

TABLE OF CONTENTS

Prayer	5
Minutes of Finance Committee	5
Committee Report on Currency Bill	5
The Music and Dancing Licensing (Amendment) Bill, 1971	8
House Suspended	12
House Resumed	12
House Suspended	18
House Resumed	19
The Elections (Amendment) Law, 1971	19
The Caymanian Protection Law, 1971	20
House Suspended	30
House Resumed	30
The Local Companies (Control) Law, 1971	30
The Trade and Business Licensing Law, 1971	32
Adjournment	33
Resumption - 28th September	36
Committee Report on Land Adjudication Bill, 1971	37
House Suspended	43
House Resumed	43
Committee Report on The Registered Land Bill, 1971	46
Committee Report on The Land Surveyors' Bill, 1971	46
House Suspended	47
House Resumed	47
Government Motion No. 4	48
Government Motion No. 5	49
House Adjourned	51

House in Committee - Pages 13, 19, 20.

27th & 28th September, 1971

PRAYER BY: REV. NEIL BANKS.

MR. T.W. FARRINGTON: Mr. President before we get into the Order of Business Sir I would like very much on behalf of the people of West Bay to say how happy we are that this meeting of the Assembly is being held in the West Bay Town Hall. This is not the first time that a meeting has been convened here. I remember in the early fifties in the time of Sir Hugh Foot, now Lord Caradon, he presided over a meeting of the Legislature in West Bay. We do sincerely hope and pray, Sir, that the laws that will be passed here today and possibly tomorrow will be to the benefit of the people of these islands. And it may indeed redound to the peace happiness and good government of the Cayman Islands. Again Sir, I welcome you and welcome all the members of this Assembly to this meeting and I thank you very much.

MR. PRESIDENT: Thank you Mr. Farrington. We're conscious that we are in West Bay. We're still in the Cayman Islands and we do feel at home here, but we would like to thank you for those words.

We have an Order of Business today which you have. Before we start I would like to say on behalf of all Members how pleased we are to come here at least we have quiet and peace which is what we came here for, because they're building your new home. Now we are all particularly pleased to have back with us our Deputy President the Member for Bodden Town, Mr. Clifton Hunter. We have very much missed his stentorian voice in debates and his sense of parliamentary procedure and balance which I think we have all found very useful, and we hope to benefit from his participation in the future. We are very pleased to see you back Mr. Hunter. Since our last meeting the Hon. Warren Conolly has been overseas to Kuala Lumpur capital of Malaysia for the annual Commonwealth Parliamentary Association meeting, which of course is about half way around the world. And I'm sure these meetings have very great benefit in broadening peoples' minds and enabling useful friendships to be made and he has safely returned. Another Official Member who has just come back yesterday is First Official Member Deputy Administrator Mr. Watler who has been to Puerto Rico on an ecological meeting. We now belong to this protection society for the Caribbean and he met some useful and learned gentlemen over there, for general discussion on preservation of natural life on the coasts and the seas and the things that live in them. And also the Hon. Attorney-General who has only recently returned from a trip to Barbados where he went to attend a meeting of the University of the West Indies dealing with Legislative Education, education of lawyers.

Well we will now get back, I think, to the Agenda and the first item is my message giving Assent to the Laws, and I presume nobody would want to discuss that. We move on to the Reports of Committees starting with the Finance Committee held on the fourth of August. The Hon. Financial Secretary.

MINUTES FINANCE COMMITTEE

MR. V.G. JOHNSON: Mr. President Honourable Members I present Minutes of the Finance Committee which was held on the 4th August 1971 to be laid on the table of this Assembly.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: Well just to remind members that means it's laid on the Table and no motion is required. It's there now for people to look at.

Select Committee on Currency Bill report of the Chairman. This is the Agenda, the Order of the Day, which I have for Monday. Reports of Committees. There are two reports first is the Finance Committee second is the Select Committee on Currency Bill.

REPORT SELECT COMMITTEE CURRENCY BILL.

MR. V.G. JOHNSON: Mr. President, Hon. Members I have to report the findings of the Select Committee appointed to examine and report on the clauses of the Cayman Islands Currency Bill 1971. The committee met and considered this Bill and the report is contained herein.

Mr. President while examining the Bill as was presented to the last meeting of the Legislative Assembly and after this study was completed with only one very minor amendment to the Bill as was presented the Secretary of State who had been examining the Bill and who had reported on this Bill earlier saw fit to suggest a few more amendments. And so the Committee examining this Bill was recalled to look at the proposals of the Secretary of State for further amendments. These were two main points (1) It was discovered that there was no provision under the law to deal with mutilated coins. This provision was in fact contained under another law, the Forgery Law. Another point that was made by the Secretary of State was the fact that the new legislation should make provision for this Government to select a Mint or Mints to strike coins of the Cayman Islands. This was discovered because in some earlier English legislation this provision was provided for Jamaica and its Dependencies, which included the Cayman Islands, that the Royal Mint should be used for the striking of coins, however, in recent years the legislation in Jamaica changed somewhat and as you know the Cayman Islands are now using the Jamaica notes and coins as legal tender here, this brought a bit of complication as to what the position was. However, the Secretary of State advise that to be on the safe side we should provide in our local law the authority for selecting or appointing Mint or Mints to strike coins of the Cayman Islands. This was also considered by the Committee and so the amendments considered are laid out here in this report. The Report has been circulated to all Members.

At this stage Mr. President I would like to put forward a Certificate that is required by Standing Order No. 56 for dealing with Bills sent to Select Committees. On the Certificate would read that I as Financial Secretary and Chairman of the Select Committee appointed to examine and report on the Clauses of the Cayman Islands Currency Bill 1971 do hereby certify that the Cayman Islands Currency Bill 1971 has been considered Clause by Clause in the presence of a quorum of the Members of the said Committee and that in the opinion of the Committee this Bill may be dealt with by the Assembly in the same manner as a Bill reported on by a Committee of the whole House. Mr. President I now ask that this Report be laid on the Table.

MR. PRESIDENT: Thank you. That was a report by the Chairman of a Select Committee. As I see it he is required under the Standing Orders, as Chairman, to report back to the Legislative Assembly. I presume it would be in order to try and do a summary of the Committee's work, although this may be very difficult in some cases, and I should have thought it was sufficient to present the Report which has been circulated to Members

Mr. President Contd.

and state that it may be dealt with according to Standing Order 56 (4) I don't know if the Hon. Attorney General would be prepared to support that on what exactly "reporting back" on a Select Committee entails. It seems to me it really entails just laying the Report on the Table and putting it in front of Members.

HON. ATTORNEY-GENERAL: That is correct Mr. President. All that is necessary is that the Chairman should refer to the Report, lay it on the Table it having already been circulated to the Members.

MR. PRESIDENT: Thank you. I think in future we might remember this because when you've been to a Select Committee there is a Report written on it and signed by certain people and I think any Chairman of a Committee attempting to report back to the House, to the Assembly, would find it difficult not to miss out or over emphasise certain aspects which maybe Members didn't intend.

Well in any case this Report has been referred back and the rule now is for those having charge of the Bill to report that the Bill has been passed through the committee stage. Now the Member having charge of the Bill is not always the Chairman of the committee. This is a thing we have to think up so there are two acts, one is that the Chairman of the Committee lays his report of the Committee on the Table and then the Member in charge of the Bill gets up and states that the Bill has passed through the committee stage with or without amendments, as the case may be. And then moves on to the next stage of the Bill. So I think it is now up to the Member who in this case is the same as the Chairman to state that it has been considered in committee, which is now before Members, and that third reading should be presumably tomorrow.

Just one minute on this I've always myself had considerable doubts about how we handle these. I've been referred by the Clerk to section 16. This is a thing I've always had some doubts about myself it's only procedural matter it might be worth getting straight. Standing Order 16 states when a paper containing recommendations for specific action to be taken has been Tabled (and we have had a Report Tabled) any Member may move that the recommendation contained therein be adopted, modified or rejected. And the President may forthwith and without debate put the question. I think this is probably what we have been in the habit of doing. Now I presume this Report does in fact make recommendations for specific actions, I have some doubts whether this applies to Select Committees but looking at another Standing Order of another House it appears that at least it's considered as such here. So it would seem that to round this stage off we need to adopt the Report before it goes back to the Member to then take it through the next stage. Would the Attorney-General agree that this is proper - this is certainly what has been done here but I had some doubts about whether this referred to Select Committees.

HON. ATTORNEY GENERAL: I would have thought Mr. President that when it came to the question of Bills, that Bills would be dealt with in accordance with the provisions of section 56 of the Standing Orders. The section 16 although it mentions reports and other papers I think is specifically referable to the presentation of papers and although a technical point may be out of an abundance of caution we could have motion for the adoption of the Report. But technically speaking I think that if we proceeded under the provisions of sections 56 and 57 that there could be no objection to that procedure. So perhaps out of an abundance of caution we could have an adoption of the Report and then subsequently a motion for the third reading of the Bill.

MR. PRESIDENT: Thank you. I was rather of the same view but there is some doubt about this and I think that members would like to proceed as they have done in the past over these matters. The Standing Orders are not in some ways, as you know, very clear and we have been doing things perhaps sometimes just following what has been done before without really being certain of the attempt at setting out the procedure in these Standing Orders. But I think everyone would be happier if at least until there's a new Assembly that we follow these old procedures and there seems certainly justification for it although I would agree with the Attorney General that it doesn't seem essential. So I think we would now have to have a motion for the adoption of this Report.

MR. V.G. JOHNSON: Mr. President there are two Reports on which this motion has to be made. First one is the Report of the Finance Committee. Mr. President I move that the Report of the Finance Committee of a meeting which was held on the 4th August 1971, be adopted.

SECONDED BY: HON. W.W. CONOLLY.

MR. PRESIDENT: The motion is that the Report of the Finance Committee, which is with Members, held on the 4th August, 1971, be adopted. I will put the question.

MISS ANNIE BODDEN: As I've always heard it Mr. President, it's received and then adopted. Accepted.

HON. W.W. CONOLLY: Mr. President, after a Report has been Tabled it has been received, Sir, and this is the procedure of any specific recommendation in the Paper and there are specific recommendations in this Report then the next form, is the correct one, that it be adopted.

MR. PRESIDENT: If Members feel they haven't had time to look at the Paper this can be left over until tomorrow, but I thought that people had, it had in fact been Tabled by circulation.

MR. A.B. BUSH: Mr. President, Members, I don't think really there's anything in the Report to object to, Sir, but as I remember what we have always considered if a report was laid on the Table it was considered dead. The procedure with reports as I understood it and has been done during my time in the Legislative Assembly was that the Chairman or the one who presented the report moved that the report be accepted, the report be adopted and that was it.

MR. PRESIDENT: Well I think this is a very technical point and you get a report from a select committee and following the old procedure and following the procedure in at least one other Assembly in the Caribbean Parliaments you adopt whatever it says. A Paper is said to be Tabled whenever it is received by Members of the Assembly, whether by Post or whether it is placed on the Table of the Clerk of the Assembly when Members may come forward and take it off the Table, that's where the words come from. But when it's sent by post it's also in fact Tabled. And I think I won't be going against the wishes of the House if we now put this motion that the Report of the Finance Committee held on the 4th August, 1971 be adopted.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. V.G. JOHNSON: Mr. President I move that the Report of the Select Committee appointed for the purpose of examining and reporting on the clauses of 'The Cayman Islands Currency Bill, 1971' be adopted.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: Well this is the same sort of motion that the Report of the Select Committee which Members have on the Currency Bill 1971 be adopted.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: I think now to get us back on the rails we have now had a Report from a Select Committee adopted, and the Member steering the Bill, who is the same in this case as the Chairman, now has to state when he would propose to bring the Third Reading.

MR. V.G. JOHNSON: Mr. President, the Third Reading of the Currency Bill 1971, will be presented this afternoon under Item 4, Government Business: Bills.

MR. T.W. FARRINGTON: Mr. President on a Point of Order, Sir, I think they have already had two readings of the Bill and now the recommendations contained in the Report which amounts to a Committee of the House here has been received and it's all ready now for being passed. You've already had two now the Third Reading can be taken right now, Sir, and not waiting.

MR. PRESIDENT: Well the point is Mr. Farrington, we have been looking into this it's all right when your Chairman is the same as your Member steering the Bill. Sometimes you get the Chairman separate from the Member steering the Bill, and we have had a Report now from the Chairman. The Member who is steering the Bill should now arise and say the Bill has passed through the Committee stage with certain amendments which this House has already adopted, and I would like the Third Reading this afternoon. That is how I think it should correctly go. We now place it back in the hands of the Member steering the Bill, and out of the Chairman's hands. In this case it's the same person and this is what it usually is.

HON. W.W. CONOLLY: Mr. Chairman, on a Point of Order, we have here presented to us the Order Paper for today and I can't see how we can add anything to this particular Paper today it would have to be in tomorrow or some other day, because we have what we are going to do today on this Order Paper.

MR. PRESIDENT: I think the proposals put forward are proposals by the Member steering the Bill and you will see that on the Agenda we have a pretty full selection and the Currency Bill is down but the Bill dealing with the proposals for the Finance Committee, is that proposed for today as well? If you could just report back. This Finance Committee, does this underline a Bill or not?

MR. V.G. JOHNSON: Mr. President, I am sorry I didn't notice the Agenda for today quite well to see that this Bill was not listed there, as to when the Bill is presented today or tomorrow doesn't matter very much. Now that I see the Agenda for today I will ask that the Bill be examined tomorrow. Mr. President, I beg to report that the Cayman Islands Currency Bill was examined by a Select Committee and reported on in the Report which has just been submitted to this Honourable House. The Committee has made certain recommendations which was presented in the Report and the Third Reading of the Bill will be taken as the next stage tomorrow.

MR. PRESIDENT: Thank you. You weren't moving that, you were Reporting to the House. The Select Committee on Currency.

MR. V.G. JOHNSON: Mr. President, regarding the Report of the Finance Committee the Resolution covering the Report of this Committee will be presented tomorrow.

MR. PRESIDENT: The first thing you dealt with was the Finance Committee. I'm sorry we are getting very confused but it is quite simple I think, they've been reported on by the Chairman of each Committee, it is now for the Member just to state that they have passed through the Committee stage with or without Amendments and stating what day the Third Reading is expected and we've done one which was the Currency Bill - Currency Committee we've gone back to front now - and you are now reporting the Finance Committee back which you'll also have a Third Reading tomorrow.

MR. V.G. JOHNSON: A Resolution tomorrow, Sir. A Government Motion will be put forward tomorrow, Sir, covering the Report of the Finance Committee.

MR. PRESIDENT: Well let us move on to easy ground. We have as you know, it might be an opportune time to mention, we've been considering revised Standing Orders for a long time. We hope that this may be able to be done at the same time as any possible new Constitution about which I hope to give you a message tomorrow.

We now move on to the Government Business and we have put down five Bills for today. The first being the Music and Dancing (Amendment) Bill 1971.

MR. IRA WALTON: On a Point of Order, Sir, are we going to skip over the Report on the four Land Bills?

MR. PRESIDENT: I beg your pardon.

MR. IRA WALTON: I said, are we going to skip over the Report of the three Land Bills and come back to that later on?

MR. PRESIDENT: These are not down on today's, - could you sit down. This is not down on today's Agenda, I think this will be down for tomorrow's Agenda. Which has not yet been drawn up but we try and divide up the Business so that it falls equally on two different days and I think although these Reports are included for the Business of this Meeting they are not all down for the first day. We'll now move on to the -

MR. ANTON BODDEN: Just on a Point of Order, Sir, I am seeking a little clarification on a matter here, I understood just what you said the Business is not ready for today. But we have an Order of Business made up before us for the whole Meeting and again we have the Order of the Day for Monday I do not condemn that but I am wondering how we are going to make out with section 11 of the Standing Orders.

MR. PRESIDENT: Section 11 of the Standing Orders sets out the Order of Business and I think it implies that this is the Order of Business on any particular day. In other words you go through a certain procedure. If every Member of this House for instance wished to ask four questions it would probably take two days work to do this. Now we wouldn't put all the questions down for two days solid Business. Normally the time for questions is to be limited and you would have half an hour every day on questions coming at the right time in the Agenda. And likewise Bills and other matters are divided equally up and I think you'll find that in all Parliaments a day's Business is usually fairly varied. We start off with half an hour for questions, you have a period for Government Business, you have a set aside period sometimes for other Business, Member's Business but it doesn't mean that we have to go through Government Business, for say four days without a break.

MR. IRA WALTON: On a Point of Order, Sir, I'm wondering why the Order of the Day was not.....

MR. PRESIDENT: Mr. Walton, would you please not interrupt the President when he's speaking, on his feet. You must know that whatever you think of your President he symbolizes some sort of authority in this House and when he is speaking it's sort of unusual to leap to your feet, particularly as I am trying to explain a difficult matter.

I have been handed here a further explanation a Parliamentary Dictionary which does talk about Orders of the Day. And it says a Matter which has been appointed by an Order of the House to be considered on a particular day is called an Order of the Day. And the Public Business each day consists of a number of Orders of the Day together it may be with one or more Notices of Motions, the whole arranged by the Government in whatever Order suits its convenience. I think we're not in a sort of Wizard's Parlour here, we're trying to be sensible we have certain Business to get through and we try and divide it up in such a way that it becomes the least boring and enables Members to take intelligent interest and varies the nature of Business so that you get questions, you get Reports, you get dealings with Bills you get Petitions you get other Business. And I don't think we're departing in any way from Standing Order number 11 by dividing up Business like this. Mr. Bodden, we've done it before, I don't know why you suddenly decide we shouldn't do it, I don't think there's anything in it, it's really to keep Members alert rather than drearily struggling through Bills day after day which is what you do in Select Committees.

MR. ANTON BODDEN: Mr. President, my only query Sir, was a clarification for keeping up with Standing Order 11, that's all. I have no other motive.

MR. PRESIDENT: Well I hope I have succeeded in helping a little on this. It is that this Order of Business in my view applies to the Order of Business every day and not to a whole week. It doesn't say this but I think this must be implied and procedure in other Parliaments which I think Members who have been abroad will agree that this is the normal position. Well let's get off this Order of Business and get down to some debating. We're now on the first of the Government Bills 'The Music and Dancing (Amendment) Bill.'

THE MUSIC AND DANCING LICENSING (AMENDMENT) BILL, 1971 INTRODUCTION

MOVED BY: MR. V.G. JOHNSON.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED. BILL INTRODUCED.

FIRST READING

MOVED BY: MR. V.G. JOHNSON.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED. BILL READ A FIRST TIME.

CLERK: The Music and Dancing Licensing (Amendment) Law, 1971.

SECOND READING

MR. V.G. JOHNSON: Mr. President, I beg to move Sir, the Second Reading of a Bill entitled The Music and Dancing Licensing (Amendment) Law, 1971. Mr. President, this Amendment to the Music and Dancing Law, is to prohibit Music and Dancing in Licensed premises on Sundays and Good Fridays. Mr. President, this Amendment was introduced as a result of a request made to the Government for this to be done. The matter was examined and Executive Council saw fit to put forward the Amendment in the form of this Bill. The Bill is purely for this purpose except that there is a consequential Amendment to section 11 of the Law in order to make the breach of Section, the Section that is now being amended, punishable. Mr. President, the Amendment Bill is a very short Bill and the subject matter I imagine will take some debate but I hope that Members will see fit to accept the recommendations contained herein and I will now ask Members to examine this Bill and to accept it, as it is presented. Thank you.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: The matter is now open for debate. This Bill is very simple it just prevents music and dancing on Sundays and Good Fridays. It is not a political issue so much as one for peoples individual consciences and what they feel and we hope that people won't feel that we can debate this properly. There are various aspects of it. Now open for debate. Hon. Member for West Bay.

MR. T.W. FARRINGTON: I rise to wholeheartedly support this Bill. You will recall, Sir that this has been a source of debate for years now. We as Elected Members have been contending that this business of having dancing and music on Sundays and young people drinking as they please on Sundays has been going on for some time, for years and I am very happy indeed to see that at long last Government has come to this Bill. And I wholeheartedly support it and I particularly am pleased to see not only the Good Fridays and Sundays but also for midnight Saturday night, until midnight on Sunday night nothing like this could go on. Even during the weekdays it's made clear here that no dancing and music can go on after twelve o'clock at night. I support it wholeheartedly.

MR. PRESIDENT: Honourable Member for George Town.

MISS ANNIE BODDEN: Mr. President and Members of this Honourable House it gives me great pleasure to support this Bill with the elimination of 'except with the permission in writing of the Administrator'. That gives a discretionary power and I feel that when we support a Law that there's no dancing on Sundays or Good Fridays it is the Law. No discretionary power in the hands of anybody. I quite agree, Sir, with our Constitution you have discretion in most things and I agree that that is a good stipulation under our present Constitution but with this Amendment here 'except with the permission in writing of the Administrator' I support the Bill with the elimination of that. Thank you Sir.

MR. PRESIDENT: The Honourable Member for George Town.

MR. IRA WALTON: I also wholeheartedly support this Amendment to The Music and Dancing Licencing Law but I will not support this 'except with the permission in writing of the Administrator', I feel that this should be absolute and not necessary that any discretionary power should be left to the Administrator in this case. I also support the fact that even through the week on weeknights that dancing should close at twelve o'clock.

MR. PRESIDENT: The second nominated Member.

MR. MELVILLE GORING: I rise to support this Bill. I think this is something that should have been done many years ago, it is not too late to do good and I support it wholeheartedly and as the two other Members for George Town feel that it is rather unfortunate that any discretionary power should be given to the Administrator I feel Sir that even if you have discretionary power if you act in accordance with the wishes of people you will certainly see eye to eye with the people of the Cayman Islands.

MR. PRESIDENT: Honourable Member for East End.

HON. W.W. CONOLLY: Mr. President and Honourable Members if I am reading this Bill correctly, the wording of this specifically says that the discretionary powers that are held by the Administrator is in relationship to the period weekdays after midnight. There is no discretionary power regarding Sundays and Good Fridays. As far as I read this the Administrator doesn't have any discretionary power to allow dancing on Sundays and Good Fridays. Where his discretionary power comes in is after the hour or at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator. And Mr. President, Sir, and Honourable Members I think that discretion should remain. I feel that in this developing Country, and taking into consideration that we depend greatly and I would say for the most part on tourist development here as a source of income, we would in fact be doing ourselves a harm if the occasion did arise where for some national celebration or otherwise that dancing could not be allowed after midnight. I feel if the occasion warrants and a dance could go on until two o'clock during weekdays but it would have to be by permission from some authority. To say that at midnight, that we have to stop all dancing in the territory without any discretion from anybody to allow it to go on I am sure would be defeating our development programme. I am all in favour of control on these, I realize what it is in a developing country when people have to spree all night they cannot perform next day. I realize that in a place where we live in areas, districts where there is not proper regulations as to residential sections and commercial sections, I realize that the type of buildings that we use here in this tropical territory the noise is not sealed in, that there is a certain amount of disturbance to people who want to rest, I realize that but I feel that the occasions are going to arise from time to time where it is necessary to carry on celebrations after midnight. And I feel like some authority in this Island should have the power to allow that specific celebration to go on. I am all in favour of no dancing on Sundays and Good Fridays with no discretions by anybody, and as far as I am concerned am saying this subject to the legal terminology that might be or advice received from the Hon. Second Official Member but as far as I see this I feel like the discretionary power is only in relationship to the latter part of this section. Thank you, Mr. President.

MR. PRESIDENT: The Hon. Member from Cayman Brac.

MR. ALFORD SCOTT: Mr. President and Honourable Members as regarding this section, Sir, I have no strong feelings regarding the discretionary powers of the Administrator, but I cannot agree with the Member from East End that this does not imply actually the Good Fridays and Sundays situations is not embodied in that whole thing because actually this is one section, one sentence. It has a comma there at Good Friday it doesn't have a full stop. And I think it takes in the whole thing that when it speaks of permission granted by the Administrator it takes in the whole section. So it is no use trying to tear that thing in two and make one of something that is not flexible and the other one is because it's actually one clause, one sentence and it applies to everything mentioned there.

MR. PRESIDENT: Well I think, that if people are under any misunderstanding, I should call on the Second Official to state what the Law is before we debate possibilities.

HON. G.E. WADDINGTON: Mr. President and Members, the present section 9 of the Law provides as follows: Any building or place licensed under this Law shall not be used for entertainment purposes at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator. The Amendment in the

Hon. G.E. Waddington Contd.

amending Bill sought to prohibit music and dancing absolutely on Sundays and Good Fridays but to permit dancing after midnight on any other day with the permission in writing of the Administrator. As the amending Section now reads the clear interpretation would be that a building or a place could not be used for entertainment purposes on Sunday or Good Friday there is a comma after Good Friday. And then the second proposition is or at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator.

It is clear in my opinion, Mr. President, that the correct interpretation of that clause would be that there would be an absolute prohibition of dancing and music on Sundays and Good Fridays but in respect of dancing after midnight on any other days that the Administrator could give his permission in writing for that.

MR. PRESIDENT: Thank you. Well I think we have to accept this as the real definition, in other words it is total prohibition on Sundays and Good Fridays and otherwise there is a discretion as there is now to allow dancing and music after midnight. Member from Cayman Brac.

MR. TREVOR FOSTER: Mr. President and Honourable Members, I am not here Sir to state this is not the intention of this Law or the Amendment to this Law but as this is stated here in our English, no building or place licensed under this Law shall be used for entertainment purposes on Sunday or Good Friday, or at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator. To me this makes it amply clear that with the permission of the Administrator it could be allowed Sunday, Good Friday or weekday. Now I am not debating the point that that was not the intention but as far as what is stated here in this Law this is how I would interpret this. And with regard to the merits of this Law my colleague said my feeling on this as I know we are living and growing in a modern world is not very strong but within my own mind I hate to see men who have the mentality to know better sit and completely convince themselves that something is right and something in this is wrong when the facts are not there.

Mr. President, this Government is spending thousands of dollars trying to bring a more efficient police force into these Islands to enforce Law, we hope they will do a better job and continue to do it. But on the other hand we should ask ourselves are we helping I am not trying to convince Mr. President or Members here today that we the Legislative Assembly representatives of the Cayman Islands can do away with the drinking of liquor or dancing but I am saying Sir, and this I am not speaking from just a mere thought but by personal experience that once any man young or old has put in four to five hours on what we should term or as a Member said a spree he has had enough of it especially with the thought of having to drive a few miles to get home. The point I am trying to make is this that it is useless of us trying to curtail wrecks, driving under the influence of alcohol etc., etc., if we are not also going to try to curtail the places where they can get it completely legal. I feel, Sir, that once people have been able to enjoy themselves in such a manner from four to five hours is ample enough and thereby giving the people the benefit of the doubt that they still will be able to drive home without as usually happens running out of the side of the road or running into another car and killing innocent people.

I remember the very first meeting of this Assembly when I was elected I drove to West Bay to have dinner with a very close friend and on returning home to George Town I was knocked, my wife and I, completely off the road in front of La Fontaine. Don't fool yourselves gentlemen this road I have travelled too. It was speed and it was alcohol that caused it. Specially when you're licked from the stern. Now I say if we are supposed to be trying to help and benefit our country let us do just that and don't let us through an abundance of words convince ourselves that we're doing right. Thank you.

MR. PRESIDENT: Hon. Member from George Town.

MR. A.B. BUSH: Mr. President and Members. I am not at all agreeable with this Amendment in its present context, and I do not accept the explanation even of the Attorney-General on this. If the idea is to prohibit the music and dancing on Sundays and Good Fridays let us make it abundantly clear in this Law. Let it be absolute and not muddled in any way to where it can be interpreted by some brilliant lawyer as to mean otherwise. I remember the reason for this Amendment. I remember there was a Remonstrance by the people of the island, the godfearing right thinking people of the island in the form of a petition to Government requesting that this be done away with because of certain factions in our community that had started such a thing. It was not I am sure the idea of the Caymanian himself to have such a thing because I don't believe that he wholeheartedly supports it. But unfortunately the foreign influence in our community has reached the stage where the Caymanian is also influenced and I must say that it is most regrettable that our society has reached the stage where laws and regulations have to be imposed for every minor thing. With all respect Sir to Administrators in the past, present and the future. Administrators coming here from foreign lands they see different from us, their society is somewhat different and their way of life is altogether not for us. And they could at any time agree that there is nothing wrong with dancing and making merry on a Sunday. As I say it is most regrettable Sir that things like this, laws and regulations have to be brought about but we as the right thinking Caymanians I think and who represent the people here in this Assembly I think it is up to us to try and lead and keep the Islands in the position of our forefathers, that we reverence the Lord's Day, the recognised Lord's Day of Sunday and try to preserve it as a day of reverence rather than as a day of making merry the same as any other day. I say, Sir, if I am to agree to this Amendment it will be that it is absolutely clear that there will be no dancing there shall be no dancing or music on Sundays and Good Fridays, and left in discretion of no one. It must be absolute. If Members feel like dancing on weekdays should be more clarified then I would not object to it after midnight on weekdays. Because I know as was said by the Member from East End, who I know is responsible in a way for tourism and encouraging tourism in our island and it seems like we are going all out for tourism and I hope that although we may try to go all out for it and encourage it as much as possible that we will not give our birthright away to it, I am not against a few hours aftermidnight to make merry on a weekday but as I read it here Sir, and I say I am not satisfied with the explanation that has been given, that it does not give the Administrator the discretion to issue permits for Sundays and Good Fridays as well as during week days after twelve o'clock.

MR. PRESIDENT: The Honourable Member from North Side.

MR. CRADDOCK EBANKS: Mr. President and Members, this has been a debate in the House many a time and it is long overdue. An Amendment which has been the request of Members over and over again. And while I support this Amendment I cannot otherwise than go along with the majority of members stating that with this Amendment we agree with the exception of the permission of the Administrator. Not only this Law but so many of our Laws are abused in our Country. And when we leave this gap open under it we will find what you call a sugar ant will crawl on the back of the Administrator to give his permission and it will be abused, as always.

I don't know why the Members have to think in terms in the first instance about tourists coming to our island. I wonder if we're responsible for the welfare of our people first, and tourists second or tourists first and our people third, fourth, fifth or what. Every country that I've ever been in I went there and found Laws and had to accept they didn't make those laws for me to come in there or for the convenience and accommodation because I was going to visit the country. And how many tourists do we have come down here that never spent a lot of their lives in dancing and in so many other countries and in their own hometowns. I don't think they plan to come down here for that. As many of them have said we learnt about the sunshine, the sea, sand and all the rest to be enjoyed in this climate. They don't come down here altogether to bathe in liquor like a lot of Members think they do and fool around night clubs and dancing and all the rest. Although we are saying there shall not be any dancing on Sunday and Good Friday then it is a waste of time to say any more about this if this permission, is not taken out, by the Administrator whether it be Sundays, Good Fridays or weekdays. It's only reasonable and normal and sensible to think that if a dance was going on during the weekdays it's nothing wrong with it going on to 1 o'clock in the morning or 1.30. I don't think there is anything wrong with that. But I don't think the public the people should be grieved about that. But it is this Sunday, Sunday nights and Good Fridays that has been abused. And as the Hon. Member for George Town himself says I don't see why in our own conscience why we have to accept the explanations or as the Second Official Member or President of the Assembly may say it is this way or it should be this way I don't know that we have to accept that in the face of our own conscience to our people. And I can only support it one hundred per cent, wholeheartedly without fear or favour provided this provision is taken out. Thank you.

MR. PRESIDENT: The Honourable Member from West Bay.

HON. B.O. EBANKS: Mr. President, I am glad to see Sir that this Bill is supported in general terms. I can only support the interpretation which has been given to the proposed Amendment by the Member from East End and of course, the ruling given by the Second Official Member.

I really can't understand why the Amendment should generate should I say certain hostility in some respects. It merely seems to be a difference of opinion as to the interpretation of the words that are written. If I might add my little bit, Sir, to the interpretation I must say that I support wholeheartedly the fact that the first part of the Amendment deals with Sundays and Good Fridays only and this definitely prohibits absolutely the use of premises for dancing or music on those days. If we notice carefully after Good Friday we have a comma it is followed by 'or at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator'. There is no comma preceding the except and in my humble opinion there can be no mistaking what this means the exception refers entirely to the section dealing with the period beginning at midnight and ending at midday during the week. Now I don't see any strong reason why this proviso should be there in the normal operations of our society. But I am sure as some Members have acknowledged it is conceivable that the occasion will arise when it will be thought desirable to continue music and dancing after the hour of midnight on weekdays. It is true that up to the present time we have no national festivals in the Cayman Islands but lets hope that one will emerge before too long and we can see that on these occasions it would possibly be desirable to extend the limit during weekdays. As I said I would urge Members to re-examine the wording of this Amendment and accept, not against their conscience or against their better judgement, but I am suggesting that on re-examination of the wording of the clause they will see that Sundays and Good Fridays have dancing prohibited absolutely and that the proviso applies to the weekday section. Thank you, Sir.

MR. PRESIDENT: I would just like to interpose here that if there is really any strong feeling about what the public may understand by a Law which is of course different sometimes from the legal interpretation I am sure it would be very simple to adjust that subsection I mean it seems to be I am sure the Hon. Attorney-General could do it in three or four minutes. I presume you would just have a subsection one and then possibly a subsection two dealing with the ordinary days and a subsection three over the page I don't think we need get too worked up about this nobody is trying you know to pull wool over anybody's eyes or anything. The only thing, I don't want to interfere with this debate, that I would say is that on weekdays it's fine but people do work and they have a hard day's work often and the only thing that worries me personally is that Saturday is the only free night that the working man has got when he hasn't got to get up in the morning and go to his job and it seems to me slightly hard if he decides to give a good week's work and go out and enjoy himself on a Saturday that he be stopped dead at 12 o'clock. However I just put this point forward I wouldn't try to influence but it possibly needs consideration.

MR. T.W. FARRINGTON: Mr. President, I am not making a speech now Sir I am just following up on what you just said. About making the Amendment and I.....

MR. PRESIDENT: Excuse me Hon. Member from West Bay you know we are only allowed to speak on Points of Order. I think the Hon. Member from Bodden Town was about to speak next and you could perhaps come in on the Committee Stage on that.

MR. T.W. FARRINGTON: Thank you, Mr. President.

MR. HUNTER: Mr. President, Hon. Members, I support this Bill in principle. My interpretation of that Section 9 is that it could be read this way, and it means this though it would be rather clumsily put heavily put if I may say. No building or place licenced under this Law shall be used for entertainment purposes on Sundays or Good Fridays. No building or place licenced under this Law shall be used for entertainment purposes at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator. That is what I understand the Section to mean how I have read it. But that would be making it rather clumsy. I don't want to go over the points that are raised but it seems to me that there has been enough light shed on this and now when we get into Committee Stage the whole thing could be taken care of.

MR. PRESIDENT: Hon. Member from West Bay, I think if we could possibly keep our comments to anything new I think we've more or less gone over this particular point.

MR. JOHN JEFFERSON: Mr. President and Members of this Assembly, it gives me a great deal of pleasure to come here today to support the Bill, Music and Dancing which is before this House this morning. I believe that this fulfills the desire of every member of the Legislature of this Country, to see that for once and for all music and dancing is extinguished entirely from our society on Sundays and Good Fridays. I feel that in no country or no time at no stage in our development should we ever forget the teachings of the Great Book which says "Righteousness exalteth a nation but sin is a reproach to any people". I feel, Mr. President, that every thing must be made clear as the Honourable Member from Bodden Town has said, no doubt everything will be made crystal clear in the Committee stages, with this I agree.

I will go along with the majority of Members speaking of the regulations being made crystal clear - I harbour no objections to that at all, I support that. I feel that it is high time in these Islands that we set first things first. As a representative of this district in particular, we have had numerous representation made to us by our various constituents regarding the licensing of music and dancing on Sundays. I wholeheartedly support this Bill and thank God that it is finally before this Assembly today, I want to make it crystal clear, without any shadow of a doubt, that I wholeheartedly think this is a great thing for this society and this country in which we live today.

MR. PRESIDENT: Anybody else want to speak? It is a very short Bill - and I think there is a general consensus of agreement - except perhaps on the clarity of one clause - I think that is where we differ.

QUESTION PUT: AGREED. BILL READ A SECOND TIME.

MR. V.G. JOHNSON: Mr. President I beg to move that the House resolve itself into a Committee of the whole House in order to consider the Bill clause by clause and amend it as may be deemed necessary.

SECONDED BY: HON. D.V. WATLER:

MR. PRESIDENT: I would normally let this continue but if there is a feeling that for the purposes of public consumption, there is a need to clarify one of these sections so that, although the law may be clear at the moment, it may not be clear to Hoteliers and others.

I might perhaps, with some use, suspend the House now for a few minutes to have some refreshments and discussion over redrafting this point, because if there is to be any re-drafting of any bill, even in a minor way, the Attorney-General must be given time to make sure that he has got a water-tight piece of legislation and is not rushed into something that may cause difficulty. So I suspend this House now for ten minutes.

HOUSE SUSPENDED.

HOUSE RESUMED.

MR. PRESIDENT: Well, now, Honourable Members, there seems to be some feeling amongst certain Members that they wish to have a chance to look at possible clarification of one section of this proposed amendment, although I must point out that you have had a legal view on it. Some members seem prepared not to accept this, but as a Government of course, we receive legal advice from our legal adviser, we do accept it. But the motion has just been made that this House resolve itself into Committee of the Whole House to consider the Bill clause by clause and amend it as may be deemed necessary.

MR. V.G. JOHNSON: I wish to withdraw that motion, Sir.

MR. C.A. HUNTER: Mr. President, on a point of order, I don't think he can withdraw the motion, Sir, he should have done that before you put it.

MR. PRESIDENT: I am rather taken by surprise. There was a motion just before I suspended the House, which was seconded, I think, saying that we wished to go into a Committee of the whole House to consider the Bill clause by clause and I was just putting this motion when the member got to his feet and said that he wished to withdraw this motion. Is that correct?

MR. V.G. JOHNSON: Yes, Mr. President, but I will give the explanation for it, Sir. After the motion was put before the adjournment Mr. President, the Clerk drew my attention to the fact that on the agenda for today this Bill was listed for the First and Second Readings and that the interpretation of this was that after the Bill had been debated during the Second Reading that the matter should be adjourned for tomorrow when the Committee stage would be dealt with and also the Third Reading.

MISS ANNIE H. BODDEN: Mr. President and Members of this Honourable House, it seems to me on this Monday morning something serious must have happened to the brains of all of us, because I have never heard the like before. As I have been accustomed to knowing bills, you get the first reading, second reading then we go into a Committee stage and deal with such Bills and then the final reading is on the next morning, maybe after this. So I don't really see why, at this stage, we cannot go into a Committee to consider this bill. Is it because it is hoped that we shall change our minds?

MR. PRESIDENT: Well, I must say that this has come rather rapidly to me: in my limited experience in Parliaments, it is not given to many men to have been in more than probably two Parliaments, we have always taken the Committee stage as part of the Second Reading, in our Agenda, whether it is correctly part of the Second Reading, I suppose there is some doubt, but as we've passed the Second Reading I don't quite really know what we are in now - in the Committee Stage - which prejudices the third reading. But as regards withdrawal, the member in charge of a bill may, without notice, withdraw the Bill (and I presume that is not the intention of the Honourable Member) and withdrawal of motions is under section 30 - A motion may be withdrawn, with the leave of the Assembly, but if so withdrawn may be made again at another meeting of the Assembly, and I think we seem to be getting involved

Mr. President Contd.

in our Standing Orders but it seems that now if the Honourable Member wishes to withdraw this motion, he has to get the leave of the Assembly to do so, and I don't know if the Honourable Member feels so strongly about this that he wishes to reach this or whether we can proceed to the Committee stage - we do not wish to become a complete slave to the detail regulations, I mean the object of this Chamber is debate in a sensible and ordered manner and although these Standing Orders are quite difficult to interpret and we know are not entirely satisfactory, they are meant as a sort of guide lines which hold us on to the road, but we don't want to go through unnecessary gymnastics and I would have thought that there was no harm in letting this proceed, (it is a very short amending bill) to the Committee stage and get it finished with, because I think I saw on the draft of the second day's business, I thought it said third reading, which also, I suppose, technically, wouldn't include the committee stage. So I think it is up to this House to decide and I've always felt that the Committee stage really followed so closely onto the general debate, that one could lose a certain amount of contact if you held it over, because often, as in this case, questions of detail law do come up (quite wrongly, of course,) but they do come up in debate on the second reading. But if you wish to withdraw, you would have to put a motion now, if you wish to withdraw it, and we would have to get the approval of the House, otherwise can we proceed?

MR. V.G. JOHNSON: Mr. President, we seem to have been off on the wrong leg this morning where procedures of this House are concerned: it doesn't matter one way or the other to me, I presented the motion for this House to resolve itself into Committee with the understanding that a part of the Second Reading was also the committee stage when the bill was dealt with, but the Clerk brought this to my notice that what is meant here on the Agenda is that the Second Reading is only taken to the debate on the bill. I think we should try to clarify this and be certain of the procedures otherwise we may come to another bill with the same complicated problem. As I said, it doesn't matter one way or the other - I am prepared to go on to the Committee stage, as well as I can withdraw the motion that I have just put, provided the Assembly agrees to it. But I think we should clarify this point, Mr. President, as to what the position is now with First and Second Readings on the Agenda.

MR. IRA WALTON: On a point of order, Mr. President, as I recall the motion that was moved for the introduction of this bill was never seconded, and as such it would appear that we have to go all over it again.

MR. PRESIDENT: Could you repeat that please?

MR. IRA WALTON: I said I don't recall the motion that was moved for the introduction of this Bill being seconded.

MR. PRESIDENT: I don't think we want to make things more complicated, our object is not to place more stones in the path of Parliamentary progress but to remove those that we seem to be putting there ourselves. That part of the debate is finished and it is just the question of whether we go to the Committee Stage or not. I don't think we need to dactrinaire about this. As President, I have to decide matters of order in this House. I would certainly be prepared to permit this to continue on into the Committee stage and as I said in my limited experience I have only seen on the Agenda papers first reading, second reading, Committee stage; third reading. It has usually been divided up like that. It may well be that other members have been to other Houses where there may have been different divisions of other business, but after you had a general debate on a Law or a proposed Law, I think members usually like to go on then to the Committee stage so they can keep track of the comments that are being made in the general debate, and I think in a small House that this generally desirable if you are in a large House, then a few members will take particular interest in the Bill and study it and other members probably won't mind very much. But as we all take part in debates here, it is not easy to fit in Parliamentary work with other work, I think it would be easier for everybody if we proceed forward. That is my view, and I think to make it quite clear in future when we are drawing up the daily business, that we should put second reading and Committee stage, although in certain cases, of course, there isn't a Committee stage because you may put it to a Select Committee in which case you don't have that time to take care of and the third reading in my experience is usually being, on its own, is usually just left as a final full stop to the sentence, and therefore if I am asked to make a ruling I would make this that for the time being that we include in the second reading, the Committee stage that in future Agendas, we actually add it, say second reading and Committee stage. Now if members feel that they would like it looked at some other way, I will do so but I don't want to have a debate on this. That seems to be generally acceptable, so can we now proceed.

QUESTION PUT: AGREED.

COMMITTEE THEREON.

MR. CHAIRMAN: For the benefit of the audience, we are in West Bay and they may not have seen this Assembly meeting before I now take what should be normally in a proper House the mace or in this case the Gavel and I place it on the floor and this means that the House is in a Committee where people can speak more than once, they don't have to stand up when they speak and the President becomes a Chairman and he also sits down. So we now go into a more informal group called the Committee of the whole House. The House is now in Committee.

CLERK: Clause 1 Short Title and Commencement.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: CLAUSE 2 Section 9 of Cap. 107 amended.

MR. V.G. JOHNSON: Mr. Chairman, I think an amendment was being suggested for this section and to deal with the last half of the sentence.

MR. CHAIRMAN: I think the proposal for amendment, really came from this side of the House and I think that we have been given legal advice that the sentence as it stands means that there is no discretion on Sundays and Good Fridays and as far as Government is concerned that is it. If anybody wishes to amend it they can do so, but we have no doubt about what it means.

MISS ANNIE BODDEN: Mr. Chairman, there was an amendment suggested by the Honourable Member from Boddan Town that there should be a full stop by the word Good Friday, and if you have agreed on what he continued to say I shall appreciate it but I did not take a note of it at the time being but I feel, Sir, no building or place rented under this Law shall be used for entertainment purposes on Sundays or Good Fridays. Now there was some amendment that he read a full stop should be by the word Friday and with your permission, Sir, if he would read that over. But personally I feel, Sir, no building or place licenced under this Law shall be used for entertainment purpose on Sunday or Good Friday or at any time during the period beginning at midnight and ending at midday. Now that would be rather vague if we could put 'provided that any extension of hours for the week days shall be with the permission of the Administrator in writing' something to that effect, but I feel that all these brains here, they may be able to submit something that is more in keeping with the Legal Phraseology, but personally I feel that this except with the permission should be made specifically clear that it does not include the Good Friday and Sunday. An ordinary person reading this could conclude that this exception 'the permission in writing of the Administrator' applies to both the Good Friday and Sunday. I think we should make it specifically clear, exactly what we mean. We have passed too many Laws in the past and I am not making any Reflection of this present House, I mean over a period of years that gives certain legal technicalities whereby we can loose out on, now I feel this should be made specifically clear that it is meant that only the extension of hours can be with the permission in writing of the Administrator. That is my submission Sir.

MR. W.W. CONOLLY: Mr. Chairman.....INTERRUPTION

MISS ANNIE BODDEN: for the week days nothing doing on Sunday or Good Friday but for the week days the permission of the Administrator for extended hours. But we have a Legal Head of Government here and I feel that he could put it proper legalINTERRUPTION

MR. CHAIRMAN: Yes, I think as I said the point is, that as far as the Government is concerned we consider the Law says what you want it to say now. If you want to change it so that it be made clearer to the public, this possibly is what you are at, but some members have said they disagree with the Government's legal interpretation. This is the thing on which we will not change our stand inevitably because we think it is legally correct, but if you wish to change it so that it is clearer to the ordinary man then I suggest somebody proposes the way in which this is done.

MISS ANNIE BODDEN: Mr. Chairman with all due respect I feel, Sir, I could be wrong, that the Attorney-General here is the man to steer us through legal technicalities and if we disagree and feel that it should be made more clear, exactly what this is meant, I could see no harm in him with his legal knowledge, drafting it, but if it is against the rules of the House for him so to do, I feel that we can make an amendment because as I understand it, it is not the intention of this House to leave any loop holes in regards to this.

MR. CHAIRMAN: Now, this is really why I have suspended the House, I thought you might come together on this. I think it must be understood though, that the Attorney-General's legal advice is for the whole House, I mean he is the Legal Adviser. If he feels competent to state something, it has got to be accepted. I don't think people will say I don't agree, because once you do that you can hardly expect the Honourable Attorney-General to assist in re-drafting.

MISS ANNIE BODDEN: I withdraw that much if it is any insult, but I still feel, Sir, that as the legal representative in this House and with past experience we have past Laws very thoughtlessly that are having very serious ramifications. And this is one Law, if we want dancing on Sunday let us have it, if we want it on Good Friday, let us have it, let us not leave any loop holes whereby these professional Lawyers, who can tear the Law to pieces on technicalities, will have any loop holes. Let us say the extension of hours will be for the discretion of the Administrator on weekdays. I don't hope to get any support and I don't care to get any.

MR. CHAIRMAN: Now that is what the Law says, that if you want it crystal clear so that members of the public and hoteliers will be left in no doubt whatsoever. And possibly on that understanding, the Attorney-General might be prepared to assist but not on the understanding that the Law doesn't say it already.

MISS ANNIE BODDEN: Mr. Chairman, with all due respect, I feel we are not here to argue over foolishness, but if we are representing the people know the feeling I don't think it is any insult or shouldn't be any insult to the Attorney-General or any member of this House to go half way and correct anything that might lead, in future, to a lot of trouble.

HON. G.E. WADDINGTON: Mr. Chairman ----INTERRUPTION

MR. CHAIRMAN: Would you be prepared to propose a way that it could be made clearer to the ordinary public in this case I see no harm in it.

HON. G.E. WADDINGTON: I can do that, Mr. Chairman, with the greatest of ease, but as I have stated before the Law as it at present stands admits of no doubt whatever in interpretation by any one who is capable of interpreting it. There is no doubt, whatever, in my mind that the section, as it stands now is absolutely correct. If, however, members would like to have it spelt out in a,b,c, then I can do so quite easily.

MR. IRA WALTON: Mr. Chairman, the Law as it is leaves no doubt in the mind of people or legal minded people who can interpret the law, but one thing must be taken into consideration, that we are laymen and not Lawyers. I am saying that the last paragraph is not quite clear and it should be spelt out much clearer.

HON. G.E. WADDINGTON: Well, the answer to that, Mr. Chairman, is that ignorance of the Law is no excuse, it is a misfortune and the Law that stands now admits of no doubt whatever as regards it's correct interpretation. However, I would suggest Mr. Chairman, that for further clarity maybe this section could read as follows: "9(i) No building or place licensed under this Law shall be used for entertainment purposes;" then after purposes there is a colon and then in the next line "(a) on Sundays or Good Fridays; or, (b) at any time on any other day during the period beginning at midnight and ending at midday, except with the permission in writing of the Administrator". (Laughter) I take it, Mr. Chairman, that the intention is, that the Administrator should have a discretion to permit dancing between midnight and midday on any other days except Sundays and Good Friday. If I am mistaking in that thought, then of course this would have again to be amended.

MR. IRA WALTON: I recontend, Sir, that there should be no discretionary power of leave in this Law, that it should be absolute.

HON. G.E. WADDINGTON: Well I didn't understand that to be the position, Mr. Chairman. If that is the position, then the only amendment that would be necessary would be to put a full stop after midday in the second to last line and delete all the words from except to Administrator.

MR. CHAIRMAN: Did the House agree that this should be absolute with no discretion at all.

MR. T.W. FARRINGTON: No, Sir, I think the suggestion that has just been made by the Honourable Attorney-General is a reasonable one and I think that clarifies it. During the week days, there might come a time, I don't quite agree with all that the member from East End said about Tourism and what not. I don't think we should be thinking too much about that, but there might come a time when that would be necessary, but at no time should he be able to give permission on Sundays or Good Friday. That is the way I see it, Sir and

MR. CHAIRMAN: Well, I understood this was the general feeling of the House but they wanted to maintain Sundays and Good Fridays absolute without any discretion to impinge on those periods for drinking and dancing, but for the week days there would be an occasion when one might need to extend the permission.

MISS ANNIE BODDEN: Mr. Chairman, what I was saying is this, this is nothing personal because I don't dance or drink rum, but the thing is this I feel that there might come an occasion during a week day when a party might want to continue until say 2 o'clock. I feel that the Administrator should be given the power to have that discretion for a week day, but for the discretion absolute I disagree that there should be any discretion, Sundays and Good Fridays kept without any discretions, they must close. The period midnight and ending at midday should be for a week day and with the permission the Administrator in writing for those week days. That is my contention, Sir, I don't know if I have made it clear or not.

MR. CHAIRMAN: Well that is what the Attorney-General has just drafted.

HON. W.W. CONOLLY: Mr. Chairman, just for the record, much has been remarked about what the member from East End said about Tourist. When I said that in general terms in promoting Tourism, surely we have conventions, we have conferences, we have all types of proportional business in the industry and I wasn't thinking about the reckless individual tourist coming down here to drink or spree or have a time, I was thinking generally in the broad sense of the industry and I wasn't thinking about the reckless individual tourist coming down here to drink or spree or have a time, I was thinking generally in the broad sense of the industry as a whole. I don't want to be misrepresented or misunderstood and I am not taking back what I said. We have to be very careful because as far as I am aware today, about 60% of the revenue of this island is derived directly or indirectly from Tourism; the industry, and I think today when any country has a revenue, an earning revenue of 60% from any individual factor, one has to be very careful not to upset that apricot. It might be unwise for us to put all our eggs in one basket, but when we don't have any other basket to put them in, I think we should really take care of the basket we have. What we have to do is to see that we don't break any eggs when putting them in this basket. When I spoke of Tourism I was speaking of the industry as a generality and it goes without saying that a lot of bread and butter on our individual tables is the direct or indirect result of the industry.

MR. A.B. BUSH: Mr. Chairman, may I offer a suggestion, Sir, to make this kind of crystal clear. We say in sub-section 1 'no building or place licensed under this Law shall be used for entertainment purposes on Sundays or Good Friday'.

Then add a section 2 and repeat 'no building or place licensed under this Law shall be used for entertainment purposes at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator'. Wouldn't that cover it, Sir.

HON. G.E. WADDINGTON: That is exactly what I have just drafted, Mr. Chairman., except that is in a little more concise form than what the member just read.

MR. CHAIRMAN: Yes I am well aware, I think that if the Attorney-General drafts what you want it is either you accept it or you produce your own, if you wish to put that forward, please do.....INTERRUPTION.

MR. A.B. BUSH: Well this is what I would like to put forward, Sir, because in my opinion it puts it crystal clear that no dancing or music will be held on Sundays or Good Fridays, and it gives the Administrator discretion to do so during the week days beginning at these hours mentioned here in this amendment. I beg to move that amendment to this Law.

MR. CHAIRMAN: Could we have that in writing, please. I would just like to make a point that I don't feel that the Attorney-General can be called on in future to draft things for members of this House, if when they are drafted there is refusal to accept what is being drafted when in fact it carries out completely the wishes of those members. So would you please do your own amendments in future.

MR. JOHN JEFFERSON: Mr. President, I would like to make one thing clear in my mind and for the records here. As far as I am concerned, I think that the amendment the Attorney-General has just proposed, seeks to do exactly what we are trying to do now. We can go on and may be for the outside persons make it clearer to them, but the only thing that is important to us is what the Law reads and who can interpret the Law to read as such, so I wanted to throw that in for the record sake.

HON. W.W. CONOLLY: Mr. Chairman, I would just like to say, Sir, that I am a bit perturbed over what has just happened in our legislature. I have been in the Legislature of the Cayman Islands for quite a long time and at no time in the history, that I can remember, that members have taken such an attitude towards Legal advice that has been presented to this Chamber. To me the respect for Law and Order and the Democratic Principles Parliamentary Democracy as known in the Commonwealth, I would like to see it continue in the Legislative Assembly or Parliament of these islands.

Hon. W.W. Conolly Contd.

Now here we have today and I am afraid that I have to be I might say things I am not saying it to ruffle anybody, but I am forced, of what has gone on here this morning in the face of the public, to make a few remarks. We have here with us in the person of the Second Official Member, Hon. Attorney-General. The Attorney-General has been no stranger to these islands, he has been sitting in this island in his capacity as President of the Appeal Court of Jamaica; the highest body in this area of our Courts and jurisprudence and to me today for myself or other members of this Assembly to come here to doubt his integrity and his interpretation and terminology of drafting in legal implications, I feel like it's a reflection on one who has served us and I would like to take this opportunity of apologizing to the Second Official Member, because the word laymen has been used this morning by several members and if members admit in the first instance that they are laymen, I fail to see how they can now produce drafts of Bills. In that case then we don't need to import or to employ Legal Draftsmen. What I feel is this, that up to a point we are obliged to take advice, particularly on the legal terminology of a Bill that has been presented to us. If, with the assurance from the person, who is here in that capacity to advise us that the terminology and the interpretation of what is written down is exactly what we as laymen want, I think it is a reflection for us to act in this way. I would like to take this opportunity of apologising to the Second Official Member on behalf of this Legislative Assembly.

MISS ANNIE BODDEN: Mr. President, as one who asked the Attorney-General to assist us in drafting this thing, I certainly cannot say that we have insulted his dignity. As I understood when Attorney-General or Legal Draftsman, or whatever he may be, who occupy the second seat of this Honourable House was here to assist. If we differ in opinions that is no reflection on the Honourable Second Official. We are not saying it on any reflection on his character, I don't think it is any need for an apology. We come here representing the people. We know the complaints that have been waged on, not before this House for years. We know Ministers of Religion, although I might add here that I am tempted very much not even to associate with churches, there are such hypocrites in it, that we have had complaints and if we can do anything to subside this and I feel I made no reflection of the Attorney-General. I asked for his assistance and I was refused and if he refuse to assist us consequently we as, I call myself a laywoman, would have to do something to further our own cause I am not making any reflection on the Attorney-General and it is absolutely incorrect to make such inferences.

But we have been drafting Laws, we have drafted the Legal Profession Bill which has eliminated any Caymanian from ever appearing before the Court and getting an Attorney-at-Laws Commission, except he is a graduate from some college. We have made a serious mistake in that, very serious. Now I repeat that we must not make, when it comes on the observance of Sundays, we can certainly make the second clause that the hours means the midday to midnight of week days with the Administrator's permission in writing. That is no reflection on the Attorney-General, after all he is only one man, I am one woman, these all here, each one of us subject to have our own opinion and if we can clear this thing so that the hoteliers, because they are after having dance twenty-four hours a day, all of them are selling rum like wise and if we can do anything to clear the atmosphere and make it specifically clear where these lawyers, as they have been called, these high paid lawyers can't confuse the issue let us do it, that is no reflection as far as I am concerned on the Attorney-General. I respect him for his opinion, I respect him for his legal advice, but nevertheless all we are asking is to make this thing abundantly clear. We are not reflecting, or at least I am not reflecting on the Attorney-General's capacity as a trained man, I am not. I heard a learned Judge in the Court room said one day, everyday I learn things sometimes even from a baby, so the same thing could happen now.

MR. CHAIRMAN: Well I think I had better try and clear the air now a little let us just recap that, - we are going round and round in circles - we are doing very little business. I don't know how all this happened, some days are like this and some days are not. But if I can just recapitulate as I see what has happened in this Bill. Sometime ago there was a petition put forward and a general move towards abolition of Dancing and Music on Sundays and the Executive Council felt that this was reasonable to put before the Legislature a short amendment to the present Law which would specifically forbid Dancing and Music on Sundays and Good Fridays, it is as simple as that. This Bill duly came before the Legislature and although they welcomed it in principle, they didn't like the legal wording, they suggested that it could be done in a different manner, because they felt that the Administrator had power of discretion to allow dancing and music on Sundays and Good Fridays, which they didn't accept. The Attorney-General pointed out at that time that they were mis-reading the Law and that the Law didn't give the Administrator any powers of discretion in this at all. It only gave him powers of discretion to allow dancing and music to go beyond midnight on ordinary weekdays. But members of the House, they did imply that they didn't accept this, whether this was the acceptance of a legal opinion or not is open to some doubt, but it appeared that they wished it to be worded in a way that people not well versed in the law could see without doubt what was intended. I then suspended the House to enable members to get together and produce something. When we met again we were somewhat lost, and there was a request for Attorney-General to assist in getting this straight. Well the Attorney-General as I pointed out had already been told, it appear anyhow in public, that his original drafting of the Law was wrong and was not prepared automatically to assist unless requested. But when he was asked to assist, he then produced another draft which he said put it beyond any possible further doubt that the Administrator had no powers of discretion over Sundays and Good Fridays Dancing, and that he would be compelled to refuse any application made. When this was read out, members again disagreed where upon the Attorney-General withdrew. Quite rightly, he can't go on and on drafting things and you deny they say what he says they say and since then the Honourable member for George Town has put forward his own understanding of what should be legally drafted, which I have in front of me it hasn't been formally presented. So this is where we have got to at the movement.

MISS ANNIE BODDEN: Mr. Chairman, did I understand you to say that the Executive Council didn't accept the ruling of the Attorney-General as to your not having any discretion for Sundays, did I understand you to say, that they disagreed that you did not have the authority on the Fridays and Sundays. I understood you to say.....INTERRUPTION.

MR. CHAIRMAN: No, I think you got me wrong, Ma'am, I am sorry about that, this Law is put forward by the Executive Council.

MISS ANNIE BODDEN: Yes Sir, but just this. You said that he said that the Attorney-General, this is what I understood, had made it, that the present Law had made it abundantly clear that you had no discretion for the Sundays and the Good Friday, but they disagreed and wanted something else.....INTERRUPTION.....

MR. CHAIRMAN: No, I don't think the Executive Council has ever disagreed. As the Law in front of you is, it prohibits discretion for Sundays and Good Fridays for the Administrator and this Law comes from the Executive Council, so they accept this and what we then tried to do, because you wanted it worded in a way that an ordinary layman could immediately see, the Attorney-General then did that, although it is no need to do it, he changed it so that it would appear much more obvious. This was again rejected. And now we have a proposal by the Honourable Member from George Town on what he would like. Whether this is what the House would like, I don't know. I think we are wasting an awful lot of time over this.

MR. C.A. HUNTER: Mr. Chairman, I think that the amendment that we requested the Attorney-General to make is quite satisfactory and it would prevent any misunderstandings, and reflection on the ability of anybody and I would humbly suggest that to clear the air and get rid of this, we have taken hours on a matter that should have taken half an hour, so I agree that we accept the Attorney-General's amendment.

MR. A.B. BUSH: Mr. Chairman, may I ask the Attorney-General, Sir, if the amendment that I have put forward is in any way derogatory to him. I think Sir, when I read it out as to what I would like to see another subsection, subsection 2 added to it he said this was the very same thing that I had put only in different wording, so I look at it, as nothing in any way derogatory to the Attorney-General. And I think it makes it crystal clear as far as I know, Sir, in the amendment that the Attorney-General read out, it was only a change in full stops or commas or semi-colons or whatever it was to be done, I don't think he actually changed the wording of the Bill.

MR. CHAIRMAN: Yes, he put, it was section - clause 2 and it should read now '9(i) 'no building' he divided it up into a, b,

HON. G.E. WADDINGTON: The amendment reads as follows: "9(i) No building or place licenced under this Law shall be used for entertainment purposes: (a) on Sundays or Good Fridays; or, (b) at any time on any other day during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator".

MR. A.B. BUSH: Mr. Chairman, what then is the objection of having another subsection, making it crystal clear that no building or place licenced under this Law shall be used for entertainment purposes at any time during the period beginning midnight and ending at midday except with the permission of the Administrator in writing. What is derogatory in that?

MR. CHAIRMAN: Nobody says it is anything derogatory.

MR. A.B. BUSH: Could the Attorney-General explain Sir, if there is anything derogatory in it. This is what I would like to know because it makes it crystal clear to me, Sir, whatever other members might say I am not convinced that the amendment that has been put forward by the Attorney-General has made it crystal clear to me or to anybody else that it is prohibited to have dances on Sundays or Good Fridays, unless otherwise. And I am not convinced.....

MR. CHAIRMAN: What you have done, you have put forward a second clause which presumably follows on the first clause here which says 'no building or place licenced under this Law shall be used for entertainment purposes at any time during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator'. But I think we are going round in circles myself.

MR. T.W. FARRINGTON: I think, Sir, that a motion has been made for an amendment proposed by the Honourable Attorney-General and I think it is quite reasonable so far as I am concerned I am quite satisfied and I shall vote in favour of the amendment that has been suggested by the Honourable Attorney-General.

MR. CHAIRMAN: Well nobody has actually moved the amendment yet. The Attorney-General has written something which he considers meets the requirements that you are after, some members disagree. And if somebody likes to put this amendment, maybe the House would prefer the Attorney-General to put it, but it is rather curious for Government to put its own amendment, something it sees no reasons for.

MR. T.W. FARRINGTON: I would move this amendment that has been proposed and written by the Honourable Attorney-General.

MR. A.B. BUSH: Mr. Chairman, the Attorney-General will have to move that, Sir. I am sorry, I don't think the members should do that.

I would move that the amendment that I put forward to add another subsection to the amendment, to the Law, to be put before the House and of course if that is lost then you can take the Attorney-General's.

MR. CHAIRMAN: Well, now can we have a firmer movement to the amendment. The Honourable Member from George Town wishes to move this and you wish to move that clause 2 be amendedconfusion.....

HON. B.O. EBANKS: Mr. Chairman, the more effort that is made to clarify this, the more muddled it is becoming to some members. I think that sufficient sentiment has been expressed that the amendment proposed by the Attorney-General will be accepted by the majority. I suggest that the motion is put to a vote and if it is carried then there is no further action necessary. If it is defeated then somebody else can come up with another try.

MR. JOHN JEFFERSON: Mr. Chairman, I fear that in our, if you would excuse my expression, fooling around with this Law, we leave loop holes which we are now trying to plug, which I think the Attorney-General has already made clear to us. I believe we should leave the Law and accept the Attorney-General's amendment. I would be ready to support this amendment one hundred percent.

MISS ANNIE BODDEN: Mr. Chairman, with your permission, could the Attorney-General re-read what he has proposed for the amendment please, I read it but Mr. Chairman, the more you hear a thing.....**INTERRUPTION.....**I want to be sure of what I am voting on when I vote.

HON. G.E. WADDINGTON: I'll read it again Mr. Chairman. 9(i) No building or place licensed under this Law shall be used for entertainment purposes: (a) on Sundays or Good Friday; or (b) at any time or any other day during the period beginning at midnight and ending at midday except with the permission in writing of the Administrator.

QUESTION PUT: AGREED. CLAUSE 2 AMENDED AND PASSED.

CLERK: Clause 3 section 11 of cap. 107 amended.

MR. CHAIRMAN: Is there any significance in this. 'Law' and 'Acts' is guilty of an offence against this Law or is it just correcting.....

