerland                    | 7                    |
| Republic of China              | 11                   |
| Columbia                       | 16                   |
| Costa Rica                     | 8                    |
| Cuba                           | 6                    |
| Germany                        | 10                   |
| Dominican Republic             | 9                    |
| Spain                          | 6                    |
| France                         | 11                   |
| British Overseas Territories   | 13                   |
| United Kingdom                 | 637                  |
| Guyana                         | 31                   |
| Honduras                       | 54                   |
| Indonesia                      | 21                   |
| India                          | 65                   |
| Ireland                        | 69                   |
| Jamaica                        | 408                  |
| St. Lucia                      | 7                    |
| Mexico                         | 17                   |
| Nicaragua                      | 6                    |
| Netherlands                    | 13                   |
| New Zealand                    | 23                   |
| Pakistan                       | 8                    |
| Philippines                    | 66                   |
| Portugal                       | 18                   |
| Trinidad and Tobago            | 51                   |
| United States of America       | 494                  |
| St. Vincent and the Grenadines | 10                   |
| Venezuela                      | 11                   |
| South Africa                   | 29                   |
| Zimbabwe                       | 13                   |

Overall, Madam Speaker, with those countries that have not been counted the total number of dependants amounts to 2,865.

**The Speaker:** Are there any further supplementaries?

Fourth Elected Member for the district of West Bay.

**Capt. A. Eugene Ebanks:** Thank you, Madam Speaker. I wonder if the First Official Member would table that list so Members could have a copy of that.

**The Speaker:** Honourable First Official Member, if you are prepared to table it that is okay. If not, it will be written into the *Hansard*.

**Hon. George A. McCarthy:** Madam Speaker, I have no difficulty in tabling the document.

**The Speaker:** Thank you.

Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Madam Speaker, just to be absolutely clear, what the Chief Secretary was giving us were work permit holders with their dependants.

**The Speaker:** Honourable First Official Member.

**Hon. George A. McCarthy:** Madam Speaker, what I read out were dependants only. Dependants of the work permit holders.

**The Speaker:** Are there any further supplementaries? [pause] If there are no further supplementaries we will move to the next item on the Orders of the day.

## STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

**The Speaker:** I have received no notice of statements by Honourable Members and Ministers of Cabinet.

## OTHER BUSINESS

### MOTIONS

#### PRIVATE MEMBERS' MOTIONS

##### Private Member's Motion No. 13/07-08 Reconsideration of Government Borrowing

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeeva Bush:** Thank you, Madam Speaker.

Madam Speaker, I beg to move the following Motion standing in my name.

**WHEREAS the Government has outlined intentions of central government, and authorities**

for whom the government is ultimately responsible for, to borrow [CERTAIN WORDS WERE ORDERED BY THE HONOURABLE SPEAKER TO BE EXPUNGED FROM THE RECORD.] over the next two years;

AND WHEREAS the Government was elected on a commitment to practice the Principles of Responsible Financial Management;

AND WHEREAS the traditional sources of revenue will be strained to sustain this level of commitment, in the form of the repayments on the debt and the increased recurrent expenditures—

**The Speaker:** Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Madam Speaker, what I was just hearing the Honourable Member read—

**Hon. W. McKeever Bush:** No.

**Hon. D. Kurt Tibbetts:** —is not the Motion—

**Hon. W. McKeever Bush:** No, Madam Speaker, sorry, the amended Motion.

**The Speaker:** Um, I am not aware—

**Hon. W. McKeever Bush:** Sorry. Madam Speaker, I was reading an earlier draft. Sorry.

Madam Speaker, if I may begin from the top.

**The Speaker:** Honourable Leader of the Opposition, I would prefer that.

**Hon. W. McKeever Bush:** [Laughter] Madam Speaker, the following Motion stands in my name.

WHEREAS the Government has outlined intentions of central government, and authorities for whom the Government is ultimately responsible for, to borrow substantial amounts of money over the next two years;

AND WHEREAS the Government was elected on a commitment to practice the Principles of Responsible Financial Management;

AND WHEREAS the traditional sources of revenue will be strained to sustain this level of commitment, in the form of the repayments on the debt and the increased recurrent expenditure associated with the capital programme proposed by the Government;

AND WHEREAS the residents of these Islands have not been afforded the opportunity to be fully informed of the cost of the capital programme, the level of borrowing required and the recurrent expenditure associated with the projects;

AND WHEREAS the global economic outlook has been downgraded, including the imminent impact of an economic recession in the

United States of America on the Cayman Islands and our revenue base;

BE IT NOW THEREFORE RESOLVED that the Government reconsiders and reduces the level of expenditure and borrowing over the short term;

AND BE IT NOW FURTHER RESOLVED that the Government establishes a public/private Fiscal Management Committee to review the Islands' revenue base and the level of acceptable debt given prevailing economic conditions, and be guided accordingly.

**The Speaker:** Honourable Mover, before I ask for a seconder, could you ask to have the first introduction of the Motion that you did by mistake removed from the *Hansards*, please, so that we do not have reporters carrying out reports on one Motion that is now being debated.

**Hon. W. McKeever Bush:** Well, Madam Speaker, everybody, if I may say so, quite understands what we just said. I started to give an earlier motion—

**The Speaker:** But we—

**Hon. W. McKeever Bush:** —which was only one line out of the way. And I cannot see where the problem is where we should strike it out but let's strike it out.

**The Speaker:** Thank you. Is there a seconder?

Second Elected Member for the district of West Bay.

**Mr. Rolston M. Anglin:** Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and is open for debate. Does the Honourable Leader of the Opposition wish to speak thereto?

Honourable Leader of the Opposition.

**Hon. W. McKeever Bush:** Madam Speaker, we believe that the Government is committing this country to debt beyond our affordability and to agree to do so with them would be silently and tacitly condoning something that we cannot agree with.

Madam Speaker, this issue reaches far beyond the horizon of partisan politics, beyond the tenure of any of us in this honourable House, and it will ultimately impact future generations who will be saddened with the debt repayments.

I say, Madam Speaker, when I listen to what the Leader of Government Business said that it is insulting to the Caymanian people for the Leader of Government Business to play politics with this issue as he has recently done. For he has tried to convince the public that we are not talking about \$600 million, an estimate of borrowing over the next two years, and that that is an exaggeration. He claims that the figure is more like \$370 million.

Madam Speaker, he has ignored the obligations that the country must bear for the capital expansion programme for the government companies. He will argue that these are accounted for separately as they are statutory authorities. But the Government, and by extension the people of these Islands, will ultimately be responsible for the debt as they have always been. To attempt to ignore or to possibly try to mislead the public is, as far as I am concerned, demonstrative of this Government's lack of commitment to true transparency and openness.

Madam Speaker, the one undisputed triumph of this administration is surely the record public debt in the history of these Islands. Central government total debt will exceed \$400 million by the end of next year. In addition, the various authorities, as I said, are incurring huge debt. Never in our history have the people of this country had so much debt on the shoulders of every man, woman and child.

We must always ensure that our policies are sensitive to the impact on the people that we are elected to serve. This Motion calls on the Government to reconsider the high level of expenditure and associated debt that they intend to embark upon, especially now that the global economic outlook has been downgraded and the United States has gone into an economic recession.

Additionally, Madam Speaker, the Motion calls for the Government to establish a public/private committee to review the country's revenue base and determine an appropriate level of borrowing that will not overburden the traditional source of revenue.

I am cognisant of the infrastructural needs of this country, but I am also keenly aware of the economic constraints and the pressure on government revenue base.

In November 2001 when the UDP first took office we were saddled with a deplorable financial state of affairs. The current Leader of Government Business described the country as broke. He was right, he was not wrong. It was absolutely right what he said. And we worked diligently to recover the finances of this country to a level that independent financial rating agencies have recognised the stability of the financial state of affairs left behind by the United Democratic Party.

The stewardship of our administration should not be one of continually bailing out the country after periods by any government, even this one. Accordingly, Madam Speaker, this Motion is submitted for consideration before the country is committed beyond a point of successful recovery.

Madam Speaker, we do not know what the schools are going to cost because we have heard so many figures thrown around. But the latest one is an estimated \$250 million. The Government Administration building will cost anywhere between \$85 million and \$100 million. The berthing facility and the redevelopment of the airport will cost in excess of \$200 million and an undisclosed amount of roadwork that

we all agree needs to continue, and other capital projects. The estimated \$600 million, Madam Speaker, is not an exaggeration. This, in our opinion, is too much, too quick, and we do not see a plan for it.

I am deeply troubled by the path of the Government, who is focused on buildings and road development to promote their political cause, with no consideration of the long-term impact on the competitiveness of our two major industries or on the hardships of the Caymanian people, and the inability of neither industry or the resident population to sustain any further revenue measure to repay this debt. Because they can say, *'Well, government makes some revenue and they can pay it back'*. Madam Speaker, we are seeing that that is going out of our reach. It was safe to say that years ago, but it is no longer safe to say so today.

We have just seen in connection with the burden of the people, that the Leader of Government Business promised in the Chamber of Commerce forum (in the newspaper) that there would be no fees. And these are easily broken with the increase in health fees last week after assuring this country that there would be no new revenue measures. *'Read my lips'*, they said, *'no new revenue measures'*. But they come and spring on you an increase in health fees and an increase in departure fees, the likes you have never seen.

The recent increases on both the hospital and the airport show us that the financial affairs of statutory authorities are the responsibility and concern of the Government and it must be the concern of the people of these Islands.

As I said, Madam Speaker, I do not dispute and have never disputed the need for infrastructural development, including the need for schools, the cruise ship berthing facility, the new government building or necessary roadwork. However, these must be done in a time tested way of cutting your garment according to your cloth.

The PPM is proposing to spend too much between now and the next General Election. Their willingness to get elected at whatever cost will leave future generations paying for this error.

Countries that have followed similar paths have lost control over their economies and their budgets to outside agents, be it banks or other institutions that hold their debt, and eventually have their currencies devalued; a system of taxation change and a source of imports dictated.

The conservative legacy that we have inherited has served us well and should not be abandoned for ill intentioned political motives.

As I said from May 2005, I would not be an Opposition similar to that of the PPM who tried only to obstruct rather than to improve. I have respected the decisions of the electorate and have allowed the ruling Government, the ruling party, to govern without interference for the first two years, so much so, that people said we were not doing anything.

However, hailing to the calls of the many concerned residents of these Islands, we have to put our foot forward before it is too late and urge all right-thinking Caymanians to join with me in a plea to all of us as elected representatives not to support the unsustainable level of expenditure that is being proposed which would require borrowing \$600 million or more over the next two years.

Despite the imprudent management of the country I believe that we can salvage it; but we must not silently and reverently sit back and allow this type of borrowing to occur. They have gone ahead and asked the country to support all of these projects without providing the country with the costs of the project. Equally important is how much will recurrent expenditure increase to operate these projects and where will the money come from. That is the crux of the matter: where will the money come from?

It is nice to have all these things, Madam Speaker, and we all want to provide the best of services. But [providing] things that do not have any possibility of producing revenue to pay for themselves is not the best move. So, we have to ask the question of where will the money come from, and I expect that I would hear in detail how they are going to pay, not just that the revenue base will pay for it.

Madam Speaker, the Minister of Education has been at the reins of his ministry for almost three years. He has ranted and raved throughout this country as to how inadequately prepared students are who leave the government's school system, with no consideration as to the impact this would have on the morale of current and even past students. His solution to this is the proposed four new schools.

Madam Speaker, we also proposed schools. We showed our good intentions by going ahead and naming the sites, and we did build the Prospect Primary School.

Fancy structures with murals on the wall of every Caymanian and every site in Cayman or anything about Cayman is not the only solution, and will not, I should say, remedy the problems; cannot educate children, cannot. We can drive on roads and we will have use of it, but a new building you cannot expect that that is going to educate a child.

Other countries in the region, if they are talking about looking at a region, have achieved great results without the fancy buildings. What we need is the best curriculum suited for this country and the best teachers suited for this country and to be able to pay them and keep the recurrent expenditure in line. But we will not be able to do that, to pay the best teachers nor get the best curriculum if we are saddled with a debt that we are going to have trouble repaying, when the country falls into problems.

And so, even here locally we have examples of schools being built for far less than what the Minister is proposing. As I said, I know firsthand that it can be achieved as the Prospect Primary School was built

under our administration only a few years ago for a fraction of the proposed cost of the new schools.

Madam Speaker, I have always supported education and consider investment into education as the most productive form of investment that a government can perhaps make. However, I do not believe that spending \$50 million, \$60 million or \$80 million on a school is necessary at this time. It will result in burdening the same students that we are attempting to help.

Madam Speaker, students learn best in a household that is stable and supportive. Even at that we have seen that children can be challenged. And if we continue to spend without the family unit being improved, where the family unit will be challenged by social ills with both parents having to work to support the family, worrying over finances contributing to stress and a deterioration in the family unit . . . no matter how many buildings we build it is not going to help a deterioration in the family unit.

This certainly will not help the student achieve. We must find practical solutions to the education system and they include a timely and strategic enhancement of the facilities—yes, improvement in the working conditions of teachers, including their salaries; the attraction of more Caymanians into the teaching profession and, certainly, the implementation of a new curriculum.

Madam Speaker, our people have always been cautious investors. We traditionally built our homes one phase at a time. We first built the foundation, then to the belting—I hear them talking about Boatswain's Beach. Madam Speaker, I am going to leave them to get up and talk about Boatswain's Beach because I am ready to deal with them when I get up behind them.

[Inaudible interjection]

**Hon. W. McKeever Bush:** That is a good example of caution, Madam Speaker.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, because when we built—let me finish about how Caymanians are so cautious and conservative and how we traditionally built our homes.

We built the foundation first, then to the belting and then the roof, each phase fully funded before the next because that was the way our incomes allowed us to do.

[Inaudible interjection]

**Hon. W. McKeever Bush:** Madam Speaker—

**The Speaker:** Could I have . . . the Government Bench, please, would you allow the mover of this Mo-

tion to introduce his Motion? Everyone will have an opportunity to speak when he sits down. Thank you.