HON. G.E. WADDINGTON: Not correcting, Sir, but to make the use of a place on a Sunday or Good Friday or any other days without your permission, an offence under the Law.

At present, Sir, clause 11 reads, if the holder of a License granted under this Law, acts in contravention of, commits an offence. Well the amendment to that is now, if the holder of a License, granted under this Law is guilty of an offence against this Law or acts in contravention. In other words the amendment to section 2 prohibits the use of the premises on Sundays or Good Fridays or after midnight without the permission of the Administrator, and subsection 2 says the holder of a License in respect of any building or place used in contravention of the provisions of subsection 1 should be guilty of an offence against this Law.

Now section 11 as it stands now, merely says if the holder of a License granted under this Law acts in contravention of or fails to comply with any term or condition or restriction on or subject to which the License has been granted. Now the amendment brings in an offence if the premises is used not in compliance with the present amendment to subsection 2. In other words if a person uses the place on a Sunday or a Good Friday, under subsection 2 he would be guilty of an offence against the Law and section 11 now provides that if the holder of a License granted under this Law is guilty of an offence against this Law or acts in contravention with any term or condition. In other words without this amendment, a person could commit an offence by opening or having music on a Sunday or Good Friday without having committed an offence.

MR. CHAIRMAN: So the object is to put teeth into the Law. It means that if somebody does have dancing and Music after midnight without requisite authority upon a weekday or under any circumstances on Sundays or Good Fridays he commits an offence. I am sure everybody will agree with that.

QUESTION PUT: AGREED. CLAUSE 3 PASSED.

CLERK: A Law to amend the Music and Dancing (Licensing) Law, (Cap. 107).

QUESTION PUT: AGREED. TITLE PASSED.

MR. CHAIRMAN: Now, we come out of our Committee and come back into the full House, more formal having examined the legal details of a Bill, and now the member who introduced the Bill will report back to the full House that it has gone through Committee.

MR. V.G. JOHNSON: Mr. President, I have to report that a Bill entitled 'The Music and Dancing (Licensing) (Amendment) Law, 1971, was considered clause by clause by a Committee of the whole House and passed with the following amendment. Section 2 was amended at 9(i) to read "9(i) no building or place licensed under this Law shall be used for entertainment purposes: (a) on Sunday or Good Friday; or, (b) at any time on any other day during the period beginning at midnight and ending at midday, except with the permission in writing of the Administrator",

Mr. Chairman, this was all the amendment and I now propose the third reading tomorrow.

MR. CHAIRMAN: Thank you. Honourable Members, we are a bit lame today. We have not made as much of the road as we should have, if I was any way responsible I apologise and I hope we can move perhaps a little faster this afternoon because I propose to suspend the House now. It is nearly 5 minutes to 1 o'clock. Now some members have probably got somewhere to go, would 2.15 be too early. 2.30. Is 2.15 going to be alright?

HOUSE SUSPENDED UNTIL 2.15 p.m.

27th SEPTEMBER, 1971

2.20 - 5.20 p.m.

THE ELECTIONS (AMENDMENT) LAW, 1971.
INTRODUCTION

MOVED BY: HON. D.V. WATLER.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. LEAVE GRANTED FOR INTRODUCTION OF BILL.

CLERK: ELECTIONS (AMENDMENT) LAW, 1971.

SECOND READING.

HON. D.V. WATLER: Mr. President and Honourable Members I beg to move the Second Reading of a Bill entitled "THE ELECTIONS (AMENDMENT) BILL, 1971. This Bill follows on to a resolution that this Honourable House passed on the 13th of August, 1971, requesting an amendment to the Election Law which as it now states provides for the Voters' List to be prepared not later than three years after the return of the first writ or the last writ of the previous election. This Bill seeks to amend that and provide for the voters' list to be prepared not later than three years after the first sitting of the House. This is a necessity really as the Honourable House realises there is a possibility of constitutional changes, and rather than to have an election and find any differences in the new constitution and having to have a new election immediately that a new House is instituted.

This, therefore, Mr. President and Honourable Members, allow us to wait until December to have the Voters' list prepared. Mr. President and Honourable Members I formally move the Second Reading of this Bill entitled "THE ELECTIONS (AMENDMENT) LAW, 1971".

SECONDED BY: HON. G.E. WADDINGTON.

MR. PRESIDENT: Well, Honourable Members it is a little complex but we tried to explain last time the reason for this, it was suggested by the U.K. Government. We're trying to hold off until the last minute allowed in the Constitution for the elections so that if possible that we can put through the new constitution before then which will almost certainly, I think, include different qualifications for Voters', and we can do this without wasting any time by the measure now before you which enables us to start the machine going legally on the 1st of December, and not at the end of September as we have to we can still finish it before April 8th, whatever the final date allowed in the Constitution is. Anybody wish to speak?

MR. IRA WALTON: Mr. President and Honourable Members, in the past it has taken about ten months from registration to the election, and even at that we were having problems, and I fail to see how we can successfully start registering in December, and have a complete list compiled of the people eligible to vote within four months by April. I am wondering Sir, why it wasn't possible to register the Voters before now because most naturally, if we had to continue under the original Elections Law and the old Constitution we could have done that, if we got a new Constitution then we would have to have a new election.

MR. PRESIDENT: Any other member wish to speak? Now it seems that the measure is clear to other members of the House. Nobody else wishes to speak, would the Mover of this Motion like to round up the Second Reading.

BILL READ A SECOND TIME
COMMITTEE THEREON

HON. D.V. WATLER: Mr. President and Honourable Members I beg to move that the House resolve itself into a Committee of the Whole House to study this Bill clause by clause and to amend it as so deemed fit.

MR. CHAIRMAN: I wonder - it's up of course to the Member, if it would be possible to try and answer the one query raised which was causing some doubt about the possibility of being able to carry through the procedure if we wait until December.

HON. D.V. WATLER: Well, Mr. President and Honourable Members, normally we take about six months to have the Voters' list prepared that is given there is quite some time a lapse in between the publication and compilation and allowing for objections, but taking the Law the Election Law as it now stands, it can be done within the four months period but it's going to mean one thing right after another and it will allow for all of the normal time for publication and for objections, but there will not be any great amount of lapse of time in between one and the other. We will have to finish our objections today, tomorrow you will have the revision of the list and we wouldn't be able to wait for another week or two weeks to start revision of the list but you'll start right - one after another giving the normal time for objections, whether it be four weeks or whatever the period may be, that will be allowed for but it won't be any additional time everything will have to be geared and ready to go forward. The reason why we have had to do this is that in case of a New Constitution being accepted it is quite possible that there will be different qualifications for voters, I don't know whether there will be different qualifications for candidates or not. Anything could be into that new constitution. To start the Voters' list now, and have that prepared and have certain names onto the list of persons capable of voting and then find when the new constitution comes about that they would not be eligible to vote, and have to disqualify them could cause a lot of heartaches and heart-searching and people would complain, so rather than do that it's better to wait until we know what this new constitution is going to be so that you would not have to take any one off the list or add anyone on to it and then we will prepare the new Election Law, or whatever it may be in keeping with the Constitution whatever it may call for, the qualifications at least, and that is the reason why it is felt that it is better not to start now and wait until we know what the qualifications are going to be or else you could have people feeling some what hurt and dissatisfied.

With that explanation then, Mr. President I formally move that the House resolves itself into a full committee to study this Bill clause by clause and to amend it as they so think fit.

MR. CHAIRMAN: Well, I think Honourable Members we still are not one hundred percent in tune with our Standing Orders, we've got to put the question on the Second Reading now before we put the Motion on the Committee.

QUESTION PUT: AGREED. BILL READ A SECOND TIME.

HON. D.V. WATLER: Sorry, Mr. President and Honourable Members, now I move that the House resolve itself into a full Committee to study the Bill section by section and to amend it as may be deemed fit.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. HOUSE IN COMMITTEE.

CLERK: CLAUSE 1 SHORT TITLE AND COMMENCEMENT.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

CLERK: Clause 2 - AMENDMENT OF SECTION 10 OF CHAPTER 45.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: A LAW TO AMEND THE ELECTIONS LAW (CAP. 45)

QUESTION PUT: AGREED. TITLE PASSED.

REPORT THEREON.

HON. D.V. WATLER: Mr. President and Honourable Members I beg to report that a Bill entitled "THE ELECTIONS (AMENDMENT) LAW, 1971" was studied by a committee of the whole House and has been approved without amendment.

THIRD READING.

HON. D.V. WATLER: Third Reading to be taken tomorrow the 28th.

MR. PRESIDENT: Well, Honourable Members we've gone so smoothly through that one - it's quite a change after our first effort.

We now go on to the next item on the Agenda which is a very fundamental bill one which you've been waiting for - I know a long time to see whether you agree with it or not, this is "THE CAYMANIAN PROTECTION BILL, 1971".

THE CAYMANIAN PROTECTION LAW, 1971. INTRODUCTION.

HON. BENSON O. EBANKS: Mr. President I beg leave to introduce a Bill entitled "THE CAYMANIAN PROTECTION LAW, 1971".

MR. TREVOR FOSTER: Mr. President I oppose the introduction of this Bill.

MR. ALFORD SCOTT: Mr. President I rise to support.

MR. PRESIDENT: Right! Just one minute. For the benefit of the audience, if anybody opposes an introduction, and he can state something please while I look up the procedure.

HON. G.E. WADDINGTON: 52 Mr. President.

MR. PRESIDENT: Just to put Members in the picture, "no bill shall be introduced - that is, appear before this House - until leave has been applied for and granted, for its introduction" this is what has been done at the moment, and it has been opposed by a member and the Standing Orders say that "if a Motion for leave is opposed, the President after permitting if he thinks fit a brief explanatory statement from the Member who moves and from a member who opposes the Motion, may without further debate put the question thereon". In other words you're allowed an explanation from either side first and then you put the question of whether it should be introduced or not, as in previous cases we always - I think feel, at least we have felt it is better and I certainly would for the member opposing the motion to put his reasons for opposition first and then this can be followed by the member introducing the Bill, because until we know what the objections are it is rather difficult to wind up the matter before the vote.

So I call upon the Honourable Member from Cayman Brac to give a brief explanatory statement, why he opposes the Introduction of this Bill.

MR. TREVOR FOSTER: Mr. President, Honourable Members, I must make very clear that I do not completely oppose the complete Bill in its entirety but that this Bill gives way for the forming of the Caymanian Protection Board and this Caymanian Protection Board works jointly with the two following Laws. The last in which we are really interested 'Business and Trades Licensing Law' and it does not make any provisions whereby a Board will be formed in the Lesser Islands as has been done in the past with Business and Trades Licence therefore if these Bills are passed we, Licencees in the Lesser Islands, will have to send our applications here and our fees here to the Caymanian Protection Board which will be in Cayman, this as far as the Lesser Islands are concerned is a direct insult to our honest integrity, and we have no intentions of having to send our applications to Grand Cayman to get Licences. This is the reason I have opposed the Introduction of this Bill.

MR. PRESIDENT: Would the Member steering, putting the Motion give a brief statement please?

HON. BENSON O. EBANKS: Mr. President, The Caymanian Protection Law, 1971 is a fundamental piece of Legislation. Notice has been served for many months now, that this Bill would be introduced and in very broad terms the content of the Bill has been discussed. The chief complaint regarding our present Law governing Work Permits and Immigration is that it is a one man show. This Law seeks to establish a Caymanian Protection Board comprised of seven members and to give that Board functions other than the granting of licences.

Hon. Benson Ebanks Contd.

As far as the specific objection of the Member opposing the Bill the Cayman Islands, that is Grand Cayman, Cayman Brac and Little Cayman are one entity, we are one territory.

The Bill provides that persons of Caymanian Status automatically are licenced to do Business and the question of the Licence is merely a revenue earning factor for the Government. Further more there is no reason why the Islands of Cayman Brac and Little Cayman cannot be represented on the Board. This would not entirely disrupt the proceedings in the event that they were not present at a specific meeting since five members can form a quorum and I think that in any country there is a central administrative point or area and I really don't see Sir, where this objection is strong enough to disallow leave for Bills as important as these three - I don't see where the objection is important enough to disallow the introduction of these three important Bills. Surely the objections which have been raised can elapse in the Administration of the Bill. Persons from West Bay, North Side and East End, Bodden Town, are going to have to obtain Licences from the Caymanian Protection Board, and as I said functions of the Board are much more important than granting licences for gainful occupation to the People of Caymanian Status. The Board is charged with the functions of the determination of Caymanian Status in cases of doubt, the grant of Caymanian Status, the determination of Immigration appeals, the grant of gainful occupation permits to certain persons of non-Caymanian Status, the determination of any ancillary matter connected with the above, and such other functions and powers within the scope of this Law as the Administrator may from time to time assign to it by Regulation, and such other functions and powers as may be assigned to it under any other Law. This specifically of course refers to the powers assigned to it under The Trades and Business Licensing Law and the proposed Local Companies (Control) Law.

I hope Sir, that Members will allow the Introduction of these Bills. Naturally, as they are of fundamental importance, I would assume that they would go the Committee route, and if after due consideration certain amendments are required well then they can be put in the Committee Stage, and I crave the support of Members for leave to introduce this Bill.

QUESTION PUT: AGREED. LEAVE GRANTED FOR INTRODUCTION OF BILL.

FIRST READING.

MOVED BY: HON. BENSON O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A FIRST TIME.

CLERK: THE CAYMANIAN PROTECTION LAW, 1971.

SECOND READING.

HON. BENSON O. EBANKS: Mr. President I beg to move Sir, the Second Reading of a Bill entitled "THE CAYMANIAN PROTECTION LAW, 1971".

The Objects and Reasons for this Bill, by reason of the fact the advantages offered many people by taking up residence in the Cayman Islands and the unprecedented prosperity of the Tourist Industry there has arisen a grave risk in the social character of the Islands, as well as the way of life, the population may be adversely affected by the influx of private and business sectors and other consequential factors, it is sought to enact Legislation calculated to control this situation by affording means of protecting the traditional way of life of the Islanders by cushioning the impact of the establishment of international business interest and of settlement here by people who formally had no interest in the public and private affairs of these Islands. It is also sought to take advantage of the opportunity to consolidate and bring up to date the Law affecting Immigration and Deportation.

MR. IRA WALTON: Mr. President, on a point of Order Sir, there was a Motion made by the Member from Cayman Brac to oppose the Introduction of that Law. One would have thought that the question would be put on both Motions apparently Motion No. 2 put forth by the Member from Cayman Brac has been ignored.

MR. PRESIDENT: As a point of Order - I don't think so, if any Member wishes to oppose the Introduction of a Bill when we have had a recent example here there is a special Standing Order which says, "that once the President sees that there is one person opposing an Introduction he can permit if he thinks fit, he hasn't even got to do this, but if he thinks fit", and I certainly did in this case ... he can ask the member objecting why he is objecting, and he then gives his reason, and the member who brings the Motion can also give a short statement on why he is bringing the Bill and then it is put to the Vote without further debate. So there is no motion that is the correct procedure and I think the Honourable Member can rest assured that it's being done in accordance with the Standing Orders of this Assembly.

Now, the Honourable Member, for West Bay has just read out or just made his case for the Second Reading. Have you finished your Introduction' or was Mr. Walton comingInterruption.....

HON. BENSON O. EBANKS: I had stated the Objects and Reasons of the Bill Sir, when the Bill is Secinded I'll propose to give a statement.

MR. PRESIDENT: Well, if you would carry on we second the Bills now after the Introduction of them.

HON. BENSON O. EBANKS: Okay Sir.

Mr. President it is an undisputed fact that this territory has enjoyed and continues to enjoy unprecedented development. This development is attributed to a stable Government, friendly, industrious and honest people, but Mr. President we are also all aware of the tremendous pressures which are being exerted on the society by the rapid development of these Islands.

From time to time Members of this Honourable House have expressed the view that our existing Immigration Laws are inadequate there's also been expression to the effect that the rights and interest of Caymanians as regards gainful occupation and participation in the development of the Islands are not adequately protected, and those of us who have had discussions with our constituents know that there exists amongst them fears in this respect. Whenever there is discussion regarding the continued future expansion and development of these Islands, it is

Hon. Benson Ebanks Contd.

always emphasized and concern is expressed that the good-will, peace and tranquility which exists in abundance in these Islands are preserved, that the good-will and friendliness which exists between Caymanians and those who come from abroad to invest, work and live amongst us, is preserved. It is also generally accepted, Mr. President, that a lack of the understanding of these factors have contributed unfavourably in other territories to produce recession where a boom economy such as ours is today was the order of the day.

It is the responsibility of those of us who are charged with the Government of this territory to bear these factors always in mind. It is our responsibility to anticipate and enact legislation which will ensure the continuation of our stable way of life, continued development and at the same time ensure for Caymanians an improved quality of life. Mr. President I stress the words "quality of life" because often more jobs to choose from, more money in people's pockets are mistaken as the ingredients or the only ingredients as an improved way of life, but these are not enough. If the Caymanian way of life is to be improved, there must also be freedom from fear, freedom from anxiety, war and hope and faith in the future. A guarantee that the next generation of Caymanians will participate fully, and on equal terms with all.

We are also aware Mr. President, that we in the Cayman Islands are in need of capital from outside. We are also aware that for many years to come we will continue to be in need of persons of non-Caymanian birth or status who possess special skills, knowledge or talent, and may be even to ordinary labour, to come into these Islands to work and live amongst us. This capital which we need, the people whom we need, must also be made to feel secure and welcome here once they're allowed to come in. There will also be those who once having seen what we have to offer will want to make the Cayman Islands their permanent home, we also owe it to these persons to make them feel welcome and to ensure that once they are afforded this privilege they are entitled to a full life within our community. But, Mr. President as proud and independent and as friendly as we are and with all of the good will in the world we're still few in numbers, and it is physically and humanly impossible for us to absorb all the capital, and all of the people who would desire to settle here all at once. This is not only my contention Mr. President, this is substantiated by studies which have been conducted by International Agencies for the development of undeveloped countries, and even though the science of economics may be argued to be an inexact one it is generally accepted by leading economists.

In view of what I have said Mr. President our responsibility as the people's representatives seems very clear to me. We have to legislate Laws which will ensure the continued development of our Islands whilst at the same time ensuring the protection of Caymanian rights and privileges, and the rights and privileges of those non-Caymanians who are permitted to join us in building up this small territory. We have acknowledged these responsibilities, and have made it known publicly for some time now, that we intended to introduce the three Bills which are before us today, that is "The Caymanian Protection Law", "The Local Companies (Control) Law" and "The Trades and Business Licensing Law".

It is the Caymanian Protection Law, of course, with which we are dealing at this time. The Caymanian Protection Law among other things establishes the Caymanian Protection Board which is to consist of a Chairman, a Deputy Chairman and seven other Members who shall be appointed and hold office at the pleasure of the Administrator. Five members present at any meeting will form a quorum. The functions and powers of the Board will be, and Mr. President here I consider these of sufficient importance and of sufficient interest to read them:-

- (a) the determination of Caymanian status in cases of doubt;
- (b) the grant of Caymanian status;
- (c) the determination of immigration appeals;
- (d) the grant of gainful occupation permits to certain persons of non-Caymanian status;
- (e) the determination of any ancillary matter connected with the above.

To ensure fair play and impartiality in this Board, the Law specifically makes it illegal for any member who has direct or indirect pecuniary interest in any matter to join in the discussion or to vote on the matter. There's also provision for appeals on certain matters from the Board to the Administrator in Executive Council.

This Bill defines Caymanian Status, and provides for the grant of such a status to persons of British Citizenship, or British Subjects, not possessing such status upon the fulfillment of certain conditions. Section 17 subsection (1) of the Law states who may make application and the conditions on which the Board must be satisfied before granting Caymanian Status.

Mr. President, again I feel this of sufficient interest Sir, to elaborate on these. "Any British subject who has attained the age of eighteen years may at any time make application to the Board for the grant of Cayman status, and if the Board is satisfied -

- "(a) that the applicant has been ordinarily resident in the Islands for a period of five years upwards immediately prior to the making of the application or has been declared to be so resident under subsection (a) of section 16,"

this is where the Court has, - "one can make application to the Court for a determination as to whether he has been ordinarily resident or domiciled here",

- "(b) that the applicant is, or would upon the grant to him of Caymanian status become domiciled in the Islands,
- (c) that the applicant is of good character, and
- (d) that the grant of the application is not contrary to the public interest,
- the Board may make a grant of Caymanian status in favour of the applicant;"

Part IV of the Law deals with "Gainful Occupation of Persons of Non-Caymanian Status" and prohibits the gainful occupation of persons of non-Caymanian status, unless licenced by the Board under this Law so to do. The Board in considering applications for gainful occupation licences must take particularly into account:

- "(a) the character, reputation and health of the applicant, and where relevant, of any member of his household;
- (b) the professional or technical qualifications of the applicant;
- (c) the availability of the services of persons already resident in the Islands;
- (d) the protection of local interest;
- (e) the economic and social benefit which the applicant may bring to the Islands or enhance by his presence;
- (f) the sufficiency of the applicant's resources or proposed salary; and
- (g) generally, the requirements of the community as a whole and such other matters as may arise from the application."

Hon. Benson Ebanks Contd.

It also provides for the continuance of the gainful occupation of persons of Non-Caymanian Status, who are now lawfully, gainfully occupied in the Islands. This is considered necessary or fair because those persons have in some form or the other contributed to our development to the present stage.

Part V of the Law deals with Immigration matters and they are generally routine, but provides specifically for persons of certain classes who are automatically declared Prohibited Immigrants. Section 43 provides too for persons of non-Caymanian status to be granted permanent residence in the Islands, this is considered after one year's residence this is considered desirable and attractive in the development of our Tax Haven and tourist business. Section 43 (2) provides for temporary Work Permits to be issued by the Chief Immigration Officer to persons who are needed in the Islands hurriedly and for short periods e.g. persons who may be needed to carry out repairs to aeroplane engines or other complicated pieces of machinery for which the technical know how is not always available and resident on the Islands.

Mr. President and Honourable Members, it has been impossible for me in this short Address to cover the provisions of the Bill in its entirety, but I'm suggesting to you that I have been able to show that this Bill meets the criteria which I mentioned earlier, that is, it ensures the continued development of our Islands whilst at the same time ensuring the protection of Caymanian rights and privileges, and the rights and privileges of those persons of non-Caymanians who join hands with us in the job of building this country. In other words it ensures a partnership for development based on mutual consideration and respect and it ensures the continued atmosphere of friendliness and good will which now exists in these Islands. I commend this Bill to your favourable consideration. Thank you.

SECONDED BY: HON. G.E. WADDINGTON.

MR. PRESIDENT: Well, the matter is now opened for debate to the House on the Caymanian Protection Bill.

MR. ANTON B. BODDEN: Mr. President and Members .I.Interruption.....

MR. PRESIDENT: Honourable Member from Badden Town.

MR. ANTON B. BODDEN:.....I do not oppose this Bill before us but, according to some contacts and a bit of information coming to my knowledge it seems as if there's a bit of confusion at this particular stage and there may be some complications that need ironing out, and I would suggest that we use Standing Order 62 - if I'm permitted by this Honourable House - that this Bill go to a Select Committee comprising of the Members, Nominated and Elected Members, and with terms of reference as the President may think fit. It is due to the complications that Members of the public have hinted to me that I would like thrashed out before we go full into details and passing this Bill, but I'm not opposed to it in any way. I would like very much that this Motion gets favourable consideration from this House.

SECONDED BY: MR. IRA WALTON.

MR. PRESIDENT: Now, it isn't a Motion we're in the middle of discussing the Second Reading of the debate. A member has stated his intention, and he would like to see it go to a Select Committee, but we are now in the middle of the Second Reading people can speak on the general issues concerned with this Bill, but general issues. At the end of this debate on the general matters then there is the question whether it goes to a Select Committee or whether it goes to a Committee of the Whole House. The Member for Badden Town gave us advance notice that he wished it to go to a Select Committee to have it properly examined, but it's such a fundamental Bill that I'm sure that Members would like to speak on the things that they're attempting to do whether they support them or not.

Honourable Lady Member for George Town.

MISS ANNIE H. BODDEN: Mr. President and Members of this Honourable House while I support this Caymanian Protection Law in principle, there are certain things in it that I do not agree with - for instance on page 13 "CAYMANIAN STATUS"

- (a) Every British subject who -
is qualified as of right for Caymanian status under section 15; or
- (b) has been granted Caymanian status under section 17, and has not in either case lost such status

is a person of Caymanian status.

No. 15 Every British subject who -

- (a) was born in the Cayman Islands or of parents who at the time of his birth were domiciled or ordinarily resident in the Cayman Islands; or
- (b) was domiciled in the Cayman Islands at the time of the coming into effect of this Law;"

I cannot agree with section (b) it doesn't state any time. He could have what exactly is the meaning of "domicil", domicil as I know it is living here, but living here for how long? That's my point can't just say domicil. I've been here six months or seven months or perhaps a year, I think it should be written into this Law what time he has to be domiciled in the Cayman Islands. That's one point, and I would before going any further say I support that this should go to a Select Committee of all the Elected Members, and the Nominated Members.

No. 17, Page 14 -

"Any British subject who has attained the age of eighteen years"

now as I recall we cannot vote unless we have attained the age of twenty-one years, and I feel that this Section 17 should also have that 21 year age limit.

While I say I agree that it is a good Law provided it is carried within the Law and I would support it in principle but at the same time I would endorse the remarks made by the Honourable Member from Badden Town, that this Bill go to a Select Committee comprising the Elected Members and the Nominated Members to see what can be done about it because I notice here in another paragraph something about "eighteen years" to be very truthful about it, I have not taken too much time to study this Caymanian Protection Law but I feel that we need protection but we must protect ourselves in the right and correct way. Thank you.

MR. PRESIDENT: Thank you. The general comment I'm sure that members have many doubts perhaps on individual Clauses or the wording of them, these of course should be dealt with in committee normally. We're trying to get the general reaction to the principles of the Law. The Law covers - it is divided up into seven different parts so there's plenty of principle to work on - there is the Caymanian Status, there is the Work Permit section, there is a section dealing with Immigration, a section dealing with Deportation and a general section at the end, and the principle of having a Board rather than as we have at the moment an individual the Commissioner of Police who deals with your Work Permits and a Board which deals with your Business Licensing and the third case is, have forgotten the third one but the idea is to have one committee which deals with all Immigration, Deportation, Work Permits, questions of Caymanian Status under this Law and the other two Laws becoming part of it. This Committee also will deal with the matters that the other two Laws deal with - which is the Trade and Business Licensing, and also the Local Companies (Control) Bill to ensure that Local Companies are in fact Caymanian and foreign and only when this not has been decided on. These are the principles really involved in the whole thing and if anybody feels that they just dislike the whole principle of it, this is I think what we would like to know or if they support it.

The Honourable Member from Cayman Brac.

MR. TREVOR FOSTER: Mr. President Honourable Members, principles of the Caymanian Protection Law as was stated before, I feel it's something that the Islands need, however, as Representatives from the Lesser Islands, I must say that it becomes very distressing to sit and listen to the Member who introduced the Bill, that he was able to sit and speak of the wonderful boom of development that is going on in the Cayman Islands - although at this point I think he was particularly mentioning Grand Cayman because we are not enjoying it, we are enjoying the benefits of a complete recession. But it's very distressing to sit here and see that no thought was taken of the Lesser Islands at all when it particularly comes to these Laws. I think that we are supposed to be living in a democratic country, and Sir, again on behalf of my people I appeal to your good office to see that the right has been done to us when this comes about because it makes no sense in a committee as far as debate is concerned we're two to ten if Nominated Members are in the Committee. So we can only ask that you use the auspices of your good office and represent a starving people across the seas although we are supposed to be one of the Cayman Islands, and if this is not done I should make it very clear that we only have one other alternative and that is to represent it to home Government ourselves which I think we can very well do if necessary. I thank you.

MR. PRESIDENT: Seems extremely an extreme speech on a subject of this nature, and goes very close I'm afraid to things which are forbidden to be said in this country. Perhaps the member better look into what he did say. Anybody else wish to speak.

MR. JOHN D. JEFFERSON: Mr. President, Members of this Honourable House it is indeed a great moment of pride and joy for every Caymanian every where wherever they be found, that at long last some thing is finally done to define the Status of a Caymanian. The assurance that real effort is being made to protect the identity of this people, of this territory and the social character in our way of life.

The opposing Member from the Lesser Islands, I am very much in sympathy with his real objections to this Bill but, I feel Mr. President that this can be a matter of administration, which I trust in some way we will be able to work for the benefit to the people also of the Lesser Islands which are in no means any less than any other Caymanian in any other district in these Islands.

This Legislation is calculated Mr. President to control the grave risk of the influx of private business and settlers in these Islands and other consequential factors, advertising of jobs and so forth. We are seeking to enact legislation to protect the traditional way of life of the people of these Islands by cushioning the impact of the establishment of International Business and interest of settlements here by people who formally had no interest in the public and private affairs of these Islands, speaking on the objects and reasons of this Bill.

Mr. President I am humbly proud of the heritage that we have in these Islands, the heritage that we were afforded of our forefathers. I feel that everything must be done.....

MR. IRA WALTON: On a point of Order Mr. President.....INTERRUPTION

MR. PRESIDENT: Yes, what is your point of order?

MR. IRA WALTON: I think it is contrary to the Standing Order, Sir, for a member to write a speech and read it off, that on debate on any one subject, one should express his feeling of his mind and not to be reading off something prepared before.

MR. PRESIDENT: Is it a point of order that the Member is reading his speech?

MR. IRA WALTON: Yes Sir.

MR. PRESIDENT: In the standing order about reading says that "while it is possible to have notes to which you can refer or documents which you can quote you're not allowed to read the whole speech", if you were reading it, I missed I'm afraid, but you can refer to documents or notes but you're not allowed to read it off.

MR. JOHN D. JEFFERSON: Mr. President I would ask the Member from George Town if he would think closely instead of obstructing the methods members use here in getting across the points that they are trying to make regarding this legislation: if he would use his obstruction not only always in blocking good legislation but for the good Government of these Islands, I'd like to proceed with my speech Sir, I've not been reading off my speech, I look at notes to refresh my memory this I'm sure I'm afforded under the Standing Orders of this Assembly. I shall continue Mr. President.

MR. IRA WALTON: On a point of Order Sir, I have not obstructed the member, and I'm sorry sir if he thought so.

MR. PRESIDENT: Sit down Mr. Walton! We've had the point of Order that you've made which was to bring to my attention that the member was reading his speech. I have now told him that reading he forbidden to read a fixed speech but you can refer to notes and you can read specific extracts for purposes of the debate. I'm just telling you what the standing order is, and I'm sure the Honourable Member from West Bay understands this. So would you carry on please.

MR. JOHN D. JEFFERSON: Thank you very much Mr. President.

I wanted to say Mr. President as I continue in my speech, that I realise that the one thing that we have and we must preserve at all consequences is the warmth and hospitality of the people of the Cayman Islands. I am not now and I never will be an agent to anything else that would undermine the peaceful way of Government in these Islands because this is what we have to offer as a people.

We are seeking Mr. President to bring about new Immigration or revise our Immigration and Deportation Laws in this Country. I do not object to any legislation in this country for the sake of objecting to it, I object only to things I think that would dampen or hinder or hamper or damage the image of these Islands.

Members down through these months have been saying there is a real need for revision of our Immigration Laws. I am glad today that we have before us this new piece of legislation which takes the authority out of one man's hands, the hands of one particular person, for I feel that we are not any longer living in a one man world if we practice democracy as we say we do I think it is high time that the Immigration of these Islands be left - put in the hands of a Board and not one or two people. Let me re-iterate Mr. President as I have said many times in the past that I believe and I have subscribed to the orderly and controlled development of this territory. I believe that there is no sense of us moving any faster than the people of the Cayman Islands are able to keep pace with this development and the prosperity within the Cayman Islands. I believe as sensible people benefitting by the mistakes no doubt of others, that we realise that there's no sense of letting this bud blossom out of proportion and out of control where the people of the Cayman Islands will not be able to profit by it.

In this Cayman Island Immigration and Protection Law - or Bill before us today we find that it is made crystal clear Mr. President, that we as a people believe not only in protecting our own nationality but we also believe in seeing that the outside investor, the people living in these Islands feel a sense of being wanted, and a sense of mutual participation in the development of this territory. There is some apprehension on my side in relation to the Caymanian Status which I feel we'll be able to deal with in the Committee Stage of this Bill. I believe that in some instance no doubt we are being a little bit too gracious, it seems like while we are trying to accommodate the people that are within the shores of these Islands, and we sincerely want them to feel warm and welcomed but yet it some what in one way reminds me of a father who comes back from a hard day's work and comes home and finds his kids and say "Well, look we're going to take you out for dinner tonight" but then there are three neighbour's kids there too and you say well even though I can't afford to I guess I will be forced to take them along. I'm sure Mr. President, the people on the outside understand what the meaning of the word "Status" of the people of the Cayman Islands we're conferring on our people a title an identity and I feel that we will make every effort to accommodate, to work in full co-operation with those on the outside as well as those of us that are on the inside. I feel no doubt that the time limit of five years as we think about people being eligible, I think when it comes to Committee Stage Mr. President maybe this might be extended to seven years instead of five years, but I want to emphatically say that I whole-heartedly support this Bill, and I'm glad at long last that there is on the horizon the legislation that I believe affords our people the kind of protection that we need, and I say again what we need is a warm and healthy society with full participation by all, and I feel that no less than this - any less than the full participation of those from the outside along with us would create an un-healthy society.

I again say Mr. President I endorse this Bill, and I whole-heartedly support this in principle. Thank you very much.

MR. PRESIDENT: Any other member wish to speak? Honourable Member from George Town.

MR. IRA WALTON: Mr. President, Honourable Members, I do support this Bill in principle but, what gives me great concern is the fact that it would appear that immediately after this Law goes into effect, if it does in its entirety, it would make every British Subject a Caymanian which would include of course people who have been in this Country only a short while, people who never knew Cayman until a few months ago there are quite a number of Hondurians and Caymanians who are inter-related and so are Americans. I'm wondering Sir, why not also make provisions for these people.

Again here in Part III Section 17 Subsection (1) "Any British subject who has attained the age of eighteen years may at any time make application to the Board for the grant of Caymanian status," in our present Law, and I see nothing to contradict it in this one, that a person is not eligible to vote until he is twenty-one years old why is it that he can make application for Caymanian status at the age of eighteen. As I said I agree with the principle of the Law, and we do need a Law to protect Caymanians in our Local Business as of course this particular law involves more than the Immigration but also involves as I say a lot of things but, while I do support the Law and agree with it in principle I would much prefer to see it go to a Select Committee, the fact is I guess we've all studied this Law and we got our separate individual views on it but in a Select Committee you're able to pool your views and opinions and therefore come up with something better in the end. Thank you Sir.

MR. PRESIDENT: Honourable Member from North Side.

MR. CRADDOCK EBANKS: Mr. President and Members it speaks for itself somewhat that members are in favour of this Bill in principle and I for one agree in principle to these Bills, and most of us feel like we should have had them before now but even as they are being introduced we do have some tidying up with these Bills - as always with major Bills. We have heard from the member of the Lesser Islands of their disagreement with the introduction of these Bills giving their views in brief and I can only Sir, to an extent support those Members in principle as well, because if we turn back and look, they got an Immigration Department over there, they got a Custom Department, they got a Tax Department, they got a Planning Board Department, they got an Education Council - I think, and how in this case could they so be easily overlooked or for them to be satisfied to be left out of the picture when wanting to make applications and get the full workings of the Board then to write down to Cayman to get this, that, and the other, so I think the Members are perfectly right in their objections so I am prepared to support this Bill when it comes to its Committee Stage to go in to pick out what we felt is the best for the country and the people and to make the best of it all in every aspect. Thank you Sir.

MR. PRESIDENT: Honourable Nominated Member.

MR. MELVILLE GORING: Mr. President, Honourable Members of the Assembly, I too myself will associate myself with this Bill I feel that it is something that should have been brought about many years ago - nevertheless it is not too late to do good. There are some things I feel that could be amended particularly on Page 14 and Section 17 and (1) "Any British subject who has attained the age of eighteen years may at any time make application to the Board for the grant of Caymanian status, and if the Board is satisfied". Now some of the various members have stressed this point, and I will again also stress this point that at the age of eighteen no one in the Island is eligible to vote so I cannot see why at the age of eighteen any one can be granted Caymanian status now, I must say in principle I support this Bill almost in its entirety but, this is one point that I cannot whole-heartedly agree with and may be at the time of the committee meeting we can iron this out to a final finish. With regards to our fellow men at Cayman Brac, Cayman Brac as we know is only separated by a body of water, we are one. I should say that whatever affects Grand Cayman must affect Cayman Brac so I am appealing to one and all in particular Mr. President that if it is in your power, which I know that it is, that you will do everything that is possible to see that Cayman Brac is righted, I thank you.

MR. PRESIDENT: Anybody else want to speak on this Bill? Honourable Capt. Kirkconnell, Nominated Member.

HON. CAPT. E.E. KIRKCONNELL: Mr. President and Members I rise to support the Bill. Many have said - or non-Caymanians have said that they think that this particular Bill is too early, as far as I'm concerned I feel like it is long overdue and perhaps a bit too late. It has been stressed that if these Islands are to continue to prosper that we must have a stable Government, friendly people and what not. We cannot continue to have a stable Government and friendly people if people from the outside who are non-Caymanians are allowed to come in here and to compete and deprive Caymanians of a living that they are now making. While we as Caymanians are prepared to share with people from the outside we cannot let them come in and take away the business that we now have as I see it we have an open house at the present and we're merely putting a door on this House with a board to scrutinise and to select those who we wish to come and not to let any and all who would like to come in to do so, now unless we watch who are allowed to come into these Islands and to do business we cannot have happy and friendly people and continue to prosper. We are travelling through dangerous waters we now have Caymanians in the pillar there are many non-Caymanians who would like to ring that pillar out of our hands and it's for us to see that that pillar remains in the hands of Caymanians if we are to continue to prosper and to not have a depression like it has happened in other places.

I support the Bill and I endorse the remarks made by the Honourable Member from West Bay, I feel that he has made a very able introduction and I can only praise him for the thought and effort that he has put into it and I support this Bill entirely.

MR. PRESIDENT: Honourable Member from Cayman Brac.

MR. ALFORD SCOTT: Mr. President, Honourable Members, much has been said regarding this Bill and I too feel that it's something that is very constructive towards our development, something that will actually protect us but, in saying 'us' we must look back and realise that at times we have to speak this word in irony because as is stated many times it may be thought our geographical disadvantage why we are not paid attention to in the right and proper manner in the Lesser Islands.

This Law I realise will protect us as Caymanians, but I would like to do this much use myself as an example now, just an illustration by using myself, at present I spend most of my time in Grand Cayman, I was forced to set up a business here because things got so bad in the Lesser Islands that I couldn't help my people by remaining there, I had to come here to try to earn some money so that in turn I could help the Island up there, which as I say again "no one knows the pinch of a shoe but those that feel it". In many instances we have been neglected and as regarding this Law and to see what is embodied in this Law not one bill but many bills, a bill which may eventually put us in a position where we as people of the Lesser Islands cannot play our part in the development of our country. For instance if this Trades and Business Licensing Law when this new Law comes into effect if we do not have a Board in the Lesser Islands as we have had in the past. Now let me ask this, do anyone here feel that they could represent a particular application for a permission for some sort of business there like a person living in that Island could, or one that puts interest into that Island to return there occasionally as I do? I'm here deriving benefits from the great development in Grand Cayman but I'm still a representative for the Lesser Islands - I'm a representative for all parts of Cayman but I have direct obligations there, and I feel that my colleague in expressing himself did not mean to commit himself in any way, but he was just speaking from a heart full of responsibilities where his representation is concerned, so for that reason I feel that this thing should go into select committee let us get where we can relax, think over this thing deeply, not here where we maybe discussing a thing and we do it with stress. I think a Select Committee could accomplish a lot as we have done in the past with other select committees to thrash this thing out so that each Caymanian regardless of what part of which Island he's in and he feel himself satisfied that I am not neglected.

MR. PRESIDENT: Thank you. The actual Bill we're dealing with is the Caymanian Protection Bill, I think as far as Cayman Brac and Little Cayman are concerned it's not this bill in itself which is causing any difficulty because this doesn't remove anything that is at present done in the Islands it's only one of the other two bills which appears to be causing difficulty and I thought that could be spoken to when it comes up, and on the Committee Stage you know that I would assume that it is not beyond the capacity of a select committee which it will probably go to to try and find some satisfactory way of trying to produce what is required for the Lesser Islands without detracting from the overall national good which is a thing which this Government and this Assembly always has to think of. We can't have one policy going for one part of the realm and another policy for another part over such things as Immigration or who is allowed to do business here. I mean this must be of national interest because as you have just come over as you say from the Brac, so can other people come over from the Brac to get a Licences given over there, and visa versa. I think one has to be very cautious about this but we are at least I am only too conscious of the demands of Cayman Brac. I don't feel myself that these three Bills are particularly the place to raise this feeling.

Anybody as you know under Standing Orders can put down a motion and have a debate, if they give us eight days notice it's open to anybody to do this, and I shall hope that this might be more a question for that. If you wish to air a special position of Cayman Brac rather than get it involved with the Caymanian Protection Bill which really doesn't harm the Brac at all. Anybody else wants to speak?

MR. ANTON B. BODDEN: Mr. President could I say a few words? I hope you don't get out your seat and speak a second time.

MR. PRESIDENT: I can't hear you.....LAUGHTER.....Have you already spoken once? Well you were speaking a second time....LAUGHTER....I mean if you're getting up on a point of Order that's fine - otherwise would you please be seated.

MR. ANTON B. BODDEN: Mr. President and Members, I just rise again to confirm what I said a while ago in respect to a select committee under Standing Order 62, to deal with this Bill before us because it needs some member said a tidying up.....

MR. PRESIDENT: Just one minute Honourable Member perhaps you heard what I said, I said "if you are getting up on a point of order, I have to listen to the point of order", and if you are getting up to speak twice this is not permitted.

MR. ANTON B. BODDEN: Well, I did have a point of Order Sir.LAUGHTER..... Standing Order 55 "The member moving the Second Reading of a Bill shall state the object of the Bill and the reading for its Introduction when a motion for the second reading of a Bill has been made upon it there may be a debate upon the general merits and principles of the Bill, and if such motion is carried the Bill shall either: (a) stand referred to a committee of the whole Assembly who shall consider the Bill clause by clause and amend it as maybe deemed necessary; or (b) be referred to a Select Committee in accordance with Standing Order 62".

MR. PRESIDENT: Yes, what is your point of Order?

MR. ANTON B. BODDEN: The point of Order was that the minute that the motion was made for a Second Reading this motion will be referred to Standing Order 62, a Select Committee of the whole House or nominated and elected members could then take place.

MR. PRESIDENT: Well, I don't think that's quite right - it's when a motion for a Second Reading has been made and seconded as in our case there may be a debate upon the general merits and principles of the Bill and this is what we've just been having on the general merits and principles of the bill, and when the motion is carried, that is when I put the question to you which I will do shortly asking if you agree that it should be read a second time, if you say yes then a member has to refer the bill either to a committee of the Whole House here in public or if you want more time and more care to be spent on it to a Select Committee. It is then up to the members to decide which they want. Thank you for drawing our attention to this.....LAUGHTER..... Anybody else want to speak? I think the Seconder of the motion can speak if he wishes as he has just introduced it otherwise if he doesn't wish to speak the Proposer of the Motion should now perhaps try and round up and answer any questions that may have arisen during the course of the debate.

HON. BENSON O. EBANKS: Mr. President first I would like to thank members for the general support which they have given this Bill, and I'll try to deal with a few points which have been raised. First point of concern seems to be the effect at the coming into operation of this Law, the effects on British Subjects already resident in the Islands. Some people seem to think that all people of British nationality will automatically become people of Caymanian status, but this is not exactly the case. They must have been ordinarily resident in the Island for five years, or to have been domiciled here. One member questioned or suggested that domicile should be defined, and it is defined - domicile is defined under page 8, "domicil and its derivatives has the meaning ordinarily applied to that expression at Common Law". I don't think that it is possible for us to impose in this Bill any meaning other than that. Domicil as I understand it is not something that can be determined by a number of years of residence in a country, in other words, it is possible that a person could reside for twenty years in the Cayman Islands and still not be domiciled here. Domicil is a condition of the mind and it must have the evidence by certain other physical acts and I am not concerned Sir, that persons of British nationality who are domiciled will automatically gain Caymanian status. As far as I am concerned these people have demonstrated their intention to throw in their lots for the betterment and progress of the Cayman Islands. They came here under the legal provisions of present Laws, and I think that we owe to them that consideration. I would bring to members attention that our present Immigration Laws provide that once a British subject is resident in the Islands for five years he's automatically deemed to belong to the Cayman Islands he is a belonger. Now after coming into being of this Law when application has to be made it doesn't say that after five years he is deemed to have Caymanian status, he gets it if he measures up to all of the criteria which are set including the taking into account of the general well-fare of the community. If it is thought not to be in the best interest of the community that an individual, even though he has been heretofore five years be granted Caymanian status, I dare say he shall not have it, it is not automatic, but we have certain responsibilities, and I feel this deeply, we would be acting very unjustly if we did not consider those persons of British citizenship of persons of British Nationality who came here under our existing Laws and who have manifested their intentions to live and work amongst us.

The other thing is that the age of eighteen seems to have been associated in some way with voting rights. What our understanding is that the proposals for the new Constitution will not be tied in any way to Caymanian status. For example, you will notice this that there are certain conditions the Administrator can grant Caymanian status, and I don't think that this would work well in qualifications running for an office in the Assembly.

I guess that it is unnecessary to repeat that the main bone of contention by the members from the Lesser Islands seems to be in the Trade and Business Licensing Law and not really in the Caymanian Protection Law, but I too would like to give the assurance to the members and people of the Lesser Islands that we are always mindful that they are a part and parcel of the Cayman Islands. I don't think that the present Assembly can be accused of ever ignoring that fact. Now one member also questioned why - I believe it was why Hondurians weren't treated the same as British subjects? The simple fact is this that the Law provides that for anyone to be granted Caymanian status he must be first and foremost a British subject, and if those of non-British citizenship wish to become Caymanians or to obtain Caymanian status they must first become naturalized British subject. We belong to the British Commonwealth, and as such we owe them - British Commonwealth citizen a certain amount of latitude and we are not really conferring a nationality on ourselves, this is impossible, we're all citizens of the British Commonwealth, that is of the United Kingdom and Colonies and this is merely a label which will enable us to control certain activities within our own shores.

As regards the question of sending this Bill to a Committee I think I said earlier that this was the intention. It certainly would not be the intention to try to carry a bill of this magnitude through all of the stages in one meeting of the Assembly, further more I would call your attention to Chapter 1 of Part I of this Bill, and this Bill actually cannot become Law until the signification of Her Majesty's pleasure has been obtained. This means in effect that even after we have processed the Bill in Committee the powers that be in the U.K. reserve the right to examine it and make whatever comments they consider necessary on it.

Mr. President it would appear Sir, that the question should now be put for the Second Reading.

MR. PRESIDENT: Just before we do that, I better say one thing about this reservation of this Bill which has just been mentioned. At the beginning of this Bill it is different from normal where it says it is reserved for Her Majesty's pleasure. This is because the Bill is of a very great fundamental importance and it affects the rights of all sorts of people, and the United Kingdom has been involved with this Government in the production of this Law. It has given a lot of comments and advice because we deal with such delicate subjects as Deportation, Immigration and other matters affecting the fundamental rights of individuals, and even at this stage they are still very cautious about one or two points which they are still examining. I don't think they are going to be of fundamental importance but one of these is the section on Deportation and when you get to the Committee stage this will be pointed out to you that the Ministers in the United Kingdom are very cheery about throwing out a British subject without any notice and without giving any reasons because they in their turn have to go through much more complex processes before somebody can be removed from the United Kingdom, so there are various matters of this nature which don't really affect the protecting aspect to the Bill which will come to light in the Committee Stage and as a final safe guard when the Bill is finally sent up it will not be signed by the Administrator, he cannot bring it into Law, it has to go to London for the final check that we're not offending against International Laws or United Nations or procedures normal in the British Commonwealth, but I think there is little likelihood that we are in fact doing so except in the Deportation section.

Well, with that explanation we now have to put the question that this Bill the Caymanian Protection Bill, 1971 be read a second time.

QUESTION PUT: AGREED. BILL READ A SECOND TIME.

HON. BENSON O. EBANKS: Mr. President I beg to move Sir, that this Bill "THE CAYMANIAN PROTECTION LAW, 1971" be referred to a Select Committee comprised of all the Elected and Nominated Members of this Assembly in accordance with Standing Order 62.

MR. PRESIDENT: Are you proposing a Chairman while you're at it?

HON. BENSON O. EBANKS: If I may Sir, I would propose that the Honourable Attorney-General be Chairman of this Committee. This is a Bill as it has already been expressed containing very fundamental rights and legal complications and I think that his knowledge and experience would be invaluable to us on this Committee.

MR. PRESIDENT: Sorry to push you further but while we're about it, have you a quorum in mind? So I can put the whole thing as a Motion, it maybe easier.

HON. BENSON O. EBANKS: Yes Sir, while the proposal is to send the Bill to the Whole House that is, elected and nominated members, in order that the business of the Committee be not unduly hindered or delayed. I would suggest that a quorum be set at five. If members are interested in the passage of this bill there are very few occasions on which they should not be able to attend in as much as the Chairman always takes into account any extenuating circumstances such as illness or reason for leave from the Island, normally the Committee is not called during those instances but if members are in the Island and they are not able to attend, I think five is sufficient for a quorum.

MR. PRESIDENT: Do you wish to speak on this Miss Annie?

MISS ANNIE H. BODDEN: On what he has just said, Sir.

MR. PRESIDENT: Yes, if we can get it seconded, then it will be opened for debate.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: Now there is a Motion, before us that the House resolve itself into a Select Committee of all the elected and the nominated members to study the bill clause by clause and amend it as may be deemed necessary and also that the Chairman should be the Attorney General, and that the quorum should be five. That is the Motion, now anybody can debate it. Honourable Member from George Town.

MISS ANNIE HULDAH BODDEN: I might be getting a little deaf today Sir, but did you say Sir, "that this House resolve itself into a Committee?"

MR. PRESIDENT: Select Committee - I think. Select Committee.

HON. BENSON O. EBANKS: Yes Sir.

MISS ANNIE H. BODDEN: And the words that I understood "that this House resolve itself into a Select Committee" I'm not that deaf, don't you tell me. My mother died at the age of eighty-five and she was hearing like a baby, well, anyhow whatever it is. I would like to say Sir, that I first whole-heartedly agree with this thing going to a Select Committee but, I would like the terms of reference here noted that we can co-opt outside members. Don't like to talk too much, but on the last occasion we had such a reference and we didn't get very far with it. Now, I want it specifically made in this Motion that "We are privileged to co-opt outside members", and I do not agree with a quorum of five but as usual I suppose I'll have to accept it.

MR. CHAIRMAN: Anybody else wish to speak?

MR. T.W. FARRINGTON: Mr. Chairman you will note Sir, that I had nothing to say a while ago because to my mind it is perfectly obvious that we do need some sort of protection, and I knew that the only way to get this thrashed out, because there are some points here that need to be clarified, would be for it to go to a select committee, therefore I am in agreement for it to go to a select committee then the amendments that might be necessary will be made.

I think the Law in itself is a good one but it is so very important, so far reaching that we do need to go into this thoroughly in a Select Committee, so I agree that this should go to a select Committee and I agree that the quorum should be five, for reasons given by the Mover and further more that no better person could be chairing this committee than the Honourable Attorney-General.

MR. CHAIRMAN: Thank you. Anybody else wish to speak on this? I have taken the Motion as a Select Committee whatever was said this is you can't appoint a Chairman to any Committee of the House except myself in any case. Anybody else wish to speak on this? As regards this point of co-option of members to Standing Committee this will have to be covered in the Standing Orders of this House. I don't know if the Attorney-General knows where this comes.

HON. G.E. WADDINGTON: As far as I know Mr. Chairman, there is no power in the Standing Order to co-opt.

HON. BENSON O. EBANKS: You can have power to summon witnesses and call for papers but you can't co-opted Members.

MR. CHAIRMAN: Yes, well they're seems no specific rule on this, the normal matter is that any committee of the Assembly, I think can call on anybody to appear before it as far as I'm aware, to give any evidence but as regards co-opting a member to sit on a Committee - I rather doubt this because this committee is a committee made up of the elected members and nominated members of this House, and I don't think you can bring in an outsider to sit in on the discussions, but again just expressing a view I would have thought it was perfectly in order to, if the majority of the committee would like to hear somebody on this issue they could ask him if he wanted to, but this must depend on the majority of Members wishing to hear this person as far as I can see you can't have individual members wanting to bring in individual people. There is Section 69 in the Standing Orders which says - I don't think it is really applicable "but if anybody feels that he has been pecuniary affected by any public bill, they can appear before and be heard by a Committee". I think this is really intended to apply to people who feel themselves individually persecuted because of the bill, not just because you got to pay a bit more tax I don't think anybody can then petition but if your particular house is going to be burnt down by order of the Assembly you are allowed to come and protest.

Well, if nobody else wishes to speak, it seems the general opinion of the House that this Motion - I should now put the question. Does the Mover wish to wind up at all or not.

HON. BENSON O. EBANKS: No Sir.

MR. PRESIDENT: So I'll now say that the INTERRUPTION

MR. T.W. FARRINGTON: Mr. President on this matter of co-option I think that although it is written into the Standing Orders the question has been that, in the Motion that is made for a matter to go before a select Committee has been incorporated in that Motion, that the Committee has the power to co-opt members - I think that's the custom that we followed. There's nothing written in the Standing Order but that is the custom that we've followed over the years, and further if members from the outside want to have anything to say, if the Committee so desires, they can have that brought in as a written recommendation but, I think Sir, that in the past we have had that incorporated in the Motion that with powers to co-opt I've had that to deal with over, and over and over again.

MR. PRESIDENT: Thank you. I believe the correct thing which the Clerk's reminded me of is to have powers to send for persons and papers, which means that you send for people but as regards the co-opt, I'll just remind others what it means, if you co-opt a member it means he can sit on the Committee, this is what co-option means whatever members may think, and it is very different from asking some one to come in front of you and give evidence. Co-opting means to say you move up and give him a seat to sit with you on that Committee and, I would have said that this is not desirable in an elected Assembly, that you should protect your rights jealously to discuss matters but you should use expertise if you feel it necessary by bringing people in and letting them speak to you, and then letting them go away again, but don't let them remain on your committee this is the point that I would like to make.

HON. BENSON O. EBANKS: Mr. President when I waive the right to wind up the Motion I thought that you had successfully dealt with the question of co-opting members but I would certainly support your stand that beyond embodying in the Resolution "the powers to send for persons and papers", I am not prepared to go because we haven't any legal rights to co-opt anybody to any committee of this House neither has the individual who would ostensibly be co-opted any legal rights to sit. We have the right to call and ask questions and examine, invite, memorandum or memoranda and examine these and deal with them but I don't - I respectfully submit we have not the right to co-opt members.

MISS ANNIE H. BODDEN: Mr. President, on a point of order, we are learning language that hither to is unknown. From time I was fifteen years old I heard co-opt outside if co-opt is the wrong word, I think invite people to come in and sit at some stages. I would not feel what I think co-opt is for a person to come and find themselves outside there and stay all day. I am in to come and dig down in and go about my business that's what I mean and I am really learning something today that co-opt doesn't mean what I had in mind that it meant.

MR. PRESIDENT: Thank you. Miss Annie it seems that we're rather - one feels that we want to get whatever advice or opinion we can to help the Committee but, as a general statement the most jealous thing to be guarded in these Islands is the independence of its Government if you can retain that you have achieved something, so retain it even in your committees, and make sure that you sit as a Committee of this House, and that you don't find three or four strangers sitting with you influencing during your discussions. The same time send for persons and papers so that you can get full evidence, and information as you wish it.

So I will now put the question, which is that this House resolve itself into a Select Committee of all elected and nominated members to consider the Bill clause by clause, and propose amendments as maybe deemed necessary.

MR. IRA WALTON: On a point of order Sir. INTERRUPTION

MR. PRESIDENT: I am having a very difficult day.

MR. IRA WALTON: I think the Motion put forth by the Member was that the Bill be referred to a Select Committee of the whole house.

MR. PRESIDENT: On a point of order Mr. Walton I hand you best on this - I'm getting a bit warm with all these points of order in there, and that a Select Committee be appointed of the Elected and Nominated Members for the purpose of examining and reporting on clauses of this proposed Bill, and that the Chairman shall be the Honourable Attorney General, and the quorum shall be five.

QUESTION PUT: AGREED.

MR. PRESIDENT: If we should add if necessary that the Select Committee is entitled to send for persons and papers as necessary. I don't think that they need to put this in, I think we could always do this.

HON. D.V. WATLER: Section 70 of the Standing Order makes provision for that.

MR. PRESIDENT: It's already assumed that you can ask witnesses or get evidence or hear people and indeed if somebody feels that he should come and speak to you he can petition the Committee under Section 69 too.

I don't know how members feel about struggling onward we have a fair amount of stuff to go still. Have we refreshments this afternoon? Well, I suggest as these Bills are virtually a trio of Bills, I don't think there's much that can probably be discussed except in Committee on them all because they are so inter-connected that we should suspend the House for ten minutes for a break and see if there's any hope of getting through the remaining two - if there isn't we'll take one.

HOUSE SUSPENDED.

HOUSE RESUMED.

MR. PRESIDENT: Honourable Members, we now move on having put the "CAYMANIAN PROTECTION BILL" which is a master Bill as it were to a Select Committee -

we move on to two other Bills closely connected with it, the first is the "LOCAL COMPANIES (CONTROL) BILL, 1971"

THE LOCAL COMPANIES (CONTROL) LAW, 1971.
INTRODUCTION.

Moved by: HON. BENSON O. EBANKS:

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. LEAVE GRANTED FOR INTRODUCTION OF BILL.

FIRST READING.

Moved by: HON. BENSON O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A FIRST TIME.

CLERK: LOCAL COMPANIES (CONTROL) LAW, 1971.

SECOND READING.

HON. BENSON O. EBANKS: Mr. President I beg to move Sir, the Second Reading of a Bill entitled "THE LOCAL COMPANIES (CONTROL) LAW, 1971". Memorandum of Objects and Reasons, "At present it is possible in certain cases to avoid the effect of the Work Permit Law by forming a local company and conducting a business through the company which, in the eyes of the law, is resident in the Islands although it may be in full control of foreigners. It is sought to exercise some control over this situation by requiring all companies doing business locally to be under the control of local people or to be licensed to carry on business here."

We have seen how the Caymanian Protection Law, 1971, seeks to protect Caymanian interest from competition from others from outside of non-Caymanian status. The Local Companies (Control) Law, seeks to do the same for Companies, as the Caymanian Protection Law seeks to do with individuals. The Administration of the law is under the Caymanian Protection Board set up under Caymanian Protection Law, and forbids, save under licenses from that Board carrying on a Business in the Cayman Islands by Companies that are not locally controlled save under license.

The points which were made in regard to the Caymanian Protection Law are applicable to Local Companies (Control) Law. We acknowledge that we need capital from outside to assist with the development of the territory but, at the same time we have to insure that Caymanian capital that is available is able to be gainfully employed in the enterprises operating within the Island. There are certain spheres of operations which, I say without reservation, can very well be lapped to persons of Caymanian status. We are cognisant of the important role which our Tax Havens operations play in the economy of the country, and the Bill has specifically excluded Companies which register here merely for Tax Haven operations overseas. We have also excluded Companies Licensed under the Banks and Trust Companies Regulation Law, 1966, and Companies which are operating under a Franchise granted by this Government. The Law provides also that Companies which are now legally carrying on business in the Islands at the coming into effect of this Law will be guaranteed a license under the Trades and Business Licensing Law, for a period being not less than twelve years. Again we feel that we must show good faith here, people have invested money lawfully under existing Laws, we must show good faith but I would be quick to point out that even though some people might argue that twelve years is a short time, that this is exactly eleven years better guarantee than anyone coming to invest here at the moment has. Anyone carrying on business in the Cayman Islands at the moment is required under our existing Law, to get a Licence under our Trade and Business Licensing Law, and that Licence is only good from 1st January to the 31st December that year. There is no guarantee under our present Law, that the Licence will be renewed, so we have shown that even though we intend to protect to the fullest Caymanian interest, we have also - the Bill proposes to show that we intend to honour any commitments which may have been given or may have been understood to have existed under existing legislation. Basically these are the provisions of this Law, and I commend the Bill to your favourable consideration.

SECONDED BY: HON. G.E. WADDINGTON.

MR. PRESIDENT: Now the matter is opened for debate before I put the question on the Second Reading. Lady Member from George Town.

MISS ANNIE H. BODDEN: Mr. President, Members of this House, I agree that we should have some control, and this Local Companies Bill seems to answer the question up to a point. Let us face facts, all these many years we have sat down here Caymanians of a very limited few have had any capital to invest, outside companies have come to our rescue, and I feel Sir, that any Company carrying on a legitimate business in this Island this twelve year limit is somewhat short. When it comes to the Committee Stage I shall, if I'm alive elaborate on that.

Another point is in the page 18, "PROVISION TO BE COMPLIED WITH BY A LOCAL COMPANY CARRYING ON BUSINESS IN THE CAYMAN ISLANDS". Now, as we know now Caymanians are a front for a lot of Companies who are here, they are just a bare front, and they haven't gotten the money without the exception of a limited few, and this Section here says, "The Local company shall be Caymanian controlled. (2) Without prejudice to the generality of sub-paragraph (1), at least sixty per centum of the total voting rights in the local company shall be exercisable by Caymanians". To have sixty per centum of the voting rights, I take it - subject to correction, they would have to own sixty per cent of the capital stock, or the controlling interest.

Now, I would just cite one case, the Holiday Inn, I'm sure that they are not many Caymanians who could invest to the degree where Caymanians would have sixty per cent of the controlling interest in a business of that magnitude. While, I say, we need to protect Caymanians let us be very careful that in trying to protect ourselves we do not ruin the whole economy of this Island. You know there's such a thing as ingratitude, and now we think we're out of the ashes and we're going to show what we are, now, that is not the spirit.

We have for generation sat down here and the only importation that we had of money was when the Caymanian Seamen - those who are fortunate to have men to export, to import money back that was our only means of revenue. Now we are above that stage and we're so full of pride that we say we're independent of outsiders. Mine, I'm not catering for people to take away our rights, what I'm catering for is this that in our grasp for power that we don't lose everything. Take care we don't be like the dog who had a bone in his mouth passing a river saw the shadow of that bone, and said, "Now I'll get two" he lost both. What he saw was only the shadow, let us be realistic while I agree that Caymanians must control their country, nevertheless we must not get too smart to say we can get sixty percent of these companies. Where is the money to come from? You think people just coming here, just to say, "We're coming to live in the Cayman Islands" they are coming here for the same thing that Caymanians go abroad for to get all they can out of it, and I say, while I'm very sympathetic up to a point that this Law, when it comes to the Committee Stage, I feel that we should not let pride ruin what we are trying to do.

It's a known fact that we are suppose to be a Tax Haven all the ramifications of what a Tax Haven means, I do not know, but at least I know this much that the advent of such a thing into the Cayman Islands has brought us to the stage where we are partially - partially I would say independent. Now, do not let us ruin that with our pride. So I would say Sir, that in principle that I support this Bill up to a point and hitherto Caymanians have been just a front for Companies who have come here to establish and taken bread out of Caymanians' mouth. Caymanians are just a front, now let us get to the place where we can use our authority but not to our detriment.

MR. PRESIDENT: Thank you. Any other member wish to speak on the principles, and merits of this Bill? Honourable Member from West Bay.

MR. JOHN D. JEFFERSON: Mr. President, and Members of this Honourable House, I rise in principle in support of The Local Companies Bill, 1971. I realise Mr. President, no doubt there will be many Companies, that Cayman Island people will not be able to own, financially able to venture to own sixty per cent, but, be that as it may Mr. President, I think leverage must be made available for them, if they are so able, that they will be able at some time to participate in the full development of their own country.

As I've said before, I believe that we must do and we will do, everything possible to accommodate the investor from the outside yet when we can find and create a situation where there is participation, the investor on the outside, and the people of these Islands on the inside, I think we may have room for a healthy society. Thank you very much.

MR. PRESIDENT: Any others to speak on this debate? Well, in that case I'll ask the mover to wind up and possibly try and answer any queries that were raised in these two statements.

HON. BENSON O. EBANKS: Mr. President, I can understand Sir, the fears of members regarding what may be taken as the old saying, "Killing the goose that laid the golden egg", but the Bill in my estimation excludes Tax Haven operations completely. They are free to go on, further more provision is made to license Companies in the case where Caymanian capital is not forthcoming to the extent of sixty percent, and I know that this has caused some concern but I would venture to say that when this Law has come into operation for a couple of months those same people who are now criticising this Bill, and expressing doubts will have the same comment to this as they have had for other Bills which the Government saw fit to introduce.