**Hon. W. McKeeva Bush:** Thank you kindly, Madam Speaker.

And so the same should be true today.

The PPM recently broke ground for a new Government Administration building that will cost an estimated \$85 - \$100 million. We do not know. I have not seen any real figures according to that plan and conditions of the plan come to this House, or information otherwise to tell us so.

Madam Speaker, again, we recognise the need for improved accommodation for civil servants and a more productive atmosphere to conduct business. However, I want the Government to consider this: George Town is in a transformational process with major shifts in office accommodation, including the Butterfield Bank Building and the new Walkers Building. We do not have a development plan review yet to be informed of the impact that the new government building will have on central George Town with many of the future occupants vacating private accommodations. Will we end up with a George Town or a downtown of shuttered, empty buildings?

No one, Madam Speaker, can contest the need for improvements at the Administration Building. We had a plan going forward, trying to get the right financing mix. But we were going to renovate the present Glass House, not knock it down. I do not know if that is still a plan, but we heard that might have been done, and we were going to put a structure right behind it for \$45 million. And we had not gotten to the finite plans but we had prepared not to go beyond that. What we see here we do not know. Maybe the Government knows, they should know, and when I sit down they are going to get up and tell me how the package is made with their contractors and where the borrowing is going to come from.

Madam Speaker, no one can contest the need for improvements at our own Owen Roberts Airport, but we should concentrate on improving our product and the value proposition before we embark on a tremendous amount of expenditure, and we do not know what that is yet. We know that they are increasing fees so we know they must be told that what you have now at present cannot pay for it. But in any event, I do not believe, no matter how many fees they increase, that they are going to get any bank or institution otherwise to give them money without a sovereign guarantee.

We do get complaints from visitors about the airport, but the bigger ones instead speak to the high cost of travel and stay in these Islands. And that has been for many years. Not just today with this Government or the last government, but for many years.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] All of them.

We have already seen reports, as I said, that the travel tax may be increased to fund the project. I do not speak about non-entities. Madam Speaker, the Government's short-sighted programmes will cost the country dearly. I believe, as we have seen everything moving to now and between May, whenever the bell rings. And so there is a great motivation by politics.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** They are anxious to start this [during] their time in office irrespective of the negative long-term impact on the development of the country.

It is illogical for a government to pursue such large spending without having a development plan and a growth management plan which seeks to balance the fiscal development, economic development and the sustainability of the environment around us, to not have an updated plan while going ahead. Our pride is subjecting the country to the highest level of debt in this history. It is shooting in the dark with the consequences of errors being devastating.

Madam Speaker, the absence of planning for these projects is blatantly obvious. The airport is being redeveloped full-speed ahead without consideration of the expected number of visitors, our source of these visitors being the subject of solid investigation. The Government Administration building is being built without consideration of the impact on other rental accommodation in George Town, without even consideration of parking and at a tremendous cost.

Berthing facilities are being proposed and a new dock—let us leave the berthing facilities out of it, we do not know yet where he is going with that—but a new dock without adequate knowledge of what they are going to do. The board has not even sat on it but they come to the House and announce it. The berthing facilities, which we know are needed, are being proposed without adequate support for the cruise tourism sector from the Minister.

Madam Speaker, I implore the Government to change their course and better plan the development of the infrastructure in a manner that is affordable.

The Government should focus on improving our traditional revenue sources and use income from generated revenue to help fund infrastructure development. Focus on improving tourism, the financial industry in the country, the local economy, and re-examine some of the failed policies to curtail the downward spiral of the economy.

Madam Speaker, the unevenness, or the volatility of our key sectors to external forces was made more obvious after 9/11. The ease of mobility of the financial industry was similarly remonstrated in the aftermath of Hurricane Ivan. Both industries are faced with eminent challenges and require government

safeguarding against any further downturns in the sectors.

The decline in the global economic outlook will have direct impact on both sectors. The PPM is boxing the country into a corner and limiting our ability to respond to these challenges through overleveraging the country with debt. Additionally, the repayment of this debt will place upward pressure on revenue heads and require Government to increase revenue measures as they have recently done with the hospital and will soon do to travel taxes. Neither industry nor the domestic population can sustain any further taxes at this time.

Madam Speaker, I do not need to commission an expensive consultant or a National Assessment of Living Conditions to know that businesses and individuals in this country are hurting. Small businesses are going under day by day. They cannot pay, small or large, more taxes. I do not believe that we can leverage more fees on the financial industry without putting harm to ourselves.

It would serve us well to remember how our financial industry grew in the 1960's out of fear of political advancement in the Bahamas. The financial community selected Cayman because of our relative stability through our ties with the British government. When you couple all of these things, we are going through a constitutional modernisation process and regardless of the pros and cons it is a time of unsettlement for investors and it always has been and will continue to be. Money will run and it will go at the press of a button today.

Madam Speaker, it is fair and just for the PPM to want the things and for people to ask for things, but is it fair and just for the PPM to commit this country to record debt and simultaneously do nothing about the viability of the country or even take note of the threat to our stability? When this debt becomes due the PPM may just be a chronicle of history and so might the UDP, but the brunt of the work will be felt for many years.

Madam Speaker, the PPM would be well served to monitor developments internationally. The latest figures on the US economy showed a sharp slow down in the US economy in the fourth quarter with a small expansion of 0.6 per cent on an annual basis, with the impact of the worst housing slump in decades hitting the banking sector and consumers. The Fed responded with a series of rate moves and Congress acted with unusual speed in late January and early February to pass a stimulus package after the White House called for a large growth package.

The Fed made a series of dramatic cuts in interest rates since September to bring Federal funds rate to 3.0 per cent from 5.25 per cent and made unusual financial market turmoil. The actions included an emergency 3/4-point cut on 22 January and another 1/2-point reduction a week later.

So, Madam Speaker, with such uncertainty in the United States and the close ties between our

economy and that of the United States, any prudent government would be cautious with our financial commitments at this time. It is not as if Cayman is in a boom or that the world is in a boom. And then you might be tempted to spend some money. But instead it is now that the PPM is racing ahead to see if they can enter the coffers of government and borrow away our children's inheritance. This is just wrong and imprudent.

The economic forecast used as the basis for revenue projections when the Government was compiling the budget fundamentally changed since nearly a year ago. The Government should trust the good Caymanian common sense that has been made available to them and cut their garment according to the cloth. The global economic forecast is significantly lower than it was then.

Madam Speaker, the Deputy Managing Director of the International Monetary Fund, Mr. Portugal, reiterated this feeling this month when speaking of his visit to St. Kitts and Nevis. He said "**Turbulence in the U.S. asset markets and slowing global growth could weaken the outlook in the tourism and construction sectors.**"

So, I urge all legislators and, in fact, all residents to take heed of this warning, as it will be the residents of this country who will ultimately foot the bill. I implore the Government to step outside of their political box of tricks and view the objection or the—yes, my objection, but view the objective of this Motion constructively. The facts are clear and the required action obvious.

The only question that remains is their sufficient political will to do the right thing. The country's debt is a record high under this administration and continuing. The Government is still planning on more major borrowing. The global economic outlook has been downgraded. The Cayman Islands' revenue base will be negatively impacted by that downturn. [Neither] the resident population nor the local industry can sustain further taxation to fund the debt. There is a lack of long-term planning to coordinate this expenditure and the impact of current constitutional initiatives on local industries is uncertain. But we do know that people are concerned about that.

Madam Speaker, the impact of Government's expenditure and borrowing impacts the economy as a whole. Consequently, the Chamber of Commerce has issued a similar call for the PPM to be cautious with their expenditure and borrowing. For this reason I have included in the Resolve section of the Motion for a joint private sector and public sector fiscal management committee to review the Islands' revenue base and the level of acceptable debt given prevailing economic conditions.

Madam Speaker, the elected Government . . . we are only a custodian of the money. And the more participation we have in determining how best to manage these funds will only enhance good governance.

Madam Speaker, successive governments have attempted to diversify the Cayman Islands' economy and revenue base. And all of us, over the years, added something to it; but with not a great amount of extra revenue. We built up year after year. And as I look back from today to 1984, when I came here, there were only a few pieces of paper for the budget, and to see what we have now, we have made great strides. But we cannot go that route any longer. The revenue base that we have is strained, so this makes it imperative that the traditional sources of revenue are managed and expenditure curtailed accordingly.

The capital projects proposed by this Government have not been accompanied with revenue sources to fund the recurrent expenditure to operate them. The annual budget will be increased to support these projects along with the debt servicing.

Madam Speaker, I believe the Government is pushing this country towards new tax measures, and because of what we do now with projects, the result will possibly be—whether it is with this Government or some government not far down the road—that direct taxation is going to hit this country if we keep going. We cannot get out of it. And we have to bear that in mind. Where will money come from?

They can get up and say that they are not going to do that. You have things already that you do not like and politics is played with it and all things are said. Madam Speaker, be careful that you are not putting yourself in the same situation.

And this brings me right to what was hollered out by one of them just now about Boatswain's Beach. When we began Boatswain's Beach, Madam Speaker, we knew we had to do something with it. The plan had been there a long time before I took control. A long time. [For] years and years various governments planned to expand and never got to it. Membership of boards had not changed a whole lot. But they got in consultants who were knowledgeable, people who worked with Disney World and Discovery Bay (or Discovery something in Florida) and management went out and talked to every tourism stakeholder in this country, every organisation, discussed it with the Chamber of Commerce. And—

**The Speaker:** Honourable Leader, would you do me a favour and tie the debate of Boatswain's Beach into this Motion so that I do not have a debate when you sit down on Boatswain's Beach because it has nothing inside this Motion.

**Hon. W. McKeeva Bush:** Well, Madam Speaker, if you cut it off, when they rise, because they are going to mention it, then you will not get any.

[Laughter]

**The Speaker:** Honourable Leader of the Opposition . . .

**Hon. W. McKeeva Bush:** But—

**The Speaker:** If you continue they will have every opportunity—

**Hon. W. McKeeva Bush:** I was going to stop there, Madam Speaker . . .

[Laughter]

**The Speaker:** Okay, thank you.

**Hon. W. McKeeva Bush:** To say that we had advice from every stakeholder, the same as perhaps the Minister of Education is saying or the Leader of Government Business will say about his new building or the new Glass House as we might call it.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] Fiscal prudence? You don't seem to know much about that, boy!

[Inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] You get up and talk about what you do about it, and when you get up and talk about what you know about fiscal prudence—

**The Speaker:** Could you—

**Hon. W. McKeeva Bush:** —I will say whether—

**The Speaker:** Could we debate through—

**Hon. W. McKeeva Bush:** —you are fiscally prudent or not.

**The Speaker:** Could we debate through the Chair, please.

**Hon. W. McKeeva Bush:** Madam Speaker—

**The Speaker:** Thank you.

**Hon. W. McKeeva Bush:** Just to say when they made that question about Boatswain's Beach we went out and we got all of that advice. We talked to the Chamber of Commerce, the same advice, and everybody—lawyers, financiers, everybody—agreed. Everybody agreed and the board and the management went out and did what they had to do. Hurricane Ivan hit and one of the main revenue bases—the jetty in West Bay—was stopped. And everyone can see, and they can say any other thing they want, but you say you do not want a debate on it so I will stop there.

**The Speaker:** Thank you.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** So, Madam Speaker, revenue has to be a question, has to be a concern. And when all of these things are jamming down on us and jamming down on the Financial Secretary, he must find it difficult, must be some difficulty there. I am going to hear that we are within our borrowing guidelines. I am waiting to hear that. I am waiting to hear it.

Madam Speaker, everybody is going to be impacted by measures and should rightfully participate in shaping such policies. I know that they talk about they have all of these committees, but I know they are not meeting either. And so, they should take on board this aspect of a private sector/public sector group.

Madam Speaker, the biggest concern has to be revenue. The biggest concern adjunct to that has to be conditions internationally that affects us. They cannot get out of the fact that our revenue is declining. They cannot get out of that. Real estate is down, cargo is down and the latest figures last year are down. So, we have to be concerned.

And so I await to hear and to see the Government's illumination of how all of this will be put together without any new taxation coming on line, whether it is this budget or a new budget after this one being presented in May of this year, because we might not have reached the point at that time. But when you embark on it you are not going to be able to stop it. You will have to go forward. Even if you take out all of the glass that the new schools will have and make recurrent expenditure after it is built less, or even if you take out some of the things that are proposed for the new administration building, you will have to go ahead and the project will complete or the people of this country will pay.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak?

Honourable Third Official Member.

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker. I rise to give my contribution to Private Member's Motion No. 13/07-08.

Madam Speaker, the Government outlined its strategic priorities and its capital expenditure plans and the forecast financial position for the next three financial years in the 2008/9 Strategic Policy Statement (SPS) which was passed by the Legislative Assembly on 30 November, 2007. The SPS highlighted that the Government's plans are affordable and within full compliance of the Principles of Responsible Financial Management, as specified in the Public Management and Finance Law (PMFL).

The Government has established Sound Fiscal Management as one of its Strategic Outcome

Goals and uses this as a core guiding tenant for the way it manages the country's finances.

The first paragraph of the Motion states that the Government has intentions, and I quote: "...to **borrow a substantial amount of money over the next two years**".

Madam Speaker, the 2008/9 Strategic Policy Statement set out that the Government is planning to borrow up to \$230.7 million over the next two financial years; that is \$154.1 million in the upcoming 2008/9 financial year and a further \$76.6 million in the 2009/10 financial year. These borrowings are for funding the planned Capital Development programme of \$298.127 million over the next two financial years; \$197.014 million in 2008/9 and a further \$101.113 million in 2009/10. Those two amounts sum to the \$298 million that I just mentioned.

Madam Speaker, the Government only borrows in respect of Capital Investment plans and it does not borrow to fund its recurrent or operating expenses, and the planned borrowings of the Government for the next two financial years are consistent with its strategic goals and the requirements of the Public Management and Finance Law.

Section 14 of the Law sets out the Principles of Responsible Financial Management, which the Government is obviously legally obliged to comply with and it must do so when making policies and decisions which impact the financial performance of core government.

These principles are as follows:

Total core government revenue less total core government expenses should be positive. Therefore governments cannot have a deficit budget. The Strategic Policy Statement forecasts indicate that for the next two financial years the Government will comply with this principle and post healthy operating surpluses in both years;

Another principle, Madam Speaker, is that total core government assets less total core government liabilities should be positive. The Strategic Policy Statement forecasts indicate that for the next two financial years the Government will comply with this principle with a projected net worth of \$585.7 million in 2008/9 and \$621.7 million in 2009/10;

Another principle that we are perhaps most familiar with is our debt service ratio. And the Public Management and Finance Law indicates that the government's borrowing should not exceed an amount for which the sum of interest on those borrowings, other debt servicing expenses and the repayments of loan principals for a financial year are no more than 10 per cent of core government revenue for that financial year.

Madam Speaker, I would just stop there temporarily from what my prepared notes say and to repeat what the Honourable Leader of Government Business has said recently, in that the 10 per cent limit is a very conservative limit and it is a very exacting limit. And he made the point that how many of us

can say that our loan repayments, whether they be short term loans or mortgages, how many of us can actually say that our total debt borrowing obligations as a percentage of our income is no more than 10 per cent. It is a very strict limit and the Government is complying with that limit.

The Strategic Policy Statement forecasts indicate that for the next two financial years the Government will comply with this 10 per cent limit, and that the debt service costs are expected to be approximately 7.9 per cent of core government revenue in 2008/9 and 8.7 per cent in 2009/10.

The Honourable Leader of the Opposition made a number of points, and in this regard since we are on this topic of revenue, one of the points that he made is that the Government should use as much revenue as possible essentially to pay for our capital expenditures and therefore reduce the amount of borrowings that we do. That is indeed a valid point and there is certainly evidence that the Government is actually doing that.

When we look at the Strategic Policy Statement for the upcoming 2008/9 year—and this Strategic Policy Statement as we will all know was passed by the Legislative Assembly 30 November last year—we see that the capital expenditure slated for that year is \$197 million, whereas the borrowing at the moment for that year is slated to be \$154 million. And the difference between the two (quite a substantial amount, \$43 million) is to be made up from revenue which the Government will therefore use. So, the point that the Honourable Leader of Government Business (sic) is making is a valid one but is one which the Government is already complying with.

If we then go to the next financial year, the 2009/10 year, we see from the Strategic Policy Statement that the planned capital expenditure in that year is \$101 million, whereas the amount projected for borrowings for that year at the moment is \$76 million, so again, a gap of \$25 million which is to be made up from the use of revenue.

Madam Speaker, another principle of responsible financial management is the net debt ratio. And the Law specifies that the net debt of Government should be no more than 80 per cent of core government revenue. The Strategic Policy Statement forecasts indicate that for the next two financial years the Government will comply with this principle with the projected net debt of 68.8 per cent of core government revenue in 2008/9 and 74.4 per cent in 2009/10.

Once again I would like to depart temporarily from my written script to explain a bit more in much more simple terms what the net debt ratio is all about.

The definition of the net debt ratio is this: it represents the direct borrowing of central government plus a proportion, a percentage, of the borrowings of statutory authorities and government companies that have been guaranteed by the government. Those two added together. Then we subtract away from those two amounts all of the available cash balances of cen-

tral government itself, and we then express that result as a percentage of our revenue, so we therefore divide that by revenue to get the percentage. The Public Management and Finance Law do specify that that ratio cannot exceed 80 per cent.

What does that actually mean, Madam Speaker? What it actually means is that if the Government wanted to eliminate all of its borrowings all at once, and eliminate a proportion of the borrowings of statutory authorities and government companies that it has guaranteed with its available cash balances, that it would take up to 80 per cent of its revenues and it would be able to do that at any point in time immediately. Of course, no government is going to do that. But we have a limit specified in the Public Management and Finance Law to say that our borrowings of central government and those guaranteed portions of statutory authorities and government companies' debt should not be any more than 80 per cent of government's limits.

One of the interesting features, Madam Speaker (again, to show of how exacting and conservative the specifications are for those limits), is the fact that in the definition we take account of a percentage of the statutory authorities and government companies guaranteed debt by government. We bring that into central government's calculations for this ratio but we do not, for example, take account of the cash balances of those authorities and government companies in this calculation. So, we bring their borrowings into our calculation and subtract away from it our cash, but we do not bring their cash balances into consideration. So, once again, [it is] a very conservative and exacting specification for this particular ratio.

I think the Honourable Leader of Government Business (sic) was making the point that perhaps we had left behind the intended borrowings of the statutory authorities and government companies when we were looking at our ratios. Madam Speaker, as I have just demonstrated—

**The Speaker:** Honourable Third Official Member, are you referring to the Leader of Government Business or the Honourable Leader of the Opposition because you keep saying the Leader of Government Business?

**Hon. G. Kenneth Jefferson:** Thank you, Madam Speaker. That is a mistake. I was referring to the Honourable Leader of the Opposition—

**The Speaker:** Thank you.

**Hon. G. Kenneth Jefferson:** —in his earlier opening remarks for the Motion.

So, Madam Speaker, we do take account of the borrowings of the statutory authorities and government companies, and again, there is evidence of this. If we look at the Public Management and Finance Law (2005 Revision) and the Financial Regulations that are made under that Law, when we look to Regulation No. 49 it actually speaks to the various percent-

ages that I was mentioning earlier, that the Government has to bring into its own calculations when it has guaranteed the borrowings of its statutory authorities and government companies.

For example, Regulation 49(a) says that in the event the government has guaranteed borrowings of a statutory authority that has an unpredictable level of budgetary support, then 80 per cent of those borrowings guaranteed by the government, 80 per cent of the statutory authorities' borrowings (and if it is a government company, 80 per cent of those guaranteed borrowings) has to be brought into the government's own calculations. The example quoted in the Financial Regulations for this 80 per cent is our national airline, Cayman Airways.

It then goes on to specify that there are other statutory authorities and government companies that have a lower percentage figure. Fifty per cent is sometimes brought into the government's calculations and examples of those would be the borrowings, if guaranteed by the government, borrowings of the Cayman Islands Development Bank.

Finally, there is a 20 per cent calculation, 20 per cent factor of borrowings. For example, if the Port Authority borrowed funds and the government guaranteed those borrowings, then 20 per cent of those borrowings that are guaranteed by the government would be brought into the government's own calculations. So, Madam Speaker, there is definite evidence that the Government does take account of the borrowings of its statutory authorities.

If we also were to look at the 2007/8 Budget we will find in the Annual Plan and Estimates for the 2007/8 financial year, (starting at page 313) there is a schedule of the amounts that the Government has guaranteed starting on that particular page. So, we are obviously taking into account the fact that statutory authorities and government companies are borrowing funds, and that the government does take account of that with its own expenditure plans and borrowing plans.

Another principle that the government must comply with is the level of cash reserves that it must maintain on hand, and once again the Public Management and Finance Law indicates that reserves should be maintained at a level no less than the estimated executive expenses for the following 90 days. But we do not have to get to the 90 days all at once.

For this financial year, the year that will end in June 2008, the Government is required to have 75 days of expenditure coverage in the form of cash balances and it is required to have a minimum of 90 days in the following year. The year starting on 1 July 2008, it will be required to have a minimum of cash to cover 90 days or a quarter of the year of Government's expenditure.

Madam Speaker, once again, the Strategic Policy Statement for the 2008/9 year indicates that for the next two financial years the government will com-

ply with this principle, with cash reserves being held at the 90-day requirement in both 2008/9 and 2009/10.

Madam Speaker, turning to the third paragraph of the Motion which states “. . . **the traditional sources of revenue will be strained to sustain this level of commitment . . .**” I have just stated that the Government's forecasts as outlined in the 2008/9 SPS indicate that this will not be the case and that the Government's plans do comply with the Principles of Responsible Financial Management.

The fourth paragraph of the Motion states that “. . . **the residents of these Islands have not been afforded the opportunity to be fully informed of the cost of the capital programme . . .**” Madam Speaker, each year the Government publishes a Strategic Policy Statement which outlines its planned capital investment programme for the coming three financial years. In addition, as a part of the annual budget cycle the Government produces an Annual Plan and Estimates document each year, which provides details on the specific capital projects to be funded for that year.

All of these documents are tabled in this honourable Legislative Assembly where they are vigorously debated by Members in free publicly broadcasted sessions which are covered by the media and are open to the general public to attend in person. In addition, all budget documents are public documents and are posted on the Government's website for anyone to view. Therefore, Madam Speaker, the residents of these islands have been afforded multiple opportunities to be fully informed of the Government's capital programme and its level of borrowing required, and the recurrent expenditure associated with the projects.

Paragraph 5 of the Motion hints at the possible impact of a U.S. led economic downturn and what that impact would have on the Cayman Islands. It is indeed true that the dim economic outlook for the United States of America for the remainder of this calendar year is a cause for reflection for the Cayman Islands economy, as the U.S. is our largest trading partner. The U.S. is the primary market for our tourist arrivals and the source of most of the goods consumed in the Islands, and therefore any significant downturn in the U.S. economy will have an impact here in the Cayman Islands.

The U.S. Government has acted swiftly to implement measures to bolster its economy, and minimise the chances of any economic recession. Specifically the U.S. has in the past two months made significant reductions to key interest rates charged by banks and approved a tax rebate plan to help individual consumers.

I wish to point out, though, that there is still a great deal of debate and uncertainty about what is likely to happen in the U.S. economy for the remainder of this year and into the medium term. There is debate as to whether the U.S. economy will experience a recession. But it will take a few months before

the impacts of these recent actions by the U.S. government are fully known and whether further government interventions will be needed.

Here in Cayman, the Government is vigorously monitoring the economic situation in the U.S. and closely monitoring the key sectors of the Cayman economy in order to determine if any corrective actions are warranted.

Supporting the economy is also one of the Government's key Strategic Outcome Goals and it is committed to making policy decisions and implementing specific strategies to ensure that the Cayman economy remains healthy and vibrant.

The first Resolve paragraph of the Motion, asks that “. . . **the Government reconsider and reduces the level of expenditure and borrowing over the short term . . .**” Madam Speaker the Government conducts an ongoing review of its financial position during the financial year and makes adjustments where appropriate.

The Government is currently preparing its detailed budget for the 2008/9 financial year and we will be updating the financial forecast to be in line with the latest revenue forecasts, and those will take account of updated economic positions. When the Government presents the 2008/9 Budget to the Legislative Assembly it will be a budget which is current and a budget which is based on updated information.

The second Resolve section states that “. . . **the Government establishes a public/private Fiscal Management Committee to review the Islands' revenue base and the level of acceptable debt given prevailing economic conditions, and be guided accordingly.**” Whilst the Government does not believe that a formal public/private fiscal management committee is necessary, it is receptive to any suggestions that the private sector may wish to offer on the subject matter contained in the Motion.

Madam Speaker, as I have shown, the Government continues to comply with the Principles of Responsible Financial Management, and those principles are exacting and demanding. The Government is committed to operating within these parameters and the current planned level of borrowings and expenditures over the next two financial years is acceptable and affordable.

Thank You, Madam Speaker.

**The Speaker:** Does any other Member wish to speak?

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker.

Madam Speaker, the Honourable Third Official Member has just outlined in detail the strategies deployed by the Government in preparing its annual budgets and also the fact that there is the Public Management and Finance Law which calls for specific and direct actions of compliance when it comes to fiscal prudence.

As the Honourable Third Official Member has explained, Madam Speaker, this Government in the past two and a half years, and in the upcoming two budgets to be done, will comply with all of those requirements within the Public Management and Finance Law. The borrowing ceilings and the required repayment percentages—ceilings and all of those in that Law are very conservative. Once they are complied with, then, certainly, all things being equal, the Government is in sound fiscal shape.

Madam Speaker, the Motion that has been brought in its two Whereas sections, the mover, the Leader of the Opposition, asked for it to be resolved that the Government reconsiders and reduces the level of expenditure and borrowing over the short term. He also asked that it be resolved, that the Government establishes a public/private fiscal management committee to review the Islands' revenue base of the level of acceptable debt, given prevailing economic conditions and be guided accordingly.

Madam Speaker, the Honourable Third Official Member has just said, and I can easily reiterate, that this Government is receptive to any suggestions from the private sector. But what the Leader of the Opposition is requesting in his two Resolve sections is a direct insult to the technical team under the Portfolio of Finance and Economics, because he is saying in this Motion that the Honourable Third Official Member and his entire team are not capable of giving the Government sound advice. So, the Government cannot, on the kindest of mornings, accept this Motion.

So, let us get things in order first, Madam Speaker. The Government is not accepting the Motion.

In his introduction the honourable mover, has pointed out several specific issues which he has tried to craft as justification for his Motion. Madam Speaker, let me speak to a few areas that he spoke to.

He reminded me of my public utterances at a Chamber of Commerce luncheon. Although he was not present, I am sure his colleague who was present perhaps informed him of the statement where I was asked if there were any revenue measures upcoming, and the answer was 'No'. He chose to use the hospital fees increase from the Health Services Authority and he mentioned also some departure tax at the airport (which I think there was some newspaper release on recently), and he termed those as revenue measures. Now he cleverly, as he is used to doing, balled everything into one when the context of the question that was asked me was dealing with central government revenue measures.

These other examples that he speaks to are dealing with government authorities or government agencies. The question that was asked to me in the context of the discussion at the Chamber luncheon, I interpreted it and I am sure I did so correctly, that we were speaking of direct central government revenue enhancement measures. The question was asked about that because I am sure that the business sector

is still with very good memory of the \$54 million revenue package that was brought in the latter part of 2001. I am certain that he will also put his own spin to that. But I just want to clarify that my statement was not one which was either false or misleading, but it was speaking to central government revenue enhancement measures.