Let's face it, anyone smart enough to earn money to bring into the Cayman Islands is not a fool enough to believe that the Cayman Islands can continue to go on in the way we have been going without checks and balances and I am saying here that when this Bill becomes a reality we will have a selling point in this country for outside investors that is not found anywhere else in the world. The provision of the Licence says a minimum of twelve years but certainly when a genuine investor knocks on the door, when it is deemed in the interest of the country to have that investment we can say sure, or the Board can say sure you're allowed to come in, and whatever concession in terms of years for that major development that we are required to give, will be given. Coupled to this we have our guarantee of Tax Holiday on funds imported into the Island, and I am saying without fear of successful contradiction that there is no where else in the world that an outsider investor can get a guaranteed License up to one hundred years if the Board sees fit. There is no maximum put on this there is a minimum for border line cases, and I am saying also that the fact that we have said that nobody is going to come into this country and do business without it is a Caymanian Control Company, unless the company has a license from the Caymanian Protection Board, it is nothing to be ashamed of. We must look first after our own household, and as I said before those who are privileged to be let into this country to do business will be able to get a guarantee under this Law, that they are unable to get in my humble opinion, any where else in the world.

Hon. Benson Ebanks Contd.

Banks and Trust Companies have been specifically excluded and the reason for this should be quite obvious. No one in our wildest dream sees sixty per cent Caymanian Control of a Bank in our life time this is obvious why this has been left out but, the Bill seeks as I said, to guarantee Caymanians particularly our next generation that something will be left for them to take up where the present generation leaves off.

I don't think that this Bill can be construed as any action of anyone - shall I say, getting too smart. What I think this Bill must be interpreted as is the genuine effort to protect Caymanian interest, protect those who are allowed to come in, and above all that it be recognised that these Bills are being presented at a time when we are not really under any pressure by radical elements to do this. We can sit down in the coolness of time go through these bills, thrash them out, legislate them, they are on the books, they are the protection which I am sure we all feel is entitled to Caymanians. If we look around we have examples galore of countries who allow their development to go at a pace in control and without any thought of meaningful participation by the persons who were born and raised and lived in the territory. We cannot afford to make the same mistake here, we must legislate Laws that will guarantee protection and insure stability which is really our only stock in trade. If we allow things to drift on, and let's make no bones about it, while the feelings may not be to the surface they are visible under the surface, and we must ensure that in this territory we have done all that we can do to prevent them ever surfacing. I thank you Mr. President.

QUESTION PUT: AGREED. BILL READ A SECOND TIME.

HON. BENSON O. EBANKS: Mr. President, I move that this Bill the Local Companies (Control) Law, 1971 be referred to a Select Committee comprising the Elected Members and Official Members of this Assembly in accordance with Standing Order No. 62. I further propose that the Chairman should be the Honourable Attorney General, and that the quorum for meetings be set at five.

MR. PRESIDENT: The Honourable Member did say, "the Elected and Official Members".

HON. BENSON O. EBANKS: I beg your pardon Sir, I mean Nominated.

MR. PRESIDENT: Seconded. Anybody.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: The Motion is that the Second Reading now being completed that the Assembly appoints a Select Committee of all Elected Members and all Nominated Members, for the purpose of examining and reporting on the Clauses of the Local Companies (Control) Law, 1971. It is proposed that the Chairman should be the Attorney General, and that the quorum should be five members.

Anybody wish to speak on this? I will put the question.

QUESTION PUT: AGREED.

MR. PRESIDENT: We now come to the last of these three Bills which we better keep together to avoid confusing ourselves, that is, we've already protected Immigration, Deportation, Caymanian status, and Work Permits and Companies and now the last thing we're trying to control is the Trade and Business Licensing Bill.

MISS ANNIE H. BODDEN: Mr. President, I beg to be excused, I had promised to stay until five o'clock but I can't make it any longer.

THE TRADE AND BUSINESS LICENSING LAW, 1971 INTRODUCTION

MOVED BY: HON. BENSON O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. LEAVE GRANTED FOR INTRODUCTION.

FIRST READING.

MOVED BY: HON. BENSON O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A FIRST TIME.

SECOND READING.

MOVED BY: HON. BENSON O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

HON. BENSON O. EBANKS: "This Law repeals the Licences on Trades and Business Law, 1965 the main object of which was to protect existing businesses. The Caymanian Protection Board under The Caymanian Protection Law has complete control of the issue of gainful occupation licences which are required by persons not of Caymanian status before they can operate in these Islands, and the issue of such gainful occupation licences is an expression of intention by the Board to grant the licensee an equivalent trade or business licence. Persons of Caymanian status are automatically granted a trade or business licence on application; provided, of course, in both cases the applicant conforms to the other requirements of the Law.

Protection of Caymanian businesses or trades from persons of non-Caymanian status is now, therefore, adequately safeguarded under the Caymanian Protection Law, and the function of the Licences on Trades and Business Law is to raise a certain amount of revenue and in relevant cases to exercise hygienic control over premises.

Issue of Trades and Business Licences is vested in the Caymanian Protection Board which is set up under the Caymanian Protection Law. This Bill ensure that the Board will be apprised of the trade licensing situation from all points of view.

Hon. Benson Ebanks Contd.

The opportunity is also taken of bringing up to date the list of Trades and Businesses".

Mr. President, as I've already said the main function of this Bill is as a revenue earner to Government, since the effective control of the issuance of the licences is already taken care of under the Caymanian Protection Bill and the Local Companies (Control) Bill. The opportunity has also been taken to try to categorise more exactly the businesses which are or are envisaged to carry on in the Island. This is the Bill which has exercised members of Ex. Co. more possible than the others even though it is simple, and that is the part as regards "Fees", because it is difficult to distinguish or differentiate between similar businesses of different sizes and we thought of all sorts of ways of getting around this and this is the best solution we could find. This is also the area I think where the Islands of Cayman Brac and Little Cayman will be most affected it has been pointed out that as is the same in many instances in Cayman, almost in every circumstance in the Brac and Little Cayman it's necessary for a company or individuals to do a number of operations. I specifically categorised here as requiring special licences, it is necessary for them to do all these businesses in order to make ends meet or to make a livelihood, and I think when we get into committee we can certainly exhaust all our efforts to meet the objections of the Members from the Brac, and what has really been our objective from the beginning, and I commend this Bill for favourable consideration.

MR. PRESIDENT: It's been seconded. Now open for debate. Anybody want to speak on this Bill? It is obviously the intention I think to put this to a Select Committee at the end. We know I think where the difficulties come in the fees and the division of businesses up into many different categories round the present four or five and we have already been notified discontent of Cayman Brac having it's own Board sought of solved by this rather larger exercise. I would just like to underline in passing, that under this Law, it is really only the non-Caymanian who has to really apply for a Business Licence in a meaningful manner. Any Caymanian who applies for a Licence automatically will get it provided that he has sanitary premises and fulfill the ordinary requirements of the Law and so that the Board will not consider a man on his - any merits other than those of sanitation and the other basic requirements. So the real decision on any Board will be on non-Caymanians. I make that point because the Board in the Brac would really therefore in fact be rather mechanically in its operation lastly if they was such a thing.

Well if members feel they are all bound up together, we will then put the question.

QUESTION PUT: AGREED. BILL READ A SECOND TIME.

THIRD READING.

HON. BENSON O. EBANKS: Mr. President I beg to move Sir, that the Bill entitled "THE TRADE AND BUSINESS LICENSING LAW, 1971" be referred to a Select Committee comprising all the elected and nominated members of the Legislative Assembly, in accordance with Standing Order 62, further that the Honourable Second Official Member be the Chairman of the said Committee and that the quorum be set at five.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED.

MR. PRESIDENT: Thank you for sticking it out - we have got through with the Bills, and we got through all the Business set out on the paper today which is quite an achievement considering our rather poor start when we got stuck a long time. We will be meeting again tomorrow morning ten o'clock here when the remaining business will be attempted, and I will be giving a Message on the Constitution then, and I suspend the Session until 10 o'clock tomorrow.

THE HOUSE ADJOURNED AT 5.20 p.m.

ORDER OF BUSINESS

THIRD MEETING OF THE 1971 SESSION
OF THE
LEGISLATIVE ASSEMBLY
TOWN HALL, WEST BAY, TUESDAY 28th Sept. 1971
10 a.m.

1. Confirmation of Minutes - NIL
2. Message No. 2 from His Honour the Administrator.
3. Reports of Committees:-
 - (a) Select Committee on Land Adjudication Bill, 1971
 - (b) Select Committee on Registered Land Bill, 1971
 - (c) Select Committee on Land Surveyors' Bill, 1971.
4. Government Business:-

Bills -

(i) The Currency Bill, 1971 -	Report thereon & Third Reading
(ii) The Music and Dancing (Amendment) Bill, 1971	Report thereon & Third Reading
(iii) The Election (Amendment) Bill, 1971	Report thereon & Third Reading
(iv) The Land Adjudication Bill, 1971	Report thereon & Third Reading
(v) The Registered Land Bill, 1971	Report thereon & Third Reading
(vi) The Land Surveyors' Bill, 1971	Report thereon & Third Reading
5. Government Motions:-

(a) Supplementary Appropriation -	No. 4 by Financial Secretary
(b) Supplementary Appropriation -	No. 5 by Financial Secretary

MR. PRESIDENT: Honourable Members we managed to keep up with our agenda yesterday. Today we have a message, which I mentioned yesterday, Reports of three Select Committees dealing with the three Land Bills and five Third Readings of various Bills. Some dealt with yesterday in part.

First of all I'd like to just read my message which is very short. I have just received by air mail sufficient copies of the constitutional report by Lord Oxford and Asquith to provide all members with copies. At this stage these copies of this report will have to remain confidential until a decision is made on processing them. I suggest to the assembly that it should consider forthwith appointing a Select Committee of the same nature as that appointed to study constitutional change, to give advice on how the Constitutional Report should be processed. If this is done, I would be pleased to attend such a Committee to assist in reaching early conclusions. Copies of the report are being circulated to all members, and I would be grateful if no publication is made of these reports for the time being.

Honorable members, as you know when a message comes from the President, it is usual to discuss the message forthwith, or at some future time to be set aside. In this case I feel that all members will agree with me that we don't wish to lose unnecessary time in examining at least what procedure we should undertake from here, particularly as the report has been taking considerable time in being received and members have indeed expressed themselves on this, I think during the debate on the change of title of Administrator. So if we can discuss this message now with a view to setting up a committee I would be grateful.

If members, would wish to discuss the proposal it might be better if we had a motion put proposing that a Select Committee of all elected members, I think it was restricted to elected members, should meet to advise on the processing of the report. This is no way to discuss the contents of the report but on the rather difficult matter how we deal with it which is very important. And if some member would like to propose that perhaps we could get the quorum straight and the Chairman, and then get it to meet as early as possible.

HON. W.W. CONOLLY: Mr. President and Honourable Members I would like to make a motion that a Select Committee consisting of all the elected members and nominated members of the legislature be appointed to consider the processing of the report by Lord Oxford & Asquith in relationship to constitutional changes of the Cayman Islands and further motion that the Chairman of the Constitutional Committee Mr. C.A. Hunter be appointed Chairman of this particular Committee.

MR. PRESIDENT: Is that seconded?

HON. B.O. EBANKS: Second.

MR. PRESIDENT: We might, if anybody wish to speak, perhaps we could do it on this motion. The motion is that a Select Committee of all Elected Members and Nominated Members should consider the processing of the Constitutional Report by Lord Oxford & Asquith that the Chairman should be the Chairman of the previous Constitutional Committee Mr. Hunter and the quorum I don't think was mentioned.

HON. W.W. CONOLLY: Mr. President I didn't mention a quorum because I feel that this Committee should be sufficiently important to warrant the presence of all members, but if it is felt necessary that we should have a quorum, I would like to see that quorum not a small figure at all, I think it should be a very large quorum because it affects every man, woman and child in this territory and I feel like members should endeavour to be present.

MR. PRESIDENT: We'll probably still have to have a quorum even if it's a nominal one I suggest that ten, is that alright for the motion. Now if somebody is sick or something like this or knocked down by a car and you got no quorum and full membership then you can't meet, so I'll put that to the motion with the agreement of the Honourable Member with a quorum of ten.

HON. W.W. CONOLLY: Mr. President and members, I would further say that the quorum should include at all times a member from the Lesser Islands.

MR. PRESIDENT: Can I repeat the motion, "that a Select Committee be appointed consisting of all Elected Members and Nominated Members to consider the means of processing the Constitutional Report by Lord Oxford & Asquith. The Chairman to be Mr. C.A. Hunter. Quorum to be ten to include at least one representative from the Lesser Islands", now it's open for debate.

HON. D.V. WATLER: Mr. President and Honourable Members, setting up a Committee like this would this Committee report back to the House or what would they do? I'm just trying to think of that because as members know we passed an amendment to the Election Law or the Second Reading of the Bill to amend the Election Law pending any constitutional changes and if the committee is to report back to the legislature, then it would mean calling the legislature together at an early date, or I hope so, because this is something that is imperative that we should try to get on with or else it will not catch the deadline for the election and the House may even be prorogued or the life would have to be extended. Something would have to be done and that is the only reason why I raise this question it's not the case of being against it going to a committee it's just to try to find out how we're going to handle it to get it make some report or decision as speedily as possible.

HON. W.W. CONOLLY: Mr. President and Honourable Members if this Honourable Assembly appoints a Committee the only possible body that the report would come to would be to this House and I would assume that a Special Session of this (Special Meeting) of this House would have to be called to deal with and even if no more than this Committee Report.

MR. IRA WALTON: Mr. President and Honourable Members following on what the First Official Member just said about handling this affair as speedily as possible, constitutional matters are very important a very serious matter and is something that should not be handled speedily. The fact is if we're going through this constitution we should go into it thoroughly and if it's necessary, if we don't get it through in time for this election then we may possibly have to use the original Constitution and Election Law to have this election and maybe have another one afterward, but we should not just rush through this because there may be things in this Constitution that may take weeks to iron out.

MR. PRESIDENT: Yes, perhaps the Honourable Member may not have fully understood the reason for meeting quickly, is not to decide on the Constitution or even to consider any of the points in the proposals, it's just to consider how it should be processed. I think Honourable Members should realize that this is going to be one of the most difficult decisions to make, apart from the contents of the proposals, how it is felt would be the best way of dealing with the report. As you remember, when Lord Oxford was here, and we don't want to presuppose the Committee's work, it was originally proposed that, he might return and discuss in public some of his proposals. Maybe this

Mr. President Contd.

is felt not to be essential, you better read the report too, and see how drastic the changes are, and if that is to be done, how long is it to take, would it be better for the decision on points to be made in the Legislature, these are the sort of matters that I think the Select Committee will have to try and discuss. I wouldn't like to do it now in the House without any notice, but all we're asking is, that the Committee gives advice on how it considers the Report should be dealt with; so we're not rushing the consideration of the Report through at all, we're just starting off to plan out how we would consider it reasonable to have it discussed.

HON. D.V. WATLER: Yes, Mr. President and Honourable Members, I am sorry, just on the point of order in this respect. I would just like to say that it was not my intention of trying to rush the House to come to a decision on whether they're accepting this Report or not, but it is the matter how they're going to deal with the report, that is why I said speedy action needed on that but, not to say that you're going to accept it, or you're going to amend it or what you're going to do. I am not trying to rush the New Constitution, or amended Constitution on you, it's just for you to decide whether you're going to meet back here into the House, or whether you put it to the people, or how you're going to handle it.

MR. PRESIDENT: Just to bring you up fully in the picture, I think you are aware that you've already made an amendment to the Election Law, which enables the processes to be delayed, until the first of December. Now this is important, it means that we have up to the first of December to decide whether the election should go forward on the present basis, or whether there should be a stay, and these, all these dates play an important part of consideration in the processing, it does mean that once you go beyond that date of the first of December, you have broken the present Constitution, so if you have an Election say by I think it is the first, or very close to December, you must then remember that the election will be held on the present basis, as set down in the present Election Law with the present requirements for residence as set out in the Constitution. Now if we go through all these hoops, and produce a new Assembly and at the same time, a new Constitution comes about which requires perhaps longer terms of residence, you may have to cancel the whole election you have gone through, and have one meeting, and then have another election. This is the sort of complexity we'll have to discuss in the Committee, I wouldn't rightly go into it here, but I think we all agreed that the length of time this report has taken to come out has put us in a position which isn't very easy at the moment, these are the normal electro processes.

Anybody else like to speak on this motion? I don't think we can usefully discuss it further here, but better in a Committee, and then as all Committees of the House, I think, are really normally expected to report back, we should have a formal meeting probably to ratify whatever conclusions have been reached. Anyone else wish to speak on the motion, or can I put the question? Quorum of ten, is it anything difficult about that? Honourable Member from West Bay.

MR. JOHN JEFFERSON: Mr. President, on the quorum, as I think has already been said, I feel that something of this magnitude certainly every member of this House would make it possible to attend these Committee meetings, and I think a quorum of ten is quite sufficient.

MR. CRADDOCK EBANKS: Mr. President, I may like to say this, I am wondering if some member or members may be leaving the Island for a day or two in the time of this Committee, that they should give the Chairman a notice that they would be off for a day or two as the case may be, and it may be the member that is endeavouring to put in all the time in this Committee, if meeting could be sort of delayed then till member or members return to resume the sitting of this committee; so just thought in the light of that it might.....

MR. PRESIDENT: I wouldn't suggest, I think the processing of the report should not take more than one morning or one afternoon, and we're not going to go into any details of the committee, we're only just going to decide the rules of the game. The reason why the Report has to be confidential at this stage, is, that if it is to be published, then we have to inform the United Kingdom so that it can be published there at the same time; and I would, if the Chairman felt it possible to arrange with members a meeting time before we disperse perhaps, say on Thursday this would seem to me the most sensible thing to do, and I would say one morning should dispose of the issue.

Can I now put the question? Does the Honourable Member from Badden Town feel that he is capable of handling the members sufficiently strong enough?

MR. C.A. HUNTER: If it is a Committee that is going to go into morning and afternoon sessions for the time being, but I had in mind something like what you had suggested, Mr. President, and perhaps just deciding on the formula shall I call it, as a presentation of a report to the general public shouldn't take any more than a morning session, and possibly Thursday of this week, once the motion has been carried, possibly Thursday of this week, all things being equal, we could have that Committee meeting.

QUESTION PUT: AGREED.

MR. PRESIDENT: And I hope members will decide specifically on the date or the Chairman will, it has been suggested Thursday morning, and I would suggest that we try and stick to this, because the sooner we get the train on the rails (this is really what we are doing) I think the better. How long you take over it is naturally up to you. There is no question of rushing it - we have to adapt our present Constitution on Elections to suit the decisions on the Constitution.

Now the next item, after the Message, we now go on to Reports of Committees - this follows the Order of the Day, which the Honourable Member from Badden Town, Mr. Badden, mentioned yesterday. We go on to the Select Committee on the Land Adjudication Bill, 1971 and as yesterday we had a bit of difficulty over the procedure - it has been agreed and we think it is probably correct, that in any case we follow the old procedures which are that there is a Report made and a vote taken to adopt it, as in the past.

SELECT COMMITTEE'S REPORT ON THE LAND ADJUDICATION BILL, 1971

HON. G.E. WADDINGTON: Mr. President, Honourable Members of this House, I have much honour in presenting the Report of the Select Committee appointed by this Assembly for the purpose of examining and reporting on the clauses of the Land Adjudication Bill, 1971. The Committee held six meetings and copies of the notes of these meetings are attached to the Report with the customary analysis of attendance.

Hon. G.E. Waddington Contd.

The Committee made several amendments to this Bill, which are all set out in detail in the Report and I don't think it necessary, Mr. President for me to go through these amendments clause by clause as the Report has been circulated to all members of the Committee. Suffice to say, Mr. President, the amendments which were made were in some cases and not very material, but in other cases some material amendments were made particularly in respect of Clause 23, which was, I think, quite a bone of contention, the question as to whether or not there should be a further right of appeal from the Grand Court to the Court of Appeal in Jamaica. It was the consensus of opinion that there should be such an appeal and consequently Clause 23 was completely re-drafted to provide for such a right of Appeal on questions of fact.

During the consideration of this Bill, Mr. President, the Committee gave full consideration to a memorandum which had been submitted by the Law Society and after the consideration of this memorandum and comments thereon from the Chairman, certain of the amendments which the Law Society suggested were incorporated in the amendments which were made and the clauses affected by those amendments appear in paragraph 4 of the Report.

In conformity with Standing Order 56 (4), Mr. President, I have appended my Certificate to this Bill certifying that the bill had been considered Clause by Clause in the presence of a quorum of the members of the Committee and that in the opinion of the Committee this Bill may be dealt with by the Assembly in the same manner as a Bill reported on by a Committee of the whole House.

I now, Mr. President, have much pleasure in moving for the adoption of this Report.

HON. W.W. CONOLLY: I beg to second.

MR. PRESIDENT: The Report, which of course is fairly detailed is in the hands of members and it has been tabled. This is a report from the Chairman which is a brief report picking out the major changes and there is now a motion before the House that the Report of the Select Committee be adopted. This is like any other motion if anybody wants to talk on it, I think I am right in saying that there is no objection to it, then I will put the question.

MISS ANNIE H. BODDEN: Mr. President and members of this Honourable House, I filed a minority report, I haven't heard any mention of that and I am not sure of the procedure, I am not one of those that know the Standing Orders like I know.....

MR. PRESIDENT: Just one minute. I think there was an omission here there are in fact two minority reports, I think, which are attached to the original.

HON. G.E. WADDINGTON: Yes, Mr. President, I apologise for that. There are three minority reports to the Land Adjudication Bill, one by the lady member for George Town, another by another member for George Town and one by a member from Bodden Town. I apologise for not having mentioned these minority reports - they are in fact appended to the Report in accordance with the Standing Order.

MR. PRESIDENT: I think that only one came in time to be actually appended when the original report was circulated, since then two other minority reports (three altogether, I believe) have now been received. One is from the Honourable Member for George Town, Mr. Ira Walton, one is from the Honourable Member from Bodden Town, Mr. Anton Bodden, and one is from the Honourable Member for George Town, Miss Annie Bodden, and two of those came in rather late, one has been attached to the original report and I think the others have now all been circulated to members.

I apologise for interrupting the Honourable Member for George Town. It does say that when this motion is put that the Chairman may put the matter without further debate, it says "if the motion be seconded and unopposed the President may forthwith and without debate, put the question" but I would presume that in view of the fact that a minority report, one assumes that it is opposed, would the Honourable Member for George Town proceed, please.

MISS ANNIE H. BODDEN: Mr. President and Members of this Honourable House, my report speaks for itself. I want it clearly understood by this Honourable House and the public of the Cayman Islands as a whole that I do not oppose some sort of Land Adjudication Bill. This thing has brought me to grievous trouble, presumably November I shall have to spend \$1,000 of my hard-earned money to defend my name and which I proudly do so, if it takes all my earthly possessions. However, that is beside the point. I am saying, Mr. President and Members of this Honourable House, that this Land Adjudication Bill with all its ramifications should have full consideration. I attended mostly all of the meetings and there were one or two points which I have contested and feel that they should be written into this Land Adjudication Bill. What really amazes me is this, when this thing was first thought about, presented to our Executive Council in their wisdom or folly (I don't know which), decided that these bills were not the answer to our land problems. Well, we had a message saying "you do this, or you won't get that". Well, we knuckled down to it. I am not, I repeat, opposing some form of legislation to settle our land problems, but my contention is this that when we go on a matter such as this, we should put our all into it.

I have not one thing to lose by land being adjudicated on. I have been charged that I shall loose my income - nothing like that, this will only increase my income, if I am prepared to go to court (which I am not). We need some land adjudication which can peaceably settle our disputes. I feel that if certain recommendations had been written into this majority report, clear as a,b,c, that I might have gone along with it (I am not saying I would have - I said I might), but I feel that we should have this matter thoroughly investigated, thought about carefully, prayerfully, before we make any rash decisions. We know what land means to the Cayman Islanders, especially the country people and I feel that we should write into this Land Adjudication Bill everything that would make it a smooth working process.

We have been told what Turks Islanders want, what they got, well in June of this year I met an Honourable member from the Turks and Caicos Islands, a Minister of Religion (I am not putting that up as any criteria that he would tell the truth because I have proven now that church people, more or less, are worse than sinners), but anyhow he told us that had the Turks Islanders studied these three bills carefully they would have thought before they accepted it. He said "We have lost 75% of our land". Well, I am not saying that that is true or not true, I am only telling what he told me and Mr. Bush. However, since then I have read report written in the "Star" that Turks Islanders are so poor that even water is a luxury to them. Consequently, we cannot be compared with Turks Islanders, because we are living in paradise. But I would say that I feel, for the time being, we should carefully consider these Bills and defer them and when it comes to the matter of accepting this majority report (I know mine is so little thought of it wasn't even thought suffic-

Miss Annie H. Bodden Contd.

iently of any good, even to be mentioned - I note a lot of things, I don't talk too much, but I note a lot of things) anyhow, I shall vote that this majority report be deferred for at least six months until we can further consider the matter.

I repeat, I am not against Land Adjudication - what I would like to see is a law whereby everybody can have time to consider this thing and it be done in a rational manner. About taking 18 months it couldn't be done in 18 years, if we are to have a proper Bill and properly carried out. I thank you, Sir.

MR. PRESIDENT: The Honourable Member for George Town - Mr. Walton.

MR. IRA WALTON: Mr. President and Honourable Members of the Legislative Assembly, I was one who opposed those three Land Bills from beginning to end and particularly the Land Adjudication Law. I feel today the same as I felt when this matter was first brought before the Legislative Assembly. I felt then that in view of the fact that there were a lot of problems as a result of improper registration and otherwise, over land, that we needed some legislation to resolve the land problems. But I still don't feel that there was any necessity of presenting and introducing a law to the Legislative Assembly so complex and complicated as those three Land Bills, and particularly the Land Adjudication Law.

I am still convinced that the stand which I took in March, 1971 was the right stand, and I hold firm to my decision. I will not prolong my debate on this matter (I don't believe in a stay of execution), but as I see it those three Bills can mean nothing to the Cayman Islands but harm.

I would like to make a little reference to the Turks and Caicos Islands. Today, they have undergone the same process with similar laws, and if members here will recall in the public meeting held in George Town by Mr. Lawrence and his colleague, he was asked what was the position of the people of the Turks and Caicos Islands, with regards to the amount of land then owned by the Crown in Turks Islands - he said "85%". Let me say this, Sir, that anything done in Turks Island with regards to land will have to be an improvement, because I think they are ranked among the poorest of the world. I was reading an article only recently where a woman, a tourist in Jamaica, broke down from hearing what those poor people were suffering in Turks Island and put her diamond necklace of \$4,000 in the collection plate, asking that it be sold and sent to the people of Turks Island to feed them. They are British Subjects, Sir.

MR. PRESIDENT: Well, we are hearing a lot about the state of the Turks Islands today. Would anybody else like to speak? Honourable Mr. Conolly from East End.

HON. W.W. CONOLLY: Mr. President and Members, I supported the majority report that has been laid before this Assembly and I was a bit disappointed when I got these minority reports, because truly I think the whole consensus of opinion was that some type of legislation dealing with land in the Cayman Islands should be brought forth. I am not going to repeat the history of this particular Bill but surely I feel that when we as Elected Members of this Legislature sit down in any Committee to consider any proposal or any motion or any matter or any bill for the better government, the betterment of the people of these Islands, we should use all our interests, all our emphasis, all our ability so to do. I am saying this with the greatest of respect but in the meetings that I attended there were some members who approached these meetings with their minds made up - "We are against these bills", there wasn't a genuine effort to see what we could get best for the people that we represent, and I am sure, speaking in support of these Bills, that the Chairman, the Honourable Second Official Member, did all that any Chairman could do to produce amendments that were requested by the majority of members at these meetings. I am not here saying that the Report or that these Bills when they become laws are going to be perfect, I don't think any Legislature in the world produces any Bills, or produces any laws that some smart lawyer, as was stated yesterday, can't find some loop-hole - I think that is the main reason of putting these amendments, that is why we have courts, that is why we have Appeal Courts, because there are going to be times when two lawyers take the same law and interpret it differently. This is the usual position in any country that has legislation set up on our system of legislation. I feel that the Committee did study as far as we as laymen can determine the effects of the legislation and in all, the Committee, with these amendments to these Bills that have been proposed, feel like if these bills become law, and the law becomes implemented that this particular law, the Adjudication Bill, will be for the benefit of the majority of people in the Cayman Islands. It is with this in mind that I support the majority report on these Bills, thank you Mr. President.

MR. IRA WALTON: On a point of order, Mr. President, the Honourable member from East End made some mention that some members came into that Committee with their minds made up, I would like to say, Sir, if he is making reference to me.....

MR. PRESIDENT: Will you please be seated. Members must realise when we are sitting in an Assembly everybody gets a chance to speak once. Points of order are the only occasions, I think, in Standing Orders which allows somebody to get to their feet again, and a Point of Order has to be where the Chairman has not noticed somebody breaking the rules of the House or where a question is desired to be asked on the rules of the House. It is not meant to get in a stab back at somebody else's having a go at you: this is not the case in a debate. In the Committee stage you have more of an opportunity to do this but when we are sitting formally like this, everybody is allowed to speak once, there is a very obvious reason for this, because if everybody spoke more than once, it would probably go on for a week, and there would be no end to it. And as far as I see that speech was in order and no reference was made to anybody by name and people have to consider who they wish the reference is made to.

Would anybody else like to speak? Honourable Member for North Side.

MR. CRADDOCK EBANKS: Mr. President and Members, the Honourable Member that just finished speaking said that he was a bit surprised that there was a minority report - I am a bit surprised myself this morning, too.

I feel, Mr. President that this is probably the right time where I should inject the views of my visit to the Turks and Caicos Islands in connection with these Land Bills.

The Honourable Member from West Bay that made the suggestion to Government, I had thought of something along the same lines but I didn't mention it and when this member made the suggestion to Government, I thought it was a very good one, I went along with it and it happened to be my lot to be one of the members to make this visit and with all the hardships and difficulties that we experienced in making this trip, I must say that I am certainly glad to be one of the members to see for myself just what things were like. I don't think we will have any happening in this Island again that I would want to go to the Turks and Caicos for any comparison.

Mr. Craddock Ebanks Contd.

I think the party of three, carried out the programme as arranged the best we could in the light of the break-downs and off-schedules of the planes with our movements. It must have been the hand of the Lord with Mr. Foster, the Assistant Administrator, that he took his cheque book along with him or we would have had to come back from Nassau. After two weeks of reservations, they didn't know anything about us any further than there, so he had to pay for the charter for a private plane for us to get to the Turks and Caicos Islands. They were so reluctant about the cheque that they had to call Cayman to find out first if it was any good, nevertheless, we got through.

We went into this programme the best we could, with the time that we had in it, we saw and asked and talked to the extent that we felt that we should.

I made mention in this House when these Bills first were brought to the House for introduction and we spoke a bit about them, that my feeling that it had been expressed and stated then that it had been in operation in the Turks and Caicos, hearing about these little Islands in the Caribbean, their conditions, that they were first mooted there, and if passed, to be used then as a stepping stone to the other Islands and going there to see for myself, made it all the clearer, all the plainer that it could be nothing less. I didn't know in this day and age, in a growing world of development, advancement that any few thousand people, being a part of a great country, or countries or a Colony, that could still be so far back in poverty, in want, hardships, difficulties, no future, they don't have a present, I don't even know if they had a past, what you think a (MEMBERS - LAUGHTER) I mean, not blaming these few thousand people for this themselves, but it is like a household with a mother and father, they are responsible for their children, and that's all that has happened to these few thousand people. They have a land there I didn't know existed - a barren, salt, humid sandy soil, in which nothing could grow. Nothing sprouts in it, nothing grows in it, you can't plant in it - they don't have any cultivation, they don't have any cattle, they don't have any farms - they don't have anything! Now this is not that probably the people couldn't learn the same as anybody else to go into these things, but when one can stand and look hundreds of yards at a distance and one little twig a little something, and you can see any individual standing hundreds of yards away. You'll see a home built that you would probably think was only finished yesterday, the home might have been built 10 years ago, not a twig, not a blade of grass you would even see around it - it is just that barren nothing grows - no vegetation - then as I say, how can we blame these people for their lives or their living conditions not being better.

They had one little industry - it was a hand industry - like this island once had a one hand industry - rope - and that has been taken away from them by some company that set up a salt industry in another island, that is 100% mechanically operated - so that killed the Islands' little salt industry dead. Now the people are just living on their grant-aid, so I suppose that is the best they can do.

Our first meeting there we met with the Adjudicator - he showed us the old map of the Turks and they tried to go from that, from the remnants of it, the best they can. He took us to what is supposed to be their registration office, or is the Registration office, however insignificant it may be, and the way that it is planned to work. The number of papers that you just fill out one, turn it in, and all the rest of it, if it works that way, I suppose it is easier and more simple than the system that they had been using, or even we are using. I felt long ago we could have a much easier system of doing some of the things we are doing, than what is being done. He had just about completed one area of adjudication and on our last day, Friday, if I remember rightly, he was meeting with the people of this area to hear their grievance and we sat in as observers, we were permitted to ask questions after they had finished, and there were a few things, we got a few things straightened with him, while being there, but we asked some questions, vice versa, in the accepting and their feelings of these Bills, and they said yes they accept the Bills, they thought they were alright, they felt they were alright and they think they are what they should have, because they can sell a piece of land now when they want to sell it, and all the rest of it. But I don't know when they will find a buyer and when you are selling a piece of land for \$5 or something like that, it shouldn't take very much to clear that up. Nevertheless, they said they were happy about it. We reversed the question and we asked if there was anybody that would truthfully (because I made this clear myself that they mustn't feel that they would embarrass me by giving the right answer - that's what I would like to get from them) say they are not satisfied with this Bill - nobody answered that. So I couldn't be honest to come back here and tell my people and tell Government anything different from what I saw and was told.

We met with the Council, a few members, they expressed the same thing, one member said that they did feel a little bit funny about it, at its introduction and thought that they should have time to study it, but anyway, that fell away and they accepted it - it is no more to it than that - they are happy about it as well. Right on down the line, we did see the Judge, which is a retired lawyer, and he said that it doesn't bother him, it saves him sometime from writing up a document, now he just signs one and gets the same money - so that part doesn't make any difference to him. And so it goes.

Now this is what I want to make, Mr. President and Members, I saw that and as I said, I am glad. There are no two countries in the world that one some law works or operates in the other - it just doesn't. We were told why we had to be so careful in getting an Adjudication Law, we couldn't have a systematic system, we couldn't have some other system, it would have to be an adjudicated system, because we are a particular territory or particular people, or this and that, or whatever the case might be - it couldn't be otherwise. Yet, on the drafting of our Registration Bill the Honourable Second Official Member told us that our draft Bill was copied from a number of other Registration Bills from other countries and he named two of these countries that were adjudicated and the others were under a systematic system, etc. yet we could not have any other system but an adjudication system. Now, as I said there is no law that works in any two or three countries to do its duty, do its purpose, and if the Government, if the people of these Islands, will look to our neighbouring Island, Turks and Caicos as a model for us to base our future on then I am saying that we will step back for 200 years. Now, as I said I am not saying this with disrespect to them because they have been unable to help themselves and nobody has tried to help them, and based in the deep waters from the Secretary of State's address - message - further back by the President of this Assembly. Address in connection with these three bills when we felt that it wasn't time for them to be introduced and they were brought back I still stand where I stood then, Sir, not in favour to support these bills and then again second, what I saw in the Turks and Caicos Islands to use them as model for us to launch out on is I say will be making a backward step, we would be unfair to our people and to our Government or anybody concerned. And in the light of those things I am not prepared to support either of these bills at this stage and in their entirety. Thank you.

MR. PRESIDENT: We'll have one more, Honourable Member from West Bay, I think rose.

MR. T.W. FARRINGTON: Mr. President as one who signed this majority report, I rise to support the introduction for the receiving of this report. There is not very much I can add, I can say this that we sat day after day for many days trying to come to a report from the Committee. There were many issues, we went to it clause by clause, section by section, chapter by chapter, and what I would like to say here now, is that although I will not go so far as to say this is a perfect bill, because after all there are very few Laws, as the member from East End said awhile ago, that you will find perfect, but I honestly believe that we have arrived at the right conclusion in bringing forward this report and I want to publicly pay a compliment to the Hon. Attorney-General who was Chairman of this Committee, for his able assistance, advice and his patience. I am sure Sir, that every amendment that was proposed by individual members, every member had an opportunity of putting forward his views, her views as the case may be, to the Committee and after due consideration we made the amendment or did not make the amendment. But I feel Sir, that these bills are long overdue. I feel further that they will be of lasting benefit to these islands and therefore, Sir, without going into the merits or demerits of the bills or even the report, I say that I support the report and I hope that this Assembly will see fit to not only receive them, not only to adopt the recommendations that are made but to pass these bills when it comes before us.

MR. PRESIDENT: I think the time has come now for us to adjourn or to suspend the House.

MR. JOHN D. JEFFERSON: Mr. President I would make no commitment that I would only use 15 minutes of the time of this House, for I have before me a few points I would like to make on these Bills.

Mr. President and members of this House, with the re-introduction of the Adjudication Bill, the Registration Bill and the Land Surveyor's Bill that came before this House earlier this year I must say, it makes me happy to see these Bills, as a report, laid on the table before us today, in this Assembly. These Bills Mr. President, shows the responsibility of the Government of these islands, for with the number of Land disputes in the past 15 years no responsible Government could ignore that this was a pressing problem that must be solved once and for all in these islands, the dispute of Land ownership and Title. To ignore this, Mr. President, would be less than responsible of any Government. I realize Mr. President, that we cannot be fully, I believe, representing these people and these islands if we say we are not anxious to see these disputes settled. We have gone through these Bills Mr. President, clause by clause in the Committee Stage and I must join my fellow-member here from the District of West Bay when he said that the Honourable Chairman dealt graciously with these Bills. The way in which he so amply explained them to us left no doubt in my mind that this was the answer to the problems that we have faced here in these islands in the past 15 years.

I can appreciate the fears of some members Mr. President. We are always sceptical about change, we are always sceptical to know whether what we have got might not be worse than what we are getting. But there are no fears in my heart now concerning these Bills. I realize that we must be honest, we must lead these people lead our people - we must make sure that we are fully representing every need in this territory.

In reference to obstacles that has been laid in the path of these Bills, I would like to just read from a transcript, 'There have been obstacles', and I would just like to give that one definition obstacles, "obstacles are those frightening things you see when we take our eyes off of our goals". I believe we can fully say and truly say that these Bills have a real meaning in this island.

In our mission, Mr. President, to the Turks and Caicos Islands, I always in my short experience, taken the attitude when there are pros and cons. My attitude is always maybe someone see something about them that I don't see. There was no doubt of theory of concern in my heart, maybe there was something that wasn't catching the eye, but after our trip to the Turks, I laid those fears away. If I must just for a minute refer to the programme set out by Government as we visited the Turks and Caicos Islands. I would just like to take the time for a moment to show members that the programme that was drawn up was a programme that would enable us to be able to see every aspect of these Bills, what could be good and what could be bad. We met with the Land Surveyor, of the Land Survey Department, which we were able to go through entirely. We were greatly impressed. In our visit, we were able to visit the former judge, Mr. Finn Bar-Dempsey, which is now in private practice. Mr. Dempsey, after having made notes and we were able to take some notes on things that we wanted to make sure about, we made reference to any qualms or anxiety the Law Society might have in these islands of these Bills and I quote, he said "If people from the Law Society have desires or concerns about these, they don't fully understand, because outside investors always will do their transactions through a Lawyer. Now I make my money far easier. I go down town, just a few minutes, search, find all I need and the documents are signed and ready. I make just as much money and spend less time doing so".

We went to South Caicos, accompanied by the Land Surveyor, there we were able also to meet with the members, State Council members, of that island. We sat there in a very informal way and there was one thing my colleague and I made very clear when we went there, and that is, above everything else, we want to hear about the problems that these laws create and the problems that one have or has been encountered since the introduction of these Laws. We found a few people that said well some people lost land and then not leaving them off the hook before we were through said well do you say it is a good system or a bad system? And up until this day I've heard nobody in the Turks & Caicos has said it is not a good system.

Mr. President on the last day we were able to visit Salt Cay prior to our leaving, the day before we left. There the population is about three hundred and fifty people, I believe. Something like forty-six people attended the meeting, public meeting which was held, I believe the Land Surveyor said it was held back for maybe a few days so that we would be able to attend. This meeting was held after the adjudication process, when the public meeting is held telling the people they have ninety days in which to file claims and so forth and so on. After the meeting, after they were through, the Chief Minister, the State Council Members and the Adjudicator, opened the meeting to us for questions which we might be interested in asking. My colleague asked the question 'How does people feel, are you happy about the system?' Well, be that as it may, whether they are in poverty or whether they're not in poverty, there is no question in my mind that two members almost at once from both sides of the audience spoke almost simultaneously. They said what these laws have done for them, that for once and for all they are able to transfer land to their family or to sell, whatever the case maybe. There is no dispute, at present, of who owns this property; the title has been cleared.

My colleague reversed the question. He said 'I would like to know those here that are against the system'. There was quite a movement among the people. Everybody wanted to assure us that they were happy about them. And I could speak on notes here where we found that making notes

Mr. John Jefferson Contd.

and touring the areas and in speaking with the Land Adjudicator and people from private sectors and I thought there were a few things that I wanted to make note of that I would like to mention here this morning. In the Turks and Caicos there are no features, there were absolutely no land features, except a few people still have walls built around parts of their yard, places like this. Otherwise, there were absolutely no features at all. Here we have boundaries and fences and they say that makes the process so much more simple. There were cases where people were found living on land that was granted by the Government, years and years ago. But an aerial survey taken, something like forty or fifty years ago showed these people living on this property and what Government did in these cases, Government charged them \$2 for their document and gave them a clear title for the property they were living on. It showed the intention that Government was not to destroy and take away what the private person really owns (which in that case they really didn't, if we went back to title).

In the Turks and Caicos there is no administration of estates, as we have in these islands, and they said if you have it, that means that you are half-way there already. It simplifies the process tremendously.

During the process of the adjudication of the lands in these Islands, Government lost little land, and Government gained little land and in the end it was an even process. At present, we are told, and the Land Surveyor was quite surprised (as was other members) to hear that we had heard that Government owned 85% of the land of the Turks and Caicos Islands, he said they owned about 25%, in truth and in fact.

I think it has been no doubt written here, or somehow reports got here that a former gentleman living on these Islands, had lost quite a bit of land and the Adjudicator was quite sensible or sensitive about showing us any claims that anyone made of land that was lost. Here we found this particular gentlemen living on a piece of property that was enclosed within a wall, out in front was a foot-path and during the adjudication process he thought that the footpath outside the walls of his domain, no doubt, should have been his and not Government's: this is what he claimed to have lost, - land which he never really owned, in truth and in fact.

There were people, one instance was made of one gentleman, called Forbes, who in Nassau saw a document that was owned by one Dr. Forbes - he came back to the Island after Dr. Forbes had died and claimed that he rightly owned Forbes' estate, he had no papers, he was not able to produce any documents, or any evidence whatsoever, therefore his claims were not substantiated and in this way he claimed he lost land, but in truth and in fact he never really owned Mr. President.

The point has been made in the Turks and Caicos that the people are different people and in different positions from the people of the Cayman Islands - I couldn't agree more, this is a fact, but the fact remains, plain as daylight is from dark that the system which has been instituted in those Islands, have also cleared up the problems that they have had. May be in the future I trust they will be able to find some buyer for their property.

We have made amendments, Mr. President, to our Bills, we have taken cognizance of things that they were not able to take cognizance of, and if they are happy, I see no reason why these shouldn't work even better in our island.

I have told my constituents here just a few nights ago that I would not dare you that during the adjudication process you might have thought you had land and no doubt you might have lost it, in this process, but I said "Let's be sensible - and let us be honest with what has happened to our poor people in these Islands - they have actually gone to court with land that they thought (and I believe many times they possessed) and they have walked out without their money and to the sad regret many, many in these Islands, walked out without the land that they rightfully, I believe, owned." So I am saying that the system that we have in these Islands of land registration, and so forth, is not an adequate system, history proves this, and I believe that it is time that we settle once and for all the clear title of an ownership of this property and make it once and for all.

I do not understand, Mr. President, why the lady member here mentions a Thousand Dollars in Grand Court in November - I have no qualms with the Lady Member from George Town - she is free to speak and say what she likes - I feel I am free in this society to say what I think is right - I have no quarrels to my mind there is no question of moral integrity at all, I feel that we the people, have a job to represent this people, represent these Islands and I feel that I will never now or never in the future, nor at any other time, do anything that I feel is contrary to my convictions, my conscience and do anything less than try to represent my people. I might make mistakes trying to, but we are only human.

The member opposing these Bills, we remember he made reference to Executive Council, Executive Council felt in their rightful judgment that it was not the opportune time for the introduction of these Bills, Who was it that asked what happened to these laws, what had happened to these bills? Today we are here discussing them in Committee report.

I have heard in Committee, I have in the various stages that this law is to make lawyers starve. Am I taking cognizance of just a few members in this Society, I am making reference to the society as a whole, Mr. President, the mass of people, not just a few.

Let members realize that it is time that we quit settling our little petty squabbles and get down to the real business of representing this country and settling all these disputes and try for once and for all, to use our efforts in every respect, to see that the warmth and the tranquility and good Government of these Islands remain. Thank God it is not always as dark as people try to paint the picture. What I cannot understand is why any member will attend Committee, this Committee on these Bills and insist on certain amendments being made to them and at the end they refuse to sign. Of course, I agree that this is a free society where we are able to do what we want as long as we do not interrupt or harm or interfere with the good Government of these Islands. I subscribe to this freedom, I believe in it, but Mr. President the real reason for us, and the real need for us to fully represent these Islands, there has never been a time, I believe, when we need to put everything under the table and get down to real, true representation.

I cannot understand why almost every Bill that comes before this House there are a couple of members who will always bring in a minority report - I would ask Members, Mr. President, to quit playing politics and let's get down to honest representation. Anything that would disrupt the harmony, warmth, hospitality and good Government of these Islands and this people definitely disturbs and distress me as a representative of these Islands. It has been said that the Law

Mr. John Jefferson Contd.

Society's Report was a laughing-stock - let me take just a few more moments to point out Mr. President, as we see where the Law Society's Recommendations were taken cognizance of - some of their amendments were accepted, some were rejected.....

MR. IRA WALTON: On a point of order, Mr. Chairman.....we are here listening to a report from the Honourable Member from West Bay and not here fighting on a political platform, Sir. I would suggest that we sing the doxology and close the meeting.

MR. PRESIDENT: What is the point of order, Mr. Walton?

MR. IRA WALTON: He is straying from what he was supposed to be doing, and that is giving a report on his visit to the Turks and Caicos Islands not to ridicule members.

MR. PRESIDENT: I think if you can quote the Standing Order - I think what you are after is that the member is straying from the theme - it does state here that the speech has to be on the subject matter - I can't find this at the moment. We have had several issues raised in this matter, which other members seem to feel are important to this debate. We have had descriptions of the visits to the Turks and Caicos Islands. I thought that the member from North Side's views were relevant, and equally the member from West Bay's views, I think, must be considered, relevant. I am not quite sure what we are moving on to now, but it should be relevant to the Land Laws which are very fundamental and the work of the Committee and if the Honourable Member can cut reasonable short his remarks, I am sure we would all be grateful.

MISS ANNIE H. BODDEN: Mr. President, on a point of order: I have done what I had to do and I refrain from getting my temper up when Mr. Man here refers to me what I have done and what I have not done. That is not the point before this House today: the Grand Court will settle our differences.

MR. PRESIDENT: Right. The Honourable Member from George Town actually did raise the matter herself in her own speech when she referred to having to put down a Thousand Dollars, but I agree that these matters are best dealt with outside the Assembly, if possible.

Could the Honourable Member for West Bay perhaps begin to draw his speech to a close now?

MR. JOHN JEFFERSON: Mr. President, I submit, Sir, with respect that it is the privilege of this Member as of other Members to get to his feet when he is through speaking and the points that he wanted to make, being made and I sort of take note of you saying coming to the point and also cutting short. The point of straying from the subject and asking what is the theme, I would like to ask that, Mr. President. What is the Theme? The theme we have here today is the Land Registration, the Land Adjudication and Land Surveyors bills Reports: that is the theme that we are speaking about here this morning. I think the member from George Town sort of got a taste of their own medicine for a change.....

MISS ANNIE H. BODDEN: Mr. President, I object to this man referring to me - he has done enough publicizing his defamation of my character - please order him to close his mouth against me or I shall walk out from the meeting. This is personal, this is not for the good of the Cayman Islands....

MR. PRESIDENT: There is no law about a member referring to another member as the member for West Bay or other areas, I have already intimated that it is my personal view that it is advisable to avoid matters which may be sub judice and I would be grateful if people could keep to the more general nature of the debate. I never feel that there is much to be gained by individual criticisms although I can assure the Honourable Member for George Town, it is quite common in other Parliaments reading the reports in the Times of the House of Commons, it is quite so much worse than what we normally get here. And I am sure that those members who have been abroad will agree that individual members can be attacked: this is part of what is called the 'cut and thrust' of being a politician. You are open to defend yourself and you are also open to attack. But as far as I am concerned I always prefer that in a small country like this, if it is possible, to avoid personalities, the better pleased your President would be, but it is not against the rules.

MR. JOHN JEFFERSON: Mr. President, I am not attacking and I wasn't making reference to the lady member from George Town at the time.

We find, Mr. President, one member saying that these Bills can only harm these Islands: I do not believe that anybody can rightfully say that these Bills will harm anybody in these Islands. I believe for once and for all that these Bills will set straight the record of who owns what and who doesn't own it.

We were able, Mr. President, to see the Land Registration system in the Turks and Caicos Islands and we were definitely impressed with the accuracy, with the simple process and transfer of land. Now in these islands land transfers sometimes take weeks and months can take no doubt an hour or a day at the most. I recommend the system to the people of these Islands: I believe that this system is a good one, it is a sound one, it is a simple one, it is a dependable one. Mr. President, I thank you very much. I believe that years from now the people of these Islands will look back and say that we made the right decision in accepting these bills. Thank you very much.

MR. PRESIDENT: Thank you. The rules of debate (which members may wish to look at) are Standing Orders 36 and 37: people might like to refresh their memories. Members are not supposed to refer to any matter on which a judicial decision is pending or impute improper motives to other members, I am not saying this is done, I am just saying that this is what Standing Order says, to remind you of this. You cannot use the Queen's name for the purpose of influencing the debate - you cannot utter treasonable or seditious words or you are not allowed to use your right of speech for the purpose of obstructing the business of the Assembly. These are the rules and a reference to other members, is given a special Standing Order - any member that is discussing any motion wishes to allude to the speech or opinion of any other member, shall, if possible, avoid referring to such other member by name. Official members should be described by their official designation, elected members by reference to electoral districts which they represent, and nominated members should be described as such. I just draw your attention to those rules.

I think now we can suspend the House for 10 minutes.

HOUSE SUSPENDED.

HOUSE RESUMED.

MR. PRESIDENT: Now Honourable Members we are in the middle of a debate on a motion proposing the adoption of a majority report of the Select Committee on the Land Adjudication Bill, and we have had speeches from both sides and I have allowed, in my discretion a certain amount of ranging in the debate because it is a law of fundamental importance and I think that within limits, we can stray a little wider than actual land. But I would repeat that any matter outside the debate, or outside the motion completely, I would be grateful if members didn't raise those issues, particularly personal ones: if it's something that someone said during the debate, I think that this is not unreasonable to criticise or applaud as he thinks fit, but anything outside the debate which is outside the motion for the day, I think we should try and avoid reference of it. So if any member is in doubt over that it may be better to always take the cautious approach rather than the one hoping that it may be alright.

Would any other member like to speak? The Honourable Member for Bodden Town.

MR. ANTON BODDEN: My report, as appended to the majority report for this Committee meeting, as well as the words that I will say now, I want it to be accepted in a constructive manner and attitude.

As for the Bills we are after now, as far as my district is concerned, we had a few who were for the Bills and a few against and it seems to me that recently there have been a lot of changes, against. Nonetheless, I gave them my word and I am prepared to stick to it. I want members of the general public and all members in this Honourable House today to remember my words in respect to this statement now and that is, we can very well know and see who will gain immensely from these laws. Those people who have lots of land, not taken care of, some half taken care of, some quarter taken care of, those people stand to gain from these Bills. The scapegoat will be the man who hasn't got the land, he will still be paying for it in the form of taxation. Nonetheless, if it is going to help our situation in the courts, land litigation and what-not, I will be happy to know that that has been achieved. But I am fearing that after this process has been carried through, there will still be a lot of land litigation. I believe that some of it will only start at that time, only in a different angle.

Some mention was made of the minority report and it seems like, seemingly, that was something that shouldn't be. I would just refer anyone who is in doubt to section 65 of the Standing Orders and know that that is any member's privilege, and anybody making that statement would only be trying to deprive a member of his legal rights under the Standing Orders of this Assembly.

With reference to the trip to the Turks and Caicos Islands, I believe it was a well-planned trip - no other statement but that.

Somebody made reference to the present form of registration of land, without prejudice to the Honourable Second Official Member, I believe he told us at Committee meetings that in some places Government would not guarantee the boundaries of certain lands under this system, and I think I heard right, when I say that. Right now under the land registration system boundaries have to be guaranteed before there can be any registration. So, Mr. President and Members, that is my feeling on the matter, my dissenting member's report is there and the remarks I have just made I want them to be accepted in a constructive manner, I repeat that for purposes. We shall also observe the press report on these matters. Thank you very much.

MR. PRESIDENT: Any other member wish to speak? The Honourable Member for George Town.

MR. A.B. BUSH: Mr. President and Members, as the Member for George Town who happens to be on the other side of the fence, I think I should make my position clear in regards to these Bills.

When these Bills were sent to Committee, before we went to Committee we had a meeting with the people of George Town, and this meeting was to determine the stand that they would like us to take on these Bills. During the meeting the people said they wanted nothing to do with them at all, but as the meeting went on and as certain points came before them, they finally agreed that it would be best if we associated ourselves with the Committee and tried to get the best deal possible in the Bills. This I have done and I feel that I have discharged my duties to the people whom I represent.

Let me say, Mr. President and members that I was never opposed to a proper survey of land in the Cayman Islands and proper registration which would give title and guarantee that title, to individual land owners. But there were certain parts of the Law which I did not agree with and which I believe have been cleared up during the Committee stages. One of these, in particular, was that if there was doubt as to who owned the land, the Government should not have the benefit of that doubt, in other words, Government should not bring a law which gives them the benefit of doubt of ownership of land. I claimed from the very start that if there was doubt as to who owned that land, the claimants of that land should have the benefit. And this, I think, we have cleared up in the Committee, this, from the amendments that were made and interpretation that was given to us by the Attorney-General who was chairman of that Committee, I accepted and I do hope that these laws will be carried out and interpreted in the manner in which we understood them and have accepted them. As I said, Sir, it is unfortunate that my colleagues did not see it that way, and that we are on the other side of the fence - I have no quarrel with them, they have their own opinion - I only feel that I have discharged my duty to the best of my ability to my constituents and so far I haven't had any complaints from the people; they would be, I believe, much more satisfied or would have been much more satisfied if the laws had never ever come about - because they have caused a great deal of dissension, of dissatisfaction, of suspicion, but as I said, Sir, I only hope that we have got the best deal possible in the laws of this nature. I am hoping, and again I say this, that it will be carried out in the way in which we understood it. Thank you, Sir.

MR. PRESIDENT: Does any other member wish to speak on this debate before I ask the Mover to sum up. The Honourable Nominated Member for the Cayman Islands.

MR. MELVILLE GORING: Mr. President and Honourable Members of this Assembly, when these Bills came to this House in March or thereabouts, I must say that I was not in complete agreement with them at the time. I felt that something of the sort was very needed in the island, but I felt that it was not the opportune time. However, after it was agreed that the Bills should be sent to a Committee and I happened to attend several of the Committee meetings and we went through everything (unfortunately I was not able to attend every meeting), but the Honourable Attorney-General, he was so patient in explaining and took advice from each and every one I had no alternative but to sign the report. And I too believe that this will solve many a problem, especially the problem of those people who have in the past been claiming land that was not theirs and has caused many, many a law suit: I am convinced that this is the solution to the problem and I trust that in the near future, perhaps in two to five years, that those who have opposed it will be able to say that they opposed something that was for the benefit of the Island.

MR. PRESIDENT: Anybody else wish to speak? The Honourable Member for West Bay.

HON. BENSON O. EBANKS: Mr. President I had hoped that it would not be necessary for me to say anything during this discussion but I believe I would be shirking a bit of my responsibility if I did not make a few comments after hearing what has been said before.

Reference has been made to the stand which the Elected Members of Executive Council took regarding these Bills and as far as I am concerned, Sir, we took, in every instance action which was dictated by our best judgment. If there was any doubt before, there should be no doubt after listening to some contributions today, yet we were in a difficult position from the beginning - we had learned by bitter experience, not too long past, that we could not rely entirely on complete understanding of situations in the Islands as we see them, and in fact experience has taught us that we must give consideration to the attitudes of some members of this Assembly and of some members of the general public, views that are not always consistent. It is difficult for us to know exactly what some people want and I would go so far as to say that in some instances these attitudes border on the irresponsible. We didn't say that these Bills could not be brought, as you see they were brought - and we reserved our positions to deal with them as we saw fit - this is our privilege. We, as far as I am concerned, have taken a reasonable and responsible stand on these Bills throughout - we have had reservations in certain respects to the Bills but we did not sulk and go off in a corner - we took full part, we participated to the fullest in the Committee's deliberations on this Bill and I can say without fear of successful contradiction that the report and the amendments which are before us today contain much of the thoughts and efforts which we have made and thoughts which we have had concerning these Bills.

In the Committee we had no special privilege, but as has been said every member had an opportunity to present his views or her views as the case may be, and it operates on a democratic system if one is unable to convince a majority of his or her views it is democracy that the will of the majority prevails. I have no qualms about those people who care to put in their minority reports that is their privilege and they are entitled to do so. But these Bills, or this Bill Mr. President, is necessary if we are going to have proper registration system of land in these islands and I have heard no member able to dispute the fact that we do need a proper land registration system. There is difference of opinion as to how this can be done, some members feel or felt, maybe still feel, that a voluntary system was the thing but I think unbalanced the majority of us accepted that the system proposed here is the one best suited for our needs.

The question of land registration, land ownership having been raised, having reached the point that it has must be settled. To leave it in the air can only do damage to the territory in general and individuals in particular. I am satisfied that the amendments which have been placed into this Bill and which are contained in the report before us cover adequately my own reservations regarding the Bill and cover adequately and entirely what I gathered to be the concern of the general public regarding the Bill, and as one who signed this report I have no hesitation in recommending its adoption by this House. I thank you.

MR. PRESIDENT: Honourable Members anybody else wish to speak before I call on the Mover of this Motion to round up?

The Honourable Second Official Member please now draw the debate to a close.

HON. G.E. WADDINGTON: Mr. President and Honourable Members in rounding off this debate I should perhaps at this stage mention two features of this Bill which I had inadvertently omitted to mention in the first instance. These are firstly, that under Clause 15 of this Bill an amendment was made in order to permit the Adjudicator to consider not only questions of laws, which the section originally contained but also matters of local customs and conditions. That Mr. President was a very important amendment and that amendment was made by the members of the Committee unanimously. Another important amendment that was made was to Clause 16, where a new sub-clause was added which gave the Adjudicator and Records Officer an absolute discretion to admit evidence which would not be strictly admissible in a Court of law. This means that the Adjudicator and the Records Officer in the performance of their duties are not bound by the strict and technical rules of evidence but will be able to admit any evidence which in their discretion they consider should be admitted.

The member for Badden Town, made reference to the question of boundaries. The short answer to this is that under the adjudication process all claimants of land, this is under Clause 6, are required to attend within a certain time and to mark or indicate the boundaries of the land which they claim and having done so then the Surveyor prepares a map of each parcel in the adjudication area, showing the boundaries which have been so agreed on. Now, it is obvious that those boundaries, although contained on a demarcation map, can only be approximate and this is recognised in the Registered Land Law to which we will come in a moment and in which it is provided that when the parcels are put on the register the boundaries shall only be deemed to be the approximate boundaries of the parcels. But as I will point out when we come to the Registered Land Law there is provision in that law for precisely fixing those boundaries in certain circumstances and any registered proprietor can take steps to have his boundaries precisely fixed. However, even in such cases it would not be reasonable for the Government to guarantee the preciseness and accuracy of boundaries. In no registration system in the world do Governments give such a guarantee what the Government guarantees is the title to the area, whatever area of land that is included in the boundaries the Government guarantees the title but not necessarily the accuracy of the boundaries that will be a matter that the respective registered proprietors will have to take up with each other in the event of their being any more or less land subsequently discovered in their titles. But as I have said the Government will guarantee the ownership or title to whatever parcel of land that is included in those boundaries.

There is hardly any more that I can say Mr. President, except to express my grateful appreciation to those members who were so kind and generous in their remarks as regards the performance of my duties as Chairman of this Committee. I am very grateful to them for their remarks and I can only assure this House that I considered it a very great honour to be a Chairman of this Committee and to have done all in my power to have had these Bills taken to this Committee Stage in the manner in which they were done. I for my part am very grateful for the co-operation and assistance which was given me by members of this Committee and I would now merely commend this motion for the adoption of this Assembly.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: We might see if we can move forward this morning on to the next Select Committee, it is just after 12.30 p.m.

SELECT COMMITTEE REPORT ON THE REGISTERED LAND BILL, 1971

HON. G.E. WADDINGTON: Mr. President and Honourable Members of this Assembly it is my honour to propose the Report of the Committee that was appointed to consider the Clauses of the Registered Land Bill.

The Committee held 9 meetings in this exercise and made several amendments to the Bill, the majority of which were verbal amendments, but perhaps I should mention that Clause 83 which dealt with the question of taxes was found to be not relevant to this jurisdiction and there was not much difficulty on the part of the Committee in completely deleting Clause 83.

It was found that there was no reference in the Bill to the Settled Land Law and accordingly a new clause was inserted as clause 1, 2, 3. Here again the members were quite insistent that there should be a right of appeal from the Grand Court to the Court of Appeal and consequently clause 147 was amended to give such a right of appeal.

Here again, Mr. President and Members of this Assembly, there was a memorandum, quite a lengthy memorandum, submitted from the Law Society and this memorandum was considered as we went through each clause of the Bill and certain of the suggestions of the Law Society were accepted and reflected in the amendments which were made.

This Bill, Mr. President and Members of the Assembly, was purely administrative. There was not any real controversial matters as appeared in the previous Bill, the Land Adjudication Bill, and although it is a lengthy Bill containing some 164 clauses the Committee got through it with commendable expedition and I am very happy to now refer to the certificate which is appended to the Report, a certificate that this Bill has been considered clause by clause in the presence of a quorum of the members of the Committee and that in the opinion of the Committee this Bill may be dealt with by the Assembly in the same manner as a Bill reported on by a Committee of the whole Assembly.

It gives me much pleasure Mr. President, in moving the adoption of this Report to which is attached also a minority report by the same members, with the exception of the member for Boddan Town, who submitted a minority report on the Land Adjudication Bill. I move formally Mr. President for the adoption of this Report.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT:

MR. PRESIDENT: There are two minority reports here I think. Only one from the Honourable Member for George Town the other from the second Honourable Member for George Town. Anybody wish to speak on this. The Honourable Member for East End.

HON. W.W. CONOLLY: Mr. President and Honourable Members I supported this report on the Registered Land Bill but I would like to make one remark stemming from a remark by the Honourable Member from Boddan Town in reference to our present Registered Land Law when he refers that Government guarantees boundaries. I am not aware of that I do not believe that that is a correct statement and as well as under this Registered Land Law there is provision once the law has been complied with that the Government will be in a position to guarantee title, but I do not think that at present the Government guarantees any boundaries or anything under our present law. So I feel sure that this Registered Land Law with the amendments that have been made in the report, if this Land Bill becomes law and it is implemented I feel sure that it will be for the better handling of land in regards to registration and an easier process of determining the true position with lands in these islands.

MR. PRESIDENT: Nobody else, I think, wishes to speak on this particular Bill which is a very complex and as has been said, mechanical Bill. Does the Mover of the Motion wish to sum up? Otherwise I will put the question.

HON. G.E. WADDINGTON: There is hardly anything to sum up on Mr. President. There hasn't been much debate on this, understandably, because as I've said before the Land Adjudication Bill is really the controversial measure. This Registered Land Bill purely administrative, it sets up a register where on all parcels of land after the adjudication process has been completed will be put on a register and it will simplify dealings with the land, the person who is registered as the Registered Proprietor will be able to transfer or deal with his land by very simple procedures, forms will be provided by the Registrar of Lands and all that will be necessary will be for such proprietor to complete such a form, pay the stamp duty that will be payable on the instrument and have that registered with the Registrar of Lands and then the new owner - purchaser - if it is a transfer will be placed on the register.

There is little more that I can say Mr. President and Members of the Assembly except to commend this Report for the adoption of this House.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: I think that we can now go on to the Land Surveyors' Bill and complete this trio before lunch.

SELECT COMMITTEE'S REPORT ON THE LAND SURVEYORS' BILL, 1971

HON. G.E. WADDINGTON: Mr. President and Members of this Assembly I have the honour to submit the report of the Select Committee appointed by this Assembly for the purpose of examining and reporting on the clauses of the Land Surveyors' Bill.