Madam Speaker, the Leader of the Opposition, in bringing the Motion, used as an example of (shall I put it) the way we were. There is a song called *The Way We Were*. It is a wonderful song. But when he used the analogy of how we used to build our homes and spoke to building the foundation, running up the walls, getting it to the belting, then the next stage after that was putting on the roof and then doing the inside finishing touches, he spoke to that in the way it was; that in truth and in fact an exercise of that nature could well take two years and very, very likely three years for it to be done. In those days the vast majority—and I have vivid memories of those myself; I am but 11 months older than he is—of the income was derived from husbands, fathers, going to sea and sending home their monthly allotment.

Madam Speaker, in those days the way life worked, whatever abode a family had, once children married, everyone was happy for a temporary cramped arrangement until such an exercise was finished—even if a child came along in the process—for the daughter or the son and their spouse to live in the house which was called the family home until such time. That is not what obtains today. I only use that very same analogy to show how time has changed.

You see, when we deal with financing arrangements nowadays, if one were to use one's disposable income to begin to build a home—and I could stretch this as far without being facetious. I could say 90 per cent of the people who live in this country would find it extremely difficult to use their disposable income while paying rent with a young family to be able to purchase a piece of land (if they do not have it passed on to them) and build a home out of that disposable income. They will be old and grey by the time that is over; hence the exercise of mortgage financing, hence the change—because times change.

Madam Speaker, if we apply that to a government and we simply speak to using excess general revenue beyond recurrent commitments to engage in the capital projects that have to be done, then we would over a five- or ten-year period build one school. In the meantime the population is increasing in a manner that is disproportionate to all of these methodologies that we might employ as a government and we find children in classrooms that have 40 or 50 students, maybe 60. That is how it would end up.

So, I simply use that analogy to say that while I personally can well appreciate the parallel that has been drawn, the fact is that that was good in those days but it does not work today. What is critically important is either the individual's or the family's, or indeed, the government's ability to service its debt while

bettering its lot in life and building equity into either property or whatever else. And that is exactly what the Government is doing.

Madam Speaker, in using some of the examples that the Leader of the Opposition did, he spoke a little bit about schools. I am certain that my colleague, the Minister of Education, will speak to the Motion and go into detail. But I just want to use a little example of the sampling that he chose to use. He spoke to the Prospect Primary School, which I believe was built perhaps four or five years ago. I believe that is when that was built. I think it came in within budget at some \$11 million, which is fine. That primary school is a totally different concept from the schools that the Minister of Education is charting the course to be built, namely the three high schools.

And there are a lot of facts which surround the methodology that has to be employed with them and you cannot look to say, 'Yes, let us build these schools but let us build them in a certain other way.' And the other thing, Madam Speaker, I kid you not, the Government has a responsibility to the children of this country and we are totally out of space, both at secondary and primary level. And the same ones who bring this Motion on another day when the focus is different will come into this House crying everybody down about the Government is doing nothing about schools because the schools in their district, or the school in their district is overloaded beyond capacity, which we know. And we are trying to address the matter looking at the big picture, looking at the future, not short term but long term.

So, the things that are included in these facilities that are being built extend beyond personal education of the child. It speaks to facilities for the community, hurricane shelters for the various districts that the schools will be built in, which we are deathly short of, and which these same ones complain about and ask what we are doing about it. I have heard at least one of them on the radio outlining a whole list of things including the lack of hurricane shelters and what is the Government doing about it. I have heard them say that myself. But now they are saying we must stop doing what we are doing to address the complaints.

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** Madam Speaker, as I said, the Minister of Education, I am certain, will deal with those areas.

We have heard the complaints about the roads. The fact of the matter is, if we look at the Government's budget over the last three budgets and for the next one upcoming for 2008/9, the three largest capital expenditure items are education, infrastructure and the upcoming next one is the government office accommodation project.

So, when the mover asks for it to be resolved that the Government reconsiders and reduces the

level of expenditure and borrowing over the short term, he obviously is saying that the plans for education plant, the continuing infrastructure plans specific to road works, and even the government office accommodation project, should not go ahead because of the times, not bearing in mind that we are complying with every section of the Law.

The Honourable Third Official Member carefully outlined the fact that (and I would not go as far as to stretch it to say on a daily basis, but on a very, very regular basis) the Government keeps an update on the actual revenue compared to the projected revenue so that we can know if there has to be any adjustments with regard to capital expenditure and any timeline change with regard to how these capital projects are completed, and when they are completed, and how fast the money is spent depending on the revenue.

So, Madam Speaker, every year we prepare the budget, as is done in any business. And every year we project revenue based on historical data and all the trends. If anything happens like what is being alluded to now . . . and, by the way, if the Leader of the Opposition were standing where I am now and I were over there and said what he said, his first thing would be to tell me that I am talking the U.S. into a recession—because for him it is already there and everything is bad in the economy in the Cayman Islands and all like that. But that suits the occasion, I know. I am not going to go there because I do not want to help him along the way with that.

Madam Speaker, when I was speaking about the process the Government uses, as obtains now and without taking tails out of school, only yesterday we were looking at revenue streams and actual to-date revenue with a view to looking at what the expenditure will be by year end on the capital side, making sure that we continue to comply. So, it is nothing that we are not paying attention to.

The Motion seems to think that we are in a void and the Motion also seems to make one think that maybe the mover and/or some of his colleagues forget that they are not the government now, but they are the Opposition. This Government is very capable and has displayed that it is absolutely capable of dealing with the affairs of this country including its fiscal affairs.

So, the tone of the delivery has been that the Government is racing headlong with expenditure regardless, and with no regard for the ability to repay and the long-term effects. The truth of the matter is, that the majority of capital projects we have had to embark on are not—as the Leader of the Opposition tries to make out—for political expedience; but it is because there was no planned effort before on a timely basis.

We are now into crunch time with these things, and all kinds of things are going to happen bad if we do not deal with it—especially education—at this

point in time. And if we are going to deal with it, why not do it right?

What should we do? Hopscotch all over the place and five years later we are in the same quandary having spent two thirds of the money that we are going to spend now?

No. Do it right now.

Take your time and pay for it and it will serve you well till we are old and grey. And that is the way we need to plan. And if that is what he calls political expedience, he will have to keep saying so. Of course, I do not expect anything different; that is the nature of the beast.

[Inaudible interjections]

**Hon. D. Kurt Tibbetts:** Madam Speaker, if the Honourable Leader of the Opposition is correct about this recession mode, it cannot be Government's position. While we have to watch our pennies the Government is the Government. The Government is not a little individual business. The Government cannot take the position of shrinking everything, tightening everything and helping the economy to shrivel up. The Government cannot take that position. It cannot, Madam Speaker, and I am going to repeat, it cannot take that position.

Where is employment going to come from when they start screaming for us? And the same Opposition is going to say, '*What is the Government doing? Look how many people are unemployed?*' But they speak on the left side of their mouths saying you must do this and on the right side they are just waiting for you to do that to fall in the trap so that they can complain about all the bad things that occurred because of it. That, as I said, is the nature of the beast with this politics. And when the Leader of the Opposition speaks, and while he bundles us all in, it does include me about my political bag of tricks, Madam Speaker—

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** Madam Speaker, my political bag of tricks?

Do we believe for one minute that he read that draft Motion this morning not knowing what he was doing, just to get in the term "\$600 million"?

I am not an idiot, Madam Speaker.

[Inaudible interjection by the Honourable Leader of the Opposition]

**Hon. D. Kurt Tibbetts:** Madam Speaker, the smile tells me exactly what it was.

**The Speaker:** Honourable Leader of Government Business, is this a convenient point to take the luncheon break?

**Hon. D. Kurt Tibbetts:** Yes, Madam Speaker. Thank you.

**The Speaker:** Proceedings will be suspended. I think there is a Standing Orders Committee meeting at lunch time, or has that been cancelled? Can anyone guide me in the right direction?

[Inaudible interjections]

**The Speaker:** Proceedings will be suspended until two o'clock.

**Proceedings suspended at 12.28 pm**

**Proceedings resumed at 2.22 pm**

**The Speaker:** Please be seated. Proceedings are resumed. The Honourable Leader of Government Business continuing his debate on Private Member's Motion No. 13/07-08.

Honourable Leader of Government Business.

**Hon. D. Kurt Tibbetts:** Thank you, Madam Speaker. Back to the business of the Motion.

Madam Speaker, I was making the point, and I want to reiterate that even if in the short term the negative effect of the trouble that is seen in the U.S. economy is to trickle over here in the Cayman Islands—and we do accept and expect that whatever negative effects are felt over there will have some effect on us. But even if that is the case (with watchful eyes yes, we have), we as a country cannot adopt the attitude, especially the Government cannot adopt the attitude that Government activities must shrink in order to fall in line with what may be seen as a slow-down in the economy. There has to be a balance because it is incumbent on the Government to create opportunities directly or indirectly for business to thrive.

Madam Speaker, there are several large projects in the pipeline. And I have heard the argument from the now Opposition on several occasions before also that the Government is indeed with a heavy responsibility to encourage investment in the jurisdiction. That is what keeps the economic engine running and we accept that. We also accept that it cannot just be with prices that are too high to pay. We understand all of that. But there is no better time (if timing were an issue) for the Government to be engaging in the much needed projects than now, because for the immediate, and perhaps into the medium term, interest rates are going to be perhaps very low. And it is a good time for borrowing, and I agree that we must borrow within the acceptable limits.

Madam Speaker, I want to get back to one of the specific projects that the Leader of the Opposition mentioned and as I mentioned before too. This is one of the three largest capital investments that the Gov-

ernment will be making and that is the government office accommodation project.

In his opening delivery the Leader of the Opposition spoke to the fact that his government had plans to refurbish what we know as the Glass House and to build a building directly behind the Glass House at the cost of some \$45 million. I do not know what square footage that building was and I do not know what they perceived the cost [to be] of refurbishing the Government Administration Building that exists now. I do not know what kind of costing they got.

But I think one of the problems that they had why nothing had gone on is because there was this wonderful new initiative called PFI (Private Finance Initiative). I do not know about the \$45 million cost, but what was reported to me from those who knew at the time was that when it was all examined, at the end of the day this Private Finance Initiative (if the Government had engaged in that project) by the time all the payments were out and the government actually owned the building, the government would have paid out some \$200 million. So, it is good they did not embark on that specific project.

Madam Speaker, the new government office accommodation project that we broke ground for very recently is absolutely necessary. Permit me to take a few minutes, because it is important for the public to understand the rationale behind this and to justify whatever borrowings may have to be done.

Initially we spoke of doing two buildings: one where the new building is going to be located now and there was a search with an attempt to decentralise a bit to look at property outside of OPY George Town to build a second building. But, Madam Speaker, just to prove the point, as we got nearer and got as realistic a costing as we could get when speaking to the schools, knowing what the infrastructure needs were with road works, and knowing the needs with the government office accommodation project, we realised that to do both buildings as was the initial plan, was going to be stretching it too far.

Understanding and accepting that at the very beginning, we made the adjustment that we would increase the size of the first building we had planned a bit more than what it was initially and we would simply deal with that, get it out of the way, get the payment lines on stream, get everybody moved into that building that it was agreed on as to how many would hold in that building. And then two or three years down the line, maybe four years down the line as we prioritise again, then we would look to be embarking on another building.

Madam Speaker, let me say this: first of all, the existing Glass House—and for every sentimental reason in the world, many of us would wish for it to remain, but the truth is the technical expertise has reported back to us that building new office accommodations, exact square footage as what the Glass House provides, is going to run somewhere close to \$300 a square foot construction costs. And to refurbish

bish the Glass House that exists now—which is more than 30 years old—the cost at the time that was given to us was \$273 a square foot, almost close to brand new building costs. So, it made absolutely no sense to be speaking to refurbish that building. Besides that—we have that in writing.

So, there lies the rationale with the new office accommodations increasing that size even though we have set aside the second building because we realize it is biting off a little bit more that we can chew.

Madam Speaker, even at \$85 million for that new building the projected cost by the year 2013—which is not far away, five years from now . . . it is going to take just under three years to build that building. By the year 2013 (which means the occupants in that building will only have been there for two years) the cost on an annual basis for leased premises for those occupants (if they were not in that new building) would be \$10 million a year. That is a fact. Now, for \$85 million you are going to house some 900 government employees and some 30-odd offices, ministries, portfolios or agencies. You are naturally going to have over the years increase in your staff complement just by natural needs.

The building is planned with that type of expansion in mind and it will last for many years for that number of agencies. If we do not build that building the government will be paying \$10 million a year in leased costs for all of these other offices, if they were not in that building. Of course, it is like when you rent and you do not have your own.

So in truth and in fact, Madam Speaker, by the time that building is occupied it will have paid for itself. By the time it is occupied it will have paid for itself in approximately seven years. Because do not forget as we borrow and while construction is going on over that three-year period the Government is going to be paying principal and interest on its global borrowings which that will be a part of. So it is not like you are going to get into the building and turn the key and have everybody in there before you start making your payments. We are paying as we go.

Now, I ask this one question: how could anyone, anyone, say that that is not fiscal responsibility to build that building? You see, what we have to appreciate with that one—especially that one—is if we do not build it we are still paying out this money. We are not talking about borrowing then, but we have to find that out of our general revenue to pay those lease costs. And as we do not build that building and continue to pay these lease costs each year and each year and each year it is going to go up and up and up. And we will end up paying several times over what it would cost us if we deal with it now.

Now, Madam Speaker, if the Leader of the Opposition is saying that that is not being fiscally responsible, then I do not know what makes sense.

Also in regard to the government office accommodation he mentioned that when the government builds its own building it is going to be a ghost

town around town because buildings will be deserted by the various government agencies that lease private premises.

Madam Speaker, that is just like our entire history. It does not take us long and all we have to do is go back. Every time we have had a new building built in town, either purposely built for a firm or an investment from an entity who is building to rent or to lease to some firms, in many instances people move from one office to the other. But if you try to say that you should not build because you are going to have these vacancies, it is the same principle of leaving the schools alone because you do not think anymore children are going to be born.