The Committee met on 3 occasions when the Bill was considered clause by clause and certain amendments made thereto as appears in the Report. The amendments were not of a very important nature purely verbal in most cases, but there again the Committee insisted on there being a further right of appeal from the Grand Court to the Court of Appeal and this was accomplished by an amendment to Clause 10 of the Bill. There was in this case also a memorandum submitted by the Law Society which was very carefully considered by the Committee as the clauses of the Bill were gone through and several of the suggestions made by the Law Society were accepted and are reflected in the amendments which were made to the Bill. In this case also there is a minority report by the same parties who submitted a minority report on the Registered Land Bill and I would now, Mr. President, move the adoption of this majority Report.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED. REPORT ADOPTED. MR. CRADDOCK EBANKS AGAINST.

MR. PRESIDENT: Honourable Members I think we have earned our lunch break. I would like to make an announcement at this point though, I have been asked by the Chairman of the Select Committee you set up this morning to discuss procedure to be adopted on Lord Oxford's Constitutional Report to say that he would like to call the Committee together at 10 o'clock on Thursday morning this week in my Office. I would hope to complete the discussion on procedure we are not discussing the Constitution. Please remember that morning, I will announce it again this afternoon if the two members absent are back by then.

HOUSE SUSPENDED

HOUSE RESUMED 2.15 p.m.

CURRENCY BILL 1971

MR. PRESIDENT: Honourable members this afternoon, we have five third readings of Bills and two Government Motions dealing with supplementary appropriation of Finance. Now the first Bill we deal with is the Currency Bill 1971...

MR. V.G. JOHNSON: Mr. President, Honourable Members, I beg to report the recommendations of the Select Committee appointed by this Assembly to examine and report on the clauses of the Cayman Island Currency Bill 1971.

The following amendments were made:- Clause 15, Subsection 2. In the third line between the words 'metals and as' the following words 'and made or issued by such mint or mints'. The second amendment Clause 26 in the third line the words 'authority of' deleted and substitute for 'authority of the'. The third amendment Clause 28 marginal note was added in the following words 'mutilating or defacing Currency Notes'. Amendment No. 4 Section 29 of the bill was renumbered, section 30 and a new clause 29 was inserted. Marginal notes 'mutilating or perforating coins'. Section 29 reads "Whosoever without lawful authority or excuse (the proof whereof shall be on the person accused) mutilates or perforates with holes any coins which under this law is made legal tender in the islands shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment".

Mr. President, These are all the amendments that were recommended by the Select Committee. Before I go to the third reading of the Bill Mr. President I wonder if permission would be given to make a statement which has bearing on this bill which is being presented on the present international monetary crisis.

MR. PRESIDENT: Thank you I - a little unusual probably to come from a member putting up a Third Reading, but if no member of the House does object it is probably the quickest way to hear whatever the Financial Secretary has to say about the international monetary situation. Any member object to this procedure probably slightly unusual. I think we can therefore, agree that you should make this as a preamble to the Third Reading.

MR. V.G. JOHNSON: Mr. President under section 10 (2) of the Cayman Islands Currency Bill it is stated that the parity of the Cayman Dollar shall be \$2.40 to the £1 sterling. Mr. President this specific recommendation was made in order that whatever parity was fixed between the local dollar and the pound sterling that the Cayman Dollar would have an equivalent value to the American dollar. This would seem to be most desirable in this territory as in the case of Bermuda and Bahamas, and the reason for this is quite obvious because of the islands' close relationship with the United States and from the fact that I would say that three-quarters of the economy of this territory is based on American dollar earning. It was thought by the Currency Committee that in introducing a currency it would be worthwhile that this currency could carry an equivalent value with the American currency. The International Monetary crisis caused what we all know from an adverse balance of trade in the United States thus causing that country to introduce economic sanctions and this again was in order to strengthen the American position and to avoid if possible a devaluation of the United States dollar. This crisis is well known to all of us and first of all an attempt was made to rectify this by what is lately known as the Committee of Ten comprising the leading and more wealthy nations. However, this did not prove sufficient to solve the situation and so the matter had to be handed over to the International Monetary Fund. This is an organisation represented by one hundred and eighteen countries of the world and it is the body which controls the monetary system of the world. Between yesterday and today the crisis worsened with the American Dollar, and there is a strong plea by the International Monetary Fund at present for the devaluation of the American dollar and they are recommending that it be devalued between three and five percent. Of course, they're asking for revaluation of other currencies as well. The position just now, is that, I understand this, morning local bankers closed foreign exchange dealings in the island. This is always when the crisis is at its worse point. The American Government is very stubborn against devaluation of our currency because the dollar holds a lot of prestige as a currency and United States cherish this prestige very much, and so it is only on the very last resort that the American Government will admit to a devaluation of her currency. However, should there be a devaluation, and the opinion is that there could be a devaluation, it means that the parity which we have fixed in our local currency law with the pound sterling will take the equivalent value from the American dollar, in other words two currencies will no longer be at a par value. Should the American dollar be devalued, and this matter will be taken up with London immediately, investigation will be carried out as to whether it is possible and convenient and in the best interest for a recommendation to be made for an amendment to this section of the law in order to re-establish what we originally aimed for that is a par value between the Cayman dollar and the American dollar.

This is the present situation. Mr. President, I wanted to mention this because I thought it was of great interest when we are thinking about our new Currency. No one can predict what will happen but it is the opinion that the American dollar will be forced eventually to be devalued. If this is the case then the matter of parity between our currency and the new fixed price of the American dollar will be investigated.

Mr. President I beg to move Sir, the Third Reading of a Bill entitled 'The Cayman Islands Currency Law 1971'.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED.

BILL READ A THIRD TIME AND PASSED.

CLERK: THE CAYMAN ISLANDS CURRENCY BILL, 1971.

MUSIC AND DANCING (LICENSING) (AMENDMENT) BILL, 1971

THIRD READING

MOVED BY: MR. V.G. JOHNSON.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

CLERK: The Music and Dancing (Licensing) (Amendment) Law, 1971.

THE ELECTIONS (AMENDMENT) BILL, 1971

THIRD READING

MOVED BY: HON. D.V. WATLER.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

CLERK: The Elections (Amendment) Law, 1971

MR. PRESIDENT: We now have the three Land Bills and the Chairman reported on these this morning. It is now up to the member steering the bills to refer to the adoption of the report of the Select Committee and to move the third reading.

LAND ADJUDICATION BILL, 1971

THIRD READING

HON. D.V. WATLER: Mr. President and Honourable Members this morning the report on the Land Adjudication Bill 1971, was presented and adopted by this House. The report contained the whole of the amendments to the proposed bill. Thus I propose at this time, just to move the Third Reading of this bill without having to go into details of the various amendments because those were all studied this morning into the report.

I therefore move that the Bill entitled the Land Adjudication Bill, 1971 be given a Third Reading and passed.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

MISS ANNIE H. BODDEN AGAINST.

CLERK: The Land Adjudication Law, 1971.

THE REGISTERED LAND BILL, 1971

THIRD READING

MOVED BY: HON. D.V. WATLER.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

MISS ANNIE H. BODDEN AGAINST.

CLERK: The Registered Land Law, 1971.

THE LAND SURVEYORS' BILL, 1971

THIRD READING

MOVED BY: HON. D.V. WATLER.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

MISS ANNIE H. BODDEN AGAINST.

CLERK: The Land Surveyors' Law, 1971.

GOVERNMENT MOTION NO. 4.

MOVED BY: MR. V.G. JOHNSON.

SECONDED BY: HON. D.V. WATLER.

MR. V.G. JOHNSON: Mr. President this Motion recommends Supplementary Expenditure in the sum of \$7,200.00. Mr. President, ordinarily these supplementaries would be presented to a meeting of the Finance Committee but seeing that the sum was so small, the items so few and in fact two items are dealing with applications from the Legislative Department, one from the Legal Department it was thought that these would be presented in a Government Motion and if the Assembly wish to go into Committee to deal with these in detail then this could be done to avoid the calling of a Finance Committee meeting.

The items here, Mr. President, are few as I said, one dealing with incidentals from the Legislative Department, they are asking for a supplementary grant of \$200.00 and the other item is dealing with Subsistence and Travelling Attending Meetings these are with members of the Assembly and other meetings, they are asking for a supplementary grant of \$2,000.00 in addition to \$5,000.00 in the Approved Estimate. The other item is from the Legal Department a sum of \$5,000.00 is being requested and this is in addition to \$2,000.00 that was provided in the approved estimates this year. The explanation for these supplementaries are given in an annexure to the Government Motion and I am sure that members have looked at these.

The application from the Legal Department is to deal with Appeals in Jamaica and this was an expenditure that is unavoidable and one which we can't very well refuse otherwise it will hamper the administration of justice.

So Mr. President I would ask Honourable Members to consider this Government Motion requesting additional supplementary expenditure in the sum of \$7,200.00 for the current year.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 4 TAKEN AS READ AND ACCEPTED.

GOVERNMENT MOTION NO. 5.

MOVED BY: MR. V.G. JOHNSON: Mr. President I beg to move Government Motion No. 5 which deals with supplementary expenditure and these expenditures, or supplementary expenditure I should say, is set out in this motion. The recommendation of the Finance Committee which met in August to consider various applications presented to it. These recommendations were accepted by the Finance Committee and they are contained in the report which was submitted to this Assembly yesterday. The sum requested here is in the sum of \$492,232.00 this seems a big sum Mr. President, and I would say it is a big sum to ask in a supplementary but I would point out that one of the items in this deals with supplementary for the Legislative and Court Buildings. This was accepted by the Finance Committee on the grounds that it was already decided by Government that these two buildings should be undertaken after the architectural competition. Unfortunately, the rough estimate that was made on these buildings two years ago has greatly increased today from the original \$400,000.00 to a sum now of a little over a million dollars. Government is committed to this expenditure and provision must be made for the buildings to be completed next year. The expenditure on these buildings is purely from local resources and this might cause a bit of control in expenditure over the next year because when the government is faced with an additional half a million dollars then it is not readily available as one would think but however, from the financial position that was presented to the Legislative Assembly it did recommend the expenditure which means that the government will be able to afford this over the next year.

The other items, one Roads - \$60,000.00. It is not likely that all these expenditures will be committed this year in any case Mr. President. This application for \$60,000.00 is for the resealing of the road between West Bay and George Town and this was part of an arrangement with the British Government to finance certain road projects within the Cayman Islands. The British Government decided that it would finance the West Bay - North West Point road - that is the surfacing of this portion of road - that it would also undertake the completion of the eastern road programme. These two projects would involve quite a sum and this government was asked in the arrangement to increase the maintenance cost of local roads from provision of \$60,000.00 in this year's estimate to an increase of \$80,000.00.

This government was also requested that in this deal it should finance the resurfacing of the West Bay - George Town Road and the resurfacing and realignment of the George Town - Bodden Town Road. The complete job should take a period of three years, at a cost of \$180,000.00 to \$200,000.00 and so this is the reason why request was made in this supplementary for the sum of \$60,000.00.

Mr. President another fairly large item here is a request for \$40,000.00 for the purchase of government land - purchase of lands for government building and this is in respect of additional lands which are needed in the airport compound for the siting of the new terminal building when it is possible to do the construction. This is part of the airport report by the consultants Wallace Evans & Partners for the construction of a new terminal, the construction of additional car stands and the extension of the present runway. It was thought that the construction of a new terminal should be phase one of the project and therefore, it was necessary at this stage to proceed with the acquiring of the necessary lands for the siting of this building and so the sum of \$40,000.00 was requested here for that purpose.

Another item Roads \$20,000.00 and this was according to the arrangement with the British Government to increase the maintenance provision from \$70,000.00 to \$90,000.00. Sorry I made an error just now in quoting those figures \$60,000.00 to \$80,000.00 but it was really from \$70,000.00 to \$90,000.00 and so this additional \$20,000.00 was requested here. The other items are fairly small but all these as I said before Mr. President were accepted by the Finance Committee and in their report which was submitted here yesterday.

I would now ask Honourable Members to examine this motion and to accept it in the spirit in which the recommendations were accepted in the Finance Committee.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: This is now down for debate of the whole House if it wishes. These - all these points for the benefit of the audience were discussed in detail by the Finance Committee on the 4th of August and they - the Finance Committee consists of all the elected and nominated members of the House - have been through these in detail its now coming to the House for ratification and formal approval. Now the debate is opened to anybody who wishes to speak.

The Honourable member for George Town.

MISS ANNIE H. BODDEN: Mr. President and Members of this Honourable House while I am quite cognizant of the fact that it is not within the realm of legislators to expend any money I would respectfully say Sir that I have called attention to the Head of the Customs Department as well as the Senior Administrative Officer and the Financial Secretary after the delapidated state of the Customs building and the Warehouse. I have gone further, I've called the Director of Public Works. Now I am here alone as a Member for the District of George Town and I must say that I am absolutely ashamed of the delapidated condition of that Warehouse, and surrounding premises. I have made appeal to the best of my knowledge while I admit the fact that I am an ignorant woman, at least have that place painted and the name 'Her Majesty's Customs' written over the door. I've got no response from anybody. If I were the head of the Customs Department, I would be ashamed to work in such a building. If I had to take my own money or go to the Bank and borrow it I would have that place painted and cleaned up. I have appealed - I think these members are always laughing when I --- now mind I have a bad temper..... I have appealed to the Financial Secretary to make some requisition to get some money. The Collector of Customs told us at the Finance Meeting last November that he had applied to have a space whereby he could store his valuables I dare say including money. The safe he now has, he says 'I can push it in my pocket' I know that's not the truth, but it is no good. Now I repeat I know that an elected member has no authority to dish out Government money, but I feel Sir as a representative of the Cayman Islands that when we have a place called Her Majesty's Customs at least the name should be written over it. On passing that place you notice there is a strip of Plywood or Masonite or maybe this pre-fabricated stuff nailed over a window, half of it is torn off. It is a filthy place. And I would.....

MR. PRESIDENT: Is this a point of order Mr..... Could you say what it is.

HON. W.W. CONOLLY: Mr. President and Honourable Members we have a Government Motion before us and if I can read correctly we have Heads 8, 9, 14, 16, 17 and 21 under debate. I see no place in that a debate arising from the Customs or Customs Building Sir.

MR. PRESIDENT: Well this is probably true. I think the Honourable Lady Member for George Town has, in fact, made her point. There is a thing here I think for improvement of Harbours 23. This was to make necessary improvements to the George Town Dock and presume the Honourable Lady Member is trying to use this as a means of criticising the existing Customs Building.....

MISS ANNIE BODDEN: Not criticising exactly your.... Mr. President, in the hope that I would get some improvement. I am not here to criticise, that's what I can't stand with these men you know, everything I say they are saying it's criticism. If it's criticism, it's healthy criticism. I feel that that Warehouse with a sheet of Zinc nailed across it and half torn off and the Custom House without Her Majesty's Customs written on it could be fixed under this vote 'Improvement of Harbours'. That is in conjunction with the harbour, I take it, I can be mistaken. I am not one of these people who are always right in everything, I am right in some things I feel Sir that some portion of this money which is here under item 23, 'Improvement of Harbours' could very well be spent to improve what is next to the harbour; The Warehouse and the Customs. That is all I have to say, Sir. Thank you.

MR. PRESIDENT: Thank you. I think I have certainly noticed this. Anybody else wish to speak? The Honourable Member for West Bay, Mr. Jefferson.

MR. JEFFERSON: Mr. President, reference to the Finance Committee Report August 4, 1971 there is here sub-head 11. Bailiff, Jurors, Crown Witnesses Expenses \$2,500.00. I would just like to take this time Mr. President, to say in this country in which we live today faced by the growing problem of dope I am happy to see that figure regrettable that it has to be used or if there is a necessity for having to raise money to cope with the dope problem in this country but I want to say that this is a problem that we can't ignore any longer in this island, realize that Government has moved and is moving towards eradication or trying to control this grave bites in these lands, but I do want to say that I feel that if never before, we need to move in every direction possible to eradicate this unhealthy vice and danger from our society and from our islands. It is a very great problem in these islands, far more serious sometimes than I believe we really stop to realize. I am asking myself many times what are we really going to do about it? I would submit today, I would ask members, I would lay this before this Assembly in this humble way that I believe that every possible avenue and every possible means that can be used to control and eradicate this vice of dope, drug from our country, I believe we should spare no means to control and eradicate this from the shores of these islands, For this poses a great threat to our society and to the good will and harmony and warmth of this people. Thank you very much Mr. President.

MR. PRESIDENT: Anybody else wish to comment on this motion which really just confirms the Finance Committee's detailed discussions. The mover may like to wind up.

MR. JOHNSON: Mr. President, I would just like to comment briefly on the points put forward by the Lady Member for George Town. Between last year and this year every attempt was made to improve conditions of the Customs and the Warehouse and on the docks and since then a sum of \$56,000.00 has been spent in doing various improvements. Earlier this year the office itself was air-conditioned, but in spite of all these I am aware that there are other improvements and especially those that are so obvious to the people on the outside such as what the Lady Member referred to and I acknowledge that she did come to me and complained about this. The Collector of Customs was in my office at the very time and I asked him in conjunction with Public Works Department to submit an estimate of the cost of what is left to be done there. I am still awaiting the estimate as very likely that when this is submitted that the work will be done.

Speaking about safe to keep money, there are financial arrangement within the service for the safe custody of funds. Now that the Treasury has moved away from the Post Office Building, that Department must in thenight place all cash and other valuables in the vault at the Post Office Building, and so it is with the Customs Department that all cash and other valuables must be lodged in that vault during the night. So as far as security measures are concerned it is only during the day that they need to secure cash and other valuables at the Customs Department. I have spoken to the Collector of Customs about this and he is apparently satisfied with the arrangements there.

Mr. President I would like to say generally that all requests that are made by the Finance Committee or in this Assembly regarding improvement of Departments from time to time have been put forward in some cases early action is taken and in other cases they are long drawn out for one reason or another, but I don't think it is because these have not been put forward and every endeavour made for the jobs to be done.

Mr. President, I would now formally move Motion No. 5.

QUESTION PUT: AGREED. GOVERNMENT MOTION NO. 5 APPROVED.

MR. PRESIDENT: Just before, I anticipate that there will be a motion for the adjournment shortly. We have gone through this afternoon's business remarkably quickly, there is a rather unusual gap on my left, I think in all the meetings I have had we haven't had such a depleted House but it is presumably because the business this afternoon was of rather a mechanical nature.

I would like to remind members that tomorrow afternoon at five o'clock in the evening there will be a short ceremony at the site of the new Legislative Assembly Building when there will be a formal laying of the corner-stone. This is meant as a short ceremony just to give a good start to your new home which I think shows every sign of becoming the most attractive piece of Architecture in George Town and I would be very pleased if members could turn up because it is their particular ceremony meanwhile a proper and much more lengthy and formal ceremony of course is proposed for the opening of the Assembly so this one is really more a local exercise and to put down that foundation stone on which the building will be laid. That's five o'clock tomorrow afternoon on the site of the Legislative Assembly Building George Town next door to the Town Hall. Any members of the public would like to come of course are invited.

I don't think I have any further messages except to repeat that the Select Committee to consider the processing of Lord Oxford Constitutional Report will meet at 10 o'clock on Thursday in my office. I have been asked to give this message by the Chairman of the Committee and we hope to conclude the discussion on the processing during that morning. Any member would move the adjournment?

HON. D.V. WATLER: Mr. President and Honourable Members I beg to move that this House now stand adjourned sine die.

MR. PRESIDENT: Just before I put the question I think on behalf of you all we would like to thank West Bay for the peace and quiet it has given us during our discussion here. It has also been very pleasant to see the very large number of children here outside and this perhaps helps us to make sure that our legislation our pieces of Laws are wise ones because it is their future that we are really looking towards and I think seeing this which is probably one of the largest Preparatory Primary Schools in the Island does give one some idea of the problems you have coming up ahead.

QUESTION PUT: AGREED.

HOUSE ADJOURNED SINE DIE 3.15 P.M.

ORDERS OF THE DAY

TUESDAY, 27th NOVEMBER, 1973

1. PRAYERS BY THE REV. JOSEPH CRAWFORD
2. PRESENTATION OF PAPERS - (TO BE TABLED)
 - (a) REPORT OF THE STRUCTURE, SALARIES AND CONDITIONS OF SERVICE OF THE PUBLIC SERVICE, by Messrs. Waller and Rolfe. PRESENTED BY THE HONOURABLE FIRST OFFICIAL MEMBER, HON.D.V.WATLER,O.B.E., J.P., LEADER OF GOVERNMENT BUSINESS.
 - (b) THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE for 1974: BY THE HONOURABLE THIRD OFFICIAL MEMBER, HON. V. G. JOHNSON, O.B.E., FINANCIAL SECRETARY.

2. QUESTIONS:-

MR. JAMES M.BODDEN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER:

- (i) WILL THE MEMBER SAY WHAT IS GOVERNMENT'S POLICY IN MAKING APPOINTMENTS TO THE SERVICE, IN THE VARIOUS GRADES, I.E. WHAT ARE THE REQUIREMENTS AS REGARDS NATIONAL STATUS.
- (ii) WILL THE MEMBER SAY WHAT IS THE PROCEDURE USED IN GRANTING BRITISH PASSPORTS IN THE CAYMAN ISLANDS TO PERSONS BORN OUTSIDE OF THE ISLANDS.

MR. JAMES M.BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR LANDS AND NATURAL RESOURCES:

- (iii) (a) WOULD THE MEMBER SAY WHETHER THE SALES OFFICE AT GOVERNOR'S HARBOUR IS ON GOVERNMENT LEASED LAND?
- (b) WOULD HE SAY WHETHER ALL THE TERMS OF THE BUILDING PERMIT IN CONNECTION WITH THE ABOVE PROJECT HAVE BEEN COMPLIED WITH?

MR. G. HAIG BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR EDUCATION, SOCIAL SERVICES AND HEALTH

- (i) WOULD THE MEMBER SAY IF GOVERNMENT IS CONSIDERING THE DRAFTING OF A NEW PUBLIC HEALTH LAW?
- (ii) WILL THE MEMBER STATE HOW MUCH IS THE ESTIMATED COST OF REPAIRS TO THE ANNEX SCHOOL BUILDING IN ORDER TO MAKE IT READY FOR SCHOOL OCCUPANCY?

MR. G. HAIG BODDEN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER

- (iii) WILL THE MEMBER SAY IF GOVERNMENT IS CONSIDERING THE REDUCTION OF IMPORT TAXES ON FUELS AND AUTOMOBILES IN VIEW OF THE RISING PRICES?

3. GOVERNMENT BUSINESS:-

THE APPROPRIATION LAW, 1974 (FIRST AND RESECOND READINGS)
FINANCIAL STATEMENT BY THE HONOURABLE THIRD OFFICIAL
MEMBER, HON.V.G.JOHNSON,O .B.E., FINANCIAL SECRETARY.

DEBATE ENSUING ON FINANCIAL STATEMENT.

Budget 1974.

TABLE OF CONTENTS

	PAGE
PRESENTATION OF PAPERS - REPORT OF THE STRUCTURE, SALARIES AND CONDITIONS OF SERVICE OF THE PUBLIC SERVICE, MESSRS. WALLER AND ROLFE.	1
QUESTIONS	2
APPROPRIATION LAW, 1974 (FIRST AND SECOND READINGS) FINANCIAL STATEMENT BY THE HONOURABLE THIRD OFFICIAL MEMBER.	6
DEBATE ENSUING ON FINANCIAL STATEMENT:-	
MISS ANNIE H. BODDEN	18
MR. JOHN JEFFERSON	27
MR. CLAUDE HILL	33
ADJOURNMENT	37

TUESDAY 27th NOVEMBER, 1973
10 a.m.

PRESIDENT: We seem to have a small procedural hiatus about prayers - but if Members would just wait a moment.

PRAYERS: REV. JOSEPH CRAWFORD: Let us pray.

Oh Lord our God, if ever we needed thy wisdom and thy guidance it is now. As the Legislative Assembly begins a new session, standing on the threshold of a new year ~~fresh~~ ^{fresh} with so many dangerous opportunities; we pray that thou wilt bless these men and women chosen by the people of these islands, for thou knowest them, their needs, their motives, their hopes and their fears. Gracious Lord put thine arm around them, to give them strength, and speak to them to give them wisdom greater than their own. May they hear thy voice and seek thy guidance. May they remember that thou art concerned about what is said and done here today; and may they have clear consciences before thee, that they need fear no man. Bless each of us according to our deepest need, and use for thy glory. We ask it in Christ name. Amen.

MR. PRESIDENT: Honourable Members now be seated, if you will.

Honourable Members the main business of our meeting of course, is the Appropriation bill and the Budget. My idea as the way things ought to go, subject of course to the views of the House, is that we should if possible take the Second Reading Debate during the balance of today, after the Financial Secretary has made his statement; and during as much as is necessary tomorrow. My idea is that the Finance Committee should meet on Thursday, and go on for as long as it needs, and we can take the remaining business of the sitting after the Finance Committee has completed its business.

So item two, Presentation of Papers, First Official Member.

HON. D.V. WATLER: Mr. President, I beg to lay on the table the report of the Salaries Commissioners on the review of the Structure, salaries and conditions of services of the Public Service; and doing so I would like to emphasise that once the Government has accepted it in principle, it has emerged from preliminary study of the report that there are matters related to the grading of individual post which are not necessarily consistent with the Government's policy. This whole matter is to be considered further by the Establishment Department, and close consultation with the Public Service Commission; and the recommendations made through me as a matter of urgency; and I think it is very desirable that the necessary recommendations should be considered and carried out by this procedure, and not discussed in detail on the floor of this House.

MR. PRESIDENT: All are to lie on the table. Third Official Member.

HON. V.G. JOHNSON: Mr. President, Honourable Members I beg to lay on the table of this Honourable House the Draft Estimates of Revenue and Expenditure for the financial year 1974.

MR. PRESIDENT: So I bid. Item two, questions - and I see we have immediately a procedural difficulty, in that the first three questions all stand in the name of the First Member for Bodden Town who is not here to ask them. We'll

MR. PRESIDENT: (CONT'D): give him a little time, and go on to the question standing in the name of the Second Member for Bodden Town.

QUESTIONS

MR. G. HAIG BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR EDUCATION, SOCIAL SERVICES AND HEALTH.

Would the Member say if Government is considering the drafting of a new Public Health Law.

ANSWER: A new Public Health Law has been drafted. It is now being processed through the usual channels and will reach this Honourable House in due course.

MR. G. HAIG BODDEN: A supplementary question, Mr. President: Can the Member give us any idea what he means by due course, will it be say, within a year or six months?

HON. B.O. EBANKS: Mr. President, due course means exactly what it says. I am unable to, or I would be reluctant to say that it will be within one month, two months, three months, or four months, because during the study of the draft all sorts of possibilities exist, and it will not be brought to the House until it is beat into a satisfactory form to the Government.

MR. G. HAIG BODDEN: One more supplementary question, Mr. President. Can the Member say how long it has been since the initial draft was started?

HON. B.O. EBANKS: Mr. President, I'm not in a position to answer that question Sir.

MR. JAMES M. BODDEN: A further supplementary Sir. Would the Member tell us what has happened to the Law that was drafted about three years ago - The Public Health Law.

HON. B.O. EBANKS: Mr. President, I took over responsibility for this subject in January of this year, therefore I am unable to say what the position is with the Public Health Law that was drafted three years ago.

MR. G. HAIG BODDEN: Another supplementary question, Mr. President. Can the Member say if any files are kept, or if files dating back say three years are available for his use now on these subjects?

MR. PRESIDENT: We're wondering rather far from the text of the question. I don't know whether the Honourable Member wishes to answer that.

HON. B.O. EBANKS: Mr. President, I regard that as a new question, but it would follow that in the ordinary course of business, any file in Government's possession that I may need will be available to me.

MR. PRESIDENT: If I may just interject, I would say that if any other situation arose the person who withheld the file would be answerable to me.

Second question in the name of the Second Member for Bodden Town.

MR. G. HAIG BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR EDUCATION, SOCIAL SERVICES AND HEALTH.

WILL THE MEMBER STATE HOW MUCH IS THE ESTIMATED COST OF REPAIRS TO THE ANNEX SCHOOL BUILDING IN ORDER TO MAKE IT READY FOR SCHOOL OCCUPANCY?

ANSWER: The building referred to is the old Secondary Modern School which was used as an annexe to the High School up to the end of the last school term. It is proposed, during 1974, to refurbish this building for two purposes.

- (1) The lower or ground floor as an extension to the George Town Junior School.
- (2) The upper floor as a Teacher's centre.

A sum of CI\$10,000.00 has been estimated to accomplish this renovation and provision in this amount is included in the 1974 estimates of expenditure.

MR. T.W. FARRINGTON: A further supplementary question, Will the Member say with reference to the Secondary Modern building, which rumour has it, is in a serious condition of disrepair etc., and evidently left unfit. What proposal is being made to remedy this condition?

HON. B.O. EBANKS: I'm not sure that I understand clearly the question Sir, "if it's in a fit condition." Because the answer which I have given says that the building is to be refurbished at a cost of \$10,000.

MR. JAMES M. BODDEN: A further supplementary to that Sir. I wonder if the Member could tell us who prepared the estimates to figure that \$10,000 would cover the repair of that building?

HON. B.O. EBANKS: The figure was prepared by the Public Works Department.

MR. G. HAIG BODDEN: A supplementary question, Mr. President. As \$10,000 seems to be a very large sum to repair one building, will the Member say what was the cause or the need for so much repairs to the annex?

HON. B.O. EBANKS: Mr. President, I don't think it should come as any surprise to Members that vandalism to Government property is rampant in this land. There are windows and doors that have been broken, and the figure as I said includes an amount for a total refurbishing of the building for the purposes which I outlined in my first answer.

MR. PRESIDENT: If there are no further supplementaries, I think we may as well finish off the Second Member for Bodden Town; if he won't mind my using that expression, his third question.

MR. G. HAIG BODDEN TO ASK THE HONOURABLE THIRD OFFICIAL MEMBER

WILL THE MEMBER SAY IF GOVERNMENT IS CONSIDERING THE REDUCTION OF I
OF IMPORT TAXES ON FUELS AND AUTOMOBILES IN VIEW OF THE RISING
PRICES?

ANSWER: No.

MR. PRESIDENT: If there are no supplementaries - since he is
now here we can go on to the First Member for Bodden Town
Questions standing in his name number one.

MR. JAMES M. BODDEN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER

WILL THE MEMBER SAY WHAT IS GOVERNMENT'S POLICY IN MAKING
APPOINTMENTS TO THE SERVICE, IN THE VARIOUS GRADES, I.E. WHAT ARE
THE REQUIREMENTS AS REGARDS NATIONAL STATUS?

ANSWER: Government's policy in making appointments to the Public
Service is first to find the most suitable qualified
person that is available. Preference is always given
to persons of Caymanian status who possess the necessary
qualifications. Caymanians are eligible for appointment
to the permanent and pensionable establishment or for
employment on local contract agreement. If no suitable
candidate of Caymanian status can be found then other
persons may be employed on contract or secondment terms.
Persons both of Caymanian and non-Caymanian status may
also be employed in a temporary capacity.

MR. G. HAIG BODDEN: Supplementary question Mr. President.

In making appointments to the Service are all vacancies
including temporary vacancies advertised?

HON. D.V. WATLER: Normally all vacancies are advertised.
Sometimes you might get an occasion when something comes up all
of a sudden, but normally it is all advertised in the Press.

MR. CRADDOCK EBANKS: Mr. President, a further supplementary.

If it should arise as an emergency appointment would it
be then considered a full time or a part time until an ad can
be posted?

HON. D.V. WATLER: These are generally - when I said that some-
times that you do not get advertisement into the Press - Say
at the Christmas time you may have at the Post Office an
emergency there and you need a few people to help sort .
Instead of advertising - well you just don't have time, you
may have to collect one or two person around to help out there
otherwise they're all advertised; and those are not on the
Permenant and Pensionable - those are casual - temporary e
employment.

MR. CRADDOCK EBANKS: Mr. President, I didn't ask the question
on that manner, because that's a day to day appointment by the
Postmistress or the Postmaster, or the Custom Officer. What
I think the question was - was permanent appointments is what
I asked.

HON. D.V. WATLER: I thought I made that quite clear, that these
are put on temporarily in the case of emergencies; and they

HON. D.V. WATLER: (CONT'D): do not remain under the permanent over the Christmas holidays and periods like that. These are the kind that I'm referring to.

MR. G. HAIG BODDEN: Another supplementary, Mr. President. In the answer preference is always given to persons of Caymanian Status. What about persons of non-Caymanian status, would preference be given to British subjects over people of other nationalities?

HON. D.V. WATLER: Well, it depends on their qualifications, but normally you do have British subjects, but it all depends on the qualifications and their experience.

MR. PRESIDENT: If there are no further supplementaries, the second question in the name of the First Member for Bodden Town.

MR. JAMES M. BODDEN TO ASK THE HONOURABLE FIRST OFFICIAL MEMBER
WILL THE MEMBER SAY WHAT IS THE PROCEDURE USED IN GRANTING
BRITISH PASSPORTS IN THE CAYMAN ISLANDS TO PERSONS BORN OUTSIDE
OF THE ISLANDS.

ANSWER: BRITISH PASSPORTS CAN BE ISSUED TO PERSONS BORN OUTSIDE OF THE CAYMAN ISLANDS WHO CAN PROVE THAT THEY HAVE BRITISH NATIONALITY.

MR. G. HAIG BODDEN: A supplementary question Mr. President. How long would a person of British nationality have to live in the island before he could hold a Caymanian Passport?

HON. D.V. WATLER: There is no such thing as a Caymanian Passport, it is a British Passport. Because we haven't a nationality to pass, and thus if a British subject is a British subject, and can prove that he is a British subject, then he is eligible to a British Passport.

MR. G. HAIG BODDEN: Another supplementary Mr. President. How long would a person have to live in Cayman before he could be issued a British Passport from the Government offices here, if the person was born abroad?

HON. D.V. WATLER: There is no such ~~time~~ for that. What I think maybe that the Member is getting around to, would be a person of an alien and not a British subject. If that is what you're getting after, British nationality. ~~Once you are~~ a British subject you are eligible for a British Passport. A Caymanian that is a British subject, and if he is travelling overseas, and should arrive into New York on a ship, and his Passport is expired, he can go into the British Embassy there and receive a British Passport. Likewise anyone is a British subject here can receive a British Passport at any time. But if you're speaking of how ^{you} arrive and derive British nationality; British nationality there are various ways, it can be derived by birth by parentage, by registration or by nationality, and by naturalization.

MR. G. HAIG BODDEN: Another supplementary, Mr. President. Is the issuance of a new Passport treated the same as renewal?

HON. D.V. WATLER: Yes, it's one and the same thing.

MR. PRESIDENT: If there are no further supplementaries. The third question.

Fourth Meeting and Budget Session
27th Nov. 1975

MR. JAMES M. BODDEN TO ASK THE HONOURABLE MEMBER RESPONSIBLE FOR LANDS AND NATURAL RESOURCES.

WOULD THE MEMBER SAY WHETHER THE SALES OFFICE AT GOVERNOR'S HARBOUR IS ON GOVERNMENT LEASED LAND?

ANSWER: THE ANSWER IS YES.

WOULD HE SAY WHETHER ALL THE TERMS OF THE BUILDING PERMIT IN CONNECTION WITH THE ABOVE PROJECT HAVE BEEN COMPLIED WITH?

ANSWER: THE SECOND PART IS NOT STRICTLY MY RESPONSIBILITY; THE PLANNING OFFICE HAS NOT YET BEEN ABLE TO PROVIDE ALL THE RELEVANT INFORMATION, AND EITHER THE FIRST OFFICIAL MEMBER OR I WILL PROVIDE THE ANSWER NEXT WEEK.

MR. JAMES M. BODDEN: A further supplementary, to this. I think this permit was granted for one year, could the Member tell us why such a long time has elapsed and the building is still there?

HON. W.W. CONOLLY: Mr. President, I think I made it quite clear, that the second part of the question which is - would he say whether all the terms of the building permit in connection with the above project have been complied with? I said that the second part which is this part, is not strictly my responsibility. The Planning Office has not yet been able to provide all the relevant information, and either the First Official Member or I will provide the answer next week.

MR. JAMES M. BODDEN: Thanks for the evasive answer.

MR. PRESIDENT: Well, now at this stage, Honourable Members I want to, if I can adjourn for refreshments, in order that the Third Official Member shall have a clear run. But I think we're about three minutes above of my personal schedule.

MR. PRESIDENT: Honourable the dependence of this House on its logistics sometimes rather amuses me. I gather that all the refreshments have not yet arrived. So just for a moment we'll take the preliminary - Third Official Member if you will.

HON. V. G. JOHNSON: Mr. President, I'm not too certain what you mean by the preliminary, Sir.

MR. PRESIDENT: First Reading please, Third Official Member.

THE APPROPRIATION LAW, 1974
INTRODUCTION

Moved by Hon. V.G. Johnson, O.B.E.

Seconded by Hon. D.V. Watler, O.B.E., J.P.

QUESTION PUT: AGREED. BILL INTRODUCED.

CLERK: THE APPROPRIATION LAW, 1974

SECOND READING

Moved by HON. V.G. JOHNSON

HON. V.G. JOHNSON: Mr. President, before going into the Financial aspects of the Budget, I will attempt at this early stage of my address to make brief comments on the state of the country's economy. The last Budget Session was held in February this year and since that time it is reasonable to say that economic activ-

HON. V.G. JOHNSON (CONT'D): ities in these Islands have maintained the usual pace of recent years. It is perhaps also reasonable to say that these activities have caused stress and strain in certain areas: this is, of course inevitable because of the basic structure of the present economy and the growth rate it has generated in so short a time.

It appears obvious that general prosperity and rapid growth are continuing in these Islands at present. Highly visible signs of this include the construction of new buildings for banks, offices, apartments, extensions of hotel accommodation and dwelling houses. Rather than dwelling upon progress in 1973, it may be more interesting if I briefly review the pace of economic development over the past three years.

According to current estimates, the resident non-tourist population increased from 10,900 in 1970 to 13,100 in 1973. Of this 2,200 increase, about 1,500 are expatriates who came to the Cayman Islands mostly from the Caribbean countries, the United States of America, Canada and the United Kingdom.

The total output of goods and services, as measured by the Gross Domestic Product, rose from CI\$10,300,000 in 1970 to an estimated CI\$22 Million in 1973. If this is divided by the non-tourist population, an average per capita G.D.P. of CI\$1,680 is obtained for 1973 compared to CI\$945 in 1970. This represents an average annual increase of 21% in per capita G.D.P. which is a truly astounding economic growth rate. However, slightly more than half of this growth represents price inflation, so the true growth of per capita G.D.P. is probably in the neighbourhood of 10% a year. This is still one of the highest growth rates in the world, and it is most certainly the highest in the Caribbean.

Imports by sea through the George Town port rose from 22,000 long tons in 1970 to approximately 41,000 in 1973. The present port is now operating almost at its top capacity. The new facilities which are expected to be completed and in full operation by the end of 1975, should be adequate to handle all local imports through the next 20 years.

All of this adds up to a very fine accomplishment in terms of economic growth to date. However, as I mentioned earlier, there are problem areas in these economic activities; now they need to be explored and if possible improved so that these Islands may continue to enjoy a good rate of growth. A number of these areas are inter-connected and warrant early investigation: one area of greatest importance for the next few years appears to be Price Inflation.

Inflation, Mr. President, is a disease of economic growth and development and any attempt at its eradication or even its control, must be carefully examined since development, and not necessarily inflation, could be adversely affected in the process. Inflation has been a world problem for centuries and the evils continue today. In recent months it has taken a sudden upward trend in these Islands which is largely due to a chain reaction caused from rising prices in certain commodities in the world market. This has caused Government to become even more aware of the problem. His Excellency the Governor recently commenting on the subject of inflation declared, "Government would be severely criticized if it appeared indifferent to the problem." This is quite true; the effects of wage and price inflation must always be the concern

HON. V.G. JOHNSON (CONT'D): of Governments, for the simple reason that the evil of inflation improves the position of no one because the increase in wages are nullified by the increase of prices. Inflation also tends to divert resources to areas such as inordinate consumption of luxury items and investments that are not beneficial or profitable to the majority of people. It also reduces productivity by making profits and wages easy to come by, and the normal competitive forces in business operation to cease to work. These adverse effects must create social and other problems.

The question which is now being debated is "What can Government do to reduce the high rate of inflation?" I dare say the same question is being asked in neighbouring countries where inflation is also creating problems. As I said earlier in the opening paragraph on this subject, caution must be exercised as to the recommended treatment, otherwise development could suffer. During 1974 the problem will be examined and any measures which are considered reasonable and practical will be recommended.

Tourism and the off-shore operation continue to expand rapidly. Late in 1972 the Report of the Tourism Survey Consultants was accepted in principle and, as a result, Government established a "Department of Tourism" to be fully effective January, 1974. Policies with regard to the future development of this industry are now under consideration. In the meantime the Tourist Board, which is a statutory body, continues to function and it will do so until necessary steps are taken to effect the change of full responsibility to the Government Department.

The tourist promotional programme for 1973 continues with good results. Arrival figures reveal a marked increase over the previous year which is certainly above the average for this part of the world: as a result hotel occupancy has risen about 10% so far this year. The expenditure by visitors for 1973 which was estimated by the Tourism Survey at CI\$8 Million is now revised at CI\$10 Million: an increase of 25%. It is estimated that visitors will increase from the 1973 figure of 40,000 to 50,000 in 1974.

In spite of certain publicity which the Cayman Islands received earlier this year and which was considered adverse in some respects because of tax dodging implications, the locally based off-shore operation grew tremendously: 1155 new companies were registered between 1st January and the 2nd November, 1973, making a total of 5071 to date. 56 new bank and trust licences were granted between January and October this year making a total of 138 at present. The direct Government revenue which these companies and banks contribute is quite substantial.

The growth and expansion of the local financial community has gone very well so far and it can be said that its conduct has been of an acceptable standard. However, now that the banking and trust operation is growing fairly large and the number of institutions is increasing rapidly, the big financial centres are looking at the local scene with some concern for, according to them, controls need to be strengthened. Early in the coming year steps will be taken to examine the position and if necessary, to introduce appropriate Legislation.

I must go on to say a few words about currency. The Cayman dollar is still floating with the pound sterling. It will be remembered that last year in June the fixed exchange rate under the International Monetary Fund arrangements was suspended because of a currency crisis in the United Kingdom which caused the pound to float. The Cayman currency was at that time newly put into circulation

HON. V.G. JOHNSON (CONT'D): and since the currency was related to the pound in parity it was thought best to let it float with the pound.

A matter which I should mention through this medium Mr. President, is the unfavourable reception from a certain area of the private sector in a recent request for statistical information in an attempt to gather national accounts data. During this year my Department has been working on statistics to up-date the cost of living index and the John Bryden 1969 Economic Survey. Although the exercise is carried out under the provisions of the Statistics Law there has never been any intention of enforcing the penalty section of the Law in the case of non-compliance in the request for information. We have had the fullest co-operation from all the leading institutions of the financial community, for which Government is most grateful. The problem lies with a small area of the commercial sector. I would like to state quite emphatically that the information being requested is for no other purpose than to provide Government and the private sector with important data that will be most helpful in guiding the economic development of these Islands as well as in guiding the private sector's own business and other activities. Government is not interested in prying into the conduct and affairs of anyone's private business. In fact all the information comes to me directly and is kept confidential until such time that it is all correlated and passed to the staff for further processing; the returns are then destroyed. Furthermore there is a heavy penalty in the Law against Government officials where breaches of secrecy are concerned.

There was the suggestion that the gathering of statistics might be connected with the introduction of income tax. Mr. President, this Government has already stated its position in this respect, and it was made quite clear that the present economy could not blend with any form of direct taxation and therefore there was no intention of disrupting the present tax structure. The position has not changed any since that time and a re-assurance of the statement is quite appropriate today. The public is therefore requested to cooperate fully in providing statistical information because the finished product is just as valuable to them as it is to Government.

Mr. President, I will now deal with the Budget starting with the financial position of the current year 1973 as revealed by the Revised Estimates. Before going into the details I must declare at once that no year in the history of this Government ever produced such a growth in ordinary recurrent revenue as it has this year, 1973. The estimated revenue for the current year is CI\$4,866,717 which has been revised at CI\$6,228,262 an increase of CI\$1,361,545 or approximately 28%. Expenditure charged to ordinary revenue was estimated at CI\$5,242,223 and now revised at CI\$5,641,483, an increase of CI\$399,260 or approximately 8%. This gives a surplus revenue on the 1973 operation of CI\$586,779. The revenue surplus balance at the 1st January, 1973 was originally estimated at CI\$351,103. The actual figure is now CI\$557,710 an increase of CI\$206,616 or approximately 59%. The revised estimated surplus revenue balance being carried forward into 1974 is therefore CI\$1,144,489; it was originally estimated at CI\$24,403.

The year 1973 can be described in no other way than "a very successful year financially." Comments on all important items in the Budget will be made when we get to the 1974 Estimates.

During 1973 effort was put into revenue collection. The two main revenue Departments, Customs and the Post Office, have had the benefit of a recent reorganisation which improved their efficiency. The Office of

HON. V.G. JOHNSON (CONT'D): the Registrar of Companies, now a section of the Department of Finance and Development has been reorganised as well, and early this year was temporarily rehoused in the new Court Building. It should now give satisfactory service to the financial community.

An important item of revenue is stamp duty which is derived mainly from property transfer transactions. Although the Post Office is responsible for its collection, the assessment is carried out by the Department of Finance. The new Stamp Duty Law introduced in July this year will improve revenue collection. In fact evidence of this has already been seen in the four months since the new law became effective. The overall revenue position is that most items have experienced a noticeable, and in some cases a remarkable growth.

While revenue collection was carefully guided and guarded, it is also true to say that expenditure was keenly controlled, hence the very encouraging financial administration continues, and a few areas of service not yet reorganised are improved, 1974 and future years should continue to enjoy a solvent position.

Mr. President, we may now move on to the 1974 Budget where interesting comments will ensue. First I must announce that no new measures of taxation will be introduced at this Session. It is anticipated that the increased tax on tobacco and alcohol, approved at the last sitting of this House, will supplement the need of the new year and in the meantime other avenues of taxation may be explored. In a recent newspaper editorial I was quoted on certain statements on taxation made early this year and again recently. Mr. President, I had previously stated that the servicing of loans to finance the current four big development projects could perhaps be undertaken over the next few years without the need to raise additional revenue. At the time I did forecast a tremendous growth in revenue provided that activities in the various sectors of the economy continued at an increasing pace. This proved correct in this very year and had recurrent expenditure continued at its normal growth rate there would have been no need for additional taxation, not even to increase import duty on liquor and tobacco. The 1974 expenditures will clearly demonstrate the reason and need to consider new tax measures. The statement was not meant to be misleading.

The estimated revenue for 1974 is CI\$7,175,317. This represents 47.6% growth over the 1973 estimated figure of CI\$4,866,717 and 15% growth over the revised estimates. The expenditure, Recurrent, New Services and Capital to be financed by local revenue, is in the sum of CI\$8,319,718. This represents a growth of approximately 59% over the 1973 estimated expenditure. It is clearly seen then while revenue had a mammoth growth of 47.6%, expenditure climbed to an all time record of 59%. This is the reason why Government was obliged to consider new taxation. The details of this expenditure and its supporting grounds will be given shortly. The expenditure of \$8,319,718 will be financed from the estimated revenue of CI\$7,175,317 and the revised revenue balance of CI\$1,144,489. A small surplus balance of CI\$97 remains. There are other expenditures; British Development Aid Projects CI\$846,374 and Projects financed by Loan arrangements CI\$2,500,020. The total expenditure budgeted is therefore ~~CI\$11,666,112~~. The Appropriation Bill is seeking authority for a sum of CI\$11,511,593. The difference between this figure and the total expenditure (CI.\$154,519) is already authorised under other laws - Pensions and Loans are two examples.

HON. V.G. JOHNSON (CONT'D): During 1973 the Cayman Islands were up for re-assessment by the United Kingdom Government in the matter of British capital grant aid entitlement. The decision was that the Cayman Islands are now considered a fairly wealthy Territory and as such they are not eligible for free aid after the current British financial year ending on the 31st March, 1974. Although the announcement did not come entirely a surprise, the decision did create concern in this Government over the future outcome of current projects which started under British development aid. This view was conveyed to the British Government and as a result a compromise was offered whereby the existing British grant aid arrangements would apply to current projects provided applications are submitted for approval before the 31st March, 1974. This Government is most grateful for the consideration.

The British Government did not intend to cut aid to the Cayman Islands altogether when the announcement was made to end capital grant aid. Another form of aid has been substituted. As from the 1st April, 1974 the present level of grant aid will continue for the next three years in the form of interest free loans repayable over twenty-five years with a grace period of six years for commencement of repayment. Again this Government is very thankful for this assistance. Consideration is being given to the possibility of using this facility for big projects which can qualify. One in mind is the Airport development project. Technical assistance remains unchanged.

I will now deal with expenditures. Those charged to British Development Aid and to Loans will be mentioned lastly. All requests from all departments have been embodied in the Estimates and recommended in the Appropriation Bill. Although this is somewhat unusual, there were grounds for such a consideration. One was the fact that many services of Government are in urgent need of upgrading and improving. To mention a few that are considered very important, Police, Medical & Health, and Education. The cost of labour and material has risen to such heights in recent years that departments were finding it difficult with Government's limited financial resources to maintain an efficient and reliable service. Departments were therefore requested to prepare realistic estimates of their needs but to work within certain guidelines. Estimates are recommended as submitted with the hope that since certain departments are now under political supervision one of the criteria in financial management will be "value for money spent."

A big item under recurrent expenditure is a sum of \$1,150,000 set aside for salaries review. Among the many problems in Government is the outdated wage scales of the Civil Service. It has long been felt that if this was not given immediate attention the machinery of Government could seriously weaken. His Excellency the Governor, Head of the Civil Service, decided that there ought to be a general salaries review exercise in which posts should be re-assessed and graded accordingly. He went on to state that the exercise should not be one merely to put more money into the pockets of Civil Servants; instead it should be an attempt to upgrade the status of the Civil Service itself.

A request was therefore made under British technical assistance for a Salaries Commissioner to conduct the survey and to produce recommendations. We were fortunate to have the services of two very senior and experienced persons in this field - Messrs. B.E. Rolfe and H. Waller. At the same time we were also fortunate to have the services of a United Nations Salaries Adviser, Mr. E. McCrensky, who undertook a position classification exercise which was complementary to, and did not interfere with the salaries review study. Mr. McCrensky was scheduled to visit the Cayman Islands

HON. V.G. JOHNSON (CONT'D): during 1972 to participate in an earlier salaries review exercise by this Government but this visit was delayed because of other commitments.

It can be said that this salaries review, is the most thorough such exercise ever conducted by this Government. The team's first exercise included examination of Government's financial position which in effect had to be related to the recommendations. Secondly, a salaries comparability survey between the private and public sectors was conducted. This also was important if emphasis was to be put on the upgrading of the status of civil servants instead of merely awarding an increase in salary.

Mr. President, as this matter is so important, and so vital to the future good Government of these Islands I would like with your permission to read the opening paragraphs of the Salaries Commissioner's Report for the benefit of those who will not see the report. I quote:

"Manpower resources in the Cayman Islands are limited. This is partly because of simple physical factors such as the size and population of the islands but also because of the competing demands for certain skills which are in short supply arising from the form and speed of development especially over the last five years. The accelerated pace of development has brought benefits to many people in many different places but there is one area which does not seem to have received its fair share - the section of the population with which we are concerned namely the Civil Service. This inequity has two effects; first that many civil servants become dissatisfied with their lot; morale is not as good as it should be; and the quality of effort declines. Secondly, Government is unable to recruit and retain people of requisite ability to fill posts in the service on which the efficient conduct of Government business over a very wide range of activities depends. Government departments may often seem remote to ordinary people and their activities cloaked in misery. But the public should be left in no doubt that without an efficient civil service not only would many existing activities run down or cease altogether but the greater efficiency and many improvements in services which the community as a whole wishes to see would be beyond reach.

Government is therefore in a dilemma. As a large employer of a very wide range of categories of staff which it needs to carry out its obligations to the population as a whole, it is bound to be deeply involved in and concerned about what goes on in the labour market. The very high salaries and wages paid in the private sector when taken with the increases in cost of living have, over the last few years, had a considerable and detrimental effect on the state of the civil service; but the private sector is as dependent as any other section of the community on that service. One factor alone will demonstrate this; the private sector, if its operations are to prosper, needs from a country political, social and economic stability; that stability depends in the Cayman Islands on the continuation of progress with development so that the aspirations of the local community for improved education, medical, public works and other services can be satisfied. That progress cannot be maintained without an efficient civil service which feels it is being fairly treated. Here we come to the dilemma. To put the civil service on a basis of fair comparison with

financial rewards in the private sector is bound to be costly and no doubt it will be said that the money needed for increases in salaries is just as badly needed for better schools, medical services, and roads. Nonetheless we are in no doubt that the decline in the civil service must be halted and that one of the main ways in which this can be achieved is by a substantial increase in salaries. We also feel bound to make it clear that in our view this is not just a once and for all review and that Civil Service remuneration can now be quietly forgotten for another four years. If the Civil Service is to be put and maintained in good heart it will be necessary to review salaries annually and if present conditions continue, these annual revisions may themselves also be substantial.

It seems to us that increases of the size we are proposing give rise to two important considerations which are related. The first is the need to upgrade the standing of the service both in its own eyes and in those of the general public. The feeling that its employer is content to lag behind outside conditions of service and accept second best is bound to have a depressing effect on any group of employees. We hope that the acceptance of our recommendations would go some way towards remedying this. But to go the whole way requires something else which we are sure those who have to foot the bill will not forget. This is that the Civil Service should now give full value for the money being spent on it and that by its deeds it should demonstrate that it is conscious of its obligations and determined that they should be met. Management and discipline can and ought to be tightened up. But above all personnel management arrangements throughout the service must be improved as a matter of urgency. Our recommendations are therefore designed to boost morale and create a climate in which improved management can become a reality. By building on existing staff resources and with the better recruitment prospects the salary improvements should bring, we can see no reason why a more efficient organisation well adapted to give the general public the service to which it is entitled should not be achieved in a short space of time." Unquote.

Mr. President, there is no doubt in my mind that every word quoted above from the Salaries Commissioner's Report is true and to the point. The rest will be left to the good judgement of Honourable Members of this Legislative Assembly and in turn Members of the Civil Service. As a last note in this paragraph I would like to remind Civil Servants of their obligations as stated by the Salaries Commissioners. The new status must carry with it much dedication from all members of the service. There is always work to be done, so let us do it and do it well and not shirk from our responsibilities. We do have quite a number of dedicated and hard working officers, but the service needs more. The Salaries Review Report which is now available to members will be found most interesting. As I have said before, it is the most thorough research ever put into any salaries review exercise by this Government.

At the last Budget Session Police and Security was a topic of lengthy debate. Since then a new Commissioner of Police has been appointed. Recommendations for improvement in the Department are included in this Budget. Recurrent expenditure is increased by \$44,00, New Services proposals total \$150,000, \$20,000 if provided for

HON. V.G. JOHNSON (CONT'D): additional vehicles and aid projects included another Barracks, Married Quarters and Substations in Bodden Town, East End and North Side. The new Police Headquarters and Central Station Building is just about completed.

Under the new Management a review of the entire need of the Police Force was carried out during this year. The Survey shows that the rapid expansion programme over the past few years has created, as all such programmes do, a preponderance of young and inexperienced policemen in the Force, and deficiency in the middle service bracket. This is a serious problem for any Force and one which has to be faced up to and overcome. The soaring rate of development in these Islands has created an almost mandatory need for a solid reliable police presence here. The Commissioner of Police feels that improved conditions of service, better working and living facilities, and perhaps a realistic approach by the Salaries Commissioners will attract Caymanians to fill many vacancies. In any case a vigorous effort will be made to this end.

Re-inforcement is needed in the Traffic Branch to administer the new Traffic Law and to deal with a serious situation on the roads aggravated by approximately 120 extra vehicles each month. Recent successes in ganja apprehension have highlighted how thinly stretched are the C.I.D. in this field and in the field of crime prevention and detection. Reinforcement is also needed in many other areas, such as the proposed drug squad, Immigration, prison personell, Airport duty, and outstations - particularly West Bay, street duty, liquor checks etc. Escorts overseas are reaching time wasting proportions and this together with leave, sickness and next year's training, will deplete considerably the number of available officers.

It is therefore necessary that plans be laid now and commenced in 1974, to re-develop, train and organise, over a phased period of approximately five years, a Police Force capable of dealing with the situation in the foreseeable future. The Budget proposals seek to achieve this and to provide reasonable living and working conditions for the men.

Over the past year much controversy arose over the Cadastral Survey local cost, that is the portion of expenditure charged to this Government under the British technical assistance arrangement. There is no need to go over this now that the matter has been settled. However, we must record our appreciation to His Excellency the Governor for his effort in proposing the compromise to Her Majesty's Government which was accepted by both London and Members of this Honourable House. We are also more than grateful to the British Government for the consideration as the compromise was an unusual departure from the rules. The New Services section of the Estimates have a provision under Cadastral Survey, in the sum of \$155,000 which represents 30% of the total cost of the survey covering the years 1972 to 1974. The compromise effected a saving to this Government of approximately \$90,000 over the three years period.

Health Services are now being upgraded. The Recurrent Expenditure under this Head for 1974 rises by C.I.\$80,000 while New Services and Capital Expenditure provisions amount to approximately C.I.\$270,000. The staff of the Medical Department was recently strenghtened with the appointment of a Hospital Administrator who is now actively working along with the Chief Medical Officer, the Administrative Secretary and the Executive Council Member responsible for the subject in improving the services generally. A rehabilitation programme is planned commencing in 1974 which when completed should convert the entire Hospital into an institution where the ailing public can find reasonable good care in much improved accommodation.

HON. V.G. JOHNSON (CONT'D): This will have the effect of reducing traffic in the overseas medical service and thus create a financial saving to all concerned. The expenditure being proposed is therefore justified.

The Comprehensive School is a much talked about subject especially since the commencement of this present school year. The discussion is centered on the staff problem which is one of the side effects resulting from rapid growth in the development of this particular system of education. Perhaps what would have been more appropriate in this instance is not wide publicity of the problem and criticism of what might have happened but instead to offer support and encouragement to those involved and responsible for the development and expansion of the institution of secondary education which is a difficult job. The problem is the concern not only of a few, but of every citizen with any form of responsibility. The staff problem is not singular to the Cayman Islands; however, I hope this difficulty is overcome in time before too many children suffer. The Recurrent Expenditure for 1974 including New Services recommendations is \$740,000 or over 11% of the total Recurrent Expenditure. The development of the new comprehensive (secondary) system is progressing well. Plans are now being prepared covering the remaining phases of the building programme for submission to the British Government for approval under capital grant aid before the 31st March, 1974 when this form of capital project assistance is converted to another form of aid.

The Secondary School in Cayman Brac, now known as the Junior High School, is being upgraded as from the 1st January, 1974 and will be known in future as the Cayman Islands High School, Cayman Brac. It will offer courses of study leading to the G.C.E. 'O' level examinations. This course, will entail additional buildings/which will be included in the School building programme to be financed by Development Aid.

After my complimentary remarks at the last Budget Session on the fine achievement of the Mosquito Research and Control Unit, the mosquitoes must have heard this and not receiving any compliments themselves or finding any other means of livelihood they returned in full force and in an amalgamated army. The discovery this year of the reintroduction of the yellow fever mosquito, the *Aedes aegypti* to Grand Cayman after twenty years of eradication, and the development of resistance to the insecticide Malathion by the common salt marsh mosquito, the *Aedes taeniorhynchus*, have been described by the Unit's Director as "the greatest setback to mosquito control in Grand Cayman since the M.R.C.U. was established in 1965." The result of this is that concerted efforts must be put into the control programme. In fact a rigid programme was organised against the *Aedes-aegypti* earlier this year after the discovery. At present the Unit is optimistic that eradication will be achieved once more in 1974, provided that no further importations of the yellow fever mosquitoes take place. There are provisions under New Services and Capital Expenditure for this programme.

The proposed expenditure of \$361,074 under the Department of Tourism for 1974 is justifiable. The increase of \$101,074 over the 1973 budget is to meet rising costs in recurrent spending and to assist in the setting up of a new sales office in Chicago, Illinois. The latter is important to the future growth and development of the industry. Too much emphasis cannot be put on the importance of the tourist industry to the economy of these islands and the recommendations should therefore be supported.

HON. V.G. JOHNSON (CONT'D): A big increase in recurrent expenditure is provided for the Public Works Department. Expenditure increased from \$347,864 in 1973 to \$528,398 in 1974 or approximately 52%. A reorganisation of the Department is planned in 1974 which will follow a similar exercise carried out in the Postal, Customs and Medical Departments. The Department is now embarking on a roads' programme involving nearly C.I.\$1.5 Million as well as on other important projects. It is therefore necessary that all sections of the Department are properly organised, especially in financial administration, to cope with the work load.

This Honourable House at its last meeting approved a Natural Resources Study under British technical assistance arrangements. Funds are now provided in the 1974 Estimates covering the local cost which includes \$96,920 for the constructing and equipping of a laboratory. The study will be completed in 1975. Much has already been said about this proposed study and while it is quite an interesting subject for its advantages and usefulness, I do not intend to say very much more about it now.

Since 1969 this Government has been quite aware of the growing need to integrate physical development with habitat management in order to bequeath to the young generations of these Islands the natural resources and quality of life which the older people have enjoyed, though often taken for granted. Frequently Government has been faced with development proposals of considerable magnitude which although apparently desirable on economic grounds, could prove detrimental to the limited environment of these Islands. The lack of expertise and "self-knowledge" high-lighted the pressing need for practical environmental studies and a natural resources inventory to provide a basis on which change could be monitored and qualified and from which factual, practical advice could be given to both the Government and developer. To this end this Government with the aid and scientific support of the United Kingdom Government has committed itself to embark in 1974 on a natural resources study in order to ensure that these Islands remain in perpetuity the "Verdant Islands set in blue Caribbean Sea."

Under British development grant aid current approved projects in the process of implementation are made up of the third phase Comprehensive School development, Police Headquarters and Central Station, Cayman Brac Airfield reconstruction and Hospital Dispensary and Water Tank. The last two projects will be completed in 1974. Three projects now awaiting approval are Extension to the East End Primary School, a supplementary to the Comprehensive School Development Project for improvement of the School grounds and lastly, equipment to improve the accounting system of Government and to provide statistics for Custom, Immigration, the Tourist Board and any other department needing the service. Projects which are to go forward for approval before the 31st March, 1974 in order to have the benefit of British grant aid are the remaining phases of the Comprehensive School and Police development. It is not known as yet what these two projects will cost but a tentative sum of \$464,000 is incorporated in the 1974 Estimates; \$300,000 for Education and \$164,000 for Police. The Revised Estimates of British Development Aid Projects for 1973 is in the sum of \$812,060 and the Estimates for 1974 is \$846,374.

HON. V.G. JOHNSON (CONT'D): The four projects approved under the Loan Law 1973, Road Construction, Port Facility for George Town, Administration Headquarters Building and Airport Development, are now actively under study and their implementation should not be unduly delayed.

The Roads Programme will be undertaken by Public Works Department and already preliminary work has begun. Equipment and material are on order and present plans are that construction should start early in 1974. The cost of the Roads project is now estimated at CI\$1.42 million, this is to reconstruct approximately twenty eight miles of road between West Bay and Bodden Town. Construction of the Administration Building should begin shortly. The total cost of this project will exceed CI\$1,5 Million dollars. The Roads Administration Building projects will be financed from a loan of CI\$3 Million arranged by a consortium of six local Branches of the large international commercial Banks, Barclays Bank, the Royal Bank of Canada, Canadian Imperial Bank of Commerce, the Bank of Nova Scotia, First National City Bank and the Bank of Montreal. The loan will not exceed CI\$3 Million and it will be taken in United States dollars which is considered the cheapest currency on the market at present; in any case there is a shortage of local currency on the market. If the cost of the two projects exceeds CI\$3 Million the difference will be supplemented from local revenue resources. The loan is at commercial rates repayable over ten years with a two year moratorium on principle repayment.

The Port Facilities will be financed by the Caribbean Development Bank. The Bank approved the project at its last Board of Directors Meeting in Barbados. The financing arrangements are 80% of the cost by the Bank and the balance by this Government from whatever sources the funds may be obtained. The Bank's portion amounts to CI\$975,000. The loan will be partly soft and partly on a commercial loan basis repayable over a fairly long period. The project will go to tender as soon as consultants are appointed for the second phase study and the final drawings and tender documents are prepared. Every attempt is being made to begin construction before the middle of 1974 so that the completion date will not be later than the end of 1975. Government is now in the process of acquiring lands adjacent to the present site for the development. This is a costly part of the port development; it is financed by this Government as a part of the local contribution.