[Laughter]

**Hon. D. Kurt Tibbetts:** That is exactly the same principle, Madam Speaker.

The fact of the matter is that we have to anticipate, encourage and create the opportunities for growth. And growth is going to mean you will require new office space. Now I am not saying that somebody will be there the very next day after the government office moves out to fill the space. I am not saying that. But that is a part of doing business. If it was not a government office building it would be another office building. But why should the Government not act in a fiscally responsible manner? Should the Government take on the attitude that they should lease forever and ever as long as life lasts? I say no.

**Hon. W. McKeever Bush:** I agree. I agree.

**Hon. D. Kurt Tibbetts:** I say no. And the longer we wait is the more it is going to cost. And it does not end there, Madam Speaker.

The Glass House costs \$6,000 a day to run because it is so inefficient. Six thousand dollars a day is what it costs. So you see, when we speak to these capital expenditures there is a direct bearing on your operating expenditure, tremendous recurrent costs. The new building will be built to lead standard; very efficient. It is going to save in operating costs. It is going to save \$0.5 million a year for the occupants of those buildings than what they pay now in the various other buildings. Everything makes sense.

Again, Madam Speaker, I come to the point with this one: It makes no sense to talk about affordability because if you do not build it you are paying out more money. So which one can you afford: to pay less? or to pay more? Certainly the logic cannot be thrown at us that we should pay more and own less rather than pay less and own more.

So, Madam Speaker, I needed to use that as an example to show that the capital expenditure the Government is embarking on is not about luxury items, it is about well thought out and well needed programmes that, in fact, should have been started on a timely basis long before now.

And, Madam Speaker, we need to appreciate and understand that while the expenditure level peaks because of the three schools having to be built simultaneously, for instance, because of the government office accommodation project; that is not how it is going to be forever. In our own lives and the history of this country proves, and the statistics will prove that you have peaks and valleys of borrowings depending on the project that is needed for the country at the time.

In the late 60s and early 70s when this building was being built and the courts building was being built and they were doing the dock, at that time that was tremendous expenditure. But it was needed. Now they did not have to come back the year after and build another dock. They did not have to come back the year after that and build another Legislative Assembly. Do not come with that kind of nonsense, Madam Speaker, to try to put logic about over expenditure.

Madam Speaker, as I have said, and to put it in a nutshell—the Government developed the policies that were wished to be implemented over this term. Not to pound our chests, but when we looked at the needs and made the assessments, what we are dealing with are the things that are needed regarding immediate priority.

We did not just willy-nilly pick these nice little things to deal with. We talk about the roads . . . and the last thing we have been accused of is down on the Esterley Tibbetts Highway. We built that to suit somebody because they were doing a development. All of these plans—

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** You know what?

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** But I can just quote what the former Minister of Works said to me about two weeks ago, because he had heard this off-the-cuff remark about why the Esterley Tibbetts Highway was being built.

Madam Speaker, that was done and we went there first, and the world knows, because when we made the assessments . . . and the fact of the matter is, just by coincidence, the majority of us in this Legislative Assembly now live east not west, not by design. We travel from east from various distances, but coming generally from east. The situation on the West Bay Road was just a little bit worse than the traffic from the east and we decided to tackle that first.

The former Minister of Agriculture and Communications and Works said to me that the now Minister was simply completing the plans that he had in place. So what he was saying to me is, if their government had got back in, that was going to be the work that they were going to do. But now that we have

done it we did it for somebody. Madam Speaker, political bag of tricks!

[Inaudible interjection by the Honourable Leader of Opposition]

**Hon. D. Kurt Tibbetts:** I couldn't walk off of the Bluff with all the baskets my Grandfather had when he used to bring yams down to have enough tricks in the basket that he has.

[Inaudible interjections]

**Hon. D. Kurt Tibbetts:** But, Madam Speaker, I only speak the facts. I am not getting engaged in all of that. I am simply saying that is part of the capital expenditure programme that we have embarked on.

We have to complete that to the point where it is at now, and we have to complete the East/West Arterial to relieve the traffic coming from the east. That affects every single citizen and every single resident of this country, those two thoroughfares, except for those who live in the heart of George Town and there are not that many who live in the heart of George Town, as we speak. Even on the outskirts it negatively impacts the traffic, morning, noon and night.

So we are not doing things that are just nice things, we are doing things that had to be done. And the Motion is trying to say to us that we should not be doing these things because it is too much at one time. And we are saying that we are being fiscally responsible, we are following the law, we are within all of the borrowing limits, we are within the percentage of general revenue of paying out principle and interest. So, why must we sit and not do these things for them to come and tell us what we should have done?

You know, Madam Speaker, heavy is the head that wears the Crown. Damned if you do, damned if you don't! The more you do, the more they want! The less you do, the more they say you do nothing. It just depends on what they feel like talking about when they get up, whichever day it is.

So, Madam Speaker, we will not be distracted, we will steer the course, we will continue to spend in a frugal and sensible manner, spend meaning the country's money because at this point in time we are the stewards. And we will get the necessary results and see the benefits to the people, because that is what it is all about.

One of the last points I want to touch on, the Leader of the Opposition in his initial presentation of the Motion even went to the extreme of saying that if we do all of these things it is inevitable that we will have direct taxation. Madam Speaker, he knows as well as I know that regardless of how many points he wants to gain that statement is a reckless statement.

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** It is a reckless statement and that derives from his usual style of trying to scare the public and make them believe things that are not so.

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** He was smart in his delivery also when he cautiously said things that the Constitutional Modernization process . . . and I am going to prove relevance.

He cautiously said in his own way the negative impacts that Constitutional Modernization will have on small businesses. Madam Speaker, you think for one second, and you tell me what he meant. Please do not answer me. I know what he meant. But he could not take the chance to come out and bring that out in this debate. But I know what he meant.

Bag of tricks. That is all it is. That is the entire effort.

**An Hon. Member:** [inaudible] misdirection.

**Hon. D. Kurt Tibbetts:** So I sit here with my eyes closed, Madam Speaker, but I know you know better.

[Inaudible interjection]

**Hon. D. Kurt Tibbetts:** I know you know better and I am not going to go there, Madam Speaker, it is okay.

[Laughter from the Honourable Leader of the Opposition]

**Hon. D. Kurt Tibbetts:** But that one is far from over. Not in this debate, but that one is far from over.

Madam Speaker, again, as I have said, I am certain that the other Members who are supporting his Motion will speak in their own wisdom of the merits of his Motion. I am also absolutely certain that my colleagues will continue to sail the ship in the direction that I have headed it. And it is again important for me to stress that not even on the kindest of mornings could the Government support this Motion. And I also have to stress again, whether it was intentionally or inadvertently, the Motion itself actually insults the intelligence of the Honourable Third Official Member and his staff in the Portfolio of Finance and Economics.

Madam Speaker, I would actually urge the mover and seconder of this Motion to withdraw it before the debate ends and perhaps we can leave it right there.

Thank you.

**The Speaker:** Does any other Member wish to speak? [pause] Does any other Member wish to speak? If no other Member wishes to speak, does the Mover of the Motion wish to exercise his right of reply?

[Inaudible interjection]

**Hon. W. McKeever Bush:** Madam Speaker, I hear the Minister of Works saying that somebody did not defend me. I hope that he does not believe what his leader just did was defence because he did no more today than he did when he was in Opposition—blame everybody for everything and paint himself as this little angel that people now know he is not.

[Inaudible interjection from the Hon. Minister of Communications, Works & Infrastructure]

**Hon. W. McKeever Bush:** [Addressing the Hon. Minister of Communications, Works & Infrastructure] No, you're not little, you're a big little one!

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, let me deal firstly with this aspect of the Motion. How could they ever say that because I had begun to read my first draft for the Motion that that was some trick because it had in it \$600 million and the actual Motion did not include a figure?

Madam Speaker, you as the Speaker know what that was all about because we discussed it and I took it out. But how would that be a bag of tricks?

They are going out, but they better sit down and learn something.

How that could be called a bag of tricks when I could easily get up afterwards, as I did, and say that it was over \$600 million? It was no trick. I am the speaker and the mover. I will have the last word, so I will be able to say the amount at any point.

But they are good and that Member is good at trying to make the public believe that he is somehow this genius and I am this demon, and they did that in 2005 but they are not getting away with it today because people are questioning their motives. And let me move right now to the West Bay Road.

We know that infrastructure has to be done. We started it. But we have to be most careful of the expenditure, because we do not have all this revenue and this money. Where will it come from? We have lived a lot on borrowings but we have been conservative about it. And they can put any amount of figures together to talk about rent, but you just do not live like that because you have to live within your means. And if you have to rent, you have to rent. And I am saying that this is not the time to do what they are doing.

And the West Bay Road, Madam Speaker, I had my questions because I believed that there were conflicts of interest and the way that it was done not to finish it up for West Bay. We were glad to get it but they could have easily gone anywhere else with the \$10 million or the \$15 million that they took from education. But they went to West Bay because Cost U Less had to be finished, had to be started and finished at a given point.

And when you see the amount of road works that were done and the Government did it. They might get paid some of it back. I do not know how much they got paid.

**The Speaker:** Honourable Leader of the Opposition, unless we have proof of these things can we just move back into your Motion, please?

**Hon. W. McKeeva Bush:** Madam Speaker—

**The Speaker:** Thank you.

**Hon. W. McKeeva Bush:** The Leader of Government Business raised this and I thought that you were going to stop him but you let him run the whole course.

**The Speaker:** Honourable Leader of the Opposition, if you would allow me . . . I am saying, when you are standing there saying that the Government may have gotten paid, there is no proof that or I have within this House of any such thing taking place. So I am asking you to move on into your Motion, please.

**Hon. W. McKeeva Bush:** Madam Speaker, in that way I was not making an accusation. I am saying that it went so far that Government had to do the work and the people had to pay Government to get it done. Why could they not have gone to the east and done the same with—no, it was done because of who it was! And when they want to come up here and talk about conflicts of interest, let them check the family member! Let them check who it is!

That is not where I intended to begin, but the way that the Leader of Government Business likes to talk is that *'everybody is doing something for some reason but me, the Leader of Government Business, I am lily white. I haven't done any wrong in this country!'* Oh yeah! Just check his record up until today in this country and see the wrongs that have been committed. He is not lily white. He is not even lily brown.

Madam Speaker, the Financial Secretary, who I have had tremendous respect for, began the debate on behalf of the Government. He said that the Strategic Policy Statement passed in November was in full compliance with the Government's proposals. He says that they are only planning to borrow \$230 million over the next two years. Borrow for capital investment, he said, and not to fund recurrent payments.

Madam Speaker, I have seen this country come to a point in the past where government was borrowing for recurrent expenditure, and that is why I am saying that we have to be cautious. It is not like we do not want something to be done. No, we all know the need, and I am going to take each one of the projects as I go along. We all know the need, but what I am saying is do we need a school house for \$50 million? Do we need to knock down the Glass House?

He has talked a lot but he has not produced any documents. He has not come to this House and showed one scrap of white paper—as much as they like glossy paper and pay for it. At our expense they have not come here to inform us one bit on these items. So what do we know as an Opposition? Only what we can go around and dig up and find out. And then they say that we are playing political tricks. In this country as an opposition we should know every step of the way when this kind of expenditure is being spent. They should come in here and make detailed statements on everything and every step of the way—who got the contract to do what, how they got it, how much they are paying.

They want to talk about tricks. We cannot get questions answered about the Government's expenditure. There are no accounts. And the Leader of Government Business, as big as he is, he comes and talks about tricks. When they talk about transparency—and this should be transparency—we should be getting information. And he is the man who took the Information Law and put it when it would not apply to him. Then he wants to talk about he is lily white. Lily white my foot. My foot!

Madam Speaker, the Honourable Financial Secretary says that the 10 per cent is a conservative limit. I do not think so, because we had trouble with that 10 per cent when it came forward from the United Kingdom. Some people want it to be higher, others want it to be lower. We had trouble with it and I will get to it later on.

I said that residents were not informed, we were not informed, and the Honourable Financial Secretary went on to point to the SPS to say that we are, because the Government put forward this SPS which is a booklet of figures. But they are not solid plans.

Officers sit down with the Government's policy—the Government's policy because the civil servants cannot sit down and plan anything without the Government's policy. With the Government's policy in hand, they estimate how much revenue the Government will get from cargo (that is import duty), from real estate, and so on. And they put down, they adjust, or they readjust whatever the Government wants the figure to be when the Government approves the budget.

When the Leader of Government Business talks about we are insulting the Government, the civil servants, because we have talked about the figures and we have talked about a committee, it is not the civil servants they can push this back on. As I just said, they do not do anything unless it is the Government's policy.

But you see if anybody is trying to play a trick it is because they want the people to believe that it is the civil servant that is doing this. It is not the civil servant, it is the Government's policy. It is not the civil servant that approves the budget. As I said, to repeat it, they get together with the Government's policy and adjust or readjust whatever the Government wants,

but it is not they who approve the budget; it is the elected politicians. It is not the civil servants who put forward the loan, it is the politicians.

So I am not insulting the budget officers by asking for a private sector and public sector committee, which would include or should include some of those budget officers. So, if anybody is trying a bag of tricks it is him—trying to make civil servants look his way. And nobody is any better than him at playing those kinds of tricks to get civil servants in his books. Nobody gives out more mangoes and peppers and turtle meat dinners in the morning up at the Glass House than him!

Madam Speaker, I think the civil servants in this House and the budget officers should know him quite well. They know him now. But can you believe that big man over there has the audacity, has the temerity to say that the Opposition does not count the value of the civil servant, a government that has brought in more expensive, expensive consultants to replace civil servants in their jobs than any other government that I know.

His Government has taken more civil servants out of their jobs and put consultants from overseas in them, than ever in the history of the civil service. And he now comes to talk about we are insulting civil servants? When the Education Department is full of highly paid consultants who took over jobs from civil servants?

Madam Speaker, I believe that I was brought off track by what they said, and so I am trying to reply to it. But can you believe that he has that kind of audacity, that he believes that people are that blind? No. He might believe that, but he will not get away with it.

The Leader of Government Business went on to say something about the wants of the MLAs for their districts. Madam Speaker, you see he says all he wants to say, makes all the innuendos that he wants to and then leaves his seat because he cannot take what the reply will be.

I have been an MLA going over 20 years. [This is] my sixth term. I asked for and did some things that the district needed but could afford at the time. And I want to remind him of just how prudent I have been.

When we entered government in 2000 we did not have money, Madam Speaker. And you know that because you were there as an Executive Council member. They had \$700,000 for a civic centre for West Bay, and he came to me and said—and I would have liked for him to be in his chair so I could test him—*‘Mac, you know that we can’t afford this at this time’* because it was well over \$4 or \$5 million for the civic centre at the time. And he said, *‘Can you get your members to agree to put it off?’* And I said, *‘Yes, I will talk to them because I know we don’t have the money, but I would like the \$700,000 to do a couple of things in West Bay.’*

*‘Instead of us,’* I said at the time, *‘building a \$2 million or \$1 million post office, I will renovate the present post office out of that \$700,000.’* And we did.

I could have gone and asked for a \$1 million post office but I did not because we did not need one, we needed something that was workable. And so we built it for less than \$400,000.

But do not come here today and make people believe that I am not prudent and that I have forsaken any responsibility, as such, that I am supposed to have. Can he say the same? I doubt it. Not with the kind of plans they are pushing without the money to do it. No, Madam Speaker, when you have to do something you might not be able to build a house that you want. The bank might say *‘No, Boss. You can’t afford it.’* So you still got to pay rent. And I am saying that with all that is happening I have no proof. And he can say everything that he has said and says again. He is not giving the country any proof that the country can afford it either. He is giving the country some scenarios and that is only his word, there is no documentation otherwise to prove anything. Where is it?

I am appalled that the Leader of Government Business can come to this honourable House and admit that he was at a forum (as one that he put so much interest in, that he attended) to speak, being given knowledge beforehand of what they needed him to speak on, such as the Chamber of Commerce forum for legislators. He would come here to admit that what he was talking about when he told the forum there would be no revenue measures he was talking about central government. But you want to tell me that that man, as big as he is, has that kind of mindset or audacity to come to this honourable Legislative Assembly to say that? He was not telling the truth, the whole truth and nothing but the truth because he had to know about the increase for the health services for that to come here when it did, when he was speaking at the Chamber of Commerce.

And, Madam Speaker, for the leader of the country—who likes to talk about trust—to admit such a blatant bag of trick makes us know that we cannot trust him or anything that might sit with him, counsel with him, go along with him and clap when he speaks.

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] Yeah, but he stopped unnah from speaking, though.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, we as an Opposition have urged the Government to go ahead and get the schools done. We know, because we had a plan. As I said, the Minister of Education, Mr. Roy Boddén, went, made his plans, looked at the three sites that had to be done, went and had a naming ceremony—

**The Speaker:** Sorry, groundbreaking.

**Hon. W. McKeever Bush:** Well, Madam Speaker, some say groundbreaking, and I am sure had we the opportunity, we would have completed it and completed it at a lesser cost than what is being proposed today. So they cannot say about intentions. We all know that over the years there has been a need to improve plant in this country, meaning schools. Look at what we had to do as a government. The roofs fell in and we had to fix them, but we did not have the money to do much else at that time, you know. Do not forget, Madam Speaker, you were part of government, the Leader of Government Business now was the Leader of Government Business then when he said, *'There is no money. The country is broke.'*

So we did not have the money, and when you do not have the money you cannot do things that people might expect you to do or people might want. But you cannot do it. And that has been the conservative approach of this country. They are taking us [down] a different path. Because we must do it all [at] one time? I will not agree. I will not agree.

We need the schools, and certainly, we needed roads to be improved but not with one gigantic big expenditure, big plan and consultants. The Minister, to give him credit (who should have been the Man of the Year when you are talking about getting something done) rightly went ahead and followed plans that we left behind and he did not go out to get fantastic consultants that you would pay millions of dollars for. When the Master Ground Transportation Plan came it was millions of dollars for consultants and they brought them in, even to the very land valuers. Understand that. And they say today I stopped it. Me one now, I stopped it.

[Inaudible interjection]

**Hon. W. McKeever Bush:** Yeah, man.

[Laughter]

**Hon. W. McKeever Bush:** I stopped it, they will claim, and that was such a bad thing. But if they had followed what we said to go ahead and do the roads as the Minister now is doing and as we began to do, putting in the Linford Pierson Highway, upgrading the various other roads bit by bit as our budget could do, without committing the country to \$300 million or more or somewhere around that. We did not do that.

But today there is still expenditure for roads and there is going to be more. Mind you I do not know if all the roundabouts are necessary but maybe that is how we have to get it done. But you can believe that when you drive to windward your head spins.

[Laughter]

**Hon. W. McKeever Bush:** You better be careful because, boy, roundabouts . . . within a two-mile radius, eight roundabouts.

[Laughter]

**Hon. W. McKeever Bush:** I think that is the number.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker—

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] It's quite a bit.

[Inaudible interjections]

**Hon. W. McKeever Bush:** [To an honourable Member] Eight roundabouts in total I believe.

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] No, I must say I navigate it pretty well. It was not stopping.

**The Speaker:** [Inaudible] . . .we have eight?

**Hon. W. McKeever Bush:** Check 'em! If it is not eight in the two-mile radius or the three-mile radius . . . you got to five? Well, you're gonna get more than that when you keep counting.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, there are a lot of roundabouts.

But what I am saying is that we go along with the road building plan. We did not need to do that at the time. And in 1989 . . . can you imagine what that was to this country? I remember the late Captain Mabry, who helped [inaudible] at that time, saying, *'You know, I vote for the Government but I really cannot put this on us at this time because the country cannot afford it at this time.'* And there was nothing wrong with the Minister at the time. I am not criticising him for wanting to have those things. No. But I am saying we cannot do something at a time when we do not have the wherewithal to do it. And I am saying there can be extravagance, and I saw some there, and I am seeing some today. There is extravagance today.

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] I believe you do it, too.

[Inaudible interjection]

**Hon. W. McKeever Bush:** Oh, God.

[Inaudible interjections and laughter]

**Hon. W. McKeever Bush:** There is a tremendous amount of extravagance in the buildings. I understood from one company that he bid \$70 [million] or \$79 million for one school, and I believe McAlpine Ltd. must have been \$80 million for one high school. And they are getting it for less but what are they cutting out? What are they doing, \$60 million?

Madam Speaker, we built the primary school in Prospect for \$10 million. The International School was built for over \$15 [million], I think around \$20 million and they got a school that they got everything, even artificial turf I believe. And we have to spend \$50 million or \$60 million to get one high school?

Come on, Members of this House!

And if you do not want to say so because we are saying so, the bunch of you Members out there on the Backbench should be pressing him to tell you if he has not told you. And if he told you then you should get up in this House and say what he told you. You owe the country a duty to do that rather than sit down and clap your hands when the Leader gets up and says what he said, and runs out through that side door.

[Laughter]

**Hon. W. McKeever Bush:** Doing nothing for what you are getting paid for.

I see the Member for George Town saying something about your head. I don't know if hers is paining her or whether she got problems with it, but I think mine is in good shape right now.

Madam Speaker, the government building, the Minister was right. When we looked at it and looked at the PFI (Public Finance Initiative) it was going to take us a whole lot and we could not move with it.

**An Hon. Member:** [inaudible] one hundred and fifty.

**Hon. W. McKeever Bush:** It was a whole heap of money—

**An Hon. Member:** A hundred and fifty.

**Hon. W. McKeever Bush:** —because of that initiative, but not if he went the regular way. What I wanted the Leader of Government Business to say is just how McAlpine Ltd. is proposing to do this and what kind of arrangement he has. But he did not do that. Why? Bag of tricks! Why?

No, couldn't do that. Rather it is easier to get up and point a finger to try to tarnish the Leader of the Opposition. Well, he got away with it in 2005, but I have put him on strict notice that he is going to get as

good as he gives and he is going to get more because he is in the driver's seat now.

So, as far as the Government Administration building is concerned, we do not know what the parameters are that they started on. We do not know what McAlpine Ltd. is doing. I know this: we started out with a hospital for \$16 million and it went to \$27 [million]—

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] Yeah, give me blame for that, too.

[Inaudible interjection]

**Hon. W. McKeever Bush:** Yeah, man! You devil, you.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, let us wait and see because we do not know what that bag of tricks contains.

Much was said about the debt service ratio. The debt service ratio, as I understand it, is simply a measure of affordability and reflects the cost of the debt of the country as a percentage of the government's revenue. It is a stagnant measure and does not self-adjust to changes, to either the cost of the debt or to changes in the expected revenue.

Madam Speaker, it does not take an economist to understand that the Cayman Islands are very susceptible to global economic conditions, especially that of the United States and the downgrade of the global economy since the preparation of the budget will, in our opinion, result in a reduction in the expected revenue for the country and consequently would change the debt service ratios.

Furthermore the debt service measure is only one measure that we ought to be looking at of the country's ability to afford the level of debt. With the growing diversification of financing tools, including bond issues (that have large lump-sum payments rather than interval payments), it is also wise to examine the public debt as a percentage of Gross Domestic Product (GDP). The total public debt in the Cayman Islands will exceed 30 per cent of the estimated GDP, and so this represents a large percentage, a relatively large percentage. And so, with the greatest of respect to the Financial Secretary—and he is not saying anything here that is his, what he is saying here is coming from the Government, the elected Government—and all other civil servants who work diligently on trying to ensure accurate financial statements, the Government cannot talk about how prudent their plans are and that they have revenue.

I voice my concern over the absence of audited consolidated financial statements. In the absence of these statements we cannot place trust in the figures that are provided as they assume a certain

repayment of debt over each year. With the audited statement to confirm that such repayments have been made, I have to view these figures with caution. The figures used in the Government's strategic policy statement assume repayment of \$23 million, \$28.43 million and \$29.91 million for the fiscal year of 2008/9, 2009/10 and 2010/11 respectively. So this averages something like \$2.26 million per month in repayments over the next three years. And any manipulation of these repayments will ultimately impact the debt service ratio for that given year.

And so, we must look at this figure with a critical eye because of the importance of this matter to the future health of the country.

[Inaudible interjection]

**Hon. W. McKeever Bush:** And so, when the revenues fall, because fall they will; they fell from cargo, 30 per cent was down last year. How much can be down this year by mid summer? Only God knows but with the recession going on then and what is going on here now you can believe with people not spending money that it must fall. But if it falls 5 per cent the ratio is going to be up to 9.5—

**An Hon. Member:** Revenue.

**Hon. W. McKeever Bush:** That is what I am talking about. If the revenue falls the ratio will come up to 9.5 per cent, and if it the revenue goes to 10 per cent then it will be 10 per cent.

[Inaudible interjection]

**Hon. W. McKeever Bush:** And so, Madam Speaker, they grin at a serious situation like that because they did not do their homework. They wouldn't know.

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] That comes out of the SPS (Strategic Policy Statement).

So, Madam Speaker, we have to look at the situation with caution. The financial ratios are ceilings and should not be seen as targets. The PPM seems to consider these as targets and a source of boasting rights; that they are within the limit. So, Madam Speaker, it would delight me to learn of one year that the government can claim the reduction in debt rather than elevating the debt to record levels.

The People's Progressive Party (PPM) legacy will be that they found the country in a good financial position—

**An Hon. Member:** But nothing done.

**Hon. W. McKeever Bush:** Even—[To an honourable Member] Nothing done?

Coming out of a hurricane that cost the country \$4 billion and you are going to say nothing was done?

**An Hon. Member:** Nothing.

**Hon. W. McKeever Bush:** [To an honourable Member] Well, you wouldn't know nothing from nothing.

[Laughter]

**Hon. W. McKeever Bush:** Madam Speaker, the PPM's legacy will be that they found the country in a good financial position with close to \$90 million in the government accounts, even after the impact of Hurricane Ivan. And yet, the Leader of Government Business says that we were not prudent. And they will leave a record public debt of \$10,909 per man, woman and child living in the Cayman Islands. Or, perhaps more saliently, \$42,857 per Caymanian adult in the Cayman Islands. I reiterate my call for the Government to reconsider their expenditure on borrowing.

Madam Speaker, I thought we would hear something about the dock but we are not hearing anything about that. I want to know where the finance is going to come from for that. And again I want to say to the Leader of Government Business that he will not get away without any kind of guarantee for either the airport or the dock. And so, the government expenditure will reach over \$600 million. The government will be responsible for that. Bearing in mind what I have just said to you, and you know it, cargo was down last year by 30 per cent.

The Member for Cayman Brac, who is supposed to be a prudent business man, would not go along with this if he had not joined the PPM. But because he is a party member he must toe the line or they would not do anything for him. Madam Speaker, I say to him that I was a whole lot different from his good uncle when they were moving for the \$300 million. He did not vote with them because of what he believed.

[Inaudible interjection]

**Hon. W. McKeever Bush:** [To an honourable Member] Yeah, he is a lawyer and if you take a few words out of that it becomes something else.

[Inaudible interjection]

**Hon. W. McKeever Bush:** So, Madam Speaker, I know when we put this Motion that we would not get any support because they have hung their political careers on those buildings.

[Inaudible interjection]

**Hon. W. McKeever Bush:** When elections come they are going to say, as they have been saying, 'We want

*to do something for your children, so we are building you these nice schools, give them a Caymanian curriculum.'*

[Inaudible interjection]

**Hon. W. McKeeva Bush:** No, you got an English curriculum tweaked off the Internet!

[Laughter and inaudible interjection]

**Hon. W. McKeeva Bush:** So, Madam Speaker, give them that. Take care of our teachers. Give them good salaries and when they retire make sure that they can live in dignity and not have to worry about where their next dollar is going to come from to pay a light bill or to live. It is a shame and a disgrace in this country what has taken place with certain teachers in these Islands. And these Islands are going to pay for it because there is a God Almighty and he does not like this kind of stuff. You hear what I tell you?