Lastly is the Owen Roberts Airport Development. Studies are being made at present as to additional lands which may be required at the airport to allow for the repositioning of the Terminal Buildings, parking aprons and other installations further back from the runway area, in order to provide for future needs in new types of aircraft and Civil Aviation International requirements. Such plans, it is hoped, will allow the operation of the present airport to be continued indefinitely and thus avoid the expense at a later stage of re-siting elsewhere. Plans are based on the requirements as foreseen for instrument-controlled approaches which it is expected will be carried out in all weather conditions.

The first phase of the development will start in early 1974. This involves the erection of a new freight shed and whater tank away from the proposed site of the new Terminal Building. The cost of this first phase will be met from local revenue at a cost of \$180,000 which sum is provided under Capital Expenditure. It is proposed that the cost of the new Terminal Building will be sought from a British Government interest free loan under the new aid arrangements to be effective on the 1st April, 1974. This will

HON. V.G. JOHNSON (CONT'D): greatly assist Government's financial position in the repayment programme as the loan is offered on a term of twenty-five years with a moratorium of six years before repayment begins.

Mr. President, now that I have come to the end of my address on the Budget I wish to thank my staff and all those who have assisted me in administering the financial affairs of Government successfully during this year. I look forward to the same or even greater co-operation during the coming year. I also wish to thank Members of this Honourable House for their ever growing interest and keen sense of responsibility in dealing with the financial business of Government. There is no doubt that their constructive thoughts and actions are motivated by a deep desire to serve the best interests of their constituents and the Cayman Islands as a whole. This Territory now has a good reputation for stability and a reliable Government. There are priceless assets to the Cayman Islands and should be cherished and guarded at all cost. Let us therefore not rock the boat or steer it carelessly because dangerous reefs are on both sides. There is no reason why Cayman cannot build itself into a strong financial centre and enjoy the benefits of progress and development for many years to come.

Members know that there is an unusual fuel shortage, and that a quota has been placed on aviation fuel which immediately affects our air services. However, in view of the importance of air transportation to these Islands, Government is now discussing the Cayman's situation with the Oil Company concerned in an endeavour to maintain the Airlines schedules proposed for the coming tourist season. Government recently made a statement on this subject.

Mr. President, I recommend the Appropriation Bill, now in its Second Reading, seeking statutory provision for an expenditure of \$11,511,593 during the financial year 1974.

MR. PRESIDENT: Honourable Members, I think you would all wish me to congratulate the Third Official Member on the Address he has just delivered both as to style and as to contents. It's a pretty remarkable speech.

I think you would all welcome a short time in which to look through it before participating in the discussion of general principle which is involved in the Second Reading debate and I propose that the House should meet again to begin that debate at 2 o'clock this afternoon. We shall adjourn until then.

HOUSE SUSPENDED

HOUSE RESUMED

MR. PRESIDENT: Honourable Members please be seated. Honourable Members debate on the general merits and principles of the Appropriation Bill as interpreted in his Budget Address by the Third Official Member.

MISS ANNIE H. BODDEN: Mr. President, Members of this House, first I would like to compliment this uneducated, if I may call him so, Financial Secretary on this noble, eloquent and well prepared speech; which has outlined the facts to us so clearly today.

I am very proud to know in spite of all our misgivings at the beginning of this present year that we have carried on satisfactorily and that we have almost ended the year and we are finding ourselves in such a good financial position.

MISS ANNIE H. BODDEN (CONT'D): I will have to refer to the scripture which as I recall, says, "While the righteous are in authority the people flourish." Now I don't know how righteous we are but at least we are flourishing. And we should never fail to be thankful for all the many privileges which we enjoy today.

I have had to repeat off and off again that when I was a teenager, several years ago of course, the Government could only find five thousand pounds, ten thousand dollars for its expenditure. Today we are talking in millions. And I suppose, if the world last long enough, our generation - four or five generations hence, they will talk in hundreds of millions; but that depends on how we conduct ourselves now.

I feel that the prosperity which we have today and enjoy the foundation was laid by the good people of old, people who thought before they acted. And I would like that we as Legislators do the same thing. Don't plunge heedlessly and believe everything that we are told. Let us think for ourselves in order that the generations who follow us will have the same opinion about us the Legislators as I personally have about some of those who have gone before.

Now, in spite of all the money we have and hope to get, there are certain facilities which are being overlooked. Before I go into the real details of what I have to say I would like to say that two Sundays ago I drove past the Lighthouse at North West Point; and it is a disgrace, it is like a shell - the ladder is gone, the platform, I would call it, gone - pure rust. Now I don't know - but I feel in such a thing as that - I am not saying who is responsible - I don't know - but I feel like essentials like those things should have preference and should be attended to.

Now I am not saying that certain things have not received attention, but I feel that a Light House which is protection for not only Ceyman Islanders but worldwide seamen, should be kept to the place where it is always going right. The Bible tells us a Lighthouse set on a hill cannot be hid. Well this Lighthouse is set on a hill, but I want to tell you it will soon be hid, because the structure, unless it is attended to immediately, I feel confident will fall down.

So before I go into what is perhaps more important to some people, I would like to ask that whoever is responsible, make some effort to have this particular Lighthouse put in a better shape.

Now, I will agree that Tourism is a wonderful thing, and I hope it continues but with the problem of obtaining gases etc., we might find that we are not getting the amount of tourist which we had hoped to get. I do hope that things will adjust themselves where we can get the proper amount of oil etc., which we need to have these flying.

Only yesterday I heard a woman rebellious and as usual criticizing Government that instead of applying to local agents to find out the way of how get oil from certain companies, they had to go on over this agents head, flown to New York and they felt very confident that their mission would be fruitless. I'm not questioning that. I feel that we should explore every avenue to get oil and whatever is necessary to have this air service maintained. Sometime ago when LACSA was making this offer to the Government or Government to LACSA, I don't know which exactly, for this CAL service, there were people who said let us go back to the Cimbo days. I said no, we need air service, although myself I don't like to fly, but I'm only one individual. We must maintain a regular service if we expect these islands to keep on the road which they are now travelling and developing.

MISS ANNIE H. BODDEN (CONT'D): So I feel confident that we must exhaust everything possible to see that we keep this airline going, or any airline in fact that will bring provisions, food stuff, tourist to our shores.

Now I cannot say I exactly agree with this Department of Tourism. I feel that the island is advertised sufficiently now, but there are others who have different views on the subject; and we must, a part from advertising the island we must keep our island clean, we must have it so that when a tourist comes here, he or she cannot say, "well have I come here to see," wrecked cars, no we want to keep this island clean, and charity begins at home - let us clean up this island especially the capital of the Cayman Islands - George Town. And we should use some of the money on that, I agree we need a strong Tourist Board, and although the Tourist Board is criticised, because a Caymanian is not in charge. I personally feel that if a Caymanian is not qualified to do a job, and we can get outsiders, regardless of where they come from, they must have the jobs. We should not let any department suffer because a Caymanian cannot or will not fill it.

Whilst speaking on the subject of Caymanians, we all know that in times past Caymanians had to go abroad, to get their livelihood. Suppose outside nations and islands had said, "we don't want this uneducated Caymanians, we don't want them, let them stay at home." No they welcomed us and we were able to carry on. Now, if we are not in a position to fill any post, and we have to import man or woman, I feel that we should do so and not quibble and criticise. Mind you I'm a Caymanian myself, but not every Caymanian is prepared to go the last round of the ladder. If they're only a seaman, some of them I'm not saying of all, and in this generation they want to be on the bridge, and that does not work. I heard a Jamacian man say not long ago, he was working on a building, he came to my house very late, a coloured man; and I said, "son, you just got off from work?" and he said, "yes ma'am, I had to work overtime." I said, "how many people are working on the job," he said, "well, there are about fifty of us, originally, but now they're only about twenty-five because the Caymanians had left, they said the work was too hard, and they can make more money and less work." So coming back to this Tourist Board, I feel that we must put in the job people who will do the job; and while I can't say that I heartily endorse this additional money. Nevertheless, if we can afford it, and the situation warrants, let us keep the Tourist Board going.

Now I see here, that the banking and trust corporations etc., are looking on. Well if we do not have to maintain a stable Government, everything will collapse. The Government is the corner stone of the prosperity of this Island, and it is our duty to keep a stable firm Government. If our Government collapses, do you think that any tourist, any bank, anything is going to stay here just because we have sunshine? They are hustling for themselves, and it up to us to keep them, but we must also look out for ourselves, and maintain this stable Government of which we boast. Now we cannot maintain a stable Government if we are prejudicial to our own people. If a Caymanian is qualified to do a job to make nine hundred dollars a month, and a foreigner has the same qualifications, let both get the same pay. But not because a Caymanian is here, he might have some kind of a shelter over his head, that you must discriminate and say, now you're a Caymanian you take six hundred, but I'm going to give somebody else nine. That is causing dissatisfaction in our Civil Service, and I hope with this new scale of salaries, that we shall take that into consideration; and treat all men as equal provided that they in turn give their best to Government.

MISS ANNIE H. BODDEN (CONT'D): Now, with regard to our money, I was one who maintained that we should have our own currency. Now it's only one stipulation I had about it, and it was this, I did not want anything but the Queen's epitaph on our currency. I did not want any Caymanians' picture on it, or likeness. Because when it got noise abroad about this money, everybody that has somebody that was a J.P. or this or that they wanted their picture on this money. Now, I disagree with that. I'm very happy indeed that it has been such a financial success, and I believe if we, although we are uneducated, if we use our headpiece sometimes, that we can get a lot of stuff for ourselves; and although we had some opposition about this money, nevertheless we have got our own currency, and it's might grand for ten thousand people, or twelve thousand people to say that they have their own currency. We must be a spectacular people, to accomplish that speech 'uneducated.' And I feel that any time that we can do such things we should work in unity, not because somebody might get the praise and I mightn't get any, that I still would stop it. Let us work together in unity, and we will accomplish great things. Next year we might have twenty-two million dollars on our budget if we do right. But if we disagree, and carry on, like we did in the last session, we won't get very far, because scripture again say, a house divided against itself cannot stand, and we want to stand together, work together for the betterment of the Cayman Islands.

Now, this speech as we all know say that the Customs and the Post Office are the main sources where we collect our revenue from. Now, we all know that in this past year that merchandise of every description that have arrived in this Island- never in history have I ever seen such a flow of ships bringing cargo, must be of all descriptions, and it is something behind all this. It is that we are a people who the outside world depend on that we are stable. I mean they wouldn't carry all that stuff to a place where they thought that the Government would accept bribe, or if I brought in a car load of stuff, I could pay somebody half the amount and get it off. No it's because we are a stable people, we are a stable Government, and we must maintain that in order that we attract even more money than we are now earning through our Customs Department.

I feel Sir, Mr. President that while there are shortcomings in both departments, I will especially refer to the Post Office. I had a letter mailed by a local attorney-at-law to me with a half-penny stamp on it, or a five cents, whatever it was; and that letter was missent to London. Well I feel that there is something wrong somewhere, and it might be lack of staff, it might be because they're not interested in their job. But I feel that in the Postal Department we can have strong people, and who insist that their subordinates work and have respect for their job.

Now, in the Customs Department, I'm very happy to see some improvement there. Nicely kept, offices well arranged; and I feel that we can do a lot of things in that direction to improve offices generally. They might not be the best buildings, but the system, the people in charge can do what is necessary to have the place running in a fairly businesslike condition.

Now we all know that we get a lot of revenue from the postage stamp, and I am sure that we can reasonably rely on this source of revenue, because as we get stamps, interested stamp collectors will buy, and further there is this 7½% which we have to pay and conveyances; and now land is being exchanged hand over fist, and so I feel sure we can reasonably depend on getting revenue from this source.

MISS ANNIE H. BODDEN (CONT'D): Now about the new measures which we have to get additional revenue. I heard a woman remark not long ago, she wished that liquor had been raised 300%, to see if it would stop drinking. Well I'm sure that would have stopped it; it's only the grace of God here that stops you from being a drunkard. But nevertheless, if they want a drink I feel they should pay for it. And although/was blamed for engineering this, I said no I didn't engineer it, but I was very satisfied with the measure taken, and I hope and trust that if we need more money in the future we shall again tax liquor and cigarettes.

Now the estimated revenue for this year - seven million one hundred and seventy five thousand three hundred and seventeen Cayman dollars. Now this represents, according to this speech, an increase of 46% over 1973 Estimates as first compiled and 15% growth over the revised Estimates. The expenditure, recurrent, New Services and Capital to be financed by local revenue, is in the sum of eight trillion three hundred and nineteen thousand seven hundred and eighteen dollars. This represents a growth of approximately 59% over the 1973 estimated revenue.

Now Mr. President, and Members of this House, I feel that at last Caymanians are going to get something for their money. We are going to get according to this, a harbour, we can very confident will cost long time over a million dollars, the harbour I except to see there I'm sure is going to cost not less than two. Nevertheless, we estimate on it, and if necessity arises we'll find the money, but the harbour must be in George Town. I've heard some people criticise and say, "we don't want any harbour in George Town, let's put it in the Great Sound." I said for three hundred years we have been using that area must be, and we haven't suffered. And when tourist ships are coming here 'til they're up against the Government dock, if any tourist ship come here they'll be satisfied to remain in the harbour. What we want to do is to provide facilities for these cargo boats coming in, that will not have to wait out in the stream for days and days. That is as much as we can ask, and if the time arises, conditions improve, money flows in and they want to take the harbour elsewhere, let them go, but I hope in my generation the harbour stays right where it is - in Mr. Mallies' bay.

Now it is gratifying to note that the British Government is still continuing to give us some aid. I'll always remember the First Official Member in olden days, when we'd say we'd like to get couple a hundred dollars to improve the road. He'll say, "now mind you're headed for being grand aided," that was his chief concern. He never wanted to overspend one penny. Now we have reckless men at the head of this Finance Department who don't consider thousand of dollars, they talk in millions, and I feel confident that they have enough intellect to know where that money will come from; and even if we have to borrow some of it, as we may have to do, I remember an ex-Legislature once saying, that unless any Government is in debt it is not recognised anywhere. Well, I feel while that might not be true, if we need the money, let us get it, provided it is spent on projects for our own good, that's my only stipulation, not to be wasted, and given away, and thrown away, and see no results; but if it is to be spent on roads, harbour facilities, administrative building, let us have it by all means. And if we believe in God, which I do, he has promised that he is the owner of cattles on a thousand hills, and he can find the money for us if we believe, but if we go about in our own strength, saying we can get it, we won't get very far. That God is able to supply all our needs, if we trust him, and I feel that while some of you might not profess to be christians, nevertheless in the depths of your

MISS ANNIE H. BODDEN (CONT'D): heart you must believe that unless you pay attention to God and his way of living, you'll come to calamity.

I am glad to see that Cayman is considered a fairly wealthy territory. I wouldn't say it's fairly wealthy, I would say we are a rich territory, if we take into consideration say, twenty-five, thirty, forty, fifty years ago. If we only would realise what we were punishing, if we want to call it punishing fifty years, we would get on our knees every minute and thank God for what we now enjoy today. But many of us are not dissatisfied and the more we get, the more we want. But those of us who are old, who have been through the mills of poverty, we know the benefits and enjoyment we are having today, and it's all because we had good, farseeing able legislators, who at least in their humble way tried to keep the island afloat; and they have succeeded, now let us not let down what they have done. Let us continue to fight in unity, and let this fairly wealthy territory, not only be wealthy financially, but wealthy spiritually. Let us live together like human beings and fight to keep our island on the right track. Because when we start warring we are going to fall, and if we don't hang together as an Assembly, we're going to hang one by one, I'm sure about that.

Now this Salaries Review - although I'm the only here, and I'm sure the men, although some of them don't like me, will agree that I have always advocated that Civil Servants must have sufficient salary to exist by. Now, I can't say that we can compare with people who their employees can get a trip to Miami every two weeks, or have twelve or fifteen uniforms, or have cocktail parties every night etc. We cannot cope with that situation, but we should expect that our Civil Servants, if they are to give us satisfaction must be paid. A Civil Servant takes just as much money to live as any other human being. They can't go in any of these supermarkets, and say well you know I'm working for the Government, won't you give me so and so. They must find their money to pay for it. Now it might be I don't know, that some of them can have a credit account, but I'm very sure when the end of the month comes they'd better find their money to pay for it, or they might be in the court house for a debt due and owing. Now I am one who must advocate that our Civil Servants be properly paid. In turn I feel, there're some who are so loyal, that whether they are paid or not paid they continue to do a good job. I can't say that about everybody, because the younger generation it's money - let's get it quick. But those who are dedicated to their work, I am very sure they will continue and give good service to our Government. But as I said we must pay them a reasonable amount to live by.

Now, as I understood, the First Official Member, he said that this Salaries Report would have to go to the, I believe he said, Public Service Commission for their discretion. I do not agree with that. Now these Public Commission people are only human beings, and they mightn't like Annie Bodden, and they think she's getting enough, so she doesn't need anymore. If this thing has been recommended, I feel that we should stick to it, if we can't afford it, cut it down later. But now what is going to cause a lot of dissatisfaction. If I'm in the Post Office and I get ten dollars raise, and somebody working somewhere else only gets a dollar in comparison with the job, there is going to be dissatisfaction. So I feel for the good and safety of all concerned, that if these two Honourable Gentlemen have recommended that I get ten dollars more and the next man one dollar one Public Service Commission should interfere with those recommendations. I would say that when this Public Service Commission was inaugurated, I did disagree with it, in those days it was just a camouflage, because we objected to certain things. I will

MISS ANNIE H. BODDEN (CONT'D): not go into the details, and it's only an Advisory Board, and their advice can or cannot be taken. And I feel if these two Honourable men have recommended these salaries that they should not be dabbled into, because it will bring dissatisfaction. I feel there should not be such extreme gaps between the head and the second in command. Now I have not even looked at the report to see how it goes, but that is my feeling on it. I feel we must try as far as possible to satisfy each and every Civil Servant. Now I'm very sure that there're some people who you cannot satisfy. I was over in the Clerk of Courts office a couple of months ago, and there was a lady there, young lady, unmarried, living in her mother's home, who said "I'm making two hundred and seventy-four dollars a month, and that's not any good to me." I said lady, two hundred and seventy-four dollars a month and no good to you, I wonder if you know your Papa raised you, I'm sure on less than twenty dollars a month, and here you are complaining. Can't you be grateful. No, I want more money or I'll quit my job. Well, I said, if when I was working, and I mean working, if I could get two hundred and ninety-four dollars a year, I would have been a happy woman. What I got ten shillings a week, and I had to live by it. But these people, I tell you the more they get, the more they want. So I'm very sure we shall not be able to satisfy all the people who just work for money, and put nothing else in the job.

Now referring to the opening of the Salaries Report, I feel, I'm not going to the detail, but my view of this is, that if I as a Caymanian a teacher, a preacher or what, my intelligence and ability is such that I can compare with someone who has to be imported. I should get the same amount of salary. Now that imported man or woman, might be allowed the facilities of a house, or the electric light etc., or what go in that house. But I feel their salaries as long as they're in the same position should be identically the same, that is my view on that. And I'm very sure if you adhere to that rule, we wouldn't have so much dissatisfaction. I see here that if Civil Service is to be put and maintained in good heart it will be necessary to review salaries annually, and if present conditions continue these annual revisions may themselves also be substantial.

Now, I am not against salaries going up, provided we can find the money to pay them. But I cannot agree to have a budget which is in the red to find money to pay Civil Servants or anybody else in fact, or anything else. We must try to maintain a budget that is balanced each year. And if we happen to get some overplus money, we can easily apply that to some project which we do not now have.

Now this Traffic Law - I heard very recently, I don't know if it's true or not, that the new imported Police car is already out of commission - I don't know if it's true or not. But I feel that when a car is imported, that whoever is to drive it, should at least be a reliable, sober, non-smoking ganja human being, whoever he might. Because rum, gasoline and ganja do not mix, and if we are to have the cars properly taken care of they should last at least six years. But if you import a car, might be for anybody in any department, it should be taken care of, because even as they say, "we don't pay for that we get the money from the British Government," but British taxpayers money have to pay for that. And not because anybody or any Government is good enough to give a gift that we should destroy it. Now I feel this Traffic Department must be maintained. We should have proper vehicles, but those vehicles should be taken care of. Further more I feel that our Traffic Department should be increased to the place where men are stationed all over this George Town, more or less at nights. Because there

MISS ANNIE H. BODDEN (CONT'D): are speed maniacs on the road, that instead of the fifty miles which they're supposed to go, they race at must be 120 miles, if their cars can go that; and I do not see any police in sight to check them. I am not blaming the Police Department, I say it is lack of staff that they are not on the road. Now, I feel Mr. President, that we should endeavour to have this Traffic Department properly manned to take care of any situation.

Now, with regard to the Police Department. I'm not criticising the Police too severely. I have always advocated we need six footers, men of stamina, strong, able broad shouldered men. We don't want little boys on our Police Department, we need men and family men. I don't go out very much at night, I've seen Police ^{passing} my old house, locked arm with two women and all that, we don't want that kind of police, we want family men, men of standards, men that when you look at, you admire. Because as far as I'm concerned, runts in anything, the shape of a man not much good, and police less.

Now this Cadastral Survey - while I was one of its strongest opponents, not that it wasn't a good thing. But I knew we'd have to pay for it, and I'm very happy that it's only costing us 30% of the cost, because I feel that eventually it's not going to be done in nearly eighteen months, maybe eighteen years. But eventually it will done, and they say, an absolute title guaranteed the Government, will take the place of all these law suits.

Now what I blame Government for, is that even in this Cadastral Survey business, they're not protecting their own rights, I don't know if it's lack of knowledge of what they own, or what; but I feel that Government must get all the unclaimed land. You mustn't make anybody, if I'm an accessor, a lawyer or what, who can wriggle in and wriggle in and take lands that somebody doesn't claim, I grab it for myself. As I understand the law, unclaimed land goes to the Crown. Well I had a case, that I was on a few weeks ago, and there was a contention because some American man only wanted the ironshore land, he didn't want the swamp land because it was too much trouble to track it in; and the adjoining land owner said, "I am taking this now, this is my land." That land should belong to the Crown, regardless of what the Adjudicator or anybody else say - that land is Crown land. If I got a piece of land on the iron shore, and I had some swamp at the back, and I said I can't worry with the swamp, it's too much money to track it in I'll just abandon it, my next door neighbour can't come and say, "I'm taking that over." That land must go to the Crown. And I feel that some special investigations should be made into such cases.

Now, I glad to hear that health is being upgraded. I still am not happy with the hospital - I feel the floors are not properly cleaned. I feel that they could be scrubbed, I don't know with lye or what - but the floors should be kept cleaner.

Now I'm very well aware of the the fact - according to our reports that we have good doctors. Well, I don't hope to have to see any of them, I've seen too many doctors in my life time. I have high blood pressure, but I'll try to keep that down, if I can keep cool here. So I hope I don't have to see the doctor; but I have seen the hospital, and I'm not very happy that it's not kept in a better condition - the floors I'm referring to. But with the new Hospital Secretary, I'm sure that he will eventually get around to it, and get things straightened up there.

Now, this Comprehensive School business - I had always opposed this system, because I do not feel, I never did, and I still feel that we are not prepared for it. I heard people come to my office, laughing they say

MISS ANNIE H. BODDEN (CONT'D): that children who do not know their A B C's have spanish books learning spanish. Well I don't think it's bad as that, but I still say that we need to study such a thing, and most of all it's the parents, a lot of the faults is the parents. They must see that their children do home-work, and attend to their lessons. They just can't go to school since they don't know their A B C's, as is alleged - I don't know if it's true, and come home in the evenings and go to a picture show, or go to a dance, they should be taught that at home they must learn, so when they go back to school the next day, they will be able to have gained something by going the day before. And I feel that unless we press and get education for this younger generation, who I wouldn't say exactly what the Bible say, a generation of wipers. But they're not the generation ~~that~~ we were. We were under subordination, to both teachers and parents, and I feel some of the fault in this Comprehensive School is because ^{the} children are not disciplined. They can't stand correction, they want to have it their own way, like this younger generation, most of them, not all; and that is some of the fault. Nevertheless, I did not and I still do not agree with this Comprehensive System. But I hope and pray it will work.

Now, I've seen in the newspaper - publicly - I think it was the Compass, that the Education Department have put two deputy principals there. Now while I'm one hundred percent Caymanian, I'm saying if a Caymanian cannot fill the job, he should not be put in authority, or she as the case may be. Now, I'm no lover of any particular teacher in that school, but I feel that those who have sacrificed, if I want to call it sacrifice. their years sticking out in Cayman, in years of penny half-penny days; when you can get nine hundred dollars, or a thousand dollars a month. I don't care who he is, if it was Annie Bodden that served abroad, got all the green out of foreign countries, should be brought back here and put over the head of those who have sacrificed and stayed here - I repeat, "that," There are other complaints that certain teachers, Caymanians and foreigners have been fired, because of political reasons, that's not right, if a Caymanian is doing his job, whether he oppose Annie Bodden, or not, I am going to give him his due. I'm not going because I have some authority to say well, Mr. So and So is opposing me, I've got to get rid of him. We must always bear in mind the 1976 election is not ^{too} far away.

Now the Cayman Brac School - I understand something happened, I don't know whether he resigned or fired, or what, anyhow he's no longer a teacher. It could be in his, like I said some teachers, men in particular they get greener fields and they leave their jobs. I don't know, but I feel that when all this sort of thing has happening in the Education Department, that something is radically wrong somewhere.

Now, the Mosquito Control - I have to get at the Honourable Second Official Member about this. I'm alone woman, living in my house, I have seen the Second Nominated Member from Cayman Brac, say that his father's cistern in Cayman Brac, was the first built, may be in Cayman Brac. Well my cistern, or the one in the yard where I live, was the third built in the Cayman Islands - Lambert, Jack Rivers, and Arthur Bodden, and I had a complaint that because I did not let the Mosquito Control put something in my cistern to upset the water, I might have to go to court, be fined, I believed it was a \$200, and even be put in jail. Well Mr. President, I really hope that does not happen, because the jail house is not big enough to hold me, so I wouldn't be there. But I hope that the mosquitoes can be eradicated, but I could not allow the Mosquito Control Unit to put anything in my cistern. Because number one, I'm allergic to all of these insecticides,

MISS ANNIE H. BODDEN (CONT'D): and number two, I don't want to die right away. But I'm not saying now, the ordinary person would get in trouble, but I'm saying I'm allergic to these things, and I cannot stand it. I regard law and order, but that is one law, I really for my own health say cannot allow to be administered in Annie Bodden's domain.

Now, the British Grant Aid Programme has approved of the Comprehensive school. I said about that, the Police Headquarters, necessity, hospital dispensary a necessity, the East End Primary School, I feel sure that is a necessity; and school grounds improvement. In any school we must have proper playgrounds, although I'm very sure that most children rather play than learn their lessons, still we must provide the facilities that they're not exposed to the public road to play. And I feel that with the money we get, we shall be able to take care of this.

Now the airport facilities. I'm not opposing that, provided the money is forthcoming. But I would not like to see four or six projects started, and then all have to stop for lack of money. My idea is, do one thing at a time, and do that well, or two things at a time and do them well. So I cannot advocate building a Harbour, Roads, Airport, Government offices, I say do one or two, the most important first, finish them and then start with the others; and Roads, and Government Administrative Building, to my way of thinking, they are the most important.

Now I am sure that a million dollars is not sufficient for the roads, but we'll start at a million, and if necessary borrow, beg, but don't steal enough money to finish the roads properly.

Now Mr. President, I think I've exhausted all I want to say, for the time being, and I'll leave the balance for these Honourable Gentlemen. And I thank you Sir.

MR. JOHN JEFFERSON:

Mr. President, Honourable Members of this Legislative Assembly, we meet here again today, the Second Budget Session I believe in our new Chamber. Fortunately this Budget Session, as a Member of the Cayman Islands Legislature, elected by the District of West Bay.

Mr. President, and Members if my record is complete, and my memory serves me right; in my first Budget Session in 1969, the Cayman Islands were budgeting for one million six hundred and one thousand six hundred and fourteen dollars. We thought, Mr. President, that this was an outstanding achievement, step forward, and here we have today, we are budgeting for better than eleven million dollars.

Let me first say that I must congratulate the most able Financial Secretary of the Cayman Islands for his eloquent report - I thought it was thorough, and most comprehensive. I must say publicly I am happy to know that in the Cayman Islands we have men of this fibre. I believe who have contributed and are contributing greatly towards the good Government of these Islands.

As we listened to the address put forward by our able Financial Secretary, one cannot but humbly feel proud to be a part of this small yet great land of ours. In spite of what any critics might want to say, the leadership given these Islands in the last five years, in my opinion speaks for itself. We have gone through many dark and stormy sessions, but the past in my opinion has never been clouded. I believe we're always felt with the leadership and guidance of Almighty God, that we were on a sound path for these Islands.

MR. JOHN JEFFERSON (CONT'D): We've come a long way, I remember in 1969, I believe these Islands received a little over forty six thousand pounds, in aid and grants to these Islands. Mr. President in my opinion we have moved from the stage when we were waiting for the British Government to make donations to the Cayman Islands. We have moved to place this country on a footing, when we can ably go to the British Government and say we have a scheme, and we would like you to contribute towards this.

In the past the British Government would say to these Islands that an amount of money is available if a scheme put forward is sound- words to that effect, and more than once I'm sure, before the scheme could be drawn up and presented the time lapsed for the money and that money was lost. But in saying that we have moved forward, we have moved forward in that we have set our country on a five year programme. I believe we have sorted out our priorities, we are moving towards a direction of trying to get the things that we believe is necessary for the people of these Islands.

I believe the amount of money received by this Government from the British Government in 1973 was over eight hundred thousand dollars, and to this I believe we are grateful to the United Kingdom for such aid and support. This Mr. President is the first time, I believe that Members of Executive Council have been fully able to have placed in the Estimates the amount of money they feel should be able to reflect the ambitious programme that they intend to put forward before this Legislature in a few short days. I want to commend Members of Executive Council because I believe that they have been working hard to be able to provided the facilities to which the people of the Cayman Islands are crying out for. I believe many times that we could repeat the phrase used by the Honourable Sir Winston "never in the life of human conflict has been so much owed by so many to so few." I have great confidence in the fact that every member here elected today, is elected with the best interest of these Islands as a whole; and the only thing we want is to continue to see our Island progress at an orderly and controlled pace, and maintain the things that have made our Islands great, and continue above all, the stability that this Government has enjoyed over these past years. I believe that we could say that this in itself is the most coveted thing throughout the world today. This is one reason why the prosperity that has been enjoyed by these Islands has reached a all time high, is because of the stability and good Government of these Islands. And Mr. President, as touching on this, I do feel it is at this stage a time to commend you for having taken the initiative in sending our officials overseas to make sure that every avenue is explored to continue the growth of these Islands, for we realise that as we look round about us today in considering the fuel crisis, this could pose a great threat to us, and therefore I'm happy to see that every avenue is being explored to make sure that the Cayman Islands is represented and looked after.

As we look into the various departments, and speaking from the address by the Financial Secretary, we find that the growth of this territory has been that most strickingly brought to the hearts of everyone of us today. The growth rate in these Islands has been tremendous, and thank God, I believe with his leadership, his guidance we can continue to do no less. We see that the total output of goods in services as measured by the growth domestic product rose from ten million three hundred thousand in 1970, to an estimated twenty-two million in 1973. That Mr. President speaks for itself. It is I'm sure, a fact that no one can rebuke, that this is one of the highest growth rates in the world, and it is most certainly the highest in the entire Caribbean. But Mr. President, there is one thing that I believe

MR. JOHN JEFFERSON (CONT'D): that we must continue to take cognizance of, and that is that anything that would take away from the good Government of these Islands, the stability that would destroy everything that we've seen and enjoyed over these years, and hopefully the years to come.

In the last session we found that there was an increase in liquor and tobacco, and yet the front page could carry an article which says that the Legislators were ^{being} blamed in so many words for the cost of living because we'd increased duties. I am a teetotaler, and I've always been, and I'm sure with God's help I always will. But, I believe that in that particular exercise that it ought to show Government that things need to be looked into. I believe when someone has say ten thousand dollars of stock on the shelf, and duty is raised something like 5%, I think it is grossly unfair, to add the 5% to the goods that have already been on the shelves, and I think that we have to look closely in the future at the profit margin being made by some people in these Islands.

Inflation is not only a thing in the Cayman Islands, but it is a thing throughout the world, a plague that is causing great concern throughout the entire world. But certainly in the Cayman Islands we cannot let it run rampant, we have to think and try to devise means to which we might be able to deal with this, and see that things do not get out of hand.

We see that tourism and off shore operations continue to expand rapidly. We realise that as of now with all our eggs in one basket, which is tourism and as far as I'm concerned, I don't see very many other baskets for us to have eggs in. We have to do everything possible to make sure as we possibly can, that nothing will damage this growth. Because the exercise, or the fact that was brought before us, and is still before us today, are facts that frighten us. That overnight these Islands could be wiped out, in fact if there was a fuel crisis and CAL was not able to operate its full schedule, hotels, what have you, and all the other needs for fuel in these Islands could create chaos. And I trust that, as I've said every avenue will continue to be explored, and I trust that God will help us that we will never into that thing that could destroy us and wipe us out.

There is much Mr. President, to speak from today, but I must hasten on. I want to congratulate you on the effort put forward in dealing with the British Government in regards to the cost of survey for the Cayman Islands. I personally have supported the bill, because I believe it was good for the Cayman Islands, and because I believed that no responsible Government could close their eyes, or their ears to the fact that many of the poor people in these Islands have lost their lands, many have had to acquire loans to be able to cover cost of legal knowledge, and help, and still at the end they've lost their land. And I believe that the amount of land disputes that had come about in the Cayman Islands in the last two years, created a problem that no Government could turn their back to. I believe that it is a good thing for the Islands, it is proving that itself daily, and I'm wholeheartedly happy - I'm glad, that we've gotten the kind of compromise from the United Kingdom that we did. Whereas our Government will only be taxed with 30% of the cost. I do not believe it is going to take a tremendous long time, I believe in five years that the survey will be completed, myself personally. Other Members disagree, maybe they're right, I don't know. But personally with the way that they have been moving, I believe that this is going to finish earlier than some people think.

Mr. President, very shortly after being elected, by the people of the Cayman Islands, in one of my first appearances before, at that time the Administrator of the Cayman Islands; one of my first representations were, dealing

MR. JOHN JEFFERSON (CONT'D): with salaries, for the people of these Islands. I believe that the Civil Service has played a very valuable role in these Islands, and I think many of them need to be commended on the role they've played. But I, from that day, and even before being elected felt that we cannot expect people to work, to earn money less than which they're able to live off.

During the past five years we've had something like, between salaries review and cost of living allowances, something like about three, and today we're doing an exercise that entails over one million dollars. I believe that we have no other alternative, but to support this measure. I believe that the Civil Service in these Islands must be an efficient Civil Service. I believe that with the exercise that we are doing, and I have the Salaries Report on my desk, which I've never had the chance yet to look into; but I believe that this exercise even though a costly one, is one that I hope will prove most beneficial to these Islands. When we think that people can leave Government and work in private sector, and change jobs sometimes in less than a week, and there's an advantage of about better than one hundred dollars a month, then something must be wrong. We must realise that we must pay our Civil Servants for better than they have been paid. I believe that when we think of the Civil Service, and we think of this exercise to increase their salaries, I think there are two things that must go hand in hand; and one is that we're expecting having done this exercise that in turn we are expecting from them a dollar's worth for a dollar spent.

I believe that what we are saying now, is that we are going to attract the people of these Islands into doing a worthwhile job for this Government. I would hope that every avenue is explored to make sure that every Caymanian working overseas that is capable and that is interested is lured back home to contribute his talent to his own Government, which will benefit us all. As I say, I must pay tribute to the loyalty of many of our Civil Servants, and on the other hand I feel that this exercise must serve notice, that what we want is people that are loyal, and people that are devoted, and dedicated to doing this job. The expression that is commonly used in all governments, many times Civil Servants are spoken of as guided missiles, won't work and cannot be fired. I believe that we must make one thing clear, and that is that we're expecting something from the Civil Service, and I believe that because a man has been on a job for two years, and it is convinced, and it is evidence that he is not able and not capable of performing the task that is before him, when there is another man that is able and has the talent and ability, that he must not be covered or shielded. I think that a man should be able to stand on his own two feet, and I look forward to not only upgrading the Civil Service, but I look forward also to ridding the Civil Service of any dead wood, which has not been of any good, or any service as far as I'm concerned to this country of ours.

Mr. President, I see that in dealing with the Financial Secretary's Report, he's speaking of revenue collections, carefully and gradually, and see that expenditure was keenly controlled, hence the very encouraging financial position to which we have heard before us today. If this keen financial administration continues, and a few areas of service are yet not recognised or or improved in 1974, the future years shall continue to enjoy a solvent position. I believe that things will work well, and things will progress for these Islands.

It was some what surprising to me to hear, that after March next year, I heard ^{earlier} that the British Government would not be giving us anymore aid. We have been considered a wealthy territory. But in the address this morning,

MR. JONH JEFFERSON (CONT'D): the Financial Secretary made it clear that it will be in another form, and I think that one has to realise that even though it might be in another form, the form is one that is most acceptable to the people of these Islands, to which I'm grateful.

Mr. President, as we look back today, we see the progress that has been made in the various departments in Government. We see today reflected the ambitious programmes envisaged in the Medical and Health, and I think this must be commended. As I believe that no country can move forward orderly or continue to move forward unless the health is looked after. I believe that with the amount of money that is allocated, and with the amount of expertise that has been brought in, and knowledge that has been sought, that we should be able to bring our hospital up to the stage to which we shall humbly be proud. And I can assure you that we will accept no less than the best, because I think that's what the people of these Islands deserve, is the best health care possible. Much has been said about the hospital, and the medical service of these Islands, and there is much to be improved - I grant you. But sometimes I feel that there are times they don't get the glory, maybe that they deserve. But I can assure Members responsible of my continued support, to see that money is provided to increase and improve the Medical facilities of these Islands.

A lot has been said about the Comprehensive system of education, and probably there is a lot more that ought to be, and will be said. But what I believe Mr. President, like I've heard a teacher saying the other day, instead of saying let's wait until we get all of it, I believe we ought to use what we've ^{got} ~~got~~ to utilise what we've got and make the system work, and certainly the Comprehensive of education has my full support. And I do believe and I join with other Members in saying, that while we will continue to keep vigilance that we must give the system our support. We must show confidence in it, and I believe that we must never rest until we are assured that every child within the Cayman Islands have an opportunity to get the best education. And I believe that our educational system shouldn't be second to anybody in this level.

I believe Mr. President, that for years now we have been saying that we must work to take children off the street, if parents aren't thoughtful enough, if parents don't have a foresight to see the need of a good education, then I think it is our responsibility to see that every child is taken off the street and given an opportunity to get a good education. We have preached for the last five years, the need of a Truant Officer. I don't understand, they say that the system at present doesn't provide for it. The law doesn't cover it, yet years ago the police could go to your home or mine or anyone else and say, "I want to know why your child isn't attending school?" Whether the law provided, or whether they didn't provide, the thing was, they went to school, and parents were made aware of the need. I think what we have to do is make sure that parents are awakened to the realisation that unless we can instill in our children, or see children get a good education, then there is danger that will never be able to hold on to our country like we hope we will. Because it means that we must be educated to be able to stand up, and in the future realise that the educational standard will continue to rise, and people will want to be able to get jobs, they will have to have good standards of education. And we must work to see that no area in these Islands are left to create problems.

MR. JOHN JEFFERSON (CONT'D): You could look into certain areas in this Island, and I quote part of my own district, where there is, I would say, I would bet on an average of about fifty children or more, that are not attending school regularly. And I think it is our responsibility to see that they do.

Mr. President, under the new Salaries Review, monies are provided to raise the salary of policemen, I trust that we are going to be able to attract Caymanians as a whole into the force. For as far as I'm concerned I can expect nobody to be as interested in their own Island, or in my own Island as Caymanians themselves. And I trust that we will be able to entice the calibre of person which will create and add, or create an image for the police in these Islands to which we will be proud.

It's sometimes, I know that there are times when we are hesitantly, we don't give credit where it belong; and there are a number of people serving in the police force, I believe that deserve credit. But sometimes the kind of image that you see created by officers on the streets, is not the kind of image that help these Islands at all.

The quantity of money that is being sought by the Police Prisons and Immigration is four hundred and forty-two thousand six hundred and forty eight. This represents slightly ^{under} half a million dollars. And Mr. President I must say this that adding to what the Lady Member said in regards to vehicles, and trusting that the new man in command will exercise a strong hand; and I'd see more policemen walking than I'd see them speeding down the street at a terrific rate of speed, and a number of police vehicles after a short time laid up in the yard because they are not operative.

I think that what we need in these Islands that would help us more, is to see more policemen on their feet, and to have the public to be aware of the fact that people are on the ball. They're doing the job and they're trying to do it well.

The money for Mosquito Research represent two hundred and ninety eight thousand five hundred and ninety seven. As as I'm concerned, no money that has been spent by Government for the benefit of the people had been better spent, the money that has been spent by the Mosquito Research. I think they have done a tremendous job, and they certainly ought to be complimented; and for the amount of other insects that have been plaguing these Islands in the last few days, we ought to be aware of the knowledge that has been given to us by MRCU in relation to dredging, that there be a standard of fill which will nor encourage the influx of sand flies which is far more dangerous to us; as far as I'm concerned, than the mosquito industry.

I feel Mr. President, in a very short time our new police headquarters will be completed. This again represents British Aid to this territory, and I'm again thankful for the aid that is given to us, under technical assistance and otherwise. I think we ought to be humbly proud.

The road project is a very important project as far as the people of these Islands are concerned. The people of these Islands want things that are tangible, like roads and docks, and what have you; and it is very encouraging to know that in a very short time, that work will begin on our roads, and also on our dock. I believe Government made the right decision, I trust they did, in trying to keep up the department, and undertaking the project themselves.

MR. JOHN JEFFERSON (CONT'D): I trust it won't turn out to be a nightmare and a costly and most expensive affair, like has been in other instances.

The Administrative Building, this I trust will be a reality within the next few years. Certainly we see the need for having all of Government Departments housed in one building. I look forward to see this completed.

The dock, Mr. President, there has been a lot said about the dock. Some say we should place it at Red Bay, some at North Sound, now we have agreed in George Town. I believe that placing a dock in George Town is like me going out to buy an automobile. I've got two thousand dollars, and to buy a brand new one, it costs me about two thousand five hundred. It means that I have to get the best for my money. And I believe with the quantity of money that we are going to outlay on the dock, it will prove to be a profitable thing. It will prove to us that it will give us the facilities that we'll need for a long time to come. When we find ships that have to be in the dock waiting for dockage, for three, four, five days, it must add to the cost of freight rates to these Islands. And I hope that this can be cured.

MR. CRADDOCK EBANKS:

I humbly asked to be excused.

Mr. President, at this time

MR. JOHN JEFFERSON (CONT'D): Mr. President in conclusion, let me say this, that I am happy to be a member elected to this Legislature, to be able to serve the people of this territory, and to be able today to sit down and humbly feel proud that I too have been a part of the progress of these Islands. And I ask Almighty God to give us the wisdom and guidance, that in the years to come, we shall be able to see even greater growth; and see these Islands not only progress financially, but spiritually and morally. I thank you very much Mr. President.

MR. PRESIDENT:

Honourable Member I think rather than interrupt your speech, we'll break now for refreshments. Fifteen minutes.

HOUSE SUSPENDED

HOUSE RESUMED

MR. CLAUDE HILL:

Mr. President, and Honourable Members, I rise to make my small contribution to this debate. I would like first of all to compliment the Third Official Member on such an eloquent and worthy report. Seeing that the budget of last year session was held in February, and we are now talking of eleven million dollars. But before going into the debate thoroughly, I would like to quote a proverb which says - God gave man two ears and one tongue, so that that we listen twice as much as we talk.

The economic activities in these Islands have been maintained by, I would say usual pace. Although a lot of stress and strain has taken place over certain issues and in certain areas. I would say that prosperity and the rapid ^{growth} continues with the construction of new buildings, such as banks, offices, apartments and hotel accommodations, and dwellings, as we are told by the Third Official Member. And also in regards to the population increase, the statistics given to us were, in 1970 ten thousand nine hundred, and now we have

MR. CLAUDE HILL (CONT'D): approximately thirteen thousand one hundred, which speaks for itself as a two thousand two hundred increase. It leaves one to think, are we going along in pace with development, or are we being confronted with many obstacles, such as the introduction of travelling to the Islands, I mean one for certain.

In regards to what Government can do with the reduction of inflation. I would say that this problem faces many of our neighbouring countries, so we are not standing alone. Let us bear in mind that we are not standing alone with this problem.

Dealing on tourism, I am very pleased to learn that the programme for 1973 continue with great result. The expenditure by the visitors for 1973 was ten million, exceeded what we did in the Finance Committee, as far as eight million, which is approximately about 25%. I'm also pleased to learn in the coming years steps are to be taken to examine the position of banks and institutions coming here.

Dealing on the monetary situation, it is very interesting to learn that the Cayman dollar is still floating with the pound sterling. I feel in regards to the monetary situation, that at any time that the pound sterling drops we may find ourselves in financial difficulty, and I'm very much pleased to learn that we are now floating along with the pound sterling.

We also learn of the secrecy of the statistics obtained from our Financial Secretary. It is very important, the secrecy, and I quote his words, "Government is not interested in prying into the conduct and affairs of anyone private business." I feel that all of the information taken in regards to any economic survey, is confidential; and I'm very much pleased to learn that, and I'm sure other members feel the same as I do. I've also learnt that no years in the history of this Government, has it ever produced such a growth in ordinary recurrent revenue as it has in this year. It must be borne in mind at all times, that we are looked on by other countries for our stability of Government. It is left to you and I as representatives to the people of the Cayman Islands to keep this stable, working along with Government.

He also mentioned that the year 1973 was decided a very successful year financially. One can just look around in the various aspects and they can see for themselves that we're on the go. This is being done owing to the Government of the Islands as a whole, and if there was any doubt in the Cayman Islands Government, by an investor coming in, and being fooled, I am quite sure he would not enter these shores and start a business.

Dealing on revenue - The Stamp Duty Law introduced in July will improve revenue, and there is no doubt in the minds of anyone that letters, deeds of transaction will be carried on where stamps will be necessary. The increase of taxation on tobacco and alcohol, was not meant to be misleading. I feel that when taxes were being reviewed, alcohol and tobacco were two of the most vital items that could be dealt with. As the First Member from George Town mentioned, that blame came to her for the introduction, but I say the blame stands on the whole House, if there has to be a blame.

It is understood that the British Government have cut aid to the Cayman Islands under Capital Grant. But another form of aid has been substituted as from April 1st 1974. I'm very pleased to hear that. The present level of grant aid will continue for the next three years, and the form of interest free loans repayable over twenty-five years, and it is most important to learn that technical assistance remain unchanged. We need advice, very much so; on the latter

MR. CLAUDE HILL (CONT'D): part of my debate I will mention the marine study, very briefly.

The upgrading to the Medical and Health and Education. While dealing on education, a subject that I would say is of paramount importance. There is no royal road to learning; the boys and girls of today, if they're not given the chance to further their education, then we may as well stop the carnival.

Dealing on salaries - it is quite true that the Civil Servants pay is much lower in the bracket than other sectors who employ people. This makes a sorting of staff for Government, the people skilled, I would say, of a certain skill. But at the same time this takes place I want members to bear in mind, Mr. President that this takes place owing to the rapid development that is going on in this country. It is very hard for Government to recruit, and it places Government in I would say a dilemma. I would also say that this decline in the Civil Service must come to an end, and the only way to do this is in the upgrading of salaries, but then we have to be very careful, it may become out of control. Government upgrade salaries, and the private sector also upgrade salaries, you'll find again that Government's upgrading has not reached the bracket of the private sector. But at the same time there is another thing I would like to bring to the attention of members. Civil Servants should be conscious of their obligation. I do not care to say, whether it's the public or what, but they should be conscious and not semi at it; conscious fully at their obligations on the job.

Dealing on the Police Force, I have noted with interest that the Police Department under new services has a total of one thousand five hundred dollars. This covers a variety of things, such as new vehicles, and I'm only hoping and praying that the Police Force can be looked on with pride, and become an impartial guardian of law and order in these Islands.

On the Traffic Branch of the Police Force, we have a new Traffic Law and I hope that they will endeavour to do their part without failure.

Now coming on a touching subject - the Cadastral Survey. It is very pleasing to learn that the cost to us will only be 30% of the actual bill when completed. They've estimated a time of completion, which I hope will be the day when we can look at each other and say that we have achieved something. Although much has been said about the Cadastral Survey, in the West Bay area for instance, it has proven itself; I've heard lawyers, I heard people who own property gave nice reports of this survey. At first they thought it was difficult to hand in their documents, now they're going by a number, and a land transaction deed, being conveyed for a minimum sum, or a small sum of money. These are the things that make an island or a nation great, when we don't become burdened.

Under Health Services, and Hospital, I'm also pleased to learn that the staff at the Medical Department was strengthened, and that a programme was planned commencing in 1974 to convert the entire Hospital. With this growing population that we have, this is very vital, much needed. It's no need I stand here and speak about it, when we have our Third Official Member telling us that a programme is planned.

On the Mosquito Research - I must compliment them on their achievement, and it is quite true they had a lot of set backs, by the re-introduction of the Yellow fever mosquito. Now I don't think any member in here

MR. CLAUDE HILL (CONT'D): is an entermologist, and I leave it wholeheartily to the man who we have employed in that capacity. We must bear in mind, we have to get advice, if it is the wrong advice then we still don't know, if it's the right advice we still don't know, so where are we? We are not in the know how, so we have to take the advice from one who is in authority.

Speaking on Natural Resources study, as I said in the earlier part of my debate, I would speak on that; I'm going to make that brief and condense, because there are people in public who feel, and I'm sure members here might not feel that it is the right time to introduce this, but we had no other alternative, but to accept the offer given to us by the British Technical Assistance. Time was limited, and had we failed to accept that time, the whole system would have crashed. Now by a majority vote in this House we have accepted our natural study, and I hope in the near future that I will hear ^{the} said of that as I am hearing now of the Cadastral Survey. It is also said that this study would be completed in 1975, let us hope so. We are only asked to erect a laboratory, so far, and that laboratory can be used after the study is over for something else.

Dealing on roads

MISS ANNIE H. BODDEN: Mr. President, could I be excused now, please Sir?

MR. CLAUDE HILL (CONT'D): Dealing on roads, it is very pleasing to know that preliminary work has begun, and that the the Public Works Department will be doing the job. When one stops to think, Public Works doing the job, one would say this is a do it yourself, but we should be proud to do it ourselves rather than to have someone whom we can't look up to after they leave this Island, and say the job is completed, and called back. But Public Works will always be here with us, I for one did not agree, many years ago when I served as a nominated member in this House, for Public Works to do the job; but now if we're going to protect Caymanians, we have to start at some angle, some place; and I think if we're going to start, this is the best way to start, right in the Public Works Department.

Speaking on Port facilities- it is understood that the project will be financed by the Caribbean Development Bank, and that the financing arrangements are 80% of the cost will be by this bank and the balance by the Government of the Cayman Islands. And I go further to say, that our Third Official Member told us that whatever sources these funds may come from, or be obtained the balance will be paid. I don't think there is any need to worry about taxation, to put down a port facility, I don't think that when he referred to any source it means that he's going out of the jurisdiction of the Cayman Islands Government to beg money. There are many sources in which money can be obtained, it is for us who sit in this Chamber to decide what source, or which sources money can come from.

Dealing with the Airport, it is very gratifying to learn that studies are being made for additional land which may be needed to provide for future need in different types of aircraft. Right now we are aware of the fact of the aircraft that we are using, what type we are using, and when the day comes when we have to use a bigger aircraft, I'm sure that land or more land will be needed, and I daresay we should provide for the future, at least twenty years.

Mr. President, and Honourable Members, the financial affairs of the Government has been brought

MR. CLAUDE HILL (CONT'D): to us, and again I must say, I compliment the Third Official Member in his capacity, and I feel that to break down the estimates which we'll be going into in the near future would not be appropriate, let us build instead of destroy. I thank you Sir.

MR. JOHN JEFFERSON: Mr. President, could I be excused Sir,

HON. D.V. WATLER: Mr. President, and Members I don't know whether there're other members that would like to speak this afternoon, or whether we should take an adjournment - a number of them leaving.

MR. PRESIDENT: I noticed a marked reluctance on the part of anyone to want to get involved in what might conceivably be an enchanted speech. I'm giving the House a chance. If you want to adjourn, I shall need a motion for the adjournment.

HON. D.V. WATLER: Apparently, it is more the will of the House to adjourn. So in that case - Mr. President, and Honourable Members, I'd like to move that the House stand adjourn until 10 o'clock tomorrow morning.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. HOUSE ADJOURNED UNTIL 10 o'clock tomorrow morning.



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

MINUTES

Legislative Assembly Official Report

**BUDGET AND FOURTH MEETING OF THE EIGHTH (1971) SESSION
OF THE LEGISLATIVE ASSEMBLY
AT THE TOWN HALL, WEST BAY
ON 10TH, 13TH, & 20TH DECEMBER, 1971**

Budget 1972

ORDER OF BUSINESS

FRIDAY
10th Dec. 1971

BUDGET AND FOURTH MEETING OF THE EIGHTH (1971) SESSION OF THE LEGISLATIVE ASSEMBLY, TOWN HALL, WEST BAY - 10 a.m.

PRAYERS BY REV. JOSEPH CRAWFORD.

CONFIRMATION OF MINUTES OF THE SECOND MEETING OF THE (1971) SESSION HELD ON 8th AND 9th JUNE, 1971.

PRESIDENT'S ADDRESS.

REPORTS OF COMMITTEES -

- (i) Select Committee's Report on Caymanian Protection Bill, 1971
Chairman - Hon. G.E. Waddington, Q.C.
- (ii) Select Committee's Report on Local Companies (Control) Bill, 1971
Chairman - Hon. G.E. Waddington, Q.C.

GOVERNMENT NOTICES OF BILLS TO BE PRESENTED AT A SUBSEQUENT SITTING OR MEETING:-

- (i) The Land Holding Companies Equity Transfer Stamp Duty (Amendment) Bill, 1971.
- (ii) The Development and Planning Bill, 1971.

GOVERNMENT BUSINESS:-

- (a) DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1972
(LAID ON THE TABLE)

SUSPENSION OF STANDING ORDER 21

- (b) THE APPROPRIATION BILL, 1972 (FIRST AND SECOND READINGS -
BUDGET ADDRESS)
- (c) Government Motion No. 6 - Liquor Licensing Boards - Membership
- (d) Government Motion No. 7 - Assessment Committee - Membership

CAYMAN ISLANDS MEDICAL REPORT, 1970 - LAID ON THE TABLE.

TABLE OF CONTENTS

Prayer	5
Confirmation of Minutes	5
President's Address	5
Select Committee's Report on Caymanian Protection Bill, 1971	5
Select Committee's Report on Local Companies (Control) Bill, 1971	6
Government Notices of Bills to be presented at a subsequent sitting	6
Draft Estimates of Revenue and Expenditure for 1972	6
The Appropriation Law, 1972	7
Budget Address	7
Govt. Motion No. 6 - Membership Liquor Licensing Board	11
Govt. Motion No. 7 - Assessment Committee	13
Cayman Islands Medical Report 1970	13
Adjournment	13
Resumption	16
Report Select Committee - Trades and Business Licensing Law 1971	16
Report - Public Accounts Committee	16
Report - Local Companies (Control) Bill, 1971	16
Adjournment	32
Resumption	35
Land Holdings Companies Equity Transfer Stamp Duty (Amendment) Bill, 1971	35
The Hotels Aid (Amendment) Bill, 1971	37
The Development and Planning Bill, 1971	38
The Appropriation Bill, 1972	43
Adjournment	54

10th DECEMBER, 1971

10 a.m.

PRESENT WERE:

His Excellency the Governor Mr. K.R. Crook

President

OFFICIAL AND GOVERNMENT MEMBERS

Hon. D.V. Watler, O.B.E., J.P.	Deputy Administrator (First Official Member)
Hon. G.E. Waddington	Attorney-General (Second Official Member)
Hon. B.O. Ebanks	First Electoral District West Bay
Hon. W.W. Conolly, J.P.	Sixth Electoral District East End
Hon. Capt. E.E. Kirkconnell	Nominated Member
Mr. V.G. Johnson, O.B.E.	Financial Secretary (Third Official Member)

ELECTED MEMBERS

Mr. T.W. Farrington, C.B.E., J.P.	(First Electoral District West Bay)
Mr. John Jefferson	(First Electoral District West Bay)
Miss Annie H. Bodden	(Second Electoral District George Town)
Mr. Ira Walton	(Second Electoral District George Town)
Mr. A.B. Bush, J.P.	(Second Electoral District George Town)
Mr. Trevor Foster	(Third Electoral District Lesser Islands)
Mr. Alford Scott	(Third Electoral District Lesser Islands)
Mr. C.A. Hunter, M.B.E.	(Fourth Electoral District Bodden Town)
Mr. Anton B. Bodden	(Fourth Electoral District Bodden Town)
Mr. Craddock Ebanks	(Fifth Electoral District North Side)
Mr. Melville Goring	(Nominated Member)

PRAYER: REV. JOSEPH CRAWFORD.

MR. T.W. FARRINGTON: Mr. President, before we get down to the Order of Business for today Sir, I would like to take this opportunity, on behalf of members of this Assembly and indeed the whole of Cayman and especially the constituency of West Bay of which I have the pleasure of representing for a long time, so I extend to you Sir, a most cordial and sincere welcome. We welcome you, first Sir, as our new Governor, then we welcome you as our new President of this Assembly. You come here, Sir, at the time of prosperity, if I must put it that way. This development that you see going on, Sir, started about ten or twelve years ago, and apparently still hasn't reached the peak yet. We believe, Sir, that under your wise guidance and direction that this will continue. As we look back over the years, we are convinced that there are good reasons for this development. First of all, Sir, we have maintained a stable Government, and I think that is pre-requisite to any development and, of course, we have also maintained a tax haven which in itself tends to inspire confidence in the would-be developers that they would be safe in making their investments in this territory. I am not going to make a long speech, Sir, it's just a matter of welcome and I want to say this to you, we do sincerely welcome you and we hope and pray that your sojourn, not only yourself Sir, but your family, will be one that is very pleasant and indeed rewarding. May God bless you, Sir, in all your deliberations, and you can count on us (I am sure I am speaking for everybody) to give you our support and co-operation in all matters pertaining to health, happiness, prosperity of the people of these islands. Again I say welcome.

MR. PRESIDENT: Thank you, Second member from West Bay. There is an item on the Agenda that says President's Address. And I would, if I may, make my reply at that point.

CONFIRMATION OF MINUTES OF THE SECOND MEETING OF THE (1971) SESSION HELD ON 8TH AND 9TH JUNE, 1971.

HON. D.V. WATLER: Mr. President and Honourable members, I beg to move the Confirmation of the minutes of the Second Meeting of the 1971 Session of the Legislative Assembly held on the 8th and 9th of June 1971.

HON. G.E. WADDINGTON: I beg to second.

QUESTION PUT: AGREED. Minutes Confirmed.

ADDITION TO ORDER OF THE DAY

HON. D.V. WATLER: Mr. President and Honourable members, I beg leave at this time to amend the Order of the Day by inserting under Government Notice of Bills to be presented at a subsequent sitting, to add as Item 3 'The Hotels Aid (Amendment) Bill'. Members are aware that at the end of this year the 31st of December, this Bill will expire and as normal and usual at the December's Sitting, the Budget Session, we generally have to extend the life of that Bill. Unfortunately, through an oversight, the Bill was not drafted in time. At this stage I beg to ask leave of the House to amend the Order of the Day in order that that can be taken at a subsequent sitting and passed during the course of this Session.

MR. PRESIDENT: QUESTION PUT: AGREED. ORDER OF THE DAY AMENDED

PRESIDENT'S ADDRESS

MR. PRESIDENT: Honourable member, the next item of Business states President's Address. I've never had to use the phrase 'Honourable Members' before. I do so now with great pleasure. I suppose you will readily appreciate that to any Englishman, it is not only an honour, but privilege to preside over any parliament, and this is a parliament and it, to me, is not only a privilege but also I confess, slightly frightening almost awesome, to be in my present position. I should like very much to thank the second member from West Bay for his welcome and to thank all of you for the welcome I have received in these islands. In the course of a long but perhaps not a very distinguished career in various parts of the world I have had to consider seriously the question, whether Parliamentary Democracy or Westminster model, is an ideal form of Government for Countries other than Britain. I am not sure that it is ultimately the ideal. I am very sure that it is the nearest to the ideal that we have got yet. I shall do nothing in this House of my own will and intent to offend against its dignity and its independence. If I do in any way offend I shall ask if you please that you put this down to inadvertence and not to intent. I have the greatest appreciation of the nature of this Assembly. Nonetheless, I had better I think say at once and I am sure, since you know what my background is, that you will understand this quite clearly, I am not in any sense an expert on Parliamentary Procedure. I hope to become one, but I am not one yet.

I was reading, last night as part of my preparation for this meeting the very good paper on the subject of the Duties of the Clerk, prepared I believe by the Clerk herself, and I notice therein that she was able to advise me on matters of procedure both inside and outside the House and was expected to take the initiative in so doing. I slept much better after reading that, because it was entirely consistent with what I had said to her during the course of the afternoon before reading her paper and I very much hope that she will, indeed, do this, because the first Business of Parliament must be, I think, to get through to take forward its business effectively. What I want to do is to play my part in that so that business shall be conducted as expeditiously as possible.

Now I have already taken quite long enough of Honourable Members' time. I just want to say again thank you all very much, for the welcome that we have had and we shall now with your permission, turn to the Business of the Day, which is the next item there on the report of Committees, first Bill, 'The Cayman Protection Bill', and I shall ask the second official member to make his report.

Could I just say one additional thing, I am asked to apologise for the absence of the Gavel. This was apparently forgotten in this morning's rush. But now the Police have been sent to collect it and bring it.

SELECT COMMITTEE'S REPORT ON CAYMANIAN PROTECTION BILL, 1971.

HON. G.E. WADDINGTON: Mr. President, Honourable Members I beg to present the report of the Select Committee which was appointed to examine and report on the Clauses of

Hon. G.E. Waddington Contd.

The Cayman Protection Bill, 1971. The Committee comprised all the Elected and Nominated Members of the Assembly with myself as Chairman and the Quorum was fixed at five members. The Committee held six meetings on the 13th, 14th, 15th, 19th and 20th of October and on the 9th of November, 1971, at which meeting the Bill was considered clause by clause in the presence of a Quorum of the members of the Committee and several amendments were made thereto as appear in the report. I should like at this stage, Mr. President, to place on record the interest shown by the members of this Committee and the wonderful assistance and co-operation which, I as Chairman, received from the members of the Committee during the consideration of this very important Bill, a Bill which it will be seen combines in one statute, the subjects of Caymanian Status, Gainful Occupation Licences, at present known as Work Permits, Immigration Control and Deportation. The Committee recommends that the Bill with the amendments set out there in be dealt with in the same manner as a Bill reported on by a Committee of the whole Assembly in accordance with Standing Order 56 (4), and in the meantime, Mr. President, I would move that you order that the report do lie on the table.

MR. PRESIDENT: I am advised that I should so order and so do, although I am aware that there is a certain difficulty about this which we shall not tamper.

HON. D.V. WATLER: Mr. President and Honourable Members, I beg to give notice that when this report, or Bill, is going to be considered for the Third Reading that communication has been received from the Secretary of State touching on the section in the Bill dealing with Deportation of persons of Caymanian Status. This, the references are in section 21 (a) and section 57 of the Bill. The Secretary of State feels that he could not advise the Queen not to disallow this Bill if provisions are in it for persons of Caymanian Status whether of right or grant, are able to be deported. Indeed, under section 22 of that Bill provisions are there where by persons of Caymanian Status by Grant, if convicted, the Court can recommend for them to lose that Caymanian Status, and once they have lost that Caymanian Status, then at any subsequent time and for any other good reason they can be deported. He feels that the right to deport a person of Caymanian Status, should not be allowed in this Bill. So I beg to give notice that at the time when the Bill is being considered and the report thereon, I will be asking and requesting and moving that the Bill be submitted to a Select Committee or to a Committee of the whole House to consider those two particular clauses of the Bill, section 21 and section 57.

MR. PRESIDENT: First Official Member I am not quite clear, have we a motion that the Bill be referred to a Committee of the whole House?

HON. D.V. WATLER: No Mr. President, not at this stage because the report is now being laid on the table and the Bill will be dealt with during the sitting and it is at that stage that I will be moving for the House to go into Committee.

MR. JEFFERSON: Mr. President, I offer my sincere apology because of Medical reasons I was unable to be here on time.

SELECT COMMITTEE'S REPORT ON LOCAL COMPANIES (CONTROL) BILL, 1971

MR. PRESIDENT: The next item therefore is the report of Committee's Local Companies (Control) Bill, 1971 and I would ask the Second Official Member to make his report.

HON. G.E. WADDINGTON: Mr. President and Honourable members, I beg to present the report of the Select Committee appointed to examine and report on the clauses of the Local Companies (Control) Bill, 1971. The Committee comprised all the Elected and Nominated Members of this Assembly with myself as Chairman and the Quorum was fixed at five members. The Committee held two meetings on the 9th and 22nd of November, 1971 at which the Bill was considered clause by clause in the presence of a Quorum of the members of the Committee at each meeting and some amendments, minor amendments, were made thereto as appears in the report.