[Inaudible interjection]

**Hon. W. McKeeva Bush:** I am telling you, Minister of Education. You can chat as much as you want, but you should have done something about it instead of wanting to push your weight around and throw them off the jobs and build jobs for certain people who you bring in.

Madam Speaker, I would not address them if they would shut up. They had their chance to speak, so I am answering them when they keep throwing their slurs and I shouldn't.

Madam Speaker, there is one last point: The Leader of Government Business said that he cannot adopt the attitude that the government activities must shrink because the U.S. is in recession. Did he say where we would get our revenue from so that he could carry on these things that he does not want to shrink?

As I said, our economy is tied to the United States. If the U.S. is down in recession it affects us. How? Our revenue! But he does not seem to understand that. But I will not be surprised that he cannot understand that when the record shows that good business sense is not theirs.

Madam Speaker, he is talking about there would be unemployment. Does he not recognise the unemployment in this country today? If he wants to do something he does not have to go borrow \$600 million to help people find jobs in this country. Direct the affairs of the boards the way that they should give them policies and there would be less unemployment in this country. And the Mr. Minister of Employment should be doing that instead of riding around on a bicycle.

[Laughter and inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] I applaud you on it, my son.

[Laughter and inaudible interjection]

**Hon. W. McKeeva Bush:** Well—

**The Speaker:** Honourable Members, Ministers and Leader of the Opposition, would you please . . . there is nothing in this Motion that talks about riding bicycles, diabetes, fat slob. Can we stop it, please, and act as adults? Thank you.

**Hon. W. McKeeva Bush:** Madam Speaker, I am sure when he was talking about a fat slob he looked askance.

[Laughter]

**Hon. W. McKeeva Bush:** I do not care if they call me fat slob or whatever—when I dress I look good!

[Laughter and inaudible interjection]

**The Speaker:** Leader of the Opposition, would you please? You said you had one last point. Can we deal with the point?

**Hon. W. McKeeva Bush:** Will you please tell them to behave themselves over there then? Tell them again because they are not doing that. They are not listening to you. I am on my feet, they are sitting down and yet they are there talking about fat slob. They can call me anything, but I have a duty to do here and I am going to do it. And they are not doing their job when the kind of situations that they come here to complain about, to tell us that they have to borrow for because they do not want unemployment when there is unemployment in this country today, and when, Madam Speaker, the Minister Education calls me a fat slob because I point to it.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** Well, he seems to not be doing his work. Can't get through with it if he's not addressing those issues! But I didn't say anything personal to him. I am saying he's taking his time riding the bicycle when he should be in the Glass House that early in the morning doing something. That is my opinion.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** Anyway, Madam Speaker, as I said, where I used to go, I go there no more. But perhaps you all cannot say that.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** [To an honourable Member] I want to take one with you coming from somewhere that I know you go.

[Inaudible interjection]

**The Speaker:** I cannot believe the behaviour of the Members of this Parliament. You know, it is all well and good to say things across the Floor, but when we get to this depth it is really unbelievable.

Honourable Leader of the Opposition, can you conclude your debate if that is where you are going, please? I do not know whether you are at your final point or whether you have a lot more to say.

**Hon. W. McKeeva Bush:** How much more time do I have?

**The Speaker:** I do not have a clue. Madam Clerk?

[Inaudible interjection]

**Hon. W. McKeeva Bush:** Madam Speaker, I know that when I am pounced upon that I am doing a good job and the points are salient. And I am going to say this: I am not going to take what I took in 2005 from all of them—the lies, the innuendos and the insults. The insults I can handle, but the lies and innuendos I am going to deal with.

Madam Speaker, the Government does not have timely plans. We believe that infrastructure needs must be met, but they must be kept within the country's means and they need to say to the people who elect them or vote for them that we can only do this much. But to rush headlong into what they are doing spells disaster. If the country—and we have got to put it this way—goes this route, something happens and they cannot pay, who is going to pay? The public. Where are they going to get their money from? More bicycle licences? More post office box fees? Where?

Madam Speaker, when we produced the budget we told the financial industry that we could sustain the budget and the fees they could sustain, because it was not putting the financial industry out of reach or uncompetitive with the territories or our competitors. And we told them there will be no need for us to hit you when we realised that we could not go anymore. And so we did not but we talked to them about it.

So, Madam Speaker, the Financial Secretary began by saying that the Honourable Leader of the Opposition was right, and so we are.

[Inaudible interjection]

**The Speaker:** The question is: Be it now therefore resolved that the Government reconsiders and reduces the level of expenditure and borrowing over the short term; and be it now further resolved that the Government establishes a public/private Fiscal Man-

agement Committee to review the Islands' revenue base and the level of acceptable debt given prevailing economic conditions, and be guided accordingly. All those in favour, please say Aye. Those against, No.

**Ayes and Noes.**

**The Speaker:** The Noes have it.

**Hon. W. McKeeva Bush:** Can we have a Division?

**The Speaker:** Madam Clerk.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** You don't know what you're talking about.

[Inaudible interjection]

**Hon. W. McKeeva Bush:** You?

**Ms. Lucille D. Seymour:** Come here.

**Hon. W. McKeeva Bush:** You had a chance to teach me before and you didn't do that then.

**Ms. Lucille D. Seymour:** No, no, no—

**Hon. W. McKeeva Bush:** You were there, though.

**The Clerk:** **Division No. 8/07-08**

**Ayes:** 5

**Noes:** 10

Hon. W. McKeeva Bush  
Mr. Rolston M. Anglin  
Mr. Cline A. Glidden, Jr.  
Capt. A. Eugene Ebanks  
Ms. Juliana Y. O'Connor-Connolly

Hon. D. Kurt Tibbetts  
Hon. Alden M. McLaughlin, Jr.  
Hon. Anthony S. Eden  
Hon. V. Arden McLean  
Hon. George A. McCarthy  
Hon. Samuel W. Bulgin  
Hon. G. Kenneth Jefferson  
Ms. Lucille D. Seymour  
Mr. Osbourne V. Bodden  
Mr. Moses I. Kirkconnell

[Inaudible interjections]

**The Speaker:** The result of the Division is: 10 Noes, 5 Ayes. Private Member's Motion No. 13/07-08 is rejected.

**Private Member's Motion No. 13/07-08 negatived by the majority.**

**The Speaker:** That concludes the Orders of the day. I will—

[Inaudible interjections]

**The Speaker:** It would be nice if the Speaker could have the opportunity to speak.

That concludes the Orders of the day. I will entertain a motion for the adjournment of this honourable House.

Honourable Leader of Government Business.

## **ADJOURNMENT**

**Hon. D. Kurt Tibbetts:** Thank you.

Madam Speaker, for the information of Members, I have been advised by the Chief Immigration Officer that there are a few urgent amendments to the Immigration Law and he has requested that we allow for those amendments to be done during this Meeting because he would not like to have to wait until the April Meeting. So, as soon as the amending bill is prepared and distributed to Members for them to have time to consider the amendments, we will return and I would humbly ask for this House to be adjourned for a date to be set.

**The Speaker:** The question is that this honourable House do now adjourn. All those in favour, please say Aye. Those against, No.

**Ayes.**

**The Speaker:** The Ayes have it. This honourable House now stands adjourned to a date to be set.

**At 3.43 pm the House stood adjourned sine die.**

**OFFICIAL HANSARD REPORT**  
**WEDNESDAY**  
**9 APRIL 2008**  
**10.15 AM**  
*Third Sitting*

**The Speaker:** I will ask the Second Elected Member for the district of West Bay to say Prayers.

**PRAYERS**

**Mr. Rolston M. Anglin:** Let us bow our heads and hearts.

*Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.*

*Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.*

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

*The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.*

**The Speaker:** Please be seated.  
 Proceedings are resumed.

**READINGS BY THE HONOURABLE  
 SPEAKER OF MESSAGES  
 AND ANNOUNCEMENTS**

**Apologies**

**The Speaker:** I have received apologies for absence from the Honourable Acting First Official Member; the Honourable Acting Second Official Member, and the Second Elected Member for the district of Cayman

Brac and Little Cayman, and apologies for late arrival from the Honourable Minister responsible for Health and Human Services.

This morning I would like to recognise in the gallery—first, Lord Naseby and his wife, Lady Naseby, who are visiting the Islands. I would like to welcome you and hope you will enjoy the proceedings this morning.

And [to] none other than my own Primary School, [which is] the smallest but the most united—I would like to welcome the North Side Primary School students who are in the gallery this morning. We hope that you will enjoy the proceedings.

**PRESENTATION OF PAPERS  
 AND OF REPORTS**

**Report of the Standing Public Accounts Committee on the Report of the Auditor General on the Public Service Pensions Board's financial statements for the year ended 31 December 1999**

**The Speaker:** I recognise the Third Elected Member for the district of Bodden Town, the Chairman of the Public Accounts Committee.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Standing Public Accounts Committee on the Report of the Auditor General on the Public Service Pensions Board's financial statements for the year ended 31 December 1999.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. Osbourne V. Bodden:** Yes, thank you, Madam Speaker.

Madam Speaker, as Chairman of the Public Accounts Committee, I hereby table the Report of the Auditor General on the Public Service Pensions Board Fund financial statements for the year ended 31 December, 1999, in accordance with section 61(b) of the Public Management and Finance Law (2005 Revision).

Although the Report was primarily developed for the issues surrounding the delays in the presentation and audit of the 1999 financial statements, the Auditor General has also discussed pertinent issues relating to the 2000 financial statements audit and

some other critical governance issues at the Pensions Board. These issues are all discussed in detail in the Public Accounts Committee (PAC) Report on the Pensions Board, 1999 financial statements.

The reasons for the protracted delay in the finalisation of the 1999 financial statements were attributed to—and I will list these, Madam Speaker. There are thirteen points:

- The complexity of the pension's legislation.
- A general lack of preparedness by the Public Service Pension Board.
- Serious understaffing in the areas of pensions administration, financial accounting and reporting in the Public Service Pension Board.
- The actuarial valuation as of 1 January 1999 was delayed by over eighteen months.
- The application of credited rate of return with CPI increase factor and failure to enroll participants.
- Mandatory pensions payable to employees who continue in public office upon reaching normal retirement age.
- Delays in establishing participant contribution accounts and benefit statements.
- Funding and liability of statutory authorities.
- Delays in participants receiving transfers and cash outs.
- The impact on pensions with the grant of Caymanian status to civil servants.
- Additional audits were requested on the judicial pension plan benefit calculations and verification of the rate of return calculations.
- Over 60 years pension liabilities; and lastly
- 38 audit journals with a net effect of approximately \$2.7 million were processed to ensure the financial statements were accurate.

There were also significant legislative changes introduced in April 1999, with the passing of the Public Service Pensions Law, 1999, which had a major impact on public pensions management and administration. Notably, the assessment and payment of pensions and transfers; the maintenance of participant contribution accounts, and the assessment collection and investment of pension contributions.

The issues affecting the 2000 financial statement were:

- failure to enroll all participants in a defined contribution plan;
- pension augmentation for 2000;
- credited rate of return; and
- contributions on salary increases.

Other important matters which were discussed in the Auditor General's 1999 Report were:

- reporting and disclosure arrangements;
- statement of accumulated plan benefits as at 31 December 1999;

- separation of pension plans;
- statutory authority participation;
- funding and liability issues;
- the judicial pension plan;
- civil servants in receipt of Caymanian status;
- delays in transferring funds and cash outs;
- participant contribution accounts;
- future financial statements delay.

The Auditor General was also concerned about compliance and regulation matters relating to the Board, increase and actuarial deficiency, additional contingents, contingent liability, impact on the public finance and the pensions administration system.

Madam Speaker, the Committee agrees that this Report be the Report of the Standing Public Accounts Committee to the House on the Report of the Auditor General on the Public Service Pension Board's financial statements for the year ended 31 December 1999.

Thank you.

#### **Report of the Auditor General on the Public Service Pensions Board Financial Statements for the year ended 31 December 1999**

**The Speaker:** I recognise the honourable Third Elected Member for the district of Bodden Town and the Chairman of the Public Accounts Committee.

**Mr. Osbourne V. Bodden:** Madam Speaker, I beg to lay on the Table of this honourable House the Report of the Auditor General on the Public Service Pensions Board financial statements for the year ended 31 December, 1999.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. Osbourne V. Bodden:** No, thank you, Madam Speaker.

#### **Annual Report of the Cayman Islands Audit Office for the 2006/2007 Financial Year**

**The Speaker:** I recognise the Third Elected Member for the district of Bodden Town and Chairman of the Public Accounts Committee.

**Mr. Osbourne V. Bodden:** Thank you, Madam Speaker.

I beg to lay on the Table of this honourable House the Annual Report of the Cayman Islands Audit Office for the 2006/07 financial year.

**The Speaker:** So ordered.

Does the honourable Member wish to speak thereto?

**Mr. Osbourne V. Bodden:** Just very briefly, Madam Speaker, to say that in June 2007, the audit office submitted a supplementary budget for the fiscal year of 2006/07 to obtain an equity injection of \$177,000 to help alleviate the cash flow problems resulting from the high levels of accounts receivable. This supplementary request was approved, and the issues surrounding receivables with that amount of capital injection helped to alleviate those concerns. Apart from that, Madam Speaker, the Report speaks for itself.

Thank you.

### **Cayman Islands Airport Authority Financial Statements for the year ended 30 June, 2005**

**The Speaker:** I recognise the Honourable Minister responsible for Tourism, Investment, Environment and Commerce.

**Hon. Charles E. Clifford:** Thank you very much, Madam Speaker.

Madam Speaker, I beg to lay on the Table of this honourable House, the financial statements of the Cayman Islands Airports Authority for the year ended 30 June 2005.

Thank you, Madam Speaker.

**The Speaker:** So ordered.

Does the Honourable Minister wish to speak thereto?

**Hon. Charles E. Clifford:** Madam Speaker, the financial statements speak for themselves, and I will only say that during the upcoming budget debate I will give the country an update on the redevelopment of the Owen Roberts International Airport.

Thank you, Madam Speaker.

## **STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET**

**The Speaker:** I have received notice of a statement by the Honourable Third Official Member.

### **Public Service Pensions Board Performance for the Year Ended June 30, 2007**

**Hon. G. Kenneth Jefferson:** Thank you Madam Speaker.

I wish to make the following statement in connection with the Public Service Pension Board's performance in respect of the year ended 30 June 2007.

The Public Service Pensions Board (the "Board"), is entrusted with investing the assets of public pension funds. The Board, with the assistance of

professional investment managers, identifies and pursues investment opportunities in accordance with legislation, best practices and the funds' Statement of Investment Policy and Procedures. Management's responsibilities are defined as planning, executing and reporting the activities of the pension funds. Subject to the Board's approval, management develops and implements all relevant policies including those in the areas of investment, communications, integrity and control, organization and compensation, and operations and administration. Additionally, throughout the process, management ensures that the pension funds are administered in compliance with such oversight and regulatory requirements.

The investment objective of the pension funds is to produce returns over the long term that, at a minimum, achieve the return required to meet the pension funds' liabilities in conjunction with the agreed upon long-term actuarial financing provisions. Each investment manager's objective is to generate returns, after deductions, for management fees that at least equal the annual average increase in a benchmark portfolio on a three-year moving average basis. The pension funds' net invested assets available for benefits, increased by approximately US\$66 million from US\$207 million at June 30, 2006 to US\$273 million at June 30, 2007. The increase is primarily attributed to a change in the market value of investments held by the pension funds.

The asset mix of the pension fund assets, is 65% equities, 27% fixed income, 3% real estate and 5% cash and equivalents. The objective of the long term asset mix, which was determined through a major study undertaken in 2002 by the Pension Funds' actuaries, is to provide a long-term risk-adjusted rate of return that would be necessary to meet the pension funds' obligations. The funds' Statement of Investment Policy and Procedures, defines upper and lower limits for the asset mix percentages allowing management the ability to take advantage of market directions and thereby enhancing investment performance. For the year ended June 30, 2007, the one-year rate of return was 16.7%, the highest rate of return earned by pension funds over the past five-year period. The Board uses an external third party performance measurement firm which specializes in providing performance data for comparable pension funds. The median rate of return for the comparative balanced pension fund universe, which is comprised of 162 pension funds, was 15.0%. For the three-year period ended June 30, 2007, the trailing three-year annual rate of return for pension funds was 10.2%, which is above the level required to cover the pension funds' liabilities but below the comparative balanced pension fund universe by 0.4%.

While reasonable returns have been achieved over the last two years, there remains a need to be vigilant as markets continue to be volatile. The Board will continue to face challenges as it seeks out strategies that protect the assets of the pension funds and

strives to earn above-average rates of returns. However, there are a number of risks which could affect future growth. Some of these include: sustained high energy prices, the size of the US budgetary and trade deficits as well as geopolitical and terrorist risks. As a result, the Board unanimously agreed that alternative investment management strategies that would enhance performance above those being realised by the existing fixed income strategy should be pursued, to provide downside protection for correcting equity markets. Accordingly, the Board has now retained the investment management services of ING Clarion Global, one of the leading international real estate equity managers.

These performance results have strengthened the pension funds' position considering that three years ago the pension funds were below the average obtained by other similar pension funds. The effort and commitment required to overhaul the management structure of the pension funds—including the replacement of the pension funds' custodian—was a significant undertaking requiring research and much deliberation. The Board and the Managing Director of the Public Service Pension funds are to be commended for their commitment and efforts in achieving the performance objectives which reflect favourably on all those individuals associated with the management and administration of the pension funds.

Thank you.

**The Speaker:** That concludes the orders of the day. I will entertain a motion for the adjournment.

Honourable Leader of Government Business.

## ADJOURNMENT

**Hon. D. Kurt Tibbetts:** Madam Speaker, just to make sure that everyone understands what is happening: we had adjourned to come back as quickly as we could to deal with the amending bill for the Immigration Law. Unfortunately, however, in speaking to the Chief Immigration Officer, it has not been forthcoming as quickly as he had anticipated, so we do need to close this Meeting off.

I, therefore, move the adjournment of this honourable Legislative Assembly until 25 [April] at 10 am.

**Hon. W. McKeewa Bush:** Madam Speaker!

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeewa Bush:** Madam Speaker, I would beg to—

**The Speaker:** What Standing Order are you rising under please?

## Rising on a matter of the Business of the House Carrying over of Parliamentary Questions

**Hon. W. McKeewa Bush:** Madam Speaker, I rise under a matter of business of the House. And that is, Madam Speaker, to ask that questions not yet answered in writing be carried over to the next Meeting. There are several, Madam Speaker, and I have had the unfortunate business of having questions that should be aired in this House pushed back, and pushed back—

**The Speaker:** Honourable Leader of the Opposition—

**Hon. W. McKeewa Bush:** —and pushed back. Give me a chance, Madam Speaker!

**The Speaker:** I am just asking you to ask for the suspension of the relevant Standing Order which says [that] questions must be answered in writing after the House is finished.

**Hon. W. McKeewa Bush:** Well, I don't need to do that, Madam Speaker, because our Orders give us that latitude. I don't think we need to suspend Standing Orders to do that. I am merely asking that questions that are not answered be carried over until the next meeting because questions that should be aired are now being answered in writing so we can't ask supplementary questions.

So, Madam Speaker, having said that, that's all I would like to say. But I do not relish having to come to the House on very short notice—two days' notice—to merely hear reports.

Thank you, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition, why I brought the relevant Standing Order to your attention is because it is very clear: it says that any question that is not answered by 11 am, when the business is finished, it must be answered in writing. So we have to ask for that Standing Order to be suspended so that these questions can come back on the Order Paper.

**Hon. W. McKeewa Bush:** Madam Speaker, I am merely drawing reference to Erskine May *Parliamentary Practice*, a practice which we have been carrying on in this House for some while. I am merely asking the Government to carry on that procedure.

[Inaudible comment]

**Hon. W. McKeewa Bush:** Yes, at the end of the dissolution or prorogation, business is carried over.

**The Speaker:** The question is that this Honourable House do now adjourn until 10 am on 25 April, all those in favour—

**Hon. W. McKeever Bush:** Madam Speaker! I did ask, and I would like a response. I do not have to move a motion. Why should I?

Madam Speaker, since the Government wants a motion moved, [while] I do not see the sense in taking the time to do that, I will move a motion that business be carried over [to] the next Meeting.

**The Speaker:** Do I have a seconder to that?

Honourable Third Elected Member for West Bay.

**Mr. Cline A. Glidden, Jr.:** [We] beg to second that.

[laughter]

**The Speaker:** Thank you very much.

The question is that any remaining business [or] questions remaining on the Business Paper of this Meeting be carried over to the next Meeting. All those in favour please say Aye. Those against No.

**Ayes.**

**The Speaker:** The Ayes have it.

**Agreed: Questions remaining on the Business Paper for this Meeting be carried over to the next Meeting.**

**The Speaker:** This honourable House now stands adjourned until 10 am, 25 April 2008.

**At 10.32 am the House adjourned until 10 am Friday, 25 April 2008.**

**CAYMAN ISLANDS LEGISLATIVE ASSEMBLY**

**PARLIAMENTARY QUESTIONS**

**PARLIAMENTARY QUESTION ASKED BY THE FIRST ELECTED MEMBER FOR WEST BAY (HONOURABLE W. MCKEEVA BUSH. OBE, JP., LEADER OF THE OPPOSITION) TO THE HONOURABLE OFFICIAL MEMBER RESPONSIBLE FOR THE PORTFOLIO OF FINANCE & ECONOMICS  
PARLIAMENTARY QUESTION:**

Has there been, or is there presently, any ongoing investigation, Police or otherwise, into irregularities in the collection of funds in the Customs Department and if so what are the results and what determination has been made.

**ANSWER:**

There was an investigation into irregularities in the collection of funds at the Customs Department. The investigation, which took place between September and October 2005 and which involved the Customs Fraud Enforcement Unit, the Police Financial Crime Unit and the Auditor General's Office, concluded that a sum of \$11,133.05 was unaccounted for. After disciplinary proceedings were instituted under Regulation 48 of the Public Service Commission Regulations 1985, the Customs Officer admitted to taking the funds and subsequently resigned. The Financial Crime Unit advised that an investigation would be difficult due to the systems employed and recommended that it would be best to resolve the situation internally as opposed to pursuing criminal charges. Promissory notes were therefore obtained by the Customs Department from the person concerned.

# CAYMAN ISLANDS LEGISLATIVE ASSEMBLY

## PARLIAMENTARY QUESTION

**TO THE HONOURABLE FIRST OFFICIAL MEMBER FROM THE FOURTH ELECTED MEMBER FOR THE CONSTITUENCY OF WEST BAY**

**QUESTION:** To say:

- (i.) what was the total number of Civil Servants in May 2005;
- (ii) what is the current number of Civil Servants;
- (iii) how many new positions have been filled by Caymanians; and
- (iv) to give a break-down, by Ministry, of additional staff.

**ANSWER:** Madam Speaker, there are four parts to the question; I will deal with each one in turn:

Part 1. What was the total number of Civil Servants in May 2005? The answer is that on the 1<sup>st</sup> May 2005 the total number of civil servants was 3,108: this includes 849 group employees.

Part 2. What is the current number of civil servants? The answer is that on the 26<sup>th</sup> November 2007, the date of the question, the total number of civil servants was 3,804: this includes 879 group employees.

Part 3. How many new positions have been filled by Caymanians? The human resource computer system tracks the nationality of all persons recruited whether to new posts or to existing vacancies. The answer is that over the period covered by this parliamentary question, approximately 60% of the posts recruited for, were filled by Caymanians.

Part 4. To give a break-down, by Ministry, of additional staff. The break-down of staff per Ministry that I am going to quote is from July 2005 not May 2005. The reason for this is that there was a change of responsibilities between Ministries and Portfolios in July 2005. Therefore the following figures are the staff increases from July 2005 to November 2007.

| <b>Ministry/Portfolio</b>                          | <b>Persons</b> |
|----------------------------------------------------|----------------|
| Judicial                                           | 2              |
| Audit Office                                       | 3              |
| Complaints Commissioner                            | 3              |
| Portfolio of the Civil Service                     | 9              |
| Ministry of Communications, Works & Infrastructure | 18             |

|                                                                      |     |
|----------------------------------------------------------------------|-----|
| Ministry of Tourism, Environment, Investment & Commerce              | 18  |
| Portfolio of Finance & Economics                                     | 21  |
| Portfolio of Legal Affairs                                           | 21  |
| Ministry of Health & Human Services                                  | 27  |
| Cabinet Office                                                       | 38  |
| Ministry of District Administration, Agriculture, Planning & Housing | 73  |
| Ministry of Education, Training, Employment, Youth, Sports & Culture | 168 |
| Portfolio of Internal & External Affairs                             | 179 |

The increased figure for the Portfolio of Finance and Economics is understated, as 25 persons were transferred to the Maritime Authority. Therefore, the actual increase is 39 persons.

**CAYMAN ISLANDS**  
**LEGISLATIVE ASSEMBLY**

**PARLIAMENTARY QUESTION**

**TO THE HONOURABLE FIRST OFFICIAL MEMBER**

**FROM THE THIRD ELECTED MEMBER FOR THE CONSTITUENCY OF GEORGE TOWN**

**QUESTION:** To say if there are any structured programmes in regard to re-integrating inmates in Northward Prison granted parole prior to or on release from prison.

**ANSWER:** Madam Speaker, Her Majesty's Cayman Islands Prison Service (HMCIPS) has a number of programmes both ongoing and new which are designed to assist prisoners to re-integrate on release from prison. Over the last 20 years, HMCIPS has benefitted greatly from the assistance provided by its own staff and also from dedicated volunteers. This is particularly so in education where programmes are designed to improve literacy and prepare prisoners for external examinations.

The Portfolio and HMCIPS is now working very hard to strengthen programmes and add new relevant programmes so that prisoners can take advantage of a wide range of opportunities to assist them to re-integrate into society on their release and a pattern of re-offending. The Commissioner of Corrections and Rehabilitation, appointed in August 2006, conducted a review of all prisoner programme types available to prisoners in HMCIPS. He, subsequently, following extensive consultation, set out a plan, Achieving Correctional Excellence, which was accepted by Cabinet in February 2007.

That plan outlined the approach, which, in addition to security measures and other initiatives, HMCIPS would take to assist prisoners to rehabilitate themselves. Delivery of the plan is running to schedule. A clear separation of prisoner programme types was outlined in that plan. There are now three distinctly different but related types of structured programmes, for successful rehabilitation — intervention programmes to address offending behaviour; educational programmes to meet educational needs; and, vocational training (VT) programmes to develop skills leading to a formal qualification to improve employability. The principle is that all prisoners have equal access to all programmes regardless of whether or not the Parole Commissioners recommend release to the Governor.

Cabinet also accepted that prison officers should work towards a formal qualification in addition to their initial training. Consequently, the current tranche of HMCIPS recruits will be required to undertake a two year qualification to become qualified as prison officers. This is a first for the Caribbean and will add significantly to the role prison officers are expected to play in assisting prisoner rehabilitation.

Uniformed prison officers, through substantial role development, for the first time in Cayman and the wider Caribbean, will be responsible for conducting formal risk and needs assessments, assisting prisoners in developing sentence plans, and delivering offending behaviour and VT programmes. These initiatives will put Cayman at the cutting edge of prisoner rehabilitation work in the Caribbean.