This Bill Mr. President, is a companion Bill to the Caymanian Protection Bill and in effect requires Companies incorporated in the island, other than Caymanian Control Companies to obtain a license to carry on business in the islands in much the same way as a person or persons of non-Caymanian Status are required to obtain a Gainful Occupation License in order to work or do business in the island.

The Committee, Mr. President, recommends that the Bill with the amendments set out therein, be dealt with in the same manner as a Bill reported on by a Committee of the whole Assembly, in accordance with Standing Order 56 (4), and in the meantime Mr. President, I would move that an order be made that the report do lie on the table.

MR. PRESIDENT: Therefore I so order that the report do lie on the table. The next item on the Agenda is Government Notices of Bills to be presented at a subsequent sitting of this meeting.

GOVERNMENT NOTICES OF BILLS TO BE PRESENTED AT A SUBSEQUENT SITTING.

HON. G.E. WADDINGTON: Mr. President and Members of this Assembly, I beg to give notice that a Bill entitled 'The Land Holding Companies Equity Transfer Stamp Duty (Amendment) Bill, 1971' will be presented at a subsequent sitting of this House.

HON. W.W. CONOLLY: Mr. President and members I would like to give notice that a Bill entitled 'The Development and Planning Bill, 1971' will be presented at a subsequent sitting of this meeting.

HON. D.V. WATLER: Mr. President and Honourable Members, I beg to give Notice that a Bill entitled 'The Hotels Aid (Amendment) Bill, 1971', will be taken at a subsequent sitting.

MR. PRESIDENT: Thank you. We now come to Government Business in which the first item is (a) The draft Estimates of Revenue and Expenditure for 1972 which has been laid on the table.

MR. V.G. JOHNSON: Mr. President, Honourable Members, I wish to move that the draft Estimates of Revenue and Expenditure for the year 1972 be laid on the table at this time.

MR. PRESIDENT: So ordered.

SUSPENSION OF STANDING ORDER 21

MR. V.G. JOHNSON: Mr. President, Honourable Members, I move the suspension of Standing Order 21, in order to deal with Item (b) under this section today.

Mr. President, Standing Order 21 reads, "Notice of Bill. A printed of every Bill shall be sent to each member seven days at least before it is proposed to be read a first time". Unfortunately this Bill, which is the Appropriation Bill, 1971, did not reach members in sufficient time so the suspension of Standing Order 21 is being requested now so that the Bill can be taken today.

SECONDED BY: HON. D.V. WATLER.

MR. PRESIDENT: I think we must, in all these circumstances have some sympathy with the Third Official Member in the difficulties that he has been facing.

QUESTION PUT: AGREED.

THE APPROPRIATION LAW, 1972 INTRODUCTION

MOVED BY: MR. V.G. JOHNSON.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED.

LEAVE GRANTED FOR INTRODUCTION OF BILL.

CLERK: THE APPROPRIATION LAW, 1972 SECOND READING

MOVED BY MR. V.G. JOHNSON.

BUDGET ADDRESS.

Mr. President, for the past three years the Appropriation Bill, dealing with the annual estimates of expenditure, has been presented with the annual budget address which gave a review of the economic position and briefly outlined proposals for the ensuing year. The proposals included recommendations which became policy matters, as well as new fiscal measures affecting the public, though not in the same manner as the direct tax systems of other countries. This year's address will take the same form, but from the beginning fears concerning tax proposals for the new year may be allayed. 1972 will be rather a relaxing period, a time in which we may review past successes under the administration of Mr. Long, and at the same time welcome a new administrative era under Mr. Crook. This is no doubt a situation similar to that which we witness at midnight on the last day of December when the text "Facing the challenge of a new year" is preached. We hope in fact that although we face a challenging new period, the ship of state will sail on, endeavouring always to remain in the quiet waters of stability and progress, so that present policies and principles may be maintained.

In paying a last word of tribute to your predecessor, Mr. President, it can be said that Mr. Long was a very able Governor and that no doubt his shrewdness, wisdom, courage and compassion in leading this country will reflect on the future successes of these Islands.

On the 20th of February 1969 in my first Budget Address in this Honourable House, when we faced a similar period of change of leadership, I made certain remarks appropriate to the occasion which, Mr. President, I would like to repeat here again today. "Much has already been said about the successes of the previous administration and no doubt some of these may one day be found written in the history of these Islands. However, every day for us seems the beginning of a new age, so there is bound to be a lot of history writing. As there is much to be done and it is important that the right approach is made to all our problems, we must pledge our wholehearted support and give all assistance possible to our new Governor, remembering that it is only through unity and co-operation that strength is gained and success achieved." Mr. President, we welcome you and your wife and family to the Cayman Islands and wish you every success in your very important role as Governor of these Islands. You come to us with a fresh mind, with enthusiasm and vigour; you come with new talents and ideas. These are qualities which will be needed to deal with our numerous and varied problems. You will chart out your course and lead on; we are confident, Mr. President, that the course you select will lead on to greater things for this Territory.

The last few months of 1971 have witnessed a change in the economic atmosphere of the Islands. Traffic in the off-shore sector is increasing as big financial institutions move in; this movement could be stemming from uncertainties in the Bahamas, a situation which, according to reports, existed for some time and has not improved. Growth in the off-shore sector may reach the point where the Cayman Islands rank among major tax-havens; however, this position will not come about automatically; it will depend on the exerted effort on the part of this Government to maintain control conducive to orderly growth in areas of rapid development; it will depend on stability, and last but by no means least it will depend on how well Government can establish itself in the driver's seat of this country. All these have been fairly well established and they have already given off-shore operators coming here a greater sense of security and the feeling that they are welcome in the Cayman Islands. This welcome is extended by the public as well as by Government and we must realize that the maintenance of our present position will also depend on the attitude of people, especially the influential public, and on their approach to problems. The natural friendliness of Caymanians has always won the respect of others, and indeed it may yet prove an invigorator of growth in the tax haven and tourist economies. This is not an attempt to say that the country's prestige is at stake, but we should discourage any uncalled for animosity, and learn to appreciate the rights, customs and traditions of these Islands.

Mr. V.G. Johnson Contd.

The economic atmosphere in the United States of America has been gloomy since mid-year, but this was threatening for some time. Eventually, on the 15th August as you will recall, President Nixon introduced his dramatic economic sanction in an endeavour to remedy the situation. This is mentioned in my address because the economy of these Islands is, to a great extent, tied to American business, and whatever happens in the United States is bound to have some reaction here. For the first time this century we saw the United States running a trade deficit in 1971 because its overseas expenditure and capital outflow were alarmingly out of proportion with the other side of the ledger. This resulted in a gradual loss of confidence in the American dollar abroad. The American action, therefore, related to difficulties both at home and abroad. Nixon's bolstering measures included the floating of the U.S. dollar, which meant that its convertibility with gold was suspended, and this immediately placed the world monetary system at risk. The problem has not yet been solved and the dollar is still floating. The American situation did not affect business in Cayman, and on the contrary the Islands seem to be booming again.

The international finance business, as I mentioned before, is steadily building up as big banks and other financial institutions are continually moving in. The latest figures reveal that fifty banks and trust companies are now licenced in these Islands, and among these are six banks with international status and eight which have been appointed Authorised Banks under the Exchange Control Regulation Law to deal in gold and foreign currency. The banks and trust companies licence fee recently introduced will contribute nearly \$40,000 to revenue this year. There are also at present nearly 3,000 companies and trusts registered here, and revenue from these this year will provide approximately \$252,000. The off-shore business attracts quite a volume of traffic from overseas businessmen, and this supplements the tourist industry substantially. It can therefore be seen that the off-shore business is becoming a prominent part of the economy. Just recently new Exchange Control facilities were introduced providing a category system for trust business here. These facilities are similar to those operating in Bermuda and the Bahamas and they should create an even greater impact on the off-shore business here.

Meanwhile tourism, which forms the largest part of the economy, has not been very impressive over the last season, according to reports on the average occupancy rate of hotels. The figure did not rise beyond 40%, an even lower figure than the 41% of the previous year. The industry will however be boosted in the 1972/73 season by an international operator, Holiday Inn. Its first phase - 125 rooms accommodation - is now under construction on the Seven Mile Beach.

Government has requested under British Government Technical Assistance Scheme a study on tourism. This will assist in establishing a firm policy as to what part Government should play in the development, growth and administration of the industry. In the last Budget Address it was suggested that there should be established a Government Department of Tourism to replace the present Tourist Board, a statutory body established in 1966. No objection was raised to the suggestion and so the study just mentioned is an initial step to any further change in the administration of tourism.

Perhaps it is appropriate to end this comment on the economy with a word on inflation. Inflation here is still a problem, as the vicious spiral in prices and wages continues and although Cayman is not singular in this respect, it does appear that some action should be taken against it to reduce its sting. Although the effort may not be successful, we can at least try to combat the problem. British Development Division in Barbados has offered to conduct a study on inflation here in conjunction with similar studies in other regional territories. We look forward to the exercise. It is probable that a form of legislation aiming at price control could have some result. This is not a suggestion that a full scale control should be introduced, such a control would be too burdensome and expensive to Government, and moreover would make it appear that a third world war were in progress. Legislation could be looked on more as a whip to be used only in extreme cases where abuse is evident. Of course there may be other suggestions for tackling the problem, but whatever method is used the task is going to be difficult, and one thing is certain; inflation will be present as long as development continues and the country moves on in prosperity.

I will now briefly outline Government's financial position for the current year 1971. Revenue which was estimated at \$3,345 million will exceed this figure slightly by \$125,000. This growth of 3.7% was not anticipated because the estimated revenue included new measures to produce \$330,000 in the first year, and these were not fully implemented until just after mid-year. Apart from this, the measure to increase companies registration and annual fees which came into effect in January, 1971 will not have full effect until 1972, and the increase in annual fee could not be levied against existing companies at the time the law became effective since it was just at that time the 1971 returns were being made. Along with these drawbacks there will be a shortfall of \$100,000 in stamp duty mainly due to property transfer business not reaching expectation. The redeeming factor in revenue collection was some extra customs import duty from the building programme of the private sector. The construction boom is seen to continue for some time.

Expenditure for 1971 is revised at \$4,026 million, an excess of \$385,000 of the original estimate and \$556,000 more than the revenue collections. Surplus Revenue Balance from 1970 is \$563,000 and there will only be a balance of \$7,000 going forward to 1972. The 1971 budget did estimate \$297,000 from reserves being used, but this figure was more than doubled because salary and wage increases effective 1st January 1971 were not budgeted for beforehand. There was also excess under capital expenditure caused from implementation of the project for the construction of the Parliament and Court Buildings. The contracts for these two buildings were awarded during this year at a cost far in excess of the original estimate two years ago. Had the project been first considered this year, it is doubted that the Court building would have been undertaken just now. However, this commitment could hardly be avoided as the project had been under consideration for two years, during which time there was a certain moral obligation for its implementation as a part of the five year development programme. This project is to be financed from local revenue. Although the Cayman Islands are said to be wealthy, when Government must suddenly allocate over half a million dollars to one project there comes a heavy financial pressure which calls for review and control on spending. Close scrutiny will be carried out in 1972 to ensure that Government is receiving a fair return for the money being spent.

This may be a convenient time to have a look at the capital side of the 1971 budget and particularly at the five year development programme which has been the subject of much

Mr. V.G. Johnson Contd.

discussion over the last two years. The Capital budget is divided into three sections of expenditure; one financed by local revenue, the second by British Government development aid funds, and the third by loans. Local revenue contribution to capital expenditure this year is in the sum of \$898,000 which is \$210,000 more than the approved estimates. The most important expenditure under this section is the provision of \$400,000 for the Parliament and Court Buildings, which have already been mentioned in the previous paragraph. Another project which will be financed by local revenue is an administrative office block to replace the present old Government House building. Construction will start soon after the Parliament and Court Buildings are completed, the exact date depending, of course, on the availability of funds and on Legislative approval. There is really an urgent need for this office block as the present building is quite inadequate in many respects. This Honourable House requested from a year ago that Government endeavour to provide its own improved office facilities rather than renting them, and so there are good reasons why this building to accommodate all those departments not yet properly housed should be undertaken as soon as possible.

Projects financed by development aid funds have moved along very well. Since the commencement of the five year development programme last year, the British Government has approved, from the 1st of April, 1970 to date, fourteen projects at a cost of approximately \$1.5 million. Our very grateful thanks go to the British Government for this much needed assistance, and to British Development Division in Barbados for making this achievement possible. The Head of the Division, Mr. William Bell, C.M.G., M.B.E., leaves Barbados in the new year and goes back to the Home Office. Mr. Bell has had a very long tour of duty in the Caribbean, and was in fact responsible for establishing the Division about six years ago. He became a friend of Cayman over the years, and so in wishing him farewell we also wish him every success for the future.

While on the subject of development aid this comment may be worthwhile. It is said that the Cayman Islands are considered a wealthy Territory and do not therefore qualify for the kind of aid administered to poorer territories. This is probably true on one hand, but on the other hand Cayman lacks the services and infrastructure which form the basis of successful economic development. Local resources are limited, and if this Government must itself provide everything, then much restraint would have to be imposed on many areas of development; this would certainly lead to "bottlenecks" and eventually stager growth. This Government does need assistance, even if only enough to keep abreast of the private sector development. We did not ask for extra help in the past, and this is probably the reason for our lacking it today. It is hoped that the British Government will continue its generous assistance to us until we are safely over this hurdle. We do concede that the line must be drawn in the not too distant future.

Six Projects under Development Aid have been approved this year at a cost of approximately J\$880,000. The first project was the second phase implementation of the secondary education development programme introducing the comprehensive system. Approval was granted in March and by September when the comprehensive school opened, the necessary buildings to accommodate an additional 300 students were completed. According to the Consultants' recommendations, the programme is set out in five phases to be implemented one each year. The remaining three phases will be recommended for aid as in the case of the first two phases. These grants provide finance for the capital element of the programme while this Government provides the recurrent or operational portion. Both are expensive but we must be prepared to do our share for education in the Cayman Islands especially as the British Government is doing its part so willingly. A second aid project this year in the sum of about \$32,000 was to refurbish the old buildings of the High School and also to provide a Head-master's study. A third project for approximately \$24,000 was for the extension of the Cayman Brac Secondary Modern School. These projects are all part and parcel of the secondary education development programme.

A fourth aid project, costing \$280,000 was for the completion of the Eastern Road Programme which is now being implemented. This programme started over two years ago with a Barclays Bank loan of \$400,000 which was the estimated cost of the job then; however, early this year, with the programme still some way from completion, funds became exhausted. It is hoped that what funds have been provided by the British Government for its completion will in fact be sufficient. A fifth aid project provided the sum of \$78,000 for the reconstruction of the West Bay - North West Point Road. This is an important area and deserves consideration; it is hoped that other important areas with main roads will also be considered in due course. Road building is now an important function especially with the present growth of traffic. The task was made even more difficult recently when heavy rains badly destroyed roads which were never very good in any case.

The last project, just recently approved in the sum of \$290,000, is to build a Police Headquarters and Central Station. The new building will be sited close by the present old buildings in the same compound. This is an effort to improve policing and security, which form a very important service in any country especially in these present days of heavy drug traffic. The local force, now 80 in strength with many overseas recruits, has been doing well, but lack of equipment and facilities were proving drawbacks. An earlier aid project provided \$79,000 for police vehicles and radio equipment, so the force should now be able to prove itself adequate to its task in these Islands.

Under the "Loan Funds" section of capital expenditure four projects have been put forward; implementation depends on the recommendations of the feasibility reports and also on availability of funds. They are - Airport Development Grand Cayman, Establishment of a Water System in Grand Cayman and Docking Facilities in Grand Cayman and Cayman Brac. Airport Development includes a new terminal building; this is now a most urgent requirement as the present building, originally a workmen's barrack when the airport was first built some eighteen years ago, is about to collapse. The Airport project has not got under way because we are still awaiting the results of the harbour financing arrangements from Caribbean Development Bank, and these have not yet been finalized. The report on water has just been received and it is therefore not possible to make any useful comments on the subject at this stage except that the Consultants indicated that a public water system using under ground water could be a very expensive service and probably beyond Government's present financial capability.

I come now to the year 1972. First it should be stated that Government will not put forward, at this Session, any new tax measures. It is not because there was no need to raise

Mr. V.G. Johnson Contd.

additional revenue; this is always needed because of the constant demands for new and improved services. However, the Fiscal Committee at its last meeting a few months ago saw fit not to make any recommendations just now. This was based more or less on the fact that the new measures put forward for 1971 have only been fully implemented late this year and the full effects will only be seen in 1972; secondly, the general election is not too far away and it was seen that Legislators would prefer not to get too involved in new taxation at this stage. After the election the new Fiscal Committee may continue to study the remaining recommendations of the Tyrrel Report prepared in 1970 during a fiscal review of the Cayman Islands.

The financial position for 1972, as indicated by the Estimates of Revenue and Expenditure, is certainly not taking the usual pattern. There will be no surplus revenue balance to go forward from 1971 and no new revenues are being recommended for 1972; therefore income for the new financial year will be based on what existing measures can produce: these show a growth of only 7% over the revised revenue for 1971. Revenue for 1972 is estimated at J\$3.7 Million and expenditure, made up of only the mere essentials, has been brought down to J\$4 Million. It is therefore seen that the Budget is presented with a deficit of some J\$300,000. The question normally asked in such a situation is: how will Government supplement this shortfall? The answer is that there will be no alternative but to guard spendings closely, and if there is indication during the year that revenue will not stop the gap then certain expenditures of no great importance will be withheld. It is the intention of Government to institute rigid control on expenditure and to put even greater effort into revenue collection. It is hoped that all concerned will support these actions and that the general public dealing in one way or another with Government will realize that they, and all of us, can only stand to benefit by helping Government. We must deal honestly and give an honest day's work whether we be civil servants or casual workers.

At the last Budget Session this Honourable House expressed certain views about senior posts in the civil service held by local persons, and requested that the Governor examine the matter. There was much resentment from the fact that in many cases the local officers were paid a basic salary below their ex-patriate counterparts. The request was carefully examined and it was seen a difficult task to deal only with a few selected posts as this would invite criticism from others. This happens after any regrading of posts and review of salaries; it is inevitable that these exercises will not meet the satisfaction of everyone. However, in attempting to rectify past errors every care must be taken not to upset things too much, especially in a case like the one under review which has a certain amount of political thrust. The matter was under review from January of this year and a few attempts were made to produce a solution but each ended with the same unsatisfactory result. Finally the ex Governor, with whom the request was lodged, decided that the only favourable course was to reconstruct the Super Scale and fit therein all heads of departments and other corresponding posts, at the same time closing any gap between heads and their deputies resulting from the exercise. This was done and the result is that local officers will receive much benefit from the upgrading. If this Honourable House accepts the recommendations and if they are finally approved by the Secretary of State, it is hoped that officers receiving the benefit will show their appreciation by putting even greater efforts in the administration of their departments.

The Customs Department has had a trying time over the last two years in recruiting proper staff and in retaining those it was able to find. The importance of this Department cannot be over-emphasised; it is responsible for collecting 65% of Government's total recurrent revenue. Recommendations are put forward for the up-grading of posts in the Department in an endeavour to improve things there. The post of Port Superintendent was created this year and a Caymanian appointed to it. It is a very important position and should improve operations on the dock and in the warehouses.

There is nothing else very important to mention under recurrent expenditure. As stated earlier, recommendations under this section are just bare essentials with the inclusion of a few new posts considered of much importance. One of these is an executive post in the Financial Secretary's Office; the Officer will assist in Exchange Control and other duties. A Caymanian has been selected for the post and he is now employed in a temporary capacity because of circumstances which led to this; Legislative approval for the post is being requested. There are a few New Service recommendations amounting to approximately \$55,000. These do not form part of the Appropriation Bill and although they are important, this is not to the extent that their absence would cause embarrassment. They are put forward for approval in principle so that should funds become available during the year, a portion or all the expenditure may be committed and covered by Supplementary approval at a later date.

Capital Expenditure from local funds in the sum of J\$759,000 is distributed mainly over three items; Legislative and Court Buildings - \$650,000 to complete the project, Construction of Roads - \$60,000 to continue resealing West Bay - George Town - Bodden Town roads, and Staff Houses - \$28,000 which is part payment of houses purchased recently.

The sum of J\$1,376 Million is shown to be allocated under Development Aid to a number of existing and proposed projects. The carry-over from 1971 is \$590,000 divided among four projects. Another project now under consideration is the Bluff Road in Cayman Brac, with an estimated expenditure in 1972 of \$120,000. The other new proposals amount to \$666,000 and among these are the Comprehensive School third phase (\$200,000) and Extension to West Bay Primary School (\$60,000). Grants over the past two years from the British Government averaged \$600,000 per year, so it is hoped that the recommendations for the ensuing year, if acceptable by this Honourable House, will also meet a favourable reception in London and Barbados.

Proposals for loan financing in 1972 are carry-overs from 1971 projects not yet off the ground. The first is "Airport Grand Cayman", the scheme for airport development has put top priority on a new terminal building, and recent examination of the old building has confirmed that it does need immediate replacement. It is recommended that Legislative approval be given for the construction of a new terminal and that Government investigate and arrange its financing by a loan raised wherever this is possible at reasonable terms, and rates. The project should start as early as possible.

The next scheme under loan funds financing is a Harbour in Grand Cayman, and this has been a most controversial subject as far as the siting is concerned. Of course from the

Mr. V.G. Johnson Contd.

financial position of this Government as outlined earlier, it would appear that the siting of a new harbour is not the only problem to think about. It is the opinion that any single project costing this Government J\$3 Million will create an undue financial strain at this present moment unless now and sufficient taxes are levied for the purposes. An application is now with Caribbean Development Bank for loan financing of the Prospect harbour proposal. The Bank has just indicated that they can find no real economic justification in the project as proposed, and suggested that we look at the idea of improving the George Town facilities at a third of the cost of the Prospect proposal. This harbour project has been under study for two years now and it should have already been put up for Legislative approval but the financial arrangements have been the hold-up; the delay has affected other development as well. It may therefore be in the best interest of this Government to take a firm decision at the earliest possible opportunity to decide this harbour issue.

Mr. President, I am now coming to the end of my address on the Budget proposals. Before I end the address, however, I should perhaps mention one other matter.

The new Cayman currency will be issued on the 1st May, 1972. This will be quite a step forward for these Islands and it will be a worthwhile venture for the sake of the development of the Cayman Islands as a tax haven and an international finance centre. All arrangements for the issue are working out smoothly. The notes and common coins should be produced by the end of this month and arrive here early in the new year. The change-over programme is being arranged by a special committee and should be off to a good start by early year.

One fairly major problem exists with the new currency and it is the hopes that this will be solved before the issue on the 1st May. The Cayman dollar was fixed at a parity with the pound Sterling (C\$2.40=£1) and this was more or less convenient for the Cayman and American dollars to circulate locally at par value with each other since the American dollar bore the same parity with the pound Sterling. This arrangement was obviously because of the close ties in trade and immigration between these Islands and the United States. Now that the American dollar is floating because of the suspension of its convertibility with gold, it has no fixed parity with any currency. If the Americans can solve the problem and find a fixture for their currency again and in a reasonable period of time before the 1st May, and if this re-established parity differs from the \$2.40 to the £1, it is likely that recommendations will be put forward for Legislative approval to amend the parity of the Cayman dollar to the £1 to correspond with that of the United States dollar. This action will be taken to re-establish what was originally intended. Parity adjustment of the Cayman currency will have no adverse effect on prices, provided this is done before the issue date of the currency.

Mr. President and Honourable Members, I thank you for your attention and interest. What has been put forward in this address is seen to be in the best interest of all concerned. Everyone may not see eye to eye with all the proposals, but let us together debate the different points of view until we reach an amicable and acceptable solution.

Members are looking forward, I am sure to the pleasant environment of their new and permanent Parliament Building which will be completed next year; I am sure they are also looking forward to constitutional changes in the new year. These are fruits of your labours, Honourable Members, for which you have worked hard. You must be congratulated for the achievements of the Cayman Islands in this era of progress and development.

Mr. President, I recommend the Appropriation Bill, 1971.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED.

BILL READ A SECOND TIME.

MR. V.G. JOHNSON: Mr. President, I would like to move that the debate on the Budget Address be taken on Monday morning.

QUESTION PUT: AGREED.

HOUSE SUSPENDED.
HOUSE RESUMED.

MR. PRESIDENT: Honourable member there seem to be advantage if we can, in bringing this particular meeting to a close before lunch time. The next item on the Agenda is Government Motion No. 6 Membership of the Liquor Licensing Board. 1st Official member.

GOVERNMENT MOTION NO. 6 - MEMBERSHIP LIQUOR LICENSING BOARD

HON. D.V. WATLER: Mr. President and Honourable Members I beg to move Government Motion No. 6, whereas under the provision of section 5 subsection (3) and (4) of the Liquor Licensing Law, Cap. 87, three members are required to be nominated by the Legislative Assembly for the Licensing Board for the Licensing District of Grand Cayman, and two members to the Licensing Board of Cayman Brac and Little Cayman for a period of one year. Be it resolved that the following be nominated with effect as from the 1st January, 1972. For the Liquor Licensing Board for the Licensing district of Grand Cayman, Miss Annie H. Bodden, Mr. Craddock Ebanks, Mr. Ira Walton. For the Licensing Board for the Licensing district of Cayman Brac and Little Cayman, Mr. Trevor Foster and Mr. Alford Scott. These are the old members.

Mr. President and Honourable Members I formally move Government Motion No. 6.

SECONDED BY: HON. G.E. WADDINGTON.

MR. PRESIDENT: Honourable Members the question is Government Motion No. 6 be passed. The Motion, however, is open for debate, if anyone wishes to speak on it.

MR. A.B. BUSH: Mr. President and members, I would recommend that the same three members that is now on the Board be re-instated to serve on this Board for the Licensing district of Grand Cayman, Miss Annie Bodden, Mr. Craddock Ebanks and Mr. Ira Walton.

MR. CRADDOCK EBANKS: Mr. President I am not prepared to accept the re-appointment, I have served on it for three or something years and I must say here I don't see any just fruit from me being a member of the Board. Under the present wording of the Law, there is very little use of a Board operating under the present Law. As far as I am concerned Sir, there are only two people that got any say on the Board, and that is a member from the Police Department, if he says there is sufficient parking space, whether it is or not, it's passed on that, the Sanitary Inspector, if he say that building has sanitary conveniences, up to date, other than that Sir, it serves no purpose. The Law does mention that if there are any objectors to any notice of applicant and during my time as a member of this Board we have had numerous objectors to applications that come in and it has not proved that objectors get any re-address for their objecting. As I say the Law is so worded that if the Board took it on themselves and reject the granting of a licence, under the Law, they can just then appeal to His Excellency the Governor, and it will only prove to the public that we members of the Board are somewhat ignorant or acting in ignorance, because on the grounds that he applied, he is complying with the Law, so it is nothing that we could do not to grant him his licence. The only one point that they probably got is when you got objectors, and their cries are never heard, the Board starts to take into consideration the money that the applicant has spent, and this and that and then he is granted a licence. Even the planning Board is getting loose in granting applications for places to be built in residential areas. It should never be done. And on the grounds of that, Sir, I object to being a member on the Board.

MR. IRA WALTON: Mr. President and Honourable Members I somewhat share Mr. Ebanks' views on this matter. The members of the Liquor License Board serve little or no purpose at all, but I would like to make one correction and that is, I think he made a statement to the effect that if the Board does turn down a Licence, that they will appear to His Excellency the Governor. I think there you find the only appeal is to the Grand Court and not to the Governor in Council. Of course, somebody has to serve on these Boards, and I don't think that we are to be blamed entirely for all the Licences that have been issued over the years because we have rejected on various occasions, and as he said they serve no purpose. However, I would accept, and I am not afraid to accept the position as a member of the Board again.

MR. CRADDOCK EBANKS: Mr. President, I would just like to make this clear, I am not afraid of the criticism, the criticism doesn't hinder me from sleeping.

MISS ANNIE BODDEN: Mr. President, Honourable Members of this House, I have served for, I think it is six years on this Board. I must say that we do not get very far in objecting to all these multitude of Licences being issued. We have objected, but as stated the Law has about three heads under which an applicant can be qualified, good character, suitability of the place and I feel that the suitability of the places has in many instances not been adhered to. We have, or not we because I have objected on many occasions, but licences have been granted to people to sell Alcoholic Liquors and there is not enough parking space for four or five cars. It is becoming a menace and I feel, although I am quite prepared to serve, because I am teetotaler, very proud of my wits and I feel that if they really don't respect my drinking because they have a certain amount of fear, but I am willing to serve at least 'til this Assembly is dissolved. Thank you, Sir.

MR. PRESIDENT: Anyone else wish to speak?

MR. T.W. FARRINGTON: Mr. President, I was about to second the Motion made by the member for George Town, that the three members who have served in the past be renominated. But it is obvious now, Sir, that the member for North Side has declined, and I wonder whether I might not make a further suggestion and that is that Miss Annie Bodden, Mr. Ira Walton and my friend, Mr. Jefferson whether they would be prepared to serve. If they are I formally make that motion.

SECONDED BY: MR. A.B. BUSH:

MR. JOHN JEFFERSON: Mr. President, having heard members in their address, regarding the Liquor Licensing Board, I would, because of my Religious affiliations, I believe, I would object to acceptance of this position. Nevertheless I think that this House for the last three years, the attitude has not only been to criticise constructively but the attitude has been to do something about the things that we think need attention. While I would not accept the position on the Licensing Board, I wonder if the time hasn't come for us to take a look at this Board and see what can be done about it, certainly there is no sense of us quarreling about it if something needs to be done, then why shouldn't we do it, I've had instances relative to the Liquor Licensing Board I have really walked away with this feeling, actually the only people that fail to get a Licence under this Law are unfortunately most times the unfortunate guy who doesn't seem to have enough either money or prestige, so I would say Sir that I think that it's time that the Government in the future take time to study and make recommendations towards making this Board that would be able to serve a more useful purpose. Thank you very much.

MR. PRESIDENT: Any other Member wish to come in?

HON. W.W. CONOLLY: Mr. President and Honourable Members I didn't intend speaking on this subject but, it is apparent from the discussion that Members feel that their presence on the Board is not effective. Now I can hardly see that trend of argument. If I remember correctly the composition of the Liquor Licensing Board, is the Chairman, three members appointed by the Legislative Assembly, one member nominated by His Excellency the Governor. And I fail to see members coming here today if that is the Composition of the Board, with three elected members, surely if they agree on a matter I don't see how any other person could carry it. I don't think that the blame can be on any body else but the members themselves. Because if the proposal, surely according to the composition of the Board, they should be in a majority to have their votes registered and carried. I don't think that we should really indulge in too much argument on what can be done or what can't be done, I think really the issue before us is the selection of members to serve on this Board under the present Law. If members feel strongly that something is wrong with the Law why members can't carry out their duties as they determined, I would suggest that they offer at a later stage some suggestion for amendments of this type of Legislature. I would kindly nominate Mr. Anton Bodden to replace the member from North Side.

MR. ANTON BODDEN: Mr. President, I am a Liquor Dealer myself, that would be contrary would have some kind of pecuniary interest, so I couldn't accept it at all. Thank you very much.

MR. PRESIDENT: Forgive me Honourable Members, I am not sure whether it is a defect of this microphone system or not. Mr. Badden I didn't hear whether you would accept or you would not.

MR. BODDEN: I won't, Sir.

HON. CAPT. E.E. KIRKCONNELL: Mr. President, I beg to nominate Mr. Willie Farrington.

MISS BODDEN: I beg to second that.

MR. T.W. FARRINGTON: Mr. President, I thank the member very much for thinking about nominating me, but I would point out that I have been on this Board for years and years and years and I think that I would prefer not to have to serve on this Board again, Sir. I decline.

MR. PRESIDENT: I think we must be quite clear, Honourable Members that the House is not discussing the effectiveness or the ineffectiveness of the operation of this Law at the moment. If members are dissatisfied with the way in which the Law operates, then I need hardly say that I have myself not been here long enough to form a view on whether it is effective or whether it is ineffective. They can convey their views to me in any way they so choose. What is now before the House is the need to appoint members to serve on the Board in the future and as I understand that we have still to find a member. I must ask please that we solve this particular difficulty, in any way possible.

MISS ANNIE H. BODDEN: Mr. President, I beg to nominate Mr. A.B. Bush, and if he accepts it then we shall have three George Towners on it and let us see what they can do.

MR. A.B. BUSH: Mr. President, I accept it.

SECONDED BY: MR. CRADDOCK EBANKS.

MR. PRESIDENT: I think the members are all from George Town. I find myself in some slight difficulty here. Is it a serious suggestion that the members are those representing the George Town District. I should have thought not. In which case we have a motion do we not of that.

QUESTION PUT: AGREED.

MR. PRESIDENT: The remaining Business is Government Motion No. 7 relating to the Assessment Committee.

GOVERNMENT MOTION NO. 7 - ASSESSMENT COMMITTEE

HON. D.V. WATLER: Mr. President and Honourable Members I beg to move Government Motion No. 7. Whereas under the Roads Law, Cap. 152 under section 6 (ii), two members are required to be nominated by the Assembly to the Assessment Committee for a period of one year. Be it resolved that Mr. A.B. Bush and Mr. Anton Badden be nominated to the said Committee with effect from the 1st of January, 1972.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED.

MR. PRESIDENT: The remaining Business of today is the Cayman Islands Medical Report and that is to be laid on the table. The Honourable Member from West Bay.

CAYMAN ISLANDS MEDICAL REPORT 1970

HON. BENSON EBANKS: Mr. President, I beg to move Sir, that the Cayman Islands Medical Report 1970 be laid on the table.

MR. PRESIDENT: So ordered. Honourable Members I think this brings us to the end of our proceedings on the Order of the Day. We have the official adjournment of the House until Monday.

HON. D.V. WATLER: President and Honourable Members I beg to move that this House stand adjourned until 10 o'clock Monday morning.

SECONDED BY: HON. G.E. WADDINGTON.

HOUSE ADJOURNED 12.10 p.m.

ORDER OF BUSINESS

BUDGET AND FOURTH MEETING OF THE EIGHTH (1971) SESSION (SECOND SITTING) OF THE LEGISLATIVE ASSEMBLY TO BE HELD AT THE TOWN HALL, WEST BAY ON MONDAY, 13th DECEMBER, 1971 COMMENCING AT 10 a.m.

PRAYER BY REV. JOSEPH CRAWFORD

CONFIRMATION OF MINUTES -

Special meeting held on 13th August, 1971

REPORTS OF COMMITTEES TO BE PRESENTED, LAID ON THE TABLE & ADOPTED

- (i) Select Committee's Report on Trade and Business Licensing Bill, 1971 - Presented by Chairman Hon. G.E. Waddington, Q.C.
- (ii) Standing Committee's Report - Public Accounts - Presented by Chairwoman - Miss Annie Badden

REPORTS OF COMMITTEES TO BE ADOPTED:

- (i) Select Committee's Report on Caymanian Protection Bill, 1971
Chairman - Hon. G.E. Waddington, Q.C.
- (ii) Select Committee's Report on Local Companies (Control) Bill, 1971
Chairman - Hon. G.E. Waddington, Q.C.

GOVERNMENT BUSINESS:

- (a) **THE APPROPRIATION BILL, 1972 - DEBATE ON BUDGET ADDRESS**
(AT CONCLUSION FINANCIAL SECRETARY TO MOVE THAT THE APPROPRIATION BILL, 1972, TOGETHER WITH THE DRAFT ESTIMATES OF REVENUE AND EXPENDITURE FOR 1972 BE REFERRED TO THE FINANCE COMMITTEE ON TUESDAY, 14TH DECEMBER, 1972 AT THE TOWN HALL, WEST BAY, TO COMMENCE AT 10 A.M.)
- (b) **CAYMANIAN PROTECTION BILL, 1971 (THIRD READING - RECOMMITTAL OF BILL STANDING ORDER 59 (1).)**
- (c) **LOCAL COMPANIES (CONTROL) BILL, 1971 - THIRD READING.**
- (d) **TRADE AND BUSINESS LICENSING BILL, 1971 - THIRD READING.**

13th DECEMBER, 1971

10 a.m.

PRESENT WERE:-

His Excellency Mr. K.R. Crook

President

OFFICIAL AND GOVERNMENT MEMBERS

Hon. D.V. Watler, O.B.E., J.P.	Deputy Administrator (First Official Member)
Hon. G.E. Waddington	Attorney-General (Second Official Member)
Hon. B.O. Ebanks	First Electoral District West Bay
Hon. W.W. Conolly, J.P.	Sixth Electoral District East End
Hon. Capt. E.E. Kirkconnell	Nominated Member
Mr. V.G. Johnson, O.B.E.	Financial Secretary (Third Official Member)

ELECTED MEMBERS

Mr. T.W. Farrington, C.B.E., J.P.	(First Electoral District West Bay)
Mr. John Jefferson	(First Electoral District West Bay)
Miss Annie H. Bodden	(Second Electoral District George Town)
Mr. Ira Walton	(Second Electoral District George Town)
Mr. A.B. Bush, J.P.	(Second Electoral District George Town)
Mr. Trevor Foster	(Third Electoral District Lesser Islands)
Mr. Anton B. Bodden	(Fourth Electoral District Bodden Town)
Mr. Craddock Ebanks	(Fifth Electoral District North Side)
Mr. Melville Goring	(Nominated Member)

PRAYER: Joseph Crawford.

MR. PRESIDENT: Honourable Members may I first apologise for the delay that has taken place this morning. Some organisational difficulty has arisen which I don't fully understand myself, yet neither do I expect to be kept waiting in this manner nor do I expect you to wait. We shall see that it doesn't happen again. The first item on the Agenda is confirmation of the minutes of the Special Meeting held on 13th August, 1971, I shall ask the Honourable First Official Member to move their confirmation.

CONFIRMATION OF MINUTES - 13TH AUGUST, 1971

HON. D.V. WATLER: Mr. President and Honourable Members, I beg to move the confirmation of the minutes of a Special Meeting of the Legislative Assembly held on the 13th August, 1971.

HON. G.E. WADDINGTON: SECONDED.

QUESTION PUT: AGREED. MINUTES CONFIRMED

MR. PRESIDENT: Honourable Members the next item on the Agenda is Reports of Committees to be presented and to be laid on the Table and adopted.

REPORT SELECT COMMITTEE - TRADES AND BUSINESS LICENSING LAW, 1971

HON. G.E. WADDINGTON: Mr. President, Members of this Assembly, I beg to present the Report of the Select Committee appointed to examine and report on the clauses of the Trades and Business Licensing Bill, 1971. The Committee comprised all the elected and nominated members of the Assembly, with myself as Chairman, and the Quorum was fixed at five members. The Committee held one meeting on the 3rd of December, 1971 and at this meeting the Bill was considered clause by clause in the presence of a quorum of the members of the Committee and amendments were made to clauses 2, 3, 11, 14 and to the Schedule of the Bill. Mr. President, this Bill is also a companion Bill to the Caymanian Protection Bill, and provides for the granting by the Caymanian Protection Board of Licenses to carry on Trades and Businesses by Caymanians and also by persons of non-Caymanian Status, who have been granted a gainful occupation License by the Board. The Committee recommends that the Bill with the amendments set out therein, be dealt with in the same manner as a Bill reported on by a Committee of the whole Assembly in accordance with Standing Order 56 (4).

Mr. President, I beg to move that the report be ordered to lie on the Table.

MR. PRESIDENT: So ordered.

HON. G.E. WADDINGTON: Mr. President, I beg to move the adoption of the report of the Select Committee on the Trades and Business Licensing Bill, 1971.

HON. B.O. EBANKS: I second the motion.

MR. PRESIDENT: Honourable members, before I put the question that the Select Committee report be adopted, would anyone like to speak.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: Now Honourable Members, the next item is the Standing Committee's report on Public Accounts, which is to be presented I believe, by the Lady Member for George Town.

REPORT - PUBLIC ACCOUNTS COMMITTEE.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: Now Honourable Members the next item on the Agenda is Reports of Committees to be adopted and the first of these is the Select Committee's Report on the Caymanian Protection Bill, 1971. This was as I recall laid on the Table on Friday, but procedurally, in order to pave the way for any discussions that may be later, we should formally adopt it.

REPORT - CAYMANIAN PROTECTION BILL 1971

HON. G.E. WADDINGTON: Mr. President, I beg to move the adoption of the report on the Caymanian Protection Bill, 1971.

HON. B.O. EBANKS: I second the Motion.

HON. D.V. WATLER: Mr. President and Honourable members, at the meeting held on Friday, I gave notice that I would be opposing this Bill when it came to the third reading. I am not going to oppose the adoption of the Committee's Report, but when the time comes for the third reading I am going to move for the re-committal of this Bill to a Committee of the whole House as provided for on Standing Order 59, in order that we can consider the two clauses that were mentioned, Clauses 21 (1) and 57.

MR. PRESIDENT: Thank you. I think we all understand the position and in these circumstances I can put the question.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: The second report in this broad category of Reports which should now be adopted is the Select Committee's Report on the Local Companies (Control) Bill, 1971.

REPORT - LOCAL COMPANIES (CONTROL) BILL, 1971

HON. G.E. WADDINGTON: Mr. President, I beg to move the adoption of the report of the Select Committee on the Local Companies (Control) Bill, 1971.

HON. B.O. EBANKS: Mr. President, I beg to second this motion.

QUESTION PUT: AGREED. REPORT ADOPTED.

MR. PRESIDENT: Now Honourable Members we come to what is, I think, the major business of the day, The Appropriation Bill, at our meeting on Friday, the Third Official Member moved the second reading of the Appropriation Bill, gave his Budget Address and asked that that debate should take place on this day. The Bill and the Budget Address are now open for debate.

MR. JOHN JEFFERSON: Mr. President and Members of this Honourable House, it is indeed a privilege to stand here today and debate the most able Financial Secretary's Budget Address given to us on Friday.

The Budget Address, Mr. President, was greatly detailed spelling out Government's Policy for the year 1972. I must congratulate the Financial Secretary on such a splendid job well done. He said, Mr. President, and I quote "1972 will be a rather relaxing period". A time in which we may review past successes under the administration of Mr. Long and at the same time welcome a new administrative era under Mr. Crook. There is no doubt a situation similar to which we witness at the midnight of last December, when the text facing the challenge of a New Year's speech" he said and I quote "we hope, in fact, that although we face a challenging new period, the ship of faith will sail on, endeavouring always to remain in the quiet waters of stability and progress though the present policies and principles may be maintained". I again quote from the Financial Secretary and paying tribute to your past predecessor Mr. President, "It can be said Mr. Long was a very able Governor, and no doubt his shrewdness, wisdom, courage and compassion in leading this country will reflect in future success of these islands."

I am quoting from the Financial Secretary "on the 20th February, 1969, in my first Budget Address in this Honourable House, when we faced a similar period of change in leadership, I made certain remarks appropriate to the occasion which, Mr. President", and he quoted and I would like to repeat here again today much has already been said about the previous success no doubt some of these may one day be found written in the History of these islands. However, everyday for us seems to be a beginning of a new age. There is bound to be lots of history written. There is much to be done and it is important that the right approach be made to our problems. We must pledge our whole-hearted support, give all assistance possible to our new Governor, remembering that it is only through unity and co-operation that strength is gained, success achieved.

Mr. President, we welcome you and your wife and family to the Cayman Islands wish you every success in your very important role of Governor of these Islands. You come to us with a fresh mind, with enthusiasm and vigour. You come with new talents and ideas. These are qualities which will be needed to deal with our numerous and varied problems. You will chart out the course and lead on, we are confident, Mr. President, the course you select will be one of greater things for this territory.

Mr. President, the Financial Secretary spoke of the tremendous change in the economic atmosphere of these islands, traffic in the offshore sectors, showing tremendous growth. This speaks for the ship of State as it moves through the chartered waters of stability; sincere, friendly, warm and hospitable people of these islands. Realizing, Mr. President, that anything that would undermine or take away from the stability, warmth, good-will of these islands, we have everything to lose, nothing to gain.

We may disagree Mr. President, we might not see eye to eye on many varying subjects. We can resolve all this agreement, think of better ways to approach them, solving our various problems. The Ship of State through these past years, Mr. President, has moved fast through these chartered waters, where there has been chartered shoals and reefs, but we had a Captain with stamina and fortitude and vision and a crew, Mr. President, who was willing and ready to assume responsibilities that were necessary, today the good ship stands taller. The good ship today, Mr. President, has added also to its role and its image the way of stability in these islands.

The people of these islands, Mr. President, want only to live in peace and fear of God and among the greatest problems we ask only sincere understanding. We are willing and are leading our friends, other Commonwealth Nations and our Mother Country, we are making preparation for them to be able to dwell among us, be able to participate and take part in our society, if our way of life, Mr. President, is that to their choosing.

There are areas of concern, but these speak only for a healthy society. Make no mistake about it, all we want to make known to the world is that we are proud of our heritage, and all we want to do is to live together in peace and brotherly kindness of all concern.

The effort this Government is making to stamp out the drug traffic, serves notice in this country we are prepared to accept change, changes will come all we want is to hold on to the things we think that are worthwhile. Tourism, Mr. President, has not been very impressive over the past season, everything we believe is due to tight U.S. dollar. We find in our Budget for 1972, we are budgeting for One Hundred and Sixty-five Thousand Dollars (\$165,000). During the past years we have found that the dollars we have invested in Tourism, have brought great returns. We are prepared to cultivate this giant, to make people know that we care.

Then speaking from the Financial Secretary's message on inflation, I am sure that as the secretary rightly says, something must be done to take the sting out of this terrible bug. We are happy to realize that studies are being underway to be able to see what can be done to curb this monster.

Expenditures in 1971 (quoting from the Financial Secretary's Address) revise \$4.026 million, in excess of \$385,000 of the original estimates, \$556 more than the revenue collected. This gives us some deal of concern. I want to say we done our best in trying to grade the Civil Servants' salaries in this islands to be able to have a family of Civil Servants that will be loyal, those that will give their untiring efforts to help to make this country a better place to live, and provide the services we think are needed in this country of ours.

We are spending a tremendous amount of money on a home for the Legislature, Mr. President, the Court Building, and I believe they serve notice to the private sector that this country will not be outdone by them. A word of warning Mr. President, God's willing, in 1972 when this new Legislature opens, I intend to be there representing the district of West Bay. I look forward to this, with great anticipation.

I look forward Mr. President, to the building of the Government Office Block, which I feel is of tremendous importance to this country at this present time. I believe that we have to keep pace with private sectors. I believe if we are going to have the kind of Civil Service that we want, the kind of service that we require, we are going to have to do things that would add to the prestige of our people and of our Government. Mr. President, I believe that the Government of these islands and everyone of us here today should remind our people of the tremendous amount of money that is being contributed to these Islands by the United Kingdom towards the Welfare of this Government. The United Kingdom has made available to us a tremendous amount of money and we have been able to enjoy much services. Much has been said about Expertise, Mr. President, when we do not know how to do a job, what else for us to do, but to seek those that are able to give us the kind of instruction and knowledge that we need.

Quoting from the Financial Secretary's message, "Since the commencement of the five year development programme last year, the British Government has approved, last April, 1970, to date four major projects at a cost of 1.5 million dollars." We must realize that if the services required by us are to be met, we too must play our fair share and accept our full responsibilities.

In Education Mr. President, quote "\$370,900" and this as in every other civilized country, must have top priority if we are to be able to achieve, to be able to fulfil our rightful place in this country and in the neighbouring countries round-about us. We cannot let anyone hold this country back. We must make available to every child in this country, the availability of a good education. We move to the second phase of our Comprehensive Form of education, I think even though there have been growing pains, we have made tremendous progress. There is one thing I would like in my address to touch on; the line of education. I speak in particular for my own district, about the discrimination and I believe something must be done to cure this ill, for there are children in this district that walk at least two miles to catch a bus. Government should make sure that every child has an equal opportunity in this country.

Mr. John Jefferson Contd.

Mr. President, Medical and Health and I quote from the Financial Secretary's figures \$323,795 an increase over the '71 Budget of \$74,110. Mr. President, we are trusting that our present Acting D.M.S. will accept this position as a permanent position. We have much confidence in this officer, we believe he has the ability, the skill with courage and hard work, we believe he will be able to achieve the goal in which we are prepared to set. But make no mistake about it, Mr. President, the burden we have borne the burden we are bearing has become a very burdensome one. We believe that the people of these islands have suffered tremendously down through these years, we feel that time has come and the time is now that we must act to provide for our people the kind of Medical Services that the people of these islands deserve and we, I feel, are quite willing to pay whatever responsibilities and pay whatever the sacrifice might be called upon to do. I feel that the time has come for us to act, the time for us to come to act is now.

\$271,014 on Police, Prisons and Immigration. We see today, Mr. President, signs of progress. We see squad cars, cars with Radar installed, communications the Police have available to them today. We find that with them they are provided top equipment. A company of police, with proper discipline, are quite able and should be quite able to cope with the many problems that might confront us here in these islands. We have patience, we have been patient, there are many things about it that we are not quite happy about. We find that as never before training courses are made available to the police, we have tried to up grade their positions, we are trying to provide everything possible, to be able to give them the tools to do the jobs they say need to be done. What we need is more dedication, what we need is ability, we need our people to be willing to sacrifice and through proper discipline create an image which our people will look up to and respect. I must commend the traffic Section, I think they have done a tremendous job, solving the many accidents, being able to deal with many various problems, I think they have done a tremendous job, they have come a long way.

The narcotic squad, Mr. President, under the able Superintendent has waged quite a war on drugs on these islands. This officer has shown the ability, the desire, the dedication that we feel it takes to make any unit work, but we realize that it calls for full participation, not only by his own squad but by the public being able to pass on information, being able to help him do the job that we feel that needs to be done in these islands.

We see in New Services, \$5,000 being spent for the dog section, to enable them to be able to track down by smell, scent those carrying drugs to and fro. We must and we are determined that we shall lick the evil within the walls of this country. We see at long last there is \$7,776 for Police Wardens. We feel that it is high time that the prisoners placed in the prisons of these islands are made to work, are made to be able to keep up and solve some of the various problems that confront us. The up-keep of property and what-not that we have. This can do greatly to relieve some of the stress and strain that is upon us today.

Public Works, Mr. President, \$357,371, an increase of \$57,953. Public Works has become a mechanised unit. We have poured and are pouring a tremendous amount of money into this Department. We have appreciated the job, its not an easy one. But for the tremendous amount of expenditure that we are making, I believe it is time that we reassess the whole programme, there are too many dead ends, there are too many things that bog down too easily. We have been waiting and we are still waiting. There are signs of improvement, Mr. President. We wonder how much longer are we prepared to wait?

Customs Department, \$65,150, an increase of \$25,980 over last year's expenditure. This Department that is responsible for about 65% of the Revenue brought into this country, has made improvements, but much is yet to be done. We must do more to lure men to be career men in this department. More training must be available, better inducements to draw out the kind of people that we need in this vast department of ours. For the amount of uncollected Revenue, for the amount of goods that are lost, destroyed, these in themselves would amply pay to make this position a career position for many Key men in this island. This Department has done a tremendous job, and a tremendous job is being done, but we realize there is still much to be done. There must be a tightening, with the vast amount of drugs that are flowing to and fro to the doors of this country, to make sure we are able to check every door, every leak, every crack to enable this drug to be able to come onto the shores of these islands.

The Mosquito Research, Mr. President, must be congratulated. They have done a tremendous job in this country and I believe that no money spent in this country we get better returns than we get from money that has been spent on research in the Mosquito Department in these islands. They have done and are doing again I say, a tremendous job.

I am merely refreshing my mind from notes. Cayman Airways expenditure. We feel this will boost the prestige of these islands. Loosa has done a tremendous job my hat is off to them. We feel this airline has served this country well. We do hope with the Cayman Airways coming fully into force, this will add to the image of the Cayman Islands. One foot note I would like to add, I hope in the not too distant future we will be able to see stewardesses from the Cayman Islands on these airlines, for only the people of the Cayman Islands can convey to people abroad the warmth and hospitality for which these islands are noted.

I would like to put across one very strong point Mr. President, for Government and for private sectors concerned. I believe that in particular, since government has made available more in the past three years, training of personnell and no doubt has probably gone on in all previous administrations put together. I believe that private sectors of this country it is high time that they make available to the people of these islands training to enable them to get the kind of training they need to fill the kind of position to which Caymanians are called upon to serve and to fill in these islands of ours. I believe that private sectors can make no greater contribution to the welfare and stability of the Cayman Islands than to make sure that they use every means available to them to see that every man in the Cayman Islands that are not trained are able to get the kind of training they need to be able to do the job which they are required of. For Caymanians are able and they are equipped to fulfill their rightful place in this society. I can assure every outside investor that the people of these islands will live happily, will be willing and ready to offer full participation, to find that nothing will undermine our society more than for the people of these islands to feel that they are being squeezed, being able to be overcome no doubt by other people.

I call upon the Law Society, various other sectors of this country, Bankers, Construction workers to see that they make available to the people of these islands the kind of training that they need. Bringing my speech to a close Mr. President, I feel that it is high time that Government make every effort to take into consideration the conditions in the other Cayman Islands I do not refer to the Lesser Islands. I feel that we must realize the results to which those people have been exposed to in the last year. We must be willing to make everything available to them in order to be able to curb this and to help to add to these people, prosperity also.

I call upon Caymanians from every walk of life, not to forget the real source of strength not to forget the things that have made us what we are, let us put away from among us everything that would undermine our society, let there be no hate, no prejudices, let there be no room in our society for ill-will, and for the people that are here within the shores of this island, that they too may be able to fully participate, that we may be one happy family and that the Cayman Islands might be the show case to the western world, where people can live together and dwell in peace and tranquility. I thank you very much Mr. President.

MR. PRESIDENT: Thank you, Honourable Member from West Bay.

HOUSE SUSPENDED

HOUSE RESUMED

MISS ANNIE BODDEN: Mr. President and Members of this House. First of all I would like to associate myself with the welcome that has been given to you Sir, as our Governor. Our first Governor, according to History, was a Bodden, a true scholar and I hope, Sir, that you will have the determination and endure as long as that Bodden did; 47 years.

In referring to this Budget Speech I would like to say that I congratulate the Financial Secretary on the pains and effort that have been put in to make this speech what it is. I must disagree with him, however, on certain subjects.

I shall first deal with Tourism. I agree that Tourism is a valuable asset to our economy, but we should not put all our eggs in one basket. Before Tourism was ever introduced into the Cayman Islands, I think it was the year 1926, we had one visitor by the name of George Allan England who wrote an article 'The island that time Forgot'. Well ever since that we have been progressing, and I feel that Tourism, while it really adds a lot to our economy, we must not go all out and think that Tourism is everything. Before Tourism was ever actually introduced we had seamen who braved the Seven Seas and they were the beginning of our prosperity today. I shall have to call his name, now deceased, the Honourable Albert Pantan, who a lot of people criticised, but who was a very far-seeing man, he had it first of all for our Government, and he was very instrumental in getting this island to produce seamen, when I say produce I don't mean to raise them, to have them go and face the wild seas and their earnings brought back what started our present economy. While I repeat, Tourism is a good thing but it is not the only thing that we have to study. We have to study local conditions and our own people and try to go forward as fast as possible. We have this Tourist Board and I must say there are very able men on it and may be women too, I don't actually know. We have as a Chairman, a man who I think put his all into the job and so far has made a good success of it.

Now referring to the Financial Secretary's report, when he talked about inflation. And it says it is probable that a form of legislation, aiming at price control could have some result. I entirely disagree with that. During the war days we had a Control Board and a lot of work was entailed. I don't know that it helped so much, but in these modern days we know that labour chiefly is the cause of this inflation, while those in business, they are not there for their good looks or for the fun of helping people they must too make a living out of it and there is not one human being in these three islands, I should say, who is willing to work and earn money that can't earn enough money to get anything they want to live by, I mean that is the essentials. Of course more or less everybody now is aiming to get a house better than the others under those circumstances, it's a little bit of trouble, but ordinarily with the prices that the labourers get, the prices in the stores can easily be taken care of with what they earn in an honest way and I could never agree to any Control Board.

The Financial Report says legislation could be looked on more as to be used only in extreme cases where abuse is evident. I would say that the businessmen of these islands, and I refer specially to Grand Cayman competition takes care of the prices, and if one finds that a store sells \$1 higher than the other on particular items, those who have the time to go from store, and competition I am sure takes care of it, that they can buy where the price is the least. However I feel that if we were to pass legislation to have any Control Board that the money that it would cost to operate such a Board would be much more than any saving possible.

Now, the Financial position of the Government. Revenue that was estimated at \$3.345 million will exceed this figure slightly by \$125,000. The growth of 3.7 was not anticipated, because the estimated revenue included new measures to produce \$330,000 the first year and these were not fully implemented until after mid-year. Apart from this the measures increased, Companies Registration Annual Fees came into effect in January, 1971. This I must say, I have been advised by the Registrar that in recent months during this year over Five Hundred (500) Companies have been registered, so I feel that with this, the Government has ably collected what was anticipated.

Now this shortage of stamp sales is meanly due to property transfer business not reaching to expectation. I am a bit surprised at this because we in this recent times have increased the stamp duty to 7½% and I was very hopeful that this would equalise any shortage in Land Sale.

Expenditure is devised at \$4.26 million an excess of \$385,000 of the original Estimates. Now I realize that we get out of life just what we put in, we never get anything for nothing. And I must say that Government has gone overboard to provide buildings which are now under construction and which I for one am very happy about. I was dismayed at the last Budget Session, when I heard that Government had gone and leased offices to staff the Treasury Department, in a new building which they claimed was something wonderful. It is a wonderful building if it was owned by Government, but for Government to be so short-sighted over the period of all these years as not to try to get its own offices, is something that I am really ashamed of.

Now I have been in the Legislative Assembly for nine years, I hope to be there for another three at least, but I would say that one of the things that I am very proud and happy about is the fact, that at last Government's eyes have been open to see that we need buildings. The new Parliament Building is an essential and I am hoping and praying that we shall be able to enter its walls, all of us seated here, because I hear new blood agree new blood is good if new blood is out to do its best, but very unfortunately most of the new blood in these days, while they may be better educated than we are, they lack one thing; enthusiasm, and without enthusiasm, with all their education, they will never accomplish anything.

Now as a matter of the Civil Servants, I feel that we have a firm Civil Service, but what I am a bit dismayed about is this, that Civil Servants in some instances, who have given their best to Government, their youth, their everything where they have served said periods of 25, 30 years, attended to their job to the best of their ability, all of course without any College Degree only one thing we call Common Sense, stability, loyalty to their cause. In some instances now they find themselves at sea not knowing where to go. Now I studied this as a Legislator while I know, that we as Legislators are not supposed to mix in anything that pertain to the Civil Service, part of Government, I am quite cognizant of the fact that I have no dealing, and I am not speaking about it as a Politician to try to put the idea across that I want people to vote for me, nothing like that. I feel that every man and woman who has given their best to Government, even if they get a little old, that they should be considered and not tossed to and fro like a rubber ball not knowing where they stand.

Our development, I am sure we are all in debted for this great achievement to Her Majesty's Government. They have gone overboard I would say, to provide funds that we may have schools and buildings, Police Headquarters and I think that we as a people are very, very proud to be called Britishers. Some people look on the word 'Crown Colony' as if it was something that meant an outcast, I feel that we can justly be proud to be a Crown Colony and with the help that we get from the British Government and plus what we do ourselves, we are able to go a long way. Of course, I would never, never agree to have it said that we are grant-aided. I believe in living according to your means I would be very disceptive if that was to ever happen. Unfortunately, I see here that we have a deficit \$291,000 and I hope and pray by God's help that we shall be able to come to the end of 1972 if we haven't got more than \$5 to our credit. The first estimates I remember seeing was in the year 1924, and that was something like £5,005 and the expenditure was £5,000. They had one five pounds (£5) to their credit, but nevertheless they went on and today we are talking not in thousands but in millions. We have succeeded wonderfully over a period of 45 years and we still have a long way to go, providing we keep to the guns, we steer the ship right and be stable. Let us forget about personal interest, let us go forward, I would only be the flunky on this ship being a woman I suppose but with an able Captain, good officers and even if I have a flunky's place I feel that we can do and accomplish great things, providing we stick together and forget self.

I would like to add Sir, that from many, many years ago I have been an observer in what was then the Vestry of the Cayman Islands, composed of 50 people, 25 Legislators, 25 Justices of the Peace and I can say honestly today that in all the times that I have listened to Assembly meetings, that we have here before us today 11 men and one woman who studied the Cayman Islands and not self-interest.

Now I am very happy that we have progressed so far to speak of Education. What I do not like is this that with all our beautiful schools, Headmasters, Teachers there are some unfortunate children who have not yet been able to enter

Miss Annie H. Bodden Contd

in any school. They have roamed the streets, some without clothes, some without shoes, some very poor and unhappy and I feel that not only Government, but the people as a whole should go all out and see that these unfortunates are given some form of education, if it's not even any higher than to learn to read and write.

Now the subject of Roads. As a George Towner I am very much ashamed of the roads that we have. I feel, Sir, that it would take at least 1 million dollars to put the roads in the island in good shape. What I have always advocated is this, do so much road at a time, if it is one mile, two miles three miles or whatever it is, until the money is exhausted but do that bit properly. This morning on my way to West Bay, I saw a truck and it was about six men doing a repair job. One was waving a red flag, one with a broom, three sitting in the truck and one just gazing around. Now we vote money but unfortunately, there is lack of proper supervision. You can not put school boys to do repair work and expect to get the best. In our Public Works Department, I think we have some Civil Engineers there, we older people and I feel that when a job is being done that it should be overseen by some reliable older man who knows what it is to do their job and not leave it to school boys to play with. I would hope Sir, this \$78,000 for construction of West Bay North West Point Road I agree that this a very important thing, but we in George Town, we need an extension from West Bay through George Town on to Bodden Town. In the Eastern District, I must congratulate the Honourable two men from the Eastern District, who have fought and fought and fought and quarrelled and did everything possible to get the road put in shape. We in George Town seem to have fallen asleep. Now we must have roads from West Bay on to George Town through to Bodden Town. It is no use inviting Tourist to come to see all over our island and when they land here they will have to be bumped to pieces before they get to the East to see what it is all about. We need proper roads, island wide. I understand that Cayman Brac has a wonderful road. I have told Cayman Brac people who have spoken to me would to God whoever built your road be sent to George Town in particular, to do the job.

Now the Police Headquarters. I am very happy to see that a building is being directed. On inquiring I was informed that that is only the garage. I said, you reminded me of an old man that I heard about when I was a child, he wanted to build a ship and the first thing he built was the step. To my way of thinking they should have built the Police Headquarters and the Garage afterwards. On the other hand I see beautiful vehicles, Red stripe I will call them, Police Jeep, this and that and the other so I dare say they should have a place to be stowed in because very unfortunately, Sir, it is not what we have that matters, it is what we take care of. And I would respectfully say that when these brand new machines are supplied to the Police, somebody's money bought it; whether it was from the British aid or our local money, somebody had to pay for it and I feel that proper instructions should be given that those vehicles should be taken care of, they should be regularly cleaned and taken care of. It's not any use of just on your arrival, Sir, you see everything being polished up and when that is over the old wagons go about the streets, like they were one hundred years old. I feel that they should be taken care of at all times.

Now perhaps this may be the right time to speak on the Police Department. As I understand we have Eighty Policemen. Well, my contention is that Forty policemen, the right quality policemen, with double the salary now being paid we would have a more and better Police Department. I feel that we have in that Police Department, some very able men and some who are trying their best. Very unfortunately we have new recruits there who I think this is the first time they have ever seen a uniform. I go to court almost every week and some times they are so, I don't know what it is, lack of knowledge or just don't know what to do, they just sit down. I feel that with our island we should have proper Police. I have advocated for six footers. Six footers, I mean men six feet tall, men who you can look up to, who little children would be afraid of. Personally these little small men (laughter by members) no one stands in fear of them. We want taller men, men who have quality, when I say six footers I don't mean just their size make them good men, I mean all around good men, good moral men. Men you do not see parading the streets, arm-locked with some loose woman, we don't want that kind of man in our Police Force. We want moral men older men if necessary, but we want people to uphold the dignity of our island. And I am afraid in some instances we haven't got all that type of men, we have some good men there, men who do their best, but on the other hand we have some poor people in that Police Department. Now I am not blaming the men themselves, I blame that the selection is not made from the best quality. Of course, a bush chopper in most instances gets his ten dollars a day, Police might tell me on the average they get eight. Now we cannot expect to get the best men for so little of pay. And I feel that if we were to find ourselves in the position where we could pay salaries equal at least to what a bush-chopper gets we would have better men in our service.

Now I will come back to the matter of, I would say, a request that we made at the last Budget Session, it was a suggestion. We as legislators felt that there were four departments that the holders of those post, we did not refer exactly to the holders, but to the posts that their salaries should be stepped up some. I refer to the Collector of Customs, Postmaster, The Deputy Director Public Works and the Director of Education. We as Legislators felt that they were not amply paid for the services they were doing and more particularly, in fact, that people who were under the Director of Education, she as the case was then in charge and somebody under her, one of her unders, getting more salary. We did not feel that was right. We had several suggestions made, very unfortunately, I don't think they were ever implemented, until, I believe, in this present estimate some consideration has been given. We must at all time try to keep our Civil Servants happy I agree, and we have tried to go over board to do so. I remember at the last Budget Session one member saying now don't let us hear next year that you want a repeat we are doing our best now to help out'. They say it was a cost of living, well we concluded it was a revision of salary. We went along but we have this suggestion that four post would be considered. I hope that when we come to the estimates we shall be able to help these people out who although they are not diploma or college people they are doing their job. Your predecessor told us Sir, that the Collector of Customs is a very inferior job. Although 65% of the revenue of the Cayman Islands came from that source, most anybody could do the job. Well we disagreed with that, we know that whoever that Head of Department is they have a lot of responsibility and hardly anybody works for love these days, Sir. They have to get a living and if you put your all into a job, naturally you expect to be paid. So I would humbly ask you, Sir, during your sojourn among us, that as far as possible, we work together so that when ever there is any dissatisfaction, that whoever the holder of any post maybe, they are not lifted from their jobs but a compromise of some kind be made.

Now I see here that the Financial Secretary's office needs an Assistant. I agree that in this department there is a lot of work to be done and if it is necessary, I feel that the necessary staff should be supplied. Now I am not advocating that Caymanians hold all the jobs, let us face up to facts, Caymanians are Seamen in their blood. We have taken public funds and educated Caymanians to be Teachers, they have wound up by going with National Bulk Carriers, so it's not altogether Government's fault, but if a Caymanian is not true to himself and not true to his country and money is all he thinks about, naturally he will not need a job, we have to get replacements from somewhere. I do not agree with the policy that some people express, that our country would be taken away from us. If we as Caymanians rise up and do our job we should not let the country be taken away from us as some fear. We must educate people, but in turn they must be prepared to come back to work among us. We have had other examples, people who have been educated, they have served their one, two, three, or four years, what ever their contract calls for, they have found that there are greener fields away from the service and they have gone there. I feel that as loyal Caymanians when we take Tax payers money and educate them in turn they should not only serve that one year or two years, but they should devote at least a period of six or seven or eight maybe ten years to the service, providing of course, that the compensation they get is equal to what they might get on the outside.

Now with regards to the Court Building. I am very happy to see that has been carried out. Although I know it is a strain nevertheless that old building has been there I think from the year 1903 or 1905 according to the pictures. Going up stairs now the steps are shaking and I feel that the dignity that a Court deserves that we should have a proper building. And I am very happy that this is being done. Of course anything that is any good cost money, and if we want the best of anything we have to put effort into it. I am not advocating Taxation by any means, but if necessary that we are to get things that we can see where that extra money goes, that it is for the betterment of the island, I think when the time comes we shall have to consider it, but I as a legislator am not prepared to increase Taxation and that is air marked for specifically

Miss Annie H. Bodden Contd.

say, roads and when it comes the roads are not made or improved you hear the money has been spent on some other project which was not the intention at all, that is our grievance Sir. We are not against finding money to supply our needs, what we are against is this when we allocate certain amount of money to be spent on a certain project it is fluncky way on some foolishness that is not for the betterment of the island.

Now my pet subject this Harbour. From the time I was a teenager, and that has been a long time ago, I saw a Mr. Clark a Surveyor with a Policeman holding an umbrella over his head surveying what we call the McTaggart's Dock, now the Government Dock. And from then it was supposed to improve that dock. I don't know it was to be done except it was to be extended one hundred feet out, and in an effort to take care of the situation from then, but I still hold that, I don't know how it could be done because I am not a Civil Engineer, but I feel that the present dock could be improved to the extent where we would at least have partially what we designed in the way of bunkering of ships. I most emphatically disagree that the South Coast is any place for a harbour. First and foremost there is a reef which would have to be destroyed and then we might as well face it, we have to get land to build a new George Town and on that South Coast I do not see any space for it. Furthermore if you were to put the Harbour there and the Dock facilities, it would mean increase in prices, because to bring the stuff from there to George Town and on to West Bay and on to the Eastern Districts, naturally it would cost more money than it does at present. So I thoroughly disagree with this project of the South Coast being used for any harbour. The North Sound, I am not an expert, I understand from people who know better than I do that this could be used, I do not know. I have heard the last suggestion that they have looked some where around Conch Point which could be used that they should not destroy the Great North Sound. I do not know, but my suggestion although like I said I am only a flunky on the ship, would be that we improve this present dock in George Town for the time being. And since funds are so low any extra money that we would have to spare, forget about the harbour on the South or North or any coast and let us try to get the roads put in better shape than they are now.

About this currency, well we will have to see how that works out. I know the Tourists who come here are very dismayed to find that their dollar is below Jamaican dollar in value, but nevertheless I personally think that this Ten Shillings for the dollar is a good way at present I am bit perplexed but I am just wondering what is going to happen if this American Dollar never stabilizes to the place where it was 2.40 to the pound (£) as before. What are we to do in that instance. Nevertheless, let time take care of that.

Mr. President, I repeat that I welcome you here Sir, and I hope that your reign among us will be very successful and that we shall work together for the good of the Cayman Islands as a whole. I feel, Sir, although you say you are new to Parliament that you may learn a little from our, I don't know what you call it, not knowledge exactly, but the common sense that we will try to exhibit during your stay among us. I thank you.

MR. ALFORD SCOTT: Mr. President, Honourable Members much has been said here this morning regarding various matters. First of all, I listened to the speeches regarding a series of welcome for you and the good Lady of this island and there were quite a few speeches regarding grievances against Departments and what not, but I think everything that was said here this morning was said out of the heart of those of us here who represent our island.

Some how or other I thought it would be best for us to leave our welcome to you until you reach our little Islands which are termed as the Lesser Islands. I don't know where that term came from, but nevertheless it is placed on us and we accept it, not because we are the lesser people, but it actually distinguishes us from the other larger island. It is something peculiar about that little island. I would say this is not a matter of our permanent position as Caymanians but I think if it was possible for us to change as we have got that position, Grand Cayman would have to look up to that little island. You see it is much higher than Grand Cayman. Nevertheless, we realize we are all Caymanians whether we are in Grand Cayman, Little Cayman or Cayman Brac.

So, Sir, in my saying these few words we look forward, my colleague and myself, in welcoming you to those other islands and we will not get tired of these welcomes that's why we said we should extend a welcome to you here and we will repeat it when you get there which we hope will not be too far away from this date.

MR. TREVOR FOSTER: Mr. President, Honourable Members of this House I too would like to add my two bits to welcoming you to the Cayman Islands, and as Mr. Scott said, when it is time for you to give your official welcome to the Lesser Islands we will again try our best to give you a warm welcome there.

To our Budget Speech and the Honourable Financial Secretary, there are few points that I would like to add to. The first one which I would take in thought is the matter of Education which is very great on our recurrent expenditure during the Financial year, I have noticed quite a bit of money is being spent on Comprehensive Education. We are aware of the fact that the Lesser Island will derive a benefit from the Comprehensive School which is now in the process of being established in George Town. In his speech it is stated approximately \$24,000 have been spent on the Secondary Modern School in Cayman Brac. However, this does not change the position that many of our children from the Lesser Islands have to be sent to George Town, furthering their education.

At this point Mr. President, I would like to add that education is one of the main problems which has added over the years to our economic depression we are now so enjoying in the Lesser Islands, and I shall take time to illustrate it. When families must be separated and their children sent to another island or country as the case may be to further their education, naturally it splits the home life of a family up. Our people have no other alternative but to come to the larger island and try to start another home in order for their kids to receive partial, if no more, education so that they too can fill their roles in our fast advancing world. This therefore, has added to the deterioration of our population in the Lesser Islands.

Secondly, as far as our Education System, which is supposed to be for the benefit of the Cayman Islands, the Comprehensive School has been built but no thought has been taken about the children that have to attend there from the Lesser Islands, in as much as no Hostel has been prepared that they can stay in. Secondly, it puts families in a position that can't afford Board and Lodging in outside homes that their children cannot attend the Comprehensive School here. There are a few cases in the island right now with this problem. Therefore, Sir, what I am trying to say, is although a lot of money is being spent on Education for the benefit of the Cayman Islands, directly we are not receiving the benefit we should from it. But, secondly our economic position is deriving a lot of help in its deterioration from this education uprise in Grand Cayman.

I ask you, Sir, and the Financial Secretary to take note on this in as much as the sums for furthering education comes from Britain and I feel if any people in the Cayman Islands deserved the hard Tax Payers money from Great Britain is the people from the Lesser Islands. I need not say that over the years these are the two islands that have always been patriotic to the Queen or to the Crown, but we feel it might be hard when it comes to aid that we do not get our share. I would like you to note this, Sir, and in due course through the auspices of your good office if you could look into it.

Secondly on Tourism I must say, as has been said before that I wholeheartedly agree with a Government Survey into this. I feel that it should become a Government Department. I feel that we are spending large sums of money, at the same time I do not disbelieve that for \$1 spent we are not receiving good dividends. This I am certain of, as advertising is one of the greatest measures to increase good business. However, I feel, in simple language, that if this Government is spending this type of money, that we should follow it a little further to its ultimate destination than is done at present. Some of them say and I have been told books have been kept, my dear gentlemen figures don't lie but sometimes liars figure. I just would like to say on Tourism that I think it would be under better hands if it is a Government Department where we can follow our money.

Mr. Trevor Foster Contd.

The Hon. Financial Secretary has stated a few thoughts in relation to inflation. This, Mr. President, is killing the islands. In my limited knowledge, Sir, I could not make any statement as to the answer to it, but from a layman's point of view and a merchant, I must say that it would be looking at the objective, a one sided point of view, if control of prices were bought about when in truth and in fact the higher cost of living is not bought from the local merchants, but bought from the source of his supply abroad. I would ask what are we going to do about that. It would seem as if we would first need to control the prices that are handed on to us. This is impossible. I think it is rather small with the United States where we purchase more than seventy five percent of our products. But listen three islands such as us, I can answer this through Mr. Nixon's I think it does not help us here any. On the contrary they are trying to make up with export what they have lost on local trade and thus I believe every merchant that has been importing can tell by his invoices.

I know it is a very serious situation. We are living so to speak under a fallacy prices seem to raise so does labour. What we can do about it is another man's problem, but I would certainly like to add that aiming at price control is not the answer to it alone.

I would like to touch on Harbours. After much debate in the Legislative Assembly, outside talk to and fro, I would merely like to agree with the Honourable Member from George Town and it seems to me we won't get any harbour, but I did take note on the Budget Speech, that where during surveys on the various fact finding missions re harbours it was stated that it was harbours in Grand Cayman and Cayman Brac. But Mr. President, and honourable members if I am reading correctly from this speech somewhere along the course of travel Cayman Brac mission disembarked at the wrong point. And the point was just before financing for these harbours had been brought about, You will note in this speech, word for word, that under Loan Funds it says the establishment of a water system in Grand Cayman and Docking Facilities in Grand Cayman and Cayman Brac.

Page 10 states the messages on the Loan Fund financing, is a Harbour in Grand Cayman. I would just like to project to you that although we like to think of ourselves as one I would ask that it be carried on in that method and that we will not be dumped in mid stream.

As far as the Harbours are concerned and the people of the Lesser Islands I feel that we would accept the position as a Prodigal Son. Give us the money for our harbour and forget the Engineers, the Surveys, leave us alone and let us build what we want. I am certain, Sir, that we will get facilities that our island could afford, a lot quicker.

However, I would just like to bring this little technicality to our Financial Secretary. Another point which is British Aid, he states here that \$880,000 was approved over the year, he states the various projects that the money was spent on and what was spent from it. However, one project which is Comprehensive Schooling, the amount was not stated, so we can only assume the difference in between what was stated and the \$880,000 was what was spent on Comprehensive Education. However, that is immaterial, and to my thought what really puzzled me was that out of \$880,000 as stated by in this speech, I can only see where Cayman Brac has received and Little Cayman \$24,000 for Comprehensive Education or the extension of the Secondary Modern School. I know our population has been deteriorating but surely it could not deteriorate to that low tide, and one would stop to think even if I would be there then. I would ask through the President's good office that the sharing of British Aid be looked into more thoroughly. As I understand it now there is always a priority which I have agreed on. But I feel that if aid is given to the three islands, that certain portions of this aid should be designated for each island. In the case of Grand Cayman, then they would determine their priority, in the case of Little Cayman a priority would be determine for it and in the case of the Brac a priority would be determined for its share also. In other words I am saying in simple language that the dispensing of funds, I do not think is done quite correctly. One will remember that this has brought trouble in other Islands where they have such problems going on.

To end my few words, I would like to say that we have plenty problems in the Lesser Islands. I feel that if a fresh start is to be made in '72, the Heads of Departments which have our division under their portfolio must make more trips to the Lesser Islands to know what is happening there and not to sit in their offices assuming that everything is going perfectly because they haven't heard anything. This has been the problem over the years.

Mr. President, Honourable Members, if we are to be accepted and we are to accept as being part of the Cayman Islands, we must be treated like that. I thank you.

MR. C.A. HUNTER: Mr. President, Honourable Members I shall be very brief because I do not see very much to argue and to discuss on this Budget Speech, but what I am relieved to find is that the Financial Secretary's statement is that 1972 would be rather a relaxing period and that there will not be any proposal for increase Taxation, at least not on this Session. Because I am convinced that the time has come when there needs to be a period of consolidation. I am not as optimistic altogether as the Financial Secretary with respect to the returns from various forms of Taxation. I know, speaking from experience in our office and from the information I have gathered from various other offices, that things have not been altogether right in Grand Cayman in the last six months and I think it will be a sensible decision to have received any Taxes so far, at least for the beginning of a part of '72. Let us hold our horses and see where we are going to go from there.

I don't like the idea of Budgeting for a deficit and I would have thought that all the matters put down in the Budget were important and yet I find on page 8, that the Financial Secretary said, that if, words to that effect, there is indication during the year that revenue would not stop the gap, then certain expenditure of no great importance will be withheld. Well if the expenditure wasn't important why put it in. It is the intention of Government and I am quoting to institute rigid control on expenditure and to put even greater effort into revenue collection.

Mr. President and Honourable Members I would have preferred if that had been flung around the other way, that it is the intention to put even greater effort in to the control of expenditure, because there are certain departments that in my humble submission we are not getting commensurate return from the money we have spent. It would seem to me that in the Public Works Department we progressively increase Personnel and Equipment and progressively get less results. And I am not altogether satisfied that the Cayman Islands are getting commensurate returns for the amount of money expended in the Medical Department. I am not criticising any professional person but I feel that with the amount of money we are spending conditions should not be in the state today where so many of our people have to go overseas for medical aid. It is an awful state of affairs.

The Honourable Lady member from George Town touched on the matter of certain Senior Posts in the Civil Service which are a bone of contention with us when the last estimates were being considered and this report states that through the efforts of the Ex-Governor a solution was arrived at in his opinion to reconstruct the super scale and fit therein all Heads of Departments and other corresponding posts. Except I am very daft it doesn't seem to me that a right procedure has been adopted, because you have brought those that we spoke about up to a certain post but then you have increased others so that there is always a terrific gap and I don't think that that is exactly what we wanted. I think you have defeated the whole purpose because you would want item for item if you keep on doing that and I think that matter would have to receive due consideration when we come to the Estimates.

I will whole-heartedly support any amount put down for Education but there again I want to know that they get commensurate returns and with the number of children that are roaming about and not amply provided for educationally, I am wondering if it really pays to go overboard in certain facilities we have in the Comprehensive School; wall-to-wall carpet, etc. I wonder about that. I, too, feel Mr. President and Honourable Members that the time has come that however satisfied we might feel about the money voted for the Tourist Industry I think when we are spending our Tax Payers' money to the tune that we are now spending that it should actually be a Government Department.

MR. CRADDOCK EBANKS: Mr. President I wonder if this is not a sort of an appropriate time that we might adjourn until 2.00.

HOUSE ADJOURNED.

HOUSE RESUMED.

MR. CRADDOCK EBANKS: Mr. President and members I will try to take on and say a few words in reply to the Financial Secretary's address.

Mr. President it is a pleasure to be here sitting in under your guidance for the first time. While you have had a warm welcome to being here as President of this Assembly I associate myself to that extent as well, but I just would remind you that probably it's only myself and the Deputy Clerk here that you have met from my constituency and we do look forward to meeting the other Five Hundred and odd people in the very near future. And then you will hear and understand better some of their grievances and dissatisfaction and how they feel toward Government.

Listening to the Financial Secretary as he read this Address, as I suppose in all roses or flowers you'll find a variety of insects and bugs and what not probably among them you will find the bee that is looking for the honey. So regardless to what bugs or insects that might be in his address, we do have some good in it as well. We feel quite sure that he has put in quite a length of time arranging for this debate. He was very concerned and interested in the Governmental side of this, he spoke strongly, this as being the views of Government. While we are here Mr. President, I hope you will be able in all our difficulties and misunderstanding to see eye to eye after probably long debate and rubbing and we'll come to happy solutions, whatever might be the medium.

It is one thing, Sir, I think to get the best of the Elected Members, of the people of this island to have a better country, a better people to deal with, that we as Legislators and you as President of the Assembly and Governor of the Cayman Islands try within, Sir, reason to live up to promises and obligations that are made to the people and I feel that we will cover much more territory than diverting or relaxing on what we might have made as promised to our people.

In this Budget he deals primarily with the revenue and expenditure. We've got various sources of income or revenue to come in to run the affairs of this island. I as other members have expressed Sir, we feel that we are not getting our money worth all the way for money that is being spent and I can only say Sir in my opinion that the most of that is caused by lack of supervision. The Heads of Departments that are responsible for money that this Honourable House give approval for expenditure it then falls into the hands of the Heads of Departments to be spent on project or projects whatever they may be, but being spent without total supervision, then we don't get what we should get from money that is being spent and we are facing that daily, Sir. Not from one department but from more or less all departments.

I am not going to take up very much time in going along into these different departments because most of them I think has been touched on and you quite understand the feeling of members along that line. As it has been pointed out, Customs being one of the biggest money earners to the Treasury and yet the Head of that Department is looked on as just a common ordinary job, just anybody could apparently fill it. I couldn't agree with that Sir, nevertheless if it be it is still a job being efficiently done and when work is being efficiently done, done to the satisfaction of the people and the Government, then the individual as Head of Department ought to be paid for his labour. It was or it is in the Financial Secretary's Address that he hoped with the raise that these Heads of Department would be getting from our drawn out debate on the last Budget Session would let them feel somewhat happy but they further should be prepared to show themselves or prove to do a better job. I think they worked for that long ago, and I don't know that they have to do anything to prove their ability, you may say well you don't have a certificate that they can show, but if they got the ability and they have proved it otherwise you think they are entitled.

You might have heard or understood from the birds on the outside Caymanians losing their rightful place in our community, in our development. I do say, Sir, that that should be keenly looked into. I feel that in some cases in some places there has been some discrepancies with people coming in among our Caymanians, we admit we have to have certain people come in to do certain jobs. A young woman approached me a few days ago, she wrote in a Company had put out a postal asking for secretary. When she applied and was called in, she was told she wasn't needed because somebody had already filled the place some weeks aback. What it boils down to is that apparently most of these companies doing business in these islands is using quite a number of secretaries, they seem to choose whom they want first and then send out notice asking for applicants. When the applicants apply then the post is already filled. Now that is not very good, Sir and I do hope if and when such things should come to your desk you will deal with them as best you see.

Mention was made of Education. I suppose it is more being spent on education than we probably have thought that we would ever spend on the lives of Caymanians. But it still seems that it is not all being spent to the best advantage. We are still short of buildings for school to house more children and as has been said, certain rooms of Comprehensive School are carpeted from wall to wall. Why should we spend \$1000 carpeting a room when \$1000 can go further toward expanding another building to house more children.

When the rigging of such departments are left into the hands of an individual it does not sail very good. The principal of the High School has broken up the relationship between Teachers and Parents. I think that is our stumbling block in our way of Education. So they are the things that we need to look into to see that we get our money worth, to get the best to have a better country with a better people. To have a better people we must have a better country.

Medical with itinterruption

I am not here to question the authorities or the qualifications of any Medical Officer or anybody in the Hospital because I have no medical qualifications of my own, but it is grieving when one goes to the hospital and can't be seen for hours and proves itself it is something lacking some place when so many of our people still have to continue to go overseas for medical aid with three or four doctors into the hospital all the time, so we need to get into these things and find some ways of proving it, having it better because it doesn't cost an individual a few cents to go overseas for medical aid.

We have understood Sir, that the Public Works Department are responsible for the building and maintaining of roads in this island and with all the equipment and money being spent we seem to be slipping somehow and not getting our money worth. It still comes back Sir to a lack of supervision, because it appears that if proper supervision was carried out somebody responsible on the job there should be better returns. I am sure, Sir, it was further pointed out that even with the amount of money we are going to spend it is not all money that we bring in through our revenue from the various channels, some of it will be by loan, some by grant and when we have to borrow money or get grants to carry out certain projects we really should see what we get, the worth of this money. We feel, Sir, that in our present capacity as elected members the most we can do is just what we come here and approve the expenditure of this money and have the privilege of saying very little more about it and you ask the Head of Department why you haven't done so and so, well he gives a reason and that is as far as we can go. Well that is the reason or one of the many reasons why we are asking for a change in the Constitution, so that members can have more say in the affairs of this island, to see that things are better run, money is better spent, spent in some time and place that we can see the returns, rather than being left to individuals just to do it at their leisure or not at all.

I trust, Sir, that when we do go into the Committee of Finance to deal with the Estimates, that you will not have to be brought in as our predecessor, to try to iron out grievances. We trust that we will be able to come to happy solution and if you should be asked to come in we trust that whatever be your commitment, Sir, in your findings that you will live up to them in reasonable times and ways as you see best.

Mr. Craddock Ebanks Contd.

I will not say anymore at this time sir, I suppose there are other members who would like to say something, but I again repeat, Sir, that it is my intention to work with you, Sir, as President of this Assembly for the betterment of the Cayman Islands in every way and every aspect and try to see eye to eye and work out things to a happy and peaceful medium. Thank you, Sir.

MR. ANTON BODDEN: Mr. President and Members, first I wish to associate myself with the remarks of welcome given you as our new President and also the whole family residing with us for sometime. I would also like to associate myself with much of the remarks made by members and to make a couple of additional points for your consideration.

A little minor point that has been worrying members of this Assembly for sometime still continues, and that is our Budget Session so late down in the year when members would desire to attend every minute of the meeting but they are forced to avoid some meetings due to other business they have to attend to, being this time of the year. This House has been contending that for a long time and we have got no where with it and I am wondering under your able leadership if something will be done in the next Budget Session about it.

Speaking on the policy laid down by the Hon. Member the Financial Secretary. I am grateful to see such an address and such a rosy picture, but I am fearing, Sir, that the whole policy might have to be changed over or examined as soon as you get onto the reins and find yourself about more frequently. Without prejudice to anyone, the Financial Secretary or anybody, I think that our policy, particularly taxation policy, needs a good re-organisation, needs good examination and the public should not fail or it should not appear like Taxation without representation. That is something that has been bothering the public for a long time, procedures that appear to be Taxation without representation.

Speaking about price control, I think, Sir, in my humble opinion it is a very silly statement to make. As some members said price control at this particular time, taking into consideration where it all stems from is a matter of silly legislation. We would like very much for some thing to be done in that direction, but legislation is not the answer at this particular time.

Another thing I would like to have you examine as soon as you can Sir, that is Insurance Companies. I think they need a very good overhauling at this particular time, Sir. We need something like what I have just seen done or read about is being done in the State of Florida, right next door to us. Remember, Mr. President and Members, this Third Party Insurance is something that you must have, if you don't have it you pay for it. You pay for it anyhow, it is a compulsory matter. And it is something, if it had been left to me it wouldn't be in the country. I do admit that we do need some form of insurance to help us out in times of accidents and wrecking of things that look unnecessary and what not. But I think the insurance company needs a good examination. Their policies and things that go on, there's a lot of things going on in Insurance Companies that I am quite sure the administration is not aware of.

Another point, Sir, is it goes somewhat to the address before us I call it the policy address feeling us out, and at many times not in this particular instance we get members of the administration come into us for approval in principle and when we hear from them later on it is something different from what we thought or what approval we thought for. Now those are the little things, Mr. President, that can become a mountain from a mole hill. I realize that Government must have money to operate and not only to get money this year and forget about it next year, it is not that I am thinking about, I am thinking about reasonable taxation, but we have right now so I would sum it up in simple words 'Income Tax' under a different name. I will admit that you will have a heavy load on you, Sir, but if it is anything that I can do to solve these problems in my capacity as a member of the Legislative Assembly, I am willing to give you my whole-hearted co-operation. Thank you very much.

MR. MELVILLE GORING: Mr. President and Honourable Members of this Assembly before going any further, I do not propose to make a very long speech, but at this time I will take the privilege of welcoming His Excellency as our new President of this Assembly. I can assure you, Sir, whatever time I have left in this Assembly you can be assured of my full support for anything that is for the betterment of the Cayman Islands in general.

We have here before us the Financial Secretary's Address which I think is a well fitting and a wonderful document. I do not propose to deal very long with it, but one thing we all must take into due consideration is 'inflation' that is a very touchy subject. We have inflation all over the world and there seems to be no solution to this problem so I can't at this moment see how we can tackle it. I would be very elated if someone of this Assembly can say how this would be done. In my opinion, Sir, I feel that we should deal very, very carefully with such a subject. There are many things that I could deal with in the Financial Secretary's Speech but everyone here can read and very well understand it and I will close by saying that the Government has very high aspirations here, I feel sure with the co-operation of this Assembly that these aspirations at the end of 1972 and I trust that they all will become a reality. I thank you very much.

MR. A.B. BUSH: Mr. President, Members of the Assembly, I note with some alarm that the Budget is being presented with a deficit, and I must say that this is the first time during my years in this Legislature that such a thing has taken place. I know that it has been prophesied for, by myself and other members of this Assembly, because of the reckless spending of Government throughout the years and we realised that if it continued that sooner or later this was bound to come. We very much fear grant-in-aid but if this budget isn't on the road to it then I want anyone to tell me what else it is. It would appear that the reason for this is because of the tremendous burden that has been brought on Government by the building of the new Parliament Building and the new Court Building. These I believe and I agree are buildings which we need but it seems to me like the plan of the timing of it is somewhat out of place. No one could expect that two tremendous projects such as these could be undertaken by any little island like ours, with our limited resources, without being a tremendous strain and stress on the finances of it. It looks to me like it is more a convenience for those building it than for the Government financing it, and I say that the planning as to the timing of these two buildings should have been better. Although as I said, Sir, I realise that they are very much needed.

I see also that there is a thought of a new office block which I see again is very much needed, but how can all of these things be achieved in just one year. They should have been separated, although the office block, this was thought about many years ago. We realised we needed new administrative offices and at one time, during my time in the last nine years, plans were even drawn up for this office block but changes of Administrators, Commissioners threw that all aside and now today we are faced with three tremendous projects all in one, this is bad timing in my opinion. And one can never expect, and I must emphasize this, that it will not bring a tremendous strain on the Finances of this little island.

Let me go to the first subject that of Tourism. I see where there is an increase in the estimates of \$15,000 dollars for Tourism. I would much prefer, and I am going to be very reluctant to approve of this amount, to see that \$13,000 be spent in the island making it more attractive for the people who come here as tourists rather for them to come here and make us a laughing stock because of the things they see. They don't have to go any further than our capital city of George Town. I hate to say this, Mr. President and Members, but I am ashamed of our City as well as many other parts of our island, because of the condition of our roads, roads all along the streets is nothing but bush and unsightly things to be seen and I would much prefer to see money spent in this direction of making it beautiful so that when we advertise and people come here that they will be satisfied that they have seen what was advertised. Tourism is said to be, in the Financial Secretary's Address, the greatest contributor to our economy. This I believe is a matter of opinion. I don't altogether agree with it. I believe the greatest contributor to our economy and the most able contributor to our economy is the twelve thousand odd seamen we have abroad. This has been the backbone of this island long before Tourism was thought about, and I believe today it is still the best one. Don't misunderstand me, Mr. President and Members that I am in any way against Tourism. I am only saying that I want to see the island made more attractive, money spent in this direction to my mind will

Mr. A.B. Bush Contd.

advertise the island much better than having the island and inviting tourist in because when the tourist come here and he sees something that is nice and beautiful he will go away and he will tell his friends and his neighbours and this to my mind is even a better type of advertising.

I don't want to relate any stories, that I have heard by Tourist coming here but someone told me that a Tourist came to their counter just some weeks ago and brought a Postcard and if I had seen what he wrote on that Postcard about the Potholes in our roads, how uncomfortable it was to ride over these holes, boy you would regret it if you ever came here. They have carried away a bad impression of our island. This is the reason why I say so that I would much prefer to see us fix up our island and make it beautiful and attractive, so that those who come here will be far more comfortable and have a better impression when they leave.

Roads. Miss Badden, my colleague, this morning said that her pet subject was the Harbour, and I believe everyone knows that my pet subject is the roads. I believe that this is the first step in development of any country; good roads. I am sure we all agree that we haven't got them. Our first tarmac road was built some twelve years ago. We thought it would be a wonderful road and indeed it really proved to be a wonderful road up until five years ago. I must say this they took no care of it, it was abused and they gave it no maintenance until it was far too late. Today what we are doing, what we have done for the past five years is just to keep patching, patching pot holes and where ever you patch today, next week there is another that comes right along side of it. It is like an old garment with new cloth, the new cloth tears out the old one. The only solution is to resurface the road. This has been thought about many years ago, and to tell the truth Sir in the last Budget Speech by the Financial Secretary, I think it was down in his speech that this road would be re-surfaced, the road from West Bay through George Town into Badden Town, and you see what is happening on the road now, there is a crew trying to stop the pot holes. I believe that the public, the driving public of Grand Cayman, (don't get offended if I leave out the Lesser Islands, you got a good road I understand, I haven't been there) expect something better and I know that there are thoughts among the people that they don't even want to pay taxes on their car this year. I wouldn't encourage them, but I am only saying that we should try and provide better roads.

There are people living in hide-aways, some that can't get to their homes at all. If it rains they more or less have to put on boots to get in there, these are the kind of services that Government is duty bound to provide. And I am hoping that some how, probably through a miracle that it will be provided.

As Chairman of the Road Board, I can tell you, Sir, that I have done everything possible. Members along with me have done all they can but the whole matter is placed in the hands of Government and in the Department responsible for it and we are not getting what we should be getting from this department. I hope that in the future this will improve.

Mention has been made of taxes. Some form of taxes has to be introduced to raise money in the coming year. It was thought best that this should not, by the Fiscal Committee I believe that recommended it, thought best not to place that burden on this bunch, I would say, of Legislators because of the Election that is to be held next year. I think this is the paraphrase of what the Financial Secretary said, but they have recommended that they do not introduce any new measures of taxation because of the Election that is to be held next year. I want to say this, this is something one has to be very careful about. Whether it is this gang of legislators or another. The people feel like they are paying quite enough for the services are getting and unless these services are improved I don't believe the people are going to want to pay anymore. So this is something that we have to be very careful about and I must say this, I am not afraid to recommend to the people I represent any new measurement of raising money for particular things provided we get them. If I could just go back to when taxes was raised on motor cars for the improvement of our roads, the taxes were raised but the roads were never improved.

The Harbour. I have always said from the very beginning, that has been some years ago, I believe long before I even got into the Legislature, if we improved our harbour in George Town, this would be sufficient for our little island. I know the import has grown tremendously and shipping to the island has increased and I say this, it is a good thing it has and I know we are behind on providing the proper Port facilities. I believe if something had been done long ago to do this we would have been better off, much better off today than we are. The sum at that time, taking into consideration the devaluation of money, now it would have been very insignificant compared to what we are faced with now to provide better facilities even improvement to the George Town Harbour. I knew from the time I heard this idea of a new harbour and where the experts had selected to put this Harbour I knew it was nothing short of wishful thinking.

Mr. President, this will put a little humour into what I have to say, I wondered to myself now what sort of whiskey those experts were drinking. To think of a little island with just over three million dollars revenue to undertake a project, one project costing over 3 million dollars. It is something that I am sure no Economist would try to recommend. And I knew from the very offset that it was something that could never for a long time be achieved. I see where the Bank said that they don't see any justification for it, that our imports or our business will have to improve a great deal before they can approve of it. At last I am happy to know that somebody else beside myself looks at it in that light I claim the proper thing to do is to improve the Port facilities in George Town because if new Harbour facilities are provided elsewhere a Capital or some town will have to be built around it. And I don't think today that our island is ready to shift its capital. I believe that any big harbour should be in the vicinity of the capital of a country. So, I am hoping that as we have seen that we cannot get this elaborate dock that we will turn our attention to improving and consolidating what we have; make this a reality. Not just something to talk about.

Last of all, Sir, mentioned is our Currency. The Financial Secretary knows how I feel about the currency. I never did approve of it but everybody seemed to have wanted it and it's gone on. I would have thought that the hundred and odd thousand dollars that we are expending to get our own currency could again be applied to better use. But probably it is too late to say anything more about it but I just want to say that I am not, and I repeat what I said time and time again, as enthusiastic about it as other members are. We are told that it will be of great prestige to us. I want to know a few little things more. It is going to be put on par with the U.S. Dollar. Something that has come to my mind is the Caymanian Dollar is going to chase the U.S. Dollar around, how are we going to get this settled. I have been told again, this seems to be one of the most reasonable arguments put forward, but being tied to sterling it will be a more stable currency and provide more incentive for investors in our island. I know this is the case but I think what most of us are thinking about is that will we recover this expenditure of printing this money by the sale of it to collectors. May be I am of a different mind, I never save money to that extent, I always like to spend it as well as make it, not to take it and put it down. But of course, I suppose we do have people who will have a few coins hid away for their generation to come.

And so Mr. President and Members, I think that is about all I have to say on this Budget Address. Everybody else has welcomed you and I too, Sir, extend a most warm and sincere welcome to you and your family and hope that your stay here amongst us will be a very pleasant and happy one. I didn't have the privilege of being here when you arrived, I was away but of course, I heard all about what went on and I want to say to you, Sir, that you can count on my whole-hearted support in all matters that I may consider from time to time of being of benefit to the Cayman Islands as well, Sir, as you count on my opposition to any matter which in my opinion is detrimental to our island. I thank you, Sir.

HON. W.W. CONOLLY: Mr. President and Honourable Members, I rise to support the Policies as set out in the Budget Speech by the Hon. Financial Secretary.

As everyone realizes that Policy in this island, while we are not altogether a Cabinet, it is somewhat of an Association and the Policy of Government more or less made up of the Civil Service with the Development Committee, Legislature

Hon. W.W. Conolly Contd.

and Executive Council. I think we all take a part in the formulation of Government Policy in this territory. A lot of the projections in the Financial Secretary's Speech have been Policies that have come forth from a year ago or maybe some of them two years ago. I think I am saying correctly when I say we agreed on a five year Development Plan, and I am sure that a lot of the major issues in this Budget Speech have come directly as a result of the five year Development Plan. One of the most important issues today before us that has received comments from members is the expense involved in building the new Parliament Building and the Courts House. I am sure both of these issues, as I've said before, have come forward, they are not anything new to us, the decision has been reached before to have these buildings built and it is more or less this year a carry over. It is true to say that it is somewhat difficult and I am sure everyone will agree, to be here contemplating a Budget that is running us with a deficit I think it is a consensus of opinion that no one likes to see a Budget presented with a deficit.

Nevertheless, I believe that the project projected in this current Budget that has caused this deficit a project that is very much needed, a project that we can hardly go on any longer without. I stand to defend the decision on the building of a Parliament Building. I think it is time when the Legislature or Parliament in this territory should be housed in a proper building and to me a Parliament Building is the most important Public Building that can be in any community. It depicts the natural pride and integrity of the people. I believe that when the new Parliament Building is complete and those members who have the privilege of sitting in the building, debating, legislating Laws for the good Government of this territory, will do so with a proud feeling, feeling that even though this building might not be a revenue earning building, I am sure that everyone would not be disappointed at all in having great emphasis on this expenditure.

As the member associated with Tourism, I think I should at this time defend the Government's Policy in regards to the expenditure involved on Tourism. As the Financial Secretary rightly said, Tourism today contributes directly or indirectly more to the economy of these islands than any other factor. I heard a member say that we have 12 thousand seamen, I don't know whether that was a mistake or not, but from my records we have less than a thousand seamen, and I am sure that if we had twelve thousand seamen abroad I believe that indeed it would be the greatest contributor. We have less than a thousand, I think it is five or six hundred active seamen away now and everyday there are signs of less and less seamen going away. I am not trying to say that the employment of our men abroad hasn't been the upkeep, hasn't been the great factor in the economy. Time has changed and today Tourism is contributing more than any other particular item in our economy. It is true to say that we should not put all our eggs in one basket, I could agree very much with any member who said that, but I would also like to say that if we only have one basket I think it is time for us to see that we take care of those eggs that we put in that basket and I believe that is the position in the island today. I think it is time for us to see that we develop Tourism and we make the most out of it. I would like to say also in continuing the support on the Policy that it is the intention of Government to have a consultancy on the Tourist Development here. This I am sure has been known and is known by members of the Tourist Board that it has been suggested and as far as I know is well on the way of having a consultancy, under British Technical Aid, to look into the Tourist Development and the overall consolidation of our Tourist Industry, at home and abroad. Tourism today is not a Department of Government, it is operated as a quasi Department with a Tourist Board in this island which is more or less responsible for the carrying on of every day business with an office set up in Miami, Florida from where we attract most of our Tourists and where we do most of our advertising and most of our sales.

It is true that this year's estimates has shown very slight increase over last year's estimates but this is nothing extra, it is just a matter of ordinary increase in rentals and other office running.

We have here in this Budget an over-all development in our Educational System, this I am sure will be dealt with further by some other member, but the one thing that I should say is this, I feel the time has come in this island when we have to figure out on a percentage basis what percentage of our national revenue we are going to spend on the different Heads of expenditure.

I was a bit surprised to hear some members say, that in a developing country roads are more important. I take a different view, I take the view that Education is the most important item in any country, and I would say that we have to take a closer look at spending, we have to take a closer look at how those monies lay apart. Then we find if we look into these estimates, as I have done, that we are spending approximately four times as much on the transportation of a child than we are spending on the books, equipment for the child, surely one realizes that it is time to think. Of course, everyone realizes that under a system of Government like we have here, the strain that is put on the Civil Service, the strain that was put on us as legislators, the rapid development, you can always look and find discrepancies, we can find that things may not be as well as we would wish them. But I think all in all one cannot say that the projections in this year's Budget are anything extravagant or any luxuries.

The difference in structure that we planned in this year's Budget, these developments that are causing concern as far as the deficit is concerned, if these projects were under taken two or three or five years ago, it would probably have cost half as much. If you leave them a year or two longer they're going to cost twice as much and it might be an ambitious fee, but I feel certain, with co-operation and we have never failed. It brings me back to the time when we agreed to spend £90,000 (pounds) on building an Airport, I heard the then Governor of Jamaica said he had never seen a people with so much ambition to venture the sum of £90,000 on one item of development. At that time the Budget was in the region of £40,000 per year, and we ventured £90,000 on one single item of development, an item today, it was a chance we took, but it has proved itself to be the beginning of the development in this country. If we want to have good roads, if we want to have good education for our children, if we want to have good medical services, if we want to have all these things we have to find money from some place to pay for it. Surely our Estimates, our Revenue made up from three sources I would say, we have grants from Her Majesty's Government, we have loans backed by Her Majesty's Government and we have Local Revenue. Surely Her Majesty's Government is going to continue as long as you make the request and as long as the British Policy is to give aid to the Colonies, I am sure we will receive due consideration. I am sure that as long as this country remains stable and we can prove that we need these developments and as long as we are ambitious to get them and we have the backing, when I say that we have developed not money wasted, we can show for our expenditure over the years, there will be no hesitation in Her Majesty's Government from backing Loans for us. I feel sure that as long as we continue to develop our Local Revenue will increase.

I was a bit perturbed about hearing the statement myself of not having Taxation not wanting Taxation. I don't see anybody in the world who wants or likes Taxation. There is no people, there is no Government that is in a happy position when taxation is introduced. But let us say this, we have to be realistic, we have to face the facts. We cannot expect to be getting grants from other people who are heavily taxed, we can't expect to just drag Tourists in here and fleece them to get money to do our services, we surely have to bolster up ourselves and take the responsibility and we have to bear our share. I am not advocating for Taxation, I would not advocate for Taxation and I have the greatest confidence in this Budget. I believe that at the end of 1972, we will be in a position to say that we have broken even and there was no need for Taxation. A lot of the Policies here have been policies that have been directed and this is something that I would stress, the Policies in these islands sometimes have to be directed or steered or at least advice under certain policies have to come from the outside.

The decision for instance, on the development of Harbour Facilities this is something I believe is beyond the reach of the ordinary man on the streets. I believe and I have the greatest confidence that we have people in Grand Cayman have sailed the seven seas and he can master the ship and bring the ship to the dock, but I don't know if we have people here who have been in the position of planning the Harbours of the world. Planning a Harbour and being Captain of a boat is two different things. I believe that certain amount of advice has to be given from outside along with local know-

Hon. W.W. Conolly Contd.

ledge of prevailing winds and currents for us to have this harbour developed. I would not come to a hard and fast decision saying that this cannot be done or the other thing cannot be done, but I personally would not like to see the development of the Harbour in George Town, because not that I disbelieve it can be done. I believe it can be done. It might be done cheaper but on the other hand I am thinking about the land space. I am thinking if you push a jetty out into the sea this still doesn't increase the land area between your now road and the salt water. When you have docking facilities, you have to have other facilities, you have to have storage facilities, you have to have facilities where your mechanized equipment using a dock has to operate. Today George Town has become very congested in normal traffic, lunch time. And it will be ten times as congested if the dock is there. This I do not think has been a hard and fast decision members here who can speak more on it than I can, but I believe that this is something that one has to weigh very carefully in deciding where this dock will go.

It is true that the Economist might say that there is no economic reason of justification for spending this much money. I am sure the Economist would have said that back in 1954 when we ventured £90,000 on an Airport. There was no economic justification then and I believe that was said, yet we have proved, beyond all doubt, that it really started the development here and I believe in order to continue the development in this island we need to have that airport backed up by a good Docking System. I don't think that it is any luxury for us to have, and I believe it has to come.

Much has been said on the way things operate here. As far as I am concerned these are administrative or some of them are administrative jurisdiction nevertheless, it is one's duty to say well they are not satisfied with the result of Expenditure. But I believe, Mr. President and Honourable Members that looking over the years, I think we can stand up and justify Expenditure. I represent the Eastern End of this island and I would say that the Government Policy a decision to extend the road in that area and the extension of electricity in that area will be the beginning of development and I am sure that in a short time one will be satisfied to say that it was money well spent. We can't get everything in a day, everything in a year and what I would like to see and what we have attempted to do, is to have Five Year Plans. Five Year Plans have to be changed, but once they are kept on the rail, once we decide that we want something and keep at it, I believe in the long run that it is going to be beneficial to the whole territory.

It is very unfortunate that we have a typical situation like we have in the other islands. We are always having claims from the islands of Cayman Brac and Little Cayman, that they have not shared in the development. They feel that they have been left out. It is most unfortunate. Nevertheless, if I remember rightly, I think it has been Government's policy in the past and I dare say that even though it wasn't spelt out word for word in this Budget Speech, yet Harbour Development in Cayman Brac or in Grand Cayman and Cayman Brac meant what it said. Cayman Brac has, in the past, derived substantial help from British Aid, there is no doubt about it. What has happened in Cayman Brac, there was no one in particular to blame for that. Cayman Brac, is sixty miles from Cayman. Cayman Brac had a lot of Seamen going to sea, I think there are more Cayman Bracers at sea than from Grand Cayman in proportion to population. But why Cayman has developed more rapidly is as I said before and I am coming back to my strong point, Tourism. This is a clear cut case of how much Tourism has and is contributing to the economy. Cayman Brac has equally fitted but the seaman alone can't do it. Now, in the policy to develop Tourism, Cayman Brac has not been left out. We have had visits from members of the Tourist Board, in fact we have members from Cayman Brac on the Board, in the Advertisement and everything else, Cayman Brac is mentioned. That is as far as we can go from an advertising point of view. We can't tell the Tourist where he must go, we can tell him the island of Cayman Brac is there, this of course is done as is the policy. I would like the members of Cayman Brac to feel that they have not been left out and they have been very much considered in the operations. But and unfortunately 60 miles of salt water separates us. As some member said no Economist could justify putting a \$2 million Harbour in Prospect and I am sure no economist would justify putting a jet airstrip in Cayman Brac. Unfortunately, but we will have a few listed aims we will have to make best of it. I am sure that the Government and you as legislators and everybody here is very conscious of the situation there and they have co-operated in giving to Cayman Brac and Little Cayman, all the assistance, all the consideration that should be given. But in giving Cayman Brac additional consideration one has also to take into account the outlying districts of this island. Until quite recently East End and North Side, in fact at the present time, we are in a much worse position, from the roads point of view, than you are in Cayman Brac. We are in a much worse position as far as other stages of development are concerned such as electricity people know this is a private venture and it is not a government venture nevertheless when you are living outside of the capital there are a certain amount of amenities that are going to have to be resolved one has to realise that.

I feel that the Financial Secretary and the Economist have done a wonderful job in keeping things on the rails. Projections in this policy, this Budget Speech I feel that they were done bearing in mind, as done in some countries for putting them forward for projection nevertheless it was felt that the islands stage of development would have to have projects. I hope and pray that our revenue increases, that when we stand here next year, I may be able to say that we have balanced our budget.

MR. ANTON BODDEN: On a point of correction, Mr. President and members remarks were made about the policy. Everybody, all members take part in the policy making. As a member from Bodden Town, Sir, I am not a member of the Fiscal Committee, I am not a member of the Development Committee and I know nothing about the working of these committees for the last three years.

MR. PRESIDENT: I haven't heard a point of order. Is it a point of order or what?

MR. ANTON BODDEN: Yes, it was a point of order, Sir and correction, something that.....

MR. PRESIDENT: I haven't heard a point of order.

MR. ANTON BODDEN: Alright.

MR. PRESIDENT: Honourable members it seems to me that we have had an extremely good debate. I have listened to it with the greatest possible interest because as you can well imagine it is of great importance to me now as I am here and I ought to know not only what the problems are but what people think the problems are and who thinks what. What I would now like to do, unless any member feels himself deprived and I do not wish to deprive any member of any right of speech, is to ask the Financial Secretary to reply to the debate, but I am inclined subject to checking with the organization that they recommend that we have the tea first. We suspend for 15 minutes for tea afterwards the Financial Secretary will reply.

HOUSE SUSPENDED
15 minutes
HOUSE RESUMED

MR. T.W. FARRINGTON: Mr. President, I have sat and listened to a lot of this debate over the Budget Speech of the Financial Secretary. I say this, but I shan't say too much, rather than criticise the Financial Secretary I am rather in sympathy with him. I think, Sir, he is in a very invidious position indeed, where he is placed between two stones, the public on one side and his duty as a Financial Secretary on the other side. However, that may be. There are one or two things that I am a little bit perturbed about. First of all, I think it is not in the best interest of Government to budget for a deficit. I think this to my mind is bad financing, especially when we are told by the Financial Secretary that our economy is tied very largely to the economy of the United States when it is recognized that even now that the economy of the United States is in a rather precarious position. Whether Tourism, or Seamen or what not, a lot depends on what happens in the United States so far as Cayman is concerned. Therefore, I think that we must be very, very careful. I

Mr. T.W. Farrington Contd.

think we have prided ourselves in the past and I think we have something to be proud of, that we were able to carry on from time to time without being grant-aided by the United Kingdom. This is something that we must try to maintain and if we are not careful we could just get into that position where we will not be able to balance our budget then we shall have to go with hands out and say "Give us something to help us".

Now, Sir, it is very important that we maintain a sound economy, that we maintain a stable government and create an atmosphere where investors from the outside can feel a certain amount of security in coming here to invest in our country. And, as I said, Tourism might be good, but Tourism to my mind, is very insecure inasmuch as, assuming something happens in the United States tomorrow, assuming that a war started, we certainly wouldn't be getting those tourists, we might stand a better chance of getting more employment for our seamen, but we certainly wouldn't be expecting tourists to come in here. So in the overall picture, the seamen are really more important than tourists, in a way. However, we have benefitted a lot by tourism but I am rather inclined, listening to this debate that has been going on, the views expressed by the Member for George Town, when he said (and I entirely agree with him) that instead of spending too much money on advertising for tourists, we should try and see how much money we should spend in our Islands to make them appear good when the tourists do come. To my mind, Sir, if we did that, if we tried to make the country what we advertise it to be, when the tourists come and find that then I don't think we would have too much trouble in inducing tourists to come here, because one will come here and tell the other and it will go on from there, but, on the other hand if we allow our country to run down, if we allow our roads and what not, if we allow people to exploit our tourists and what not, then, Sir, that is where we are going to run into trouble. To my mind, it is very much more important that we try to put our own house into order, try to get this country be what we would love it to be, and when I say country, I mean the Lesser Islands as well, so that the tourists will be able to come here and say "here it is, we can depend on going down to the Cayman Islands, they have everything to offer - they have nice roads, they have an atmosphere there that is wonderful, friendly people and what not". But, as I say, spending money on advertising it, I think we are taking away that much from what we should be doing here to make it attractive.

There is one thing, Sir, I mentioned budgeting for a deficit; over the years I think that was one of our strong points that we have always tried to estimate in a way that we would be able to balance our budget and I think every Caymanian should be proud of this. He who plays the piper calls the tune. We have been able to play the piper so far, and, believe it or not, we have been able to call the tune. The United Kingdom, Her Majesty's Government, has left us alone and because of the fact that we have not just been going along and saying "Gimme, gimme": I believe in the old adage, Sir, "God helps those who help themselves" and I am sure that some of the grants and what-nots we have received for certain projects, and we realise this for a fact that we qualified in as much as we were really trying to help ourselves.

I recall, Sir, in 1961 on our way to Britain, on the plane, there were people from the other Islands who were being heavily grant-aided, they were riding up in the front, in the first-class section, and the Caymanians were down in the tourist class, but we were paying our way, it wasn't the United Kingdom Government at all, so it makes a lot of difference.

Now, Education, Sir, much has been said about that - I will say this, and I will say this that here again, I think we have been doing a good job. It is true that we haven't been able to do all that we would have liked to have done, but I am sure in the past in education we have been trying to do what we were capable of doing with the money we had to spend. It is quite a different matter, when I first came to this Legislature, the total revenue was below a thousand pounds and we have been just gradually building this up until now we are up in the millions of dollars. So if we are able to build schools now so much the better so I think it is a wise plan that we have made from the past and I think, as I have said, we have been left alone very largely because we have been helping ourselves and I hope we will continue to help ourselves and not just expect somebody else to do it all the time. That is my honest opinion.

Roads - this is a very touchy subject, Sir, and I rather agree that we have been wasting a lot of money, this has absolutely been wasting of money. I remember in 1958 when this road started right here to go to East End and I admit that the people were doing a very good job but when they got to Bodden Town, they had to stop because the money ran out. We were not able to get money from a loan or grant or anything else to finish it because we were not able to put up the collateral to obtain the loan, etc. at the time. Someone mentioned this morning some Governor of Jamaica (and I remember that very clearly) thought we had done a wonderful job - something which was almost unbelievable when we spent £90,000 on an airport - but he said that at the same time "you are doing a good job and what I advise you to do is to take one project at a time: if you try to do it all one time then you will get in trouble - try and finish one and then start another". I think we have been following that advice very clearly. Now that brings me to the Legislative Assembly Building and the Courts Building. Now I don't think we have followed that advice in this particular instance - I think that we should have really finished one first and then start the other one, and perhaps we wouldn't have found ourselves in the position we are now. However, that is something of the past we can't undo that anymore.

I feel Sir that we must be careful how we spend money. If money is being wasted in the Public Works perhaps we should try and see if we can't stop those gaps because as one member said this morning with which I entirely agree, you see a truck on the road with four or five men there and perhaps one fellow has a shovel and the others are sitting by doing nothing this is an absolute waste of money, and it is going on, there is no getting away from it.

I think the Financial Secretary spoke something on whether or not we should get assistance while on the subject of development this comment might be worthwhile, since the Cayman Islands are considered a wealthy territory and do not therefore qualify for the kind of aid administered to poorer territories. This is probably true on one hand but on the other hand Cayman likes to serve as the infrastructure which forms the basis of a consistent economic development. Local resources are limited and this Government must provide everything and must be prepared to have these holes. I say this if we expect to get things we must be prepared to pay for them and we must not be prepared to ask somebody to give us something when we ourselves are not prepared to pay for it, let us do without it rather than expect the other fellow to pay for it. That is my feeling.

I thank you for this opportunity.

MR. IRA WALTON: Mr. President and Honourable Members, I take this opportunity of welcoming you to the Cayman Islands as our Governor and also as President of the Legislative Assembly. I will not tire you with a long drawn-out speech, in fact I will make it most brief. But I would like to say something on Tourism.

Much has been said about Tourism and also about the amount of seamen we have nearly all over the world and who are sending money back to the island. I agree with the previous speaker's words that the seamen were a people who have laid this foundation for this vast economic development but I also see that Tourism is apparently coming up first and the seamen are dropping a little behind. But, of course, we cannot base our future on Tourism because any economy based on Tourism is not a stable economy. We should, in truth and in fact, find something else to secure our people. As one of the members mentioned that if a war breaks out today then we are in trouble.

Roads - I think one member said that he thought the roads were more important, another said (I think it was the Honourable Member for East End and one from Cayman Brac) that the schools were more important. I am obliged to differ from both opinions - I feel that Public Health is more important because a sick child cannot go to school neither can a dead one. I think we should first look about our Hospital. To quote the words of a very important M.P. Mr. Dodds-Parker in a meeting in 1955 at Government House - on learning that we had a certain doctor here he stated that he knew him from Africa and that he was a good animal doctor but he didn't know what he would be doing with human beings. Here I am saying, Sir, that we have very little better and today our Hospital has become no more than a First Aid station, and here we should concentrate our efforts more than we have done in the past.

Mr. Ira Walton Contd.

About the Parliament Building, the two prestige buildings as they are commonly termed, I agree that such buildings are necessary but I don't agree that this is the right time, because that money could have been utilised to build our roads, which are very important.

The Harbour, there has been a controversy over the location but as far as I am concerned I am more concerned over the economic part of it. Can we afford to build a harbour and a deep water pier at this stage when so many other big projects are going on? No part of this island is safe or suitable in a hurricane and there is no part of the island that can be utilised by ships at all times of the year. So as far as I am concerned it doesn't make any difference where it is located that is from a location point of view but as I said I am looking at this from an economic point of view, and it would be more economical if Government consider fixing up the facilities we now have right in George Town until such time as we can see our way clear to build a proper pier and harbour.

The Police - while I know we need police I am not accepting the fact that we have the right ones. It has been talked and of course, I have heard this from high sources that quite a number of the police we have from overseas have past or previous convictions this of course will be investigated. Again, it is talked and I have reason to believe that a member of the Police is involved in this dope racket in the Cayman Islands and not only the ordinary police but some officials. I feel Sir, that a proper investigation should be made into this matter where of course, we had two gentlemen come down from Scotland Yard who were here with us for a while and after a lengthy investigation they published in the newspaper both here and in Jamaica that apparently the dope traffic did not reach the point which local people believed it had reached but nevertheless it existed and that, therefore, the ring operating in the Cayman Islands was organised by the mafia and the dope was mainly trafficked by English and American hippies yet we do know that the local people do participate in it.....

MR. PRESIDENT: I must refer you to Standing Order 38 - The conduct of officers of the Crown may not be impugned.

Secondly you seem to be reading your speech as you know this is not allowed within the Standing Orders.

MR. IRA WALTON: Merely all I have written on the back of this Budget Speech is about four lines notes which I have taken. I am not reading anything Sir.

Secondly, I don't think I can be considered as impugning because when I say it is common talk on the street that certain police are mixed up in this dope racket and I have good reason to believe so, because they are not infallible. Just here recently, sir, we had to send home a police who came from overseas who was convicted of breaking and entering and larceny of a number of watches from some jewellery store, and that is an equal bad crime.

As I said I would not tire you with a long drawn out speech and may be some other member might want to say something so that is about all I have to say.

HON. B.O. EBANKS: Mr. President and Honourable Members, I had not intended to say much on this debate, but as the debate has progressed, I found it incumbent upon me to say a couple of words.

I will confine myself in the first instance with the two subjects with which I am associated in the Executive Council and try to convey some light on certain points which have been raised, realising, of course, the limitations which I enjoy in this capacity.

I was rather disturbed by the speech made by the Member from Cayman Brac. The fact is that the Comprehensive School is just one year into what this Government accepted as a five-year programme for the development of the Comprehensive System of Education. In the plan it is envisaged that a hostel will be built to house children from the Lesser Islands. Secondly, Government pays the passages of children to Grand Cayman and return: consideration has also been given to assisting children with board and lodging who can be shown to be in need of this assistance and further the Lesser Islands are represented on the Education Council by at least one member resident in Cayman Brac. It would be a step in the wrong direction, in my opinion, to start with a hostel before we really have the other facilities that are needed to teach not only the children from Cayman Brac but generally the children of the islands attending the school. And as I said, it is envisaged that this would take about five years for full implementation. This time-table can possibly be speeded up and the pressure is on to do whatever can be done to speed it up.

Another matter that was raised regarding the Comprehensive School was the carpeting of one room within the school. As far as I am aware, the opinion that was expressed was that the carpeting that was used is very little bit more expensive than it would have been to put down a normal floor. I would like to emphasise Sir, that there is an awareness in these islands for the needs of the Lesser Islands but realities of life must be faced and the effect of a life-time of misdirections, for which I can take no blame, cannot be corrected overnight, and I say without fear of successful contradiction that during the past two years the Lesser Islands and the Eastern Districts in Grand Cayman were given priority and fair consideration when regional or parochial matters were being undertaken and this, Sir, with the full knowledge of members particularly from George Town and West Bay that they were doing so at the expense of their own political image. We were fully aware that if the projects envisaged for East End, North Side and the Lesser Islands were to be implemented that we would have to live through with less than we would like to see done within our own districts, but this was done quite openly Sir.

The other point is that I have got the impression that the member conveyed the idea that monies for development purposes granted by Her Majesty's Government were granted en bloc to the Cayman Islands and were being hogged in Grand Cayman. I would like to make it quite clear that, for the records and for the public who may be unaware of the system that is used, any project that is financed by aid from the United Kingdom is done as a specific project, it has to be properly evaluated and approved by the Development Division in Barbados. Further, when about three years ago, or two years and half ago, the Development Division were invited to the Cayman Islands as a team to identify priorities within the islands and it is those priorities which to a great extent are being carried out today.

The other subject with which I am associated, Medical Services. Three years I am sure our estimates would reveal that there was provision for one doctor, today the Estimates provide for five doctors, this includes one to be stationed in Cayman Brac at all times. Now it is true that we have not been able to keep the establishment of five doctors completely filled at all times but all that lies within the power of representatives to do is to provide the money and I understand reliably that by April of this year we will have our full quota of doctors on the spot. The other thing is that Government is aware of the weakness in the administration of the Hospital and this I do not intend as a reflection on any officer in the Medical Department because I believe that this has been much of the problem in the Cayman Islands before. We have not recognised that the administration of a hospital is something separate and apart from the medical officers who are put there: we expected a Director of Medical Services to also be a Hospital Administrator. Now at this very moment there is in the islands an individual through the auspices of United Nations to carry out an exercise of putting the administration of the hospital on proper footing and to train some one while there to do a proper job.

I would also have, Mr. President, in passing to make reference to a matter which the Financial Secretary mentioned in his speech and this has been picked up by at least one member, and that is the reference to the Fiscal Committee. I happen to be a member of the Fiscal Committee and I do not think that the Financial Secretary intended to give the impression that the Fiscal Committee had ideas of additional taxation to be imposed at a later date. This I am sure would

Hon. B.O. Ebanks Contd.

have to be his own opinion. The Fiscal Committee was of the mind, as he has rightly recorded that we have not yet seen the full effect of the measures taken last year and that we should await this before giving any consideration to review of the exercise carried out by the fiscal experts that 1972 should be a year of consolidation. I must also refer in passing, Mr. President, to the mountain in my opinion which has been made out of the fact that for the first time in the history of this Government we are budgeting with a deficit. Mr. President I would be alarmed if this deficit was caused purely from the current expenditure but a cursory glance at the estimates will show that while the deficit amounts to something to \$288,000.00 - \$300,000.00 for round figures, capital expenditure from local sources amounts to \$758,940.00 and there is a yet further specific point that I must mention. During 1971 we carried forward to our capital projects fund \$200,000.00 in the estimates this year we have \$100,000.00 this is actually \$300,000.00. I don't think that the deficit is anything to be alarmed about. If the desire was to stand still, do nothing our coffers could be filled but I think the whole exercise of Government and Members is certainly an exercise in nation building and if this is what it is all about we have to go out and do what is necessary to be done. We have made provisions for all our loan repayments, we have made provision even for further capital expenditure, and all things being equal, I don't see where we have anything to worry about. Certainly in 1973 we won't have the \$758,940.00 being spent on the buildings as a recurrent expenditure. Unless we embark on further capital projects the Estimates could quite easily revert to a very rosy picture indeed but I do not believe, Sir, that this is the true wish of members of this Assembly or of the public. I believe that members of this Assembly and members of the public acknowledge that for far too long the Government has sat by as a poor relative in the development of this territory and they are now satisfied that we move, even though it might have to be rapidly, to put the Government in its proper perspective. I thank you, Sir.

MR. PRESIDENT: Does anyone else wish to speak to the Bill? I think the Financial Secretary will now wind up.

MR. V.G. JOHNSON: Mr. President, Honourable Members, I was rather happy when the Government bench decided to assist me in winding up the debate. Quite a number of relevant and good points were put forward by the two members for which I thank them very much.

One point I would like to clarify here is the fact that this Budget Address has been referred to in a few instances as the policy of Government. I don't think this is quite so, although many of the subjects put forward are policies of Government being commented on, but here and there are a few important things which the only body which can take a policy decision on these must be this Legislative Assembly. The Budget Address is written on the revenue and expenditure budget being put forward and at the same time comments are made on the economic position, the financial position of government, past, present and future thinking. Out of these comes a few matters which must be debated and a decision taken by this Assembly. I refer to points such as the overdraft that is presented in the Budget, the matter of Tourism, inflation, Harbour, Airport and Office Block. I think all these subjects were touched on but what I am most surprised about that nobody mentioned Airport Terminal and it was stated in the Address that this was an important subject because the present airport terminal is almost collapsing and it needs to be urgently replaced. However, there is an item under the loans section - Capital Expenditure recommending that this be looked at in 1972. It is difficult to sit down and listen to thirteen addresses on the Budget Speech and to correlate all the various points at a short notice, comment on, and all I will do is just make a few brief comments on the pages.

I have said before that the members on the Government bench has already clarified a few points for which I am very thankful. The first one on Tourism - the member for Tourism cleared this quite a bit, and I was glad that he made the point that whatever one may think about tourism in the Cayman Islands, Tourism is the main economy. Tourism in many countries is looked upon as the economy of today regardless of whether it is a stable economy or not, it is something that is encouraged and every effort is put into tourism. In the Bahamas, for instance, there is an expenditure of \$6 to \$8 million a year on the promotion of tourism. In other countries France, Italy and those big countries, even Britain today, is putting a lot of effort into tourism. Tourism is not a stable economy by no means, overnight it can be destroyed but nevertheless while it lasts it provides a fairly good income for the country. Tourism has assisted a lot of Caymans staying home and enjoying a few faithful years of their family. It has helped to produce income for others who were struggling one way or another, it has helped in a great many ways and I am sure that members of the Legislative Assembly, although some views were expressed that we should not spend as much as we are doing on tourism, there were other views just to the opposite. I am hoping that the study will give this Government a fairly reasonable guide as to what part it should take in Tourism in the Cayman Islands in the future.

There is a lot of inflation, I mentioned in the Budget Address that as long development and prosperity exist that we will always have inflation this is a problem the world faces not only the Cayman Islands. If there is any way that we can tackle the problem to take a bit of the pinch out of it by all means. I did say in the Address that there may be other methods to use other than legislation, there was no commitment as to making a specific recommendation here.

Another point deals with the Administrative Office Block much comment has been made on this, but here again I say that it is the intention to put forward the proposal for this building provided funds are available, and provided there is the Legislative Assembly's approval. I am sure that the government in the face of its heavy financial commitments at present will not want to put forward any other big project until we have consolidated this position and until when it is reasonably safe to put forward another big project.

I am glad also that the government bench clarified the position regarding British Government Aid. This is something that we have little or no control over, the British Government will say to us that there is a certain amount of aid to the Cayman Islands each year and we must put forward proposals, these proposals are originating out of the original five year programme which was formulated in 1969-1970. When these are put forward the British Government has option of saying whether it will accept the recommendations or not and therefore, it is not altogether our choice - the choice is the British Government's.

Cayman Brac has never been forgotten at no time, the fact is we are pursuing now from 6 to 9 months ago a project in Cayman Brac that may cost over \$300,000.00. The British Government is prepared to look at this and as soon as the necessary information is available from the Public Works Department this project will go forward, this is for a road on the Bluff over there.

The overdraft that is seen in the 1971 Budget was another fine point for debate and I am glad that it was mentioned by a good many members. It is unusual and I would say the first time that I am aware of that a Budget has been presented to this Honourable House with a deficit - this is what we usually refer to as grant-in-aid, however, we are not going as far as that in 1972 because grant-in-aid means that somebody else must supplement the shortfall. We are hoping that in trying to master our financial position and the situation in 1972, in trying to exercise a bit of control and to see that spending is done in the right direction and to have some results that this will mean something as far as Government expenditure is concerned. The Honourable Member from West Bay mentioned that we have a Capital Projects Fund which by the end of this year will have a total sum of \$200,000.00 provided for in this year's estimate and that next year there will be a \$100,000.00 which is provided under the 1972 estimates. These go to this fund to make a total of \$300,000.00. Well this sum of money is being put aside to assist in the financing of projects that will be undertaken by loan arrangement or otherwise as this Assembly sees fit.

During the course of the year if there is any shortfall in revenue I am sure that rather than facing an embarrassing financial position that permission of this House will be sought to divert some of these funds to ordinary use. The mention of what happened in the Fiscal Committee earlier this year caused a bit of concern by the Government bench. I did not say that the new Fiscal Committee was going to undertake a study and there was no commitment here at all because one cannot commit a Committee that has not yet been appointed. I only said that it may continue to study the remaining recommendations of the Tyrell Report.

Mr. V.G. Johnson Contd.

The statement that new measures would not be introduced because the General Election is not far away. It is no doubt something that we have been used to over the years as we come close to a General Election we are always aware that politicians might object to new measures being put forward and this will probably get a repetition of those thoughts coming down from the past years.

Some one mentioned earlier today about a fiscal review of the Cayman Islands but I also mentioned in the Address that a fiscal study was undertaken by a Mr. Tyrell in 1970 and most of the measures or all of the measures that were put forward last year and introduced this year were a part of the Tyrell Report there is still a portion not yet implemented and these are the measures that will be given consideration in due course.

Mr. President, mention was made again of the exercise undertaken by government to rectify some of the anomalies thought to be existing among folks in the Civil Service and especially those occupied by local officers. Again, I mentioned in my Address that although this was a request by Legislators yet in looking at this Government had to take the view of examining other posts as well otherwise there could be the risk of upsetting a lot of things. You do one post and here in these islands the Government is small, the country is small the population is small, everybody knows each other so when you think about a post you automatically think about the person who occupies that post. While this is alright in a few cases but Government must be carefully in all its policies and in all its exercises must be careful in carrying out such wishes that it must be a general thing and not just pick out a few posts and deal with this is what was done here because it was seen that if just three or four posts were picked out there would be others left that would incline to become a problem of Government instead of the Legislative Assembly. Members of course, will look at this very carefully at the recommendation and things will be dealt with in the Finance Committee.

The Parliament and Court Buildings have brought about a good many remarks but as a member on the Government bench said the member for East End the Honourable Mr. Conolly, that it is probably in the best interests that Government undertook to do the Court building at the same time of the Parliament building and I agree with him here because there is an example of a building or a project being undertaken in an island not far away from us, and it was first estimated to cost something like \$10 million and the last figure I heard of is that it will be completed at the cost of nearly \$25 million. So it is probably better for us that we have undertaken this job now and get it over with.

I noted all the comments, Mr. President, on the Harbour this is quite a debatable subject and I will leave it just where it is.

Mention was made of the new currency. I am quite surprised Mr. President to hear that there was always objection against a Cayman currency, today is really the first time I have heard that statement not saying that it could not have been made before. I think that it was something that was hailed by every member of this Legislative Assembly and there were reasons for this, not only from the prestige point of view. The problem that is stated here with the currency it is a problem with the United States dollar and this is not our problem.

As far as the parity of the Cayman Dollar is concerned that is fixed to the dollar it is fixed to the pound sterling. The Cayman Dollar will be worth \$2.40 to the £1 and that is the official parity of the local currency. However, this parity was used as a convenient parity so that it would have an equivalent value with the American dollar and this is what is a bit disturbing with the American dollar floating as it is now because we would have lost what was originally intended for the Cayman dollar and the American dollar to float side by side on par value in the Cayman Islands not outside of the Cayman Islands within the Cayman Islands. If the American dollar finds a resting place before the local dollar is issued the whole matter will be reviewed otherwise the parity remains \$2.40 to the £ sterling.

Mr. President I am sure that you have heard a good bit about the financial economic position of the Cayman Islands various comments for and against many points raised in the Budget Address and I am sure that it would have given you a fair picture of what the position is in the Cayman Islands together with what you have already learnt of these.

Tomorrow morning we will go on to Finance Committee when the Estimates of Revenue and Expenditure will be studied and I hope that members will see fit to look at these proposals and deal with them in the best interest of the country.

Mr. Chairman thank you very much and I think that is about all that I will say in reply to the many speeches that were made debating the Budget Address. Thank you very much.

Mr. President I would like to move now that the Appropriation Bill 1972 together with the draft Estimates of Revenue and Expenditure for 1972 be referred to the Finance Committee tomorrow morning Tuesday the 14th of December, 1971 here in the Town Hall West Bay to commence at 10 a.m.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED.

CAYMANIAN PROTECTION BILL, 1972

MR. PRESIDENT: Now Honourable Members it remains, I think, to pick our way through the procedural jungle of bringing the Caymanian Protection Bill to the Third Reading.

THIRD READING

MOVED BY: HON. B.O. EBANKS.

SECONDED BY HON. G.E. WADDINGTON.

HON. D.V. WATLER: Mr. President and Honourable Members, I gave notice that I would be objecting to this Bill when it comes to the Third Reading.

Under Standing Order 59 I am moving for this to be received in Committee. To a Committee of the whole House in order to study the two clauses 21 and 67 so far as they relate to the deportation. This Caymanian Protection Bill as members are aware is a unique Bill. The very first clause it states that, "This law may be cited as the Caymanian Protection Law, 1971, and shall come into operation on a day to be appointed by the Governor by Government Notice published in the Cayman Islands after the signification of Her Majesty's pleasure has been obtained.". One of the few Bills, if any other that we may have which has to get that and that is written in.

In the case of this Bill and section 21 (a) provision is made there that a person with Caymanian Status by grant can be deported and under 67 which again refers to persons who are deported. Nothing in this part shall apply or have effect as to authorise or empower the making of a Deportation Order in respect of any person having Caymanian Status as of right. The point is that the Secretary of State has advised that no one that has Caymanian Status whether as of right or by grant should be deported. If you have granted them Caymanian Status they have under section 21 which states that a person who by virtue of section 17 that is the section which deals with persons with Caymanian Status by grant

Hon. D.V. Watler Contd.

and not a natural born Caymanian. However, section 22 where it states "Where any grantee of Caymanian status under section 17 is, within five years of such grant, convicted by any Court of an offence which in the opinion of the Court -

(a) is a matter of gravity, or

(b) was made possible by or was facilitated by or was connected with the offender's Caymanian status, the Court may, in addition to any other punishment inflicted, make a recommendation that the offender shall forfeit his Caymanian status, and in such case shall direct the Clerk of the Court to give notice of the recommendation to the Secretary."

So there is that provision there which is what the members were thinking of when they were trying to differentiate between a Caymanian status as of right and of grant. You still have then whereby the Court can make that order for them to be deprived of the Caymanian status and after that then you - once they have lost it, which a Caymanian by right cannot lose, then you can if the case warrants it and circumstances warrants it the person can then be deported.

Mr. President and Honourable Members, I am moving that this Bill be re-committed to a Committee of the Whole House in order to study these two clauses.

SECONDED BY: Mr. V.G. Johnson.

QUESTION PUT: AGREED. BILL RE-COMMITTED TO STUDY CLAUSES 17 AND 21.

HOUSE IN COMMITTEE.

THE CLERK: CLAUSE 21. FORFEITURE OF CAYMANIAN STATUS.

HON. D.V. WATLER: Mr. Chairman and Honourable Members, I am moving that section 21 (1) should be deleted and the following should be substituted therefor: "Every grantee of Caymanian status by virtue of Section 17 who is the subject of an order, made in that behalf by the Board, under subsection (2) of section 22, shall forfeit Caymanian status and shall forthwith return to the Secretary his certificate of Caymanian status."

QUESTION PUT: AGREED. CLAUSE 21 AMENDED AND PASSED.

THE CLERK: CLAUSE 57 NON-APPLICATION OF PART IV AS RESPECTS PERSONS POSSESSING CAYMANIAN STATUS AS OF RIGHT.

HON. D.V. WATLER: Mr. Chairman and Honourable Members, I am moving in that section that the last three words in the section "as of right" should be deleted and also in the marginal note where it has "as of right" and add a full-stop after the word "status" in each case.

In other words section 57 will read "Nothing in this Part shall apply or have effect so as to authorise or empower the making of a deportation order in respect of any person having Caymanian status." In the case of the marginal note it will read "Non-application of Part IV as respects persons possessing Caymanian Status."

QUESTION PUT: AGREED. CLAUSE 57 AMENDED.

HON. B.O. EBANKS: Mr. President I beg to move, Sir, that a Bill entitled the Caymanian Protection Bill, 1971 as amended in the Report of the Select Committee dealing with this Bill which has been tabled and adopted together with the amendments to clauses 21 and 57 which have just been made in a Committee of the whole House be given a Third Reading and so passed.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

CLERK: THE CAYMANIAN PROTECTION LAW, 1971.

THE LOCAL COMPANIES (CONTROL) BILL, 1971

THIRD READING

MOVED BY: HON. B.O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL GIVEN A THIRD READING AND PASSED.

THE CLERK: THE LOCAL COMPANIES (CONTROL) LAW, 1971.

THE TRADES AND BUSINESS LICENSING BILL, 1971

THIRD READING

MOVED BY: HON. B.O. EBANKS.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED. BILL READ A THIRD TIME AND PASSED.

THE CLERK: THE TRADES AND BUSINESS LICENSING LAW, 1972.

ADJOURNMENT

MOVED BY: HON. D.V. WATLER.

SECONDED BY: HON. G.E. WADDINGTON.

QUESTION PUT: AGREED.

HOUSE ADJOURNED TO A DATE TO BE FIXED.

ORDER OF BUSINESS

**BUDGET AND FOURTH MEETING OF THE EIGHTH (1971) SESSION
(THIRD SITTING)**

**OF THE LEGISLATIVE ASSEMBLY TO BE HELD AT THE TOWN HALL,
WEST BAY ON MONDAY, 20TH DECEMBER, 1971 COMMENCING AT
10 a.m.**

PRAYER

GOVERNMENT BUSINESS:-

- (a) THE LAND HOLDING COMPANIES EQUITY TRANSFER STAMP
DUTY (AMENDMENT) BILL, 1971
- (b) THE HOTELS AID (AMENDMENT) BILL, 1971
- (c) THE DEVELOPMENT AND PLANNING BILL, 1971
- (d) THE APPROPRIATION BILL, 1972 - REPORT THERE-ON
RECOMMITTAL
THIRD READING.

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- (e) Govt. Motion No. 8 - Cinematographic authority - Membership
 - (f) Govt. Motion. No. 9 - Hotels Aid Licensing Board - Membership
 - (g) Govt. Motion No. 10 - General Warrant.

10 a.m.

PRESENT WERE:-

His Excellency Mr. K.R. Crook

President

OFFICIAL AND GOVERNMENT MEMBERS

Hon. D.V. Watler, O.B.E., J.P.	Deputy Administrator (First Official Member)
Hon. G.E. Waddington	Attorney-General (Second Official Member)
Hon. B.O. Ebanks	First Electoral District West Bay
Hon. W.W. Conolly, J.P.	Sixth Electoral District East End
Hon. Capt. E.E. Kirkconnell	Nominated Member
Mr. V.G. Johnson, O.B.E.	Financial Secretary (Third Official Member)

ELECTED MEMBERS

Mr. T.W. Farrington, C.B.E., J.P.	(First Electoral District West Bay)
Mr. John Jefferson	(First Electoral District West Bay)
Miss Annie H. Bodden	(Second Electoral District George Town)
Mr. Ira Walton	(Second Electoral District George Town)
Mr. A.B. Bush, J.P.	(Second Electoral District George Town)
Mr. Trevor Foster	(Third Electoral District Lesser Islands)
Mr. Alford Scott	(Third Electoral District Lesser Islands)
Mr. Anton B. Bodden	(Fourth Electoral District Bodden Town)
Mr. Craddock Ebanks	(Fifth Electoral District North Side)
Mr. Melville Goring	(Nominated Member)

PRAYER: BY REV. NEIL BANKS.

MR. PRESIDENT: Honourable Members Government Business The Land Holding Companies Equity Transfer Stamp Duty (Amendment) Bill, 1971.

THE LAND HOLDING COMPANIES EQUITY TRANSFER STAMP DUTY (AMENDMENT)
BILL, 1971

INTRODUCTION

MOVED BY: HON. G.E. WADDINGTON

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED: BILL INTRODUCED.

THE CLERK: THE LAND HOLDING COMPANIES EQUITY TRANSFER STAMP DUTY (AMENDMENT) BILL, 1971.

SECOND READING

MOVED BY: HON. G.E. WADDINGTON: Mr. President and Honourable Members, the principle law, which this Bill seeks to amend, was passed with the object of preventing the avoidance of the 7½% Stamp Duty payable on transfers of land owned by Land Holding Companies.

Land owned by such Companies could be transferred by the simple expediency of transferring the shares held in the Company, a transaction which is free of Stamp Duty. The principal law therefore provided that the Corporation, having more than 10% of the market value of its gross assets represented by Land Holding would be liable to the payment of Stamp Duty ad valorem and transfers of its equity capital on the basis of the market value of the capital so transferred on its land holding proportion at the rate which have been payable if the transfer was a conveyance on sale of land.

All Corporations owning landed property are required under the principle law to make returns to the Registrar of Companies showing their land holding proportion and how it is calculated. The law also provides for Rules to be made by the Registrar of Companies governing the form and method of making these returns, and while these Rules were being prepared, certain anomalies became apparent which require slight amendment to the definitions of "Land Holding" and "Land Holding Proportion" in section 2.

Dealing firstly with the definition of "Land Holding", the Amendment sought is to delete the words "legal or" appearing in the first line of this definition. It has been pointed out that the definition as it now stands would apply to Companies holding the legal ownership in land as trustees for others who held the beneficial interest therein. It was not intended that the law should apply to transfers by trustee companies where the beneficial interests remained unchanged.

With regards to the definition of "Land Holdings Proportion", also in section 2, the words quote "Land Holding Corporation" unquote in the second line, rather begs the question; having regard to the previous definition of "Land Holding Corporation". It is therefore considered necessary to delete the words "Land Holding" in the second line of the definition.

There is a further amendment to this definition of Land Holding Proportion and this is in regards to the word quote "holding of landed property" unquote in the second and third lines. These words really mean the same thing as quote "Land Holding" unquote having regard to the previous definition of "Land Holding" and it is therefore considered to be more concise to substitute the latter words.

It is also considered necessary to add a new definition to the law - a definition of the term "gross assets" for the purposes of this law so as to specify precisely the kind of assets to be taken into account for the purpose of making annual returns.

The further amendment is in respect of section 3. The timing of the law was such as to provide originally by section 3, that 3 months after the coming into effect of this law and thereafter upon deciding of its annual returns, every company owning landed property was desired to make returns under section 3. The law came into force - it was assented to sometime in July and I believe it came into force sometime October and it was found quite impossible for these returns to be made in time and so an amendment is being sought to section 2 to provide for these annual returns to be made on the 2nd of January, 1972 and thereafter on the 2nd of January in each year.

And finally, Mr. President, there was a typographical error in section 3 subsection (4) the third to last line the word "of" appearing in that line should have been "at" and the opportunity is therefore also taken to amend this typographical error.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED: BILL READ A SECOND TIME.

COMMITTEE THEREON.

MOVED BY: HON. G.E. WADDINGTON

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED. HOUSE IN COMMITTEE.

THE CLERK: CLAUSE 1 SHORT TITLE AND COMMENCEMENT.

QUESTION PUT: AGREED. CLAUSE 1 PASSED.

THE CLERK: CLAUSE 2 AMENDMENTS TO LAW NO. 15 OF 1971.

MR. C.A. HUNTER: Mr. Chairman, that refers right down to (f) are we taking them all together? Because if so, I would like to speak with respect to (e). Maybe the Honourable Attorney General could clear the point up. It says that certain words are to be deleted and then substituting therefor "on the 2nd day of January, 1972 and thereafter on the 2nd January of each year." Do you think it will be possible to get all those returns in on the 2nd January? I was wondering whether it might not have been better to say any time between the 2nd and say so many days in January.

HON. G.E. WADDINGTON: Mr. Chairman, that is a matter that can be adjusted in accordance with the wishes of the members of this House. I might say, Sir, that efforts were made, I think by most Companies, to get their returns in October, as originally provided for in the Law and it was then that these anomalies were discovered, I think that most Companies would be more or less geared to get in these returns and I don't know whether if the Bill is now passed whether these Companies could not meet the deadline of the 2nd January, but if it is thought not then of course, a different date could be substituted for the 2nd of January.

MISS ANNIE H. BODDEN: Mr. Chairman, I represent a few Companies, not very many, and when I went to get the forms I was told that this thing would not come into effect until the 2nd January. Now I think the 2nd of January is really much too soon because a lot of these Companies are abroad and they will have to get instructions - as I say I don't know too much about this - but I think the 2nd of January is quite a short time, because ordinarily they have to hold meetings and all the rest of it for their returns, and I would think that the deadline should be the 2nd of February not January because I am sure that it takes quite sometime to get this done.

HON. G.E. WADDINGTON: I have no objections, Mr. Chairman.

MR. V.G. JOHNSON: Mr. Chairman, I know that in many of these laws the specific dates are set for returns to be made, but there is always a certain number of days' grace given to all applicants to submit their returns. Certainly we have over 3,000 Companies registered in the Cayman Islands, I don't know how many of them would run to Land Holding Companies but I don't see all of them in any case making returns on the 2nd day of January because the 1st day of the New Year is a holiday and this would be quite impossible. I know that the Registrar gives a certain number of days' grace for all these returns to be made before any notice is sent out to delinquents to process their application.

MR. IRA WALTON: If a person can make returns on the 1st or 2nd January they could do so in the Christmas week because right along we have holidays down until the 1st of January.

MR. CRADDOCK EBANKS: Mr. Chairman, even though there has been an explanation I still support the Lady Member from George Town that it would be better if we could say the 2nd of February instead of the 2nd of January.

MR. CHAIRMAN: We would presumably need a motion to amend sub-clause (e) which might meet the wishes of the house.

HON. G.E. WADDINGTON: Mr. Chairman, if members will agree on a date, it would be a very simple exercise to substitute that date for the 2nd of February, 1972.

MR. CHAIRMAN: there seems to be a consensus for February the 2nd.

HON. G.E. WADDINGTON: If that is so, Mr. Chairman, then all that is necessary would be to delete the word "January" where it appears in both lines of the section and substitute "February" therefor. Is this intended for the ensuing years, as well, may I ask, Mr. Chairman? We know that January, 1972 would be difficult, but what about the ensuing years?

MR. V.G. JOHNSON: Mr. Chairman, there is another point here, I think that it was the intention that this date should coincide also with the date of the returns under the Companies Law and if you are going to operate two different dates, then this is not going to be convenient, and I know many Companies have expressed the opinion that there should be one date for return under this law and also under the Companies Law.

MR. PRESIDENT: What is the date under the Companies Law?

MISS ANNIE H. BODDEN: As far as I recall, Mr. Chairman, it is not later than the 31st of January - as far as I recall off-hand, but I am not sure.

HON. G.E. WADDINGTON: The law at present only says in "January of each year", Mr. Chairman, no specific date is mentioned, only January, that will mean that the returns would have to be in by the 31st January.

MR. CHAIRMAN: It seems to me then that the point would be met if for "January, 1972" we substituted "February".

MR. C.A. HUNTER: Mr. Chairman, my point seems to have been missed entirely - I don't like the idea of a specific date in January. The Honourable Attorney-General just read where the Companies' Law says "In January" and I am saying that perhaps it would be better to say "during the month of January": but you are tying it down to one date. "On the second of January" - it does not say that we are going to give any number of days' of grace.

HON. G.E. WADDINGTON: This bears a specific date, Mr. Chairman, it doesn't mean that the Company shouldn't make its return before, but perhaps to meet the Honourable Member's point the words could be inserted "on or before" or "by the 31st day of January" or "on or before the 31st day of January".

MR. C.A. HUNTER: Yes, I would agree with that.

MR. CHAIRMAN: Now can we have a motion that would form the question?

MR. V.G. JOHNSON: And it could be followed by the words "and thereafter in the month of January in each year" . . . to tie this in then with the Companies law.

MR. C.A. HUNTER: Good.

HON. G.E. WADDINGTON: The section would read then, Mr. Chairman "on or before the 31st day of January, 1972 and thereafter in the month of January in each year"

MR. CHAIRMAN: Is this fully acceptable to the House? Therefore, Honourable Members, the question is that the clause as amended do stand part of the bill.

QUESTION PUT: AGREED. CLAUSE 2 PASSED.

CLERK: TITLE

QUESTION PUT: AGREED: TITLE PASSED.

HOUSE RESUMED

REPORT THEREON

HON. G.E. WADDINGTON: Mr. President, I have to report that a bill entitled "The Land Holdings Companies Equity Transfer Stamp Duty Amendment Law, 1971" was considered clause by clause by a Committee of the whole House and passed with the following amendment -

In section 2 (c) the words "on the 2nd day of January, 1972 and thereafter on the 2nd day of January in each year" were deleted and the following substituted therefor -

"on or before the 31st day of January, 1972 and thereafter in the month of January in each year".

And with that amendment, Mr. President, the Bill was accepted.

SUSPENSION OF STANDING ORDER 54

HON. G.E. WADDINGTON: Mr. President, I beg to move the Suspension of Standing Order 54 to permit a bill entitled The Land Holdings Company Equity Transfer Stamp Duty (Amendment) Law, 1972 to be taken through the remaining stages at this sitting.

MOVED BY: HON. D.V. WATLER

QUESTION PUT: AGREED: STANDING ORDER 54 BE SUSPENDED.

THIRD READING

MOVED BY HON. G.E. WADDINGTON

SECONDED BY HON. D.V. WATLER

QUESTION PUT: AGREED BILL READ A THIRD TIME AND PASSED.

CLERK: THE LAND HOLDINGS COMPANIES EQUITY TRANSFER STAMP DUTY (AMENDMENT) LAW, 1971.

THE HOTELS AID (AMENDMENT) BILL, 1971

INTRODUCTION

MOVED BY HON. W.W. CONOLLY

SECONDED BY: HON. D.V. WATLER

QUESTION PUT: AGREED: BILL INTRODUCED

FIRST READING

CLERK: THE HOTELS AID (AMENDMENT) BILL, 1971

SECOND READING

MOVED BY HON. W.W. CONOLLY: Mr. President, I move the second reading of a bill entitled "The Hotels Aid (Amendment) Law, 1971". Mr. President and Members, as we are all aware, the Hotels Aid (Amendment) Law expires on the 31st of December this year and the object of this bill before us is to extend the life of this particular law for another year. It has been seen from particular recent happenings that the law is serving a useful purpose and it is considered wise to extend the life of this particular law for another year. At that time consideration can be given whether or not there should be a further extension.

I feel that this is a very good thing to do in aid of the development that is taking place in the island at this particular time.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED: BILL READ A SECOND TIME.

HOUSE IN COMMITTEE

MOVED BY: HON. W.W. CONOLLY

SECONDED BY: HON. D.V. WATLER:

QUESTION PUT: AGREED. HOUSE IN COMMITTEE

CLERK: CLAUSE 1 - Short title and commencement.

QUESTION PUT: AGREED: CLAUSE 1 PASSED

CLERK: CLAUSE 2

QUESTION PUT: AGREED: CLAUSE 2 passed

CLERK: TITLE

QUESTION PUT: AGREED: TITLE PASSED

HOUSE RESUMED

REPORT

HON. W.W. CONOLLY: Mr. President, I have to report that a bill entitled "The Hotels Aid (Amendment) Law, 1971" was considered clause by clause by a Committee of the whole house and passed without amendment.

SUSPENSION OF STANDING ORDER 54

MOVED BY: HON. W.W. CONOLLY

SECONDED BY: HON. D.V. WATLER

QUESTION PUT: AGREED: STANDING ORDER 54 SUSPENDED

THIRD READING

MOVED BY: HON. W.W. CONOLLY

SECONDED BY: HON. D.V. WATLER

QUESTION PUT: AGREED: BILL READ A THIRD TIME AND PASSED

CLERK: THE HOTELS AID (AMENDMENT) LAW, 1971

THE DEVELOPMENT AND PLANNING BILL, 1971

INTRODUCTION

MOVED BY HON. W.W. CONOLLY

SECONDED BY HON. D.V. WATLER

QUESTION PUT: AGREED: BILL INTRODUCED

FIRST READING

CLERK: THE DEVELOPMENT AND PLANNING BILL, 1971

SECOND READING

HON. W.W. CONOLLY: Mr. President, I moved the second reading of a bill entitled The Development and Planning Law, 1971.

Mr. President, and Members, this is a comprehensive bill before us dealing with planning in the Islands. This particular bill has had some history behind it. As members are aware, Sir, we have been going on from year to year, it has been three years now, with the Interim Control Bill which was serving the purpose of controlling the development in the Islands from year to year. Last year in May this Legislature moved a resolution that a comprehensive bill should be developed for the control of planning in these Islands. As a result of the resolution a study was made by members of this Honourable House in Committee and as a result of the Committee's agreement and report, the bill standing before us today has emerged. We have been through this Bill in a Committee, a special Committee, clause by clause and general agreement has been met on the provisions that are down in the chapters of this bill.

The Interim Control Bill expires on the 31st of December this year, therefore it is necessary to have this legislation passed and on the statute books in order that planning can go on in the ordinary manner. Without some law in respect of planning there would be chaos, there could be movements and developments that we reject.

I may mention that in any country planning regulations, planning bills are more or less controversial but once we are developing there has to be very strict and very carefully thought-out plans in order that the end product which we all aspire for, can be successful.

I know the tension that was generated over planning in these Islands and I know that the difficulties in trying to cater to the individual idea in planning without stepping on somebody's toes, I realise that this is quite difficult, nevertheless, the Committee found and agreed that as far as we were concerned we tried to meet every possible objection that was raised by the private sector and we tried to put into this bill the necessary safeguards, the necessary control we thought that would develop the Cayman Islands and particularly, the habitable areas to form what we will be proud of in the future, a well-planned-out town and a well planned-out country on a whole.

Members, I seek your support with this bill.

SECONDED BY HON. D.V. WATLER:

MR. C.A. HUNTER: Mr. President and Members, if we are not to blow hot and cold, I would have to support this Bill, because it seems from the Resolution passed by the House and we had a Committee and we went into the various portions of this draft law, and as the Honourable Mover said, we amended, discussed it and we hashed it to what we thought was satisfactory. Now that it is being introduced today, I must say that there is one part of it that gives me a little concern and I raise it now so that perhaps the mover of the resolution, in replying, may have an opportunity to clear it up. And I refer to section 36 subsection (1) which says that the Governor may make regulations for the better carrying of the provisions of this Law and for giving effect thereto, then we go to the next page, page 40, subsection (3) "No regulations shall be made pursuant to the provisions of this Law unless a draft thereof has been laid before the Legislative Assembly and a resolution approving the draft has been passed by the Legislative Assembly". Mr. President and Members, if I understand aright, (may be I don't) the Interim Control Law would expire the end of this year and if we pass this law today, this one will become operative and perhaps it might be the thought of the powers that be to use the regulations as were prepared by the Interim Land Control Law, but if I understand it aright, even if you are going to use those, they have to be submitted to this House, and we are to approve of them. Therefore it has to be stated that they are the regulations for this Law today.

MISS ANNIE H. BODDEN: Mr. President and Members of this House, this bill, as has been stated, is one of great concern and it was referred to a Select Committee which dealt with it. But as I recall we were to see a plan designated certain portions of the island for agriculture, industry and residential sections. As of now I have never seen that plan. This happened so long ago so many other things have passed, that I do not recall the bill too well. I do agree with the Honourable Member from Badden Town that regulations had to be made and submitted back to the Legislative Assembly for approval, because the Interim Control Law, with the Regulations, as published, caused a lot of hard-feelings and inconvenience and a lot of other things, and I must say I agree with this in principle up to a point. What I disagree with is that when we adjourned this Committee, as I recall, we had never as yet agreed to this Plan which would make a part of the islands, industrial, commercial and agricultural. Now I haven't read this over to know if that is mentioned in it but I would repeat, that before this law comes into operation that these regulations, or some regulations must be brought back to this house for approval. Thank you, Sir.

MR. IRA WALTON: Mr. President and Honourable Members, I don't disagree with the Comprehensive Planning law in its entirety, but I do in fact disagree with certain portions of it and if I recall, Sir, the motion that gave birth to this law was one following the setting up of the Committee to study the Land Control Development Interim Law and Regulations. One of the terms of reference of that motion was that the Land Control Development Interim Law provided too much discretionary powers for the Board. As far as I can see it, Mr. President, that this Comprehensive Planning Law, or the Planning and Developing Law whatever it is, provides even more discretionary powers for the Development

Mr. Ira Walton Contd.

Board, and that, of course, is very undesirable, as far as I am concerned.

Again, Sir, a Lawlike that cannot be properly instituted and put into effect except it is accompanied by a proper Building Code, a Building Code made suitable to the Cayman Islands and its present-day conditions. Of course, this sounds kind of drastic but I am not suggesting that a Building Code be patterned off that of the U.K. or any part of the United States, but today the builders have some standard by which they build and that could be used as a pattern to form a proper Building Code. But as a result of this Law, the Board, the Development Board can control every phase of building, even to the designs, and we had to fight mighty hard to getting them to delete a portion of the law where the Board could control the very colour of a building. Those things I do not agree with, Sir, and I never will.

MR. A.B. BUSH: Mr. President and Members, this law, the comprehensive Planning Law was intended to replace the Interim Control Law which as has already been said, expires on the 31st of this month and no doubt it is necessary and desirable to have this law passed here today. This Law, as has been said, has a history to it, it caused a lot of unrest, disagreements among us all and it was finally sent to a Committee which made its report, thrashed it out section by section, and to the best of our ability, I believe, we have reached decisions and this law is before us today. It is true what a member has said, that no plan has been presented for the zoning and so-forth in this Law. I think this couldn't have been done until the development plan by the Town Planner had been made and submitted to the Legislature for agreement on it. And until this is done, I don't see where we can really define areas for certain things. But the Law in itself, I think, we have gone through and I believe that it is not very much wrong with it.

As to the regulations, it is also specified here in the Law that the regulations must be submitted to the Legislature for approval and I would imagine that until this is done, that we would be carrying on with the Regulations under the Interim Control Law until such time as the regulations under this Law can be made: I don't know whether that will be right or not, but this is my view of it.

MR. ANTON BODDEN: Mr. President and Members, I rise to support Members' view on this Bill before us, inasmuch as when the Regulations for the Interim Control Law had been passed, and in effect, it brought about chills in this country, and from then elected members of the House decided that any regulations dealing with land would have to come before the House before being put into effect and operation. So I give my wholehearted support to the members who would object to this bill becoming law as of today due to the measures that have to be done before.

HON. D.V. WATLER: Mr. President and Honourable Members, there doesn't seem to be an objection to the law itself, it is just the plans and the regulations that the Members are thinking of: the law is the law that has been drafted, with their assistance and their knowledge and gone through with the Architect/Planner.

Now under Section 6 of the Law, this says "not later than one year after the appointed day, or within such extended period as the Legislative Assembly may allow, the Authority shall submit for the approval of the Assembly a development plan" now in order for this authority to submit anything to you, you have to have a law. The Authority cannot submit something to you except they have this Law - the Law has to be passed in order to do so. Likewise, even in the case of the Regulations, section 36, "The Governor may make regulations for the carrying out of the provisions of this Law" and these regulations, as quoted by the member, these regulations have to come before the House. So again we have to have the Law before we can make the Regulations. So it seems to me that we should go on with the Law, get it through, in the meantime, the plan will have to come back here and the Authority will use the present regulations that are now operating under the Interim Control Bill as a guide, or I don't know whether . . . I don't see how you could very well adopt them now until the Law is passed - you have to get the law through before you can really adopt them, and it would have to be the Authority to use, or advise them or suggest to them to use the present ones as a guide-line to go by and no doubt that is what they are doing. But the only way you are going to get a plan, or a regulation is to get the law through - the law has to go through before the plan or the regulations can come about, so the quicker we get the law through, the quicker we will be able to get the plan and the regulations. It is just that the law comes first - that's all.

MR. IRA WALTON: On a point of order, Mr. President, as I see it we could not very well use the Regulations from the Interim Law as a guide because on the passage of the Development Law, this repeals the Land Development Interim Law and Regulations.

MR. JOHN D. JEFFERSON: Mr. President and Members of this Honourable House, we have before us today the Development and Planning Law, 1971. I wholeheartedly subscribe to this bill, Sir, I believe that if we are going to have orderly development, first we must have a guide. The Development and Planning law we have before us, I believe makes provisions for just this kind of development. We travel round about the world and we are able to see the way in which other countries have developed, we are very conscious of the fact and we know that these things don't happen just so - it is because of thought-out, well-planned programme.

In the development of these Islands that we are in today I realize that for us to be able to achieve the goals that we have set before us, someone must be in the driver's seat and I can think of no one else better than this Government.

It is true that in many cases people do not like to be told what to do, we realise this is a necessity for us to be able to progress to the stage in which we hope to achieve, then there must be guide-lines to guide this orderly development. This development, Mr. President, would be of no good to the Cayman Islands if it blossomed out of control, we must be able to guide the pace in which this country must develop.

I wholeheartedly support this document before us and look forward to the day when this bill goes into effect. Thank you very much.

MR. ANTON BODDEN: Mr. President, on a point of order, the Honourable First Official Member made reference to the Land Development Interim Control Law and regulations and he also said that we want the law, which I agree to a certain extent, and we had to get the law to get the regulations. We can't get the regulations without the law. Well likewise, the new Law is passed today, would repeal the Land Development Interim Control Law and also the Regulations made under it, so what regulations we would be working under the first part of the year?

MR. PRESIDENT: That seems to me rather more like a speech than a point of order, but the point made in about the repeal of the Interim Law, and it was also, I think, a point made earlier, seems to be a valid one, and I have no doubt that it will be replied to.

Does any other Honourable Member wish to speak? In that case I shall ask the Honourable Member to wind up the debate.

HON. W.W. CONOLLY: Mr. President, I would just like to make a remark before I take the next point in the development of this bill and that is in relationship to points made by members. Surely in section 12 of the bill, this says that the authority shall or may conditionally or unconditionally grant permission for development. I would take it that under this section the Board would have the authority, the Authority would have the authority to grant permission for development, and as this Planning Bill has been derived, taking into consideration, the plans and the regulations that are now in force, I would take it that there would be a continuity of the Regulations, even though the point made by members that when this Bill becomes Law, the Regulations would have been repealed, and there is a clause in the section there, that the Regulations have to be submitted to this Assembly which I am sure would come in due course. But I don't see how you can have regulations before you have passed the law, because it is the law that gives the authority for the making of regulations.

One point that has been made, that I forgot to mention at the beginning, was that I have been approached by people saying that the Government can acquire your land, and this and that and the other, surely under the sections in this particular ordinance, this bill is subject to the provisions of the Land Acquisition Law, Cap. 181 and there is a certain provision there for the acquisitions of land. I don't think that should give rise to anybody that people's land is just going to be taken from them. You know we have had this point aired in the Committee and all has been worked out there, as best we could, and I would ask members if ideas like this come up, one would be in a position to defend or explain the situation.

QUESTION PUT: AGREED: BILL READ A SECOND TIME.

COMMITTEE THEREON

MOVED BY HON. W.W. CONOLLY

SECONDED BY HON. D.V. WATLER

QUESTION PUT: AGREED - HOUSE IN COMMITTEE

HON. D.V. WATLER: Mr. Chairman and Honourable Members, since this Bill has been prepared and accepted and examined by the Members of this House, along with our Physical Planner, and Legal Adviser, I am just wondering whether the members would agree that instead of taking it clause by clause we could group a couple of clauses together in Parts, if there is no objection. If there is objection to any clause, then we have to take them, but in Part 1, there are just two clauses and we take those two clauses together in order to try to speed it up a bit as there are quite a number of clauses in this bill.

MISS ANNIE H. BODDEN: Mr. Chairman, with your permission, I would like to ask the Honourable Attorney-General, if, in his legal opinion, we could satisfactorily pass the law and go on under the present Regulations which existed under the Interim Control Law or in any way would it be ultra vires, to pass this new Law, say that we have amended the Interim Law and then use the Regulations. How could that be satisfactorily solved for the time being until the Regulations are prepared and brought back to this House? That is one point that is operating in my mind, Sir, that I would like to have cleared.

HON. G.E. WADDINGTON: The position, Sir, is that under clause 42 of this Bill, which states as follows "subject to the saving provisions of this Law, the Land Development Interim Control Law (1969) is hereby repealed and every statutory instrument made or having effect thereunder is hereby revoked, - then follows a proviso saving the question of appeals procedure. So the answer to the Honourable Member, Lady Member from George Town, is that all regulations and statutory instruments under the Development Interim Control Law, 1969 would be revoked and would have no statutory effect whatsoever under this Bill.

MISS ANNIE H. BODDEN: Mr. Chairman, one further question, could we here today pass a resolution that these old Regulations be effective under this Law until new ones are made? Or how are we going to operate without regulations? Because that Planning Board, they have been in a lot of difficulties and will always be in difficulties when they had Regulations to go by, much less if they are left at sea, I wouldn't like to be one of the members.

HON. G.E. WADDINGTON: I don't think that would be possible, Mr. Chairman, because sub-clause (3) of clause 36 (c), is quite clear that no regulations shall be made pursuant to the provisions of this Law unless a draft thereof has been laid before the Legislative Assembly and a resolution approving the draft has been passed by the Legislative Assembly that draft is laid before the Assembly, then there could be no resolution approving it. And what I would suggest, Mr. Chairman, is that the Law is passed, if Members are of that view, and as early as possible in the new year, the draft regulations be laid before the Legislative Assembly.

MR. CHAIRMAN: To get some sort of order into the discussion, I am inclined to suggest, if Honourable Members agree, that we might try to take the bill clause by clause but treat the clauses in groups according to the various parts of the bill. I need hardly say that this is not in any way to prevent any Honourable Member from expressing any views he may want to express on any particular clause. But I think we shall get on faster if we take the clauses in groups. So we may first consider the first two.

CLERK: CLAUSE 1: SHORT TITLE AND COMMENCEMENT: CLAUSE 2 - INTERPRETATION.

QUESTION PUT: AGREED CLAUSES 1 AND 2 PASSED.

CLERK: PART I CENTRAL ADMINISTRATION, CLAUSE 3 ESTABLISHMENT AND CONSTITUTION OF CENTRAL PLANNING AUTHORITY, CLAUSE 4 APPOINTMENT OF STAFF CLAUSE 5 DUTIES OF AUTHORITY.

QUESTION PUT: AGREED: CLAUSES 3, 4, and 5 PASSED.

CLERK: PART II DEVELOPMENT PLANS: CLAUSE 6: PREPARATION OF DEVELOPMENT PLAN, CLAUSE 7 AMENDMENT OF DEVELOPMENT PLANS, CLAUSE 8 APPROVAL OF DEVELOPMENT PLANS, CLAUSE 9 DEPOSIT OF DEVELOPMENT PLANS.

QUESTION PUT: AGREED: CLAUSES 6, 7, 8 and 9 PASSED.

CLERK: PART III CONTROL OF DEVELOPMENT LAND. CLAUSE 10 PROVISION FOR DEVELOPMENT, CLAUSE 11 DELEGATION TO BOARD, CLAUSE 12, APPLICANT FOR PLANNING PERMISSION, CLAUSE 13, REFERENCE OF APPLICATIONS TO AUTHORITY, CLAUSE 14, APPEAL TO AUTHORITY, CLAUSE 15, SUPPLEMENTARY PROVISIONS RE GRANTS OF PLANNING PERMISSION, CLAUSE 16, REVOCATION AND MODIFICATION OF PLANNING PERMISSION, CLAUSE 17 ENFORCEMENT OF PLANNING CONTROL, CLAUSE 18 SUPPLEMENTARY PROVISIONS AS TO ENFORCEMENT, CLAUSE 19, PENALTIES FOR FAILURE TO COMPLY WITH CERTAIN ENFORCEMENT NOTICES, CLAUSE 20, CONTINUING OPERATION OF ENFORCEMENT NOTICES. INTERRUPTION.

MR. IRA WALTON: Mr. Chairman, just excuse me, this is not studying the bill clause by clause, we are merely running through it and the Clerk is giving me a hard time to find where we are.

MR. CHAIRMAN: Would the Honourable Member care to wait until the Clerk has finished reading the clauses, in which case I propose to offer a comment?

CLERK: CLAUSE 21 PRESERVATION OF TREES AND WOODLANDS, CLAUSE 22, MAINTENANCE OF WASTE LAND, ETC. CLAUSE 23 APPLICATION OF PART 111 TO DEVELOPMENT IN LESSER ISLANDS.

MR. CHAIRMAN: Now, Honourable Member, you have the opportunity to comment on any one of those clauses, I should be glad if you would indicate which clause it is you wish to speak to. Do I assume that no Honourable Member wishes to speak on any one of those clauses - in which case I shall put the question.

QUESTION PUT: AGREED: CLAUSES 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 PASSED.

CLERK: PART IV COMPENSATION FOR REFUSAL, OR CONDITIONAL GRANT OF, PLANNING PERMISSION. CLAUSE 24, DEFINITION OF "PLANNING DECISION"

CLAUSE 25, COMPENSATION FOR PLANNING DECISIONS. CLAUSE 26, NO COMPENSATION PAYABLE IN CERTAIN CASES. CLAUSE 27, NO COMPENSATION IF OTHER DEVELOPMENT PERMITTED. CLAUSE 28, GENERAL PROVISIONS AS TO CLAIMS FOR COMPENSATION.

CLAUSE 29, ACQUISITION OF LAND IN LIEU OF COMPENSATION.

MR. CHAIRMAN: The same situation applies, Honourable Members, you have the opportunity to speak to any one of those clauses. In that case I shall now put the question.

QUESTION PUT: AGREED: CLAUSES 24, 25, 26, 27, 28 and 29 PASSED.

CLERK: PART V. ACQUISITION AND DISPOSAL OF LAND FOR PLANNING PURPOSES.

CLAUSE 30, ACQUISITION OF LAND. CLAUSE 31, APPROPRIATION OF LAND OF THE BOARD.

CLAUSE 32, AMENDMENT OF SECTION 21 OF CAP. 81 FOR THE PURPOSE OF THIS LAW.

QUESTION PUT: AGREED: CLAUSES 30, and 32 PASSED.

CLERK: PART VI SUPPLEMENTAL. CLAUSE 33, POWERS OF ENTRY, CLAUSE 34 SERVICE OF NOTICES, CLAUSE 35 POWERS TO REQUIRE INFORMATION. CLAUSE 36, REGULATIONS. CLAUSE 37 APPLICATION TO LAND REGULATED BY SPECIAL ENACTMENTS.

CLAUSE 38 UNFINISHED BUILDING. CLAUSE 39. APPEALS TRIBUNAL. CLAUSE 40, APPEALS, CLAUSE 41, ANNUAL REPORT. CLAUSE 42, REPEAL OF LAW 2 of 1969 WITH SAVINGS. CLAUSE 43, SAVING OF EXISTING LAWS, CLAUSE 44 FINANCIAL PROVISION. CLAUSE 45. APPLICATION. CLAUSE 46, TRANSITION (LAW 2 of 1969)

HON. W.W. CONOLLY: Mr. Chairman, I would just like to say one thing generally that the Schedule to this Law, really the board outlines of what the Regulations will contain and if the Law is passed, I would suggest that there be an interim time for the appointed day for this law to become effective and the Regulations could be dealt with at a special meeting sometime early in January so that we could have the Board functioning as early as possible into the new year. I think that in order to have the thing run as desired it might be better for us to have a special meeting to consider the regulations; once we have got the law passed we can have the Board, the composition of the Board and the Regulations and the whole thing can go forth in a packet. I would suggest that as early as possible in the month of January that is appointed day of the coming into effect of this Law and before that a Special meeting of the Legislature to consider regulations under section 36 (3) be summoned.

HON. D.V. WATLER: Mr. Chairman, the only thing with that would be that after the 31st of December there would be no planning Law, nothing to control anything, between that and the new law coming into effect. So that in there is going to come and you draft the regulations, and have a special meeting in January, it would seem as though that if it is going to be early in January to have the regulations presented, it is better to pass this law now so that it can have something into effect because the regulations are not absolutely necessary for the operation of the law, the regulations give directions as to the applications but approval can be given without the regulations. And I would say that it would be better to have the law into effect and then bring the Regulations as quickly as possible.

MISS ANNIE H. BODDEN: Mr. Chairman, as I recall they had this demonstration some time in May gone a year ago, as I recall, or April, that the meetings of the Board were suspended for a period of about six weeks because there were no regulations to work under. Now I can't think even if we pass the law, which I agree to pass it, but not to become effective until these regulations have been approved, I can't see that they could operate or give any building permission while they haven't got regulations so to do. I could be wrong, of course.

MR. IRA WALTON: Mr. Chairman, to pass this law now would be contrary to the motion which gave birth to the Committee to study this comprehensive planning law because, as I recall, the terms of reference of the motion was that the members would meet to reconsider the Land Control Development Interim Law and Regulations with a view to making recommendations to Government for the drafting of a comprehensive law to be presented together with regulations to the Legislative Assembly at its earliest convenience.

HON. W.W. CONOLLY: There is no doubt in my mind that we have to have a law, we have to have this law passed before the end of the year because we are going to run into trouble if we are not.

MR. CHAIRMAN: On the point that has just been made and the Clerk has just handed me the motion which is relevant to the case, it did say that the Committee shall re-examine the Land Development Interim Control Law and Regulations with a view to making recommendations for the drafting of a comprehensive planning law, together with regulations, for presentation to the Legislative Assembly at the earliest opportunity it didn't specify that the Legislation and regulations would be presented together, and I don't think that that necessarily follows.

HON. D.V. WATLER: Indeed and in fact, Mr. Chairman, the Regulations were presented first, the present Regulations that are now under the Interim Law, are regulations that were agreed to by this Legislature, drafted by them and helped and vetted by them.

MR. IRA WALTON: The Regulations that we dealt with that was something contrary to that motion also, because that motion did not mention anything about studying the Regulations for the Land Control Development Interim Law - it said that the members would meet to re-examine that law with a view to making recommendations to Government for the drafting of a comprehensive law, together with regulations. it said together with regulations.

MR. CHAIRMAN: And I have just ruled that this does not necessarily mean that the law and the regulations shall be submitted together.

MR. T.W. FARRINGTON: Mr. Chairman, as I see it, Sir, I don't see anything wrong in us passing this law, I think what members are a little worried about is that the regulations are not coming forward at the same time. I would say, pass the law and get cracking on these regulations as fast as possible and perhaps, it doesn't necessarily mean that this law comes into effect at such and such a time as the Governor may say by Public Notice or by Notice in the paper. I can't see anything wrong about us passing this and getting cracking on these regulations as fast as possible. Then when they are ready, come before this Assembly and have them passed. I've seen it before where we had the Law and we go to have the law before we can make the regulations to begin with, and if we've got the law then there shouldn't be any great difficulties in having these regulations brought forward and passed. It shouldn't take a long time to do that, that can be done within a matter of weeks perhaps.

MR. IRA WALTON: Mr. Chairman, I don't feel too strongly about passing the law without the regulations but I'm looking at it from a legal point Sir, and you very well can't recommend that it be passed without the regulations, I would much prefer to get the advice of the Legal Advisor, The Honourable Second Official Member.

HON. G.E. WADDINGTON: There is no reason in the world, Mr. Chairman, why the law can't be passed now. As the Honourable Member for West Bay said, if the law is passed now and he used the term "if we get cracking on the regulations" and we could have put before the House within a week or two in the new year. It would only mean a delay of a week or two in processing applications that may be made under the law. So there is no reason why the law should not be passed now, indeed the law has to be passed before any regulations can be made thereunder.

MR. JOHN JEFFERSON: Mr. Chairman, listening to the debate that's gone on, I see no reason why we shouldn't bring this law into effect and later make provision for the regulations. For under Section 36 (3) I think takes care of all the worries that we might have. "No regulation shall be made pursuant to the provisions of this Law unless a draft thereof has been laid down before the Legislative Assembly and a resolution approving the draft has been passed by the Legislative Assembly. So I see no reason for any concern there, Sir. I wholeheartedly support this.

MR. PRESIDENT: We seem to have reached the stage where things are fairly clear - one, we can't have the regulations without the bill brings about the possibility of having them, two, we can't make the regulations, even if we wanted to, without the consent of this House. I think it would be best not to pin-point an exact timetable for the introduction of regulations, but I would accept the obvious wish of the House that the Regulations should be put into effect, should be drafted, and submitted to the House and brought into effect as soon as possible.

MR. IRA WALTON: I would like to make this last comment, Mr. Chairman, and Members, that as far as I am concerned, they could pass it or they could leave it because actually it isn't much over the Land Control Development Interim Law and I think one of the reasons why the Land Control Interim Law caused some concern some time backwards was this question of powers given to the Control Board and the same applies to this Law, so whichever way it turns, the Board can use its discretionary powers to grant or to refuse permission to build.

MR. ANTON BODDEN: Mr. President and Members, I have been through this Bill and I know that we should have a comprehensive Law to deal with development and what-not, but I fail to see how the Regulations could not be drafted with the report made by the Committee - a report agreed on by a majority of the Committee. I fail to see how that we couldn't arrive at drafting some regulations to live up to the context and the request made by the Legislative Assembly in the first instance, in our terms of reference, and through that Sir, knowing what has happened in the past, I am willing, whenever things are put right, to give my sanction to this law, but under the circumstances, I can't give it today, Sir, I fail to see how I can be doing public justice if I give sanction to this law today without any regulations

MR. IRA WALTON: Same here, Sir.

MR. ANTON BODDEN (CONTINUING) taking into consideration what has happened before. Thank you very much, Sir.

MISS ANNIE H. BODDEN: Mr. Chairman, I am not sure that we have got this far as yet, but the First Schedule a member of the Board, Authority or Board, shall, subject to the provisions of this Schedule, hold office for a period not exceeding two years. I am not so happy about them holding office for a period not exceeding two years, but I am quite cognizant of the fact that it need not be two years, but I don't think two years

MR. CHAIRMAN: May I just check up on a point I am not sure we have got to the Schedule yet

MR. T.W. FARRINGTON: We haven't reached the schedule yet

MISS ANNIE H. BODDEN: We haven't reached the Schedule yet, but I am just speaking so there wouldn't be any confusion while we are waiting to decide.

MR. CHAIRMAN: You will have your opportunity when we get to the Schedule. We have now reached the stage where I think I can put the question.

QUESTION PUT: AGREED: CLAUSES 33 to 46 PASSED.

CLERK: FIRST SCHEDULE: CONSTITUTION AND PROCEDURE OF THE AUTHORITY AND BOARD.

MISS ANNIE H. BODDEN: Mr. Chairman, as I was saying, I am not very happy that the members of the Board can hold office for a period of not exceeding two years. I feel that a period of not exceeding one year would have been a better medium - of course I am not objecting too strongly, but I don't recall in our dealing with this Development and Planning Law that we said two years - I do not recall. I thought it was one.

I am not arguing the point very strongly, Sir, if that is the decision of the meeting I am not going against it, but I thought it was one, but I would not swear, because it happened a very long time ago.

MR. IRA WALTON: You can say that again.

MR. CHAIRMAN: Does any other member wish to offer any comment on the First Schedule?

QUESTION PUT: AGREED: FIRST SCHEDULE PASSED.

CLERK: SECOND SCHEDULE. MATTERS FOR WHICH PROVISION MAY BE MADE IN DEVELOPMENT PLANS

HON. G.E. WADDINGTON: May I suggest that in this schedule, Mr. Chairman, that the words "PART I ROADS" be written in, just underneath the title of the Second Schedule.

QUESTION PUT: AGREED: SECOND SCHEDULE AS AMENDED PASSED.

CLERK: THE TITLE

QUESTION PUT: AGREED: TITLE PASSED

HOUSE RESUMED

REPORT THEREON

HON. W.W. CONOLLY: Mr. President, I have to report that a bill entitled the Development Planning Law, 1971 was considered clause by clause by a Committee of the Whole House and passed with one amendment on page 45 by the inclusion of the words "PART I ROADS" to the Second Schedule.

SUSPENSION OF STANDING ORDER 54

MOVED BY HON. W.W. CONOLLY, SECONDED BY HON. B.O. EBANKS.

HON. W.W. CONOLLY: As has been repeated, the urgency of this bill to have it through is only caused by the fact that at the end of this year the Interim Control Law will have expired so the request for the Suspension of Standing Order at this time is put so that at the end of this year and the beginning of January there will be law controlling development.

QUESTION PUT: AYES. NOES

AGREED BY MAJORITY.

THIRD READING

MOVED BY HON. W.W. CONOLLY SECONDED BY HON. B.O. EBANKS:

QUESTION PUT: AYES: NOES. AGREED BY MAJORITY. BILL GIVEN A THIRD READING AND PASSED.

CLERK: THE DEVELOPMENT AND PLANNING LAW, 1971

APPROPRIATION BILL, 1972

MR. PRESIDENT: Honourable Members, we seem to have got ourselves into a somewhat extraordinary situation over the Appropriation Bill, 1972 through lack of a quorum in the Finance Committee. Now I am well aware that there are special factors which probably only apply this year. Sittings have been held in West Bay which is not very convenient, however, we are near to Christmas and the lateness of the Budget Session, which of course is caused, at least in part, by the timing of my arrival here. We shall try to make things easier next year.

As matters stand, our primary objective, the primary objective, I think, of all of you, must be to have the Appropriation Bill passed and the Estimates approved. I ask your co-operation in doing this and of course we would like to do it today, if we possibly can. I don't think any of us want to sit tomorrow, if we can avoid it.

So the procedure will be - firstly, to receive the Report of the Finance Committee as far as it was able to get - I don't anticipate the need for further detailed discussion about the items which the Finance Committee have dealt with. Secondly, to move the Recommittal of the Appropriation Bill to the Whole House in Committee so as to provide the opportunity, which obviously Members are fully entitled to, for discussion of matters which the Finance Committee was not able to reach. On that point, I would, I think, fairly emphasize that the opportunity for detailed discussion on these points has now, to some extent, passed, and I think I am entitled to ask that Members should confine themselves to matters of major importance. That is the second stage of procedure, and the third stage is then to take the formal Third Reading of the Bill in the Whole House: This, I think will get us back on the rails. So I shall ask the Third Official Member to report on the proceedings of the Finance Committee as far as it was able to get.

APPROPRIATION BILL, 1972

REPORT THEREON

MR. V.G. JOHNSON: Mr. President and Honourable Members, I beg to report on the Appropriation Bill, 1972 and the Draft Estimates 1972 which were forwarded to the Standing Finance Committee for consideration. The Finance Committee had its first meeting on Tuesday morning the 13th of December and there was a quorum and the business of the meeting proceeded. The day, however, was spent in debating one particular matter and that matter is concerning the recommendations by Government in upgrading a number of posts occupied only by local officials and some dissatisfaction was shown on the recommendations of Government. The Committee insisted that all they expected was action taken with regard to four posts which were named at the time that the query was raised in the Budget Session of 1970. This matter was presented to the Governor during the course of the day and the Governor sent a message to the Finance Committee which read as follows -

"I will, if members so desire, undertake to review the salary structure of the super scale and posts of deputies and Assistants to Heads of Departments, resulting from the recent exercise as presented to the Finance Committee and forming a part of the 1972 Estimates of expenditure in the light of the views expressed by members of the legislature,

It must, of course, be understood, but I will form my own judgment in due course since this is a matter for myself as Head of the Administration. It must also be understood that I will not countenance any form of discrimination between officers."

The message, Mr. President, was debated for the rest of the afternoon and the meeting was adjourned and reconvened the following morning. There was a quorum on Wednesday morning and the matter was again put to members in the form of a motion and the motion was un-unanimously accepted. The Committee then proceeded to first of all pass one of the Estimates, which deals with Revenue. The Committee again expressed views about the deficit which the 1972 Budget will carry and it was put forward that Government had accepted this responsibility on the grounds that control would be put on expenditure and every effort exerted in the collection of Revenue.

I would like, at this stage, Mr. President, to mention today that we are again facing a bit of problem where the 1972 Budget is concerned. Over the week-end the United States Dollar was devalued. The devaluation of the American dollar was in the vicinity of approximately 8%7¢. This is going to bring a new parity to the American dollar with the

Mr. V.G. Johnson Contd.

pound of approximately \$2.60 and the American dollar then would be worth 77¢ Jamaican. All foreign exchange throughout the world is closed today but it is expected that tomorrow morning new rates will be published and all foreign exchange will be opened again. As far as we are concerned here, we are using today the same old rate instead of new rates.

What I would like to say, Mr. President, is that by the devaluation of the American dollar this Government will be losing on Revenue during 1972 approximately \$100,000 by this devaluation. The greater part of the imports of this country comes from the United States and we will be paying less for the dollar, so that by the devaluation of approximately 8% on the total imports from the United States will bring us a quarter of the revenue during the year of approximately \$100,000. This will fall again or even closer strictness over the production of revenue. In other countries, there would have been probably existing legislation which would cause the Government to place today a surcharge on customs to redeem that 8%, unfortunately we cannot do it here.

I know that probably this will not affect prices locally and this drop in revenue will probably be to the benefit of merchants, I don't know whether the public will enjoy any benefits from it, but I would hope so. I just mentioned this in passing, Mr. President, because it is very important as far as this country is concerned - the devaluation of the American dollar has its repercussions, advantages and disadvantages in various countries of the world, we will have our share of it as well.

During Wednesday morning the Finance Committee accepted the proposal for revenue as put forward and then it moved on to consider the Expenditure Heads and the Estimates as set out in the Appropriation Bill in the Schedule. The Committee accepted that morning Heads 1 to 5, the First Head is His Excellency the Governor and Staff, \$309,073, Head 2 District Administration . . . \$30,428, 3 Legislative Department \$53,776, Head 4 Police, Prison and Immigration \$291,013 . . . Head 5, Finance and Development \$639,141.

The adjournment came, the luncheon period, and at that time the Finance Committee requested to see Heads of Departments in the afternoon sessions for interviews, they were the Chief Medical Officer or the Acting Chief Medical Officer, the Collector of Customs, and the Chief Engineer of the Public Works Department.

The afternoon session was a quorum - there were 9 members present and so the meeting was kept open the whole afternoon and another member did not show so the afternoon session was purely informal when we had discussions with the Chief Medical Officer: the Committee then adjourned later in the afternoon.

The following morning, Thursday morning, there was a quorum and the business continued, We went to other Revenue Heads:-

6 Post Office	\$121,435
7 Customs	\$164,417
8 Legal Department	\$ 36,150
9 Judicial Department	\$ 47,743
10 Agricultural Department	\$ 33,126

There was also a good bit of discussion under the Agricultural Department, Mr. President: Members were told that there was no one acting in the Post of Chief Agricultural Officer, instead there was a proposal for the appointment of a Veterinary Officer for the Department who would somehow be the Chief Officer of the Department. This was probably a recommendation that was put forward earlier by the ex Chief Agricultural Officer but had not yet been decided on by Government, but the recommendation, nevertheless, is put forward in the Estimates. Members expressed the view that whatever the policy may be that policy should continue and that someone, in fact, should have been appointed to act in the Department in the interim. There was an Agricultural Officer who had had training at various times on the subject and that, in fact, there was someone in the Department who was eligible for appointment to act in that post. Members have asked that the matter be put before the Governor for consideration because it is not the wish of members to see any form of discrimination put forward, especially where local officers are concerned. This was again included in the report from the Chairman of the Finance Committee.

Head 11 was accepted this is Department

	LAND AND SURVEY	\$9,990 (taken figures only)
12	TOWN PLANNING	\$20,264

Just at that time the Committee was proceeding to consider Head 13, Medical and Health Department and the Committee had intended to sit through the luncheon period and on into the afternoon with an endeavour to complete the business of the Committee that day. Unfortunately, at 12 o'clock one member had to leave and at one o'clock another member had to leave and when the second member went then the Committee was without a quorum and business automatically stopped.

The Clerk sent a message to other members who were not present during the day with an endeavour to re-establish the quorum of the Committee. The 9 members who were there waited until 3.30 that afternoon and when no one showed up the members who were present decided that the Committee should end its deliberations and report back to informal session of the Legislative Assembly and submit its report.

The Members who were present at that time recommended that because there was no quorum that the Committee should end its deliberations and report back to the House and then request the recommitment of the Appropriation Law, 1972 and those members also recommended that at the formal session request the House to accept the business that had already been dealt with and accepted by the Finance Committee in formal session, and that the balance of the business be dealt with in the usual manner, i.e. in a Committee of the whole House.

Mr. President, this is, briefly, the report from the Finance Committee and at this stage I would move for the suspension of Standing Order 59 in order to recommit the Appropriation Bill, 1972.

SECONDED BY: HON. D.V. WATLER.

QUESTION PUT: AGREED.

APPROPRIATION BILL, 1972 RECOMMITTED

COMMITTEE THEREON

MOVED BY: MR. V.G. JOHNSON

SECONDED BY: HON. D.V. WATLER.

HOUSE IN COMMITTEE

MR. IRA WALTON: Mr. Chairman, are we in committee not to complete deliberations on the Estimates, Sir?

MR. CHAIRMAN: We are in Committee one to resolve formally that the items that have been dealt with by the Finance Committee, secondly the Committee to consider the remaining items of the Schedule, items 12 to 21.

MR. IRA WALTON: I am afraid, Sir, that this is contrary to our normal procedure of the Finance Committee, and I cannot participate in this and I would rather withdraw. (MR. WALTON LEAVES)

MR. CHAIRMAN: I wouldn't attempt to tell Honourable Members what they must do or what they must not do. I understand that contrary to all the rules, we had a Finance Committee without a quorum, and this is why this has been devised of getting out of the difficulties we found ourselves.

CLERK: CLAUSE 1 SHORT TITLE

QUESTION PUT: AGREED: CLAUSE 1 PASSED.

CLERK: CLAUSE 2: EXPENDITURE AUTHORISED.

MR. V.G. JOHNSON: I move that Items 1 to 12, inclusive of the Schedule be accepted as written in the Law. These are Heads of Expenditure that were dealt with by the Finance Committee as reported earlier and accepted without any amendment and rather than dealing with the items individually in the schedule, I would move formally that Items 1 to 12 be accepted as printed.

QUESTION PUT: ITEMS 1 - 12 OF SCHEDULE ACCEPTED: AGREED:

MR. V.G. JOHNSON: Mr. Chairman, we go on now to Item 13, Medical and Public Health. The expenditure in detail representing that head is set out in the Estimates, commencing at page 90-98. I have no further recommendations on this regarding what provisions have been set out under this Head, except on page 94 a bit of discrepancy was found here and while this will not change the sum total on that page, the items (dd) would be amended. This is the recommendation for those items. Under (dd) Bonuses Jamaica Staff \$3,355 will be struck out and there will be no provision there.

We come to (gg) Special Duty Allowance \$5,000 will be replaced by \$6,335, this is a provision whereby the Medical Officers are paid a Private Practice Allowance of \$1,000 a year. Then we have (hh) Motor Car Upkeep Allowance \$3,600 will be increased to \$5,200. This is allowing for 13 officers instead of the provisional number of 9 officers.

There is a new item inserted - (ii) - Off Duty - Allowance to nurses called on maternity cases while off-duty - \$330.

The total sum will then be \$205,885.

MR. T.W. FARRINGTON: I notice there is an item for Rental Dispensary District Surgeon, Grand Cayman \$10,480: have you made any provision for a District Surgeon?

MR. V.G. JOHNSON: No - I don't know what Government intends to do with the building, whether it will be returned to the owner. There hasn't been time to think what to do with the provision. Perhaps it could be left and during the coming year a decision can then be made.

HON. BENSON O. EBANKS: I would just like to ask the Financial Secretary whether the figure under 9 - Drugs and Medical Supplies is the amount requested or whether this has been reduced in order to fit into the Estimates.

MR. V.G. JOHNSON: The matter was dealt with at the Hospital as it has given some concern over the last few years - apparently there is little or no control over the purchase of drugs there. Last year there was a provision of some \$20,000 for drugs and this increase is probably 75 to 100 per cent over the previous year. The Medical Department was asked to look at the purchase of drugs. It happened that the year ended making a provision of \$60,000 in the revised estimate - an increase of 50 per cent of the original estimate. Again, it was difficult to know what was happening there because the revenue in the Hospital did not reflect too much. A proposal was made again this year to provide another \$40,000. It was thought that by this year everything would have adjusted itself in the medical department and that there would have been some control in the purchase of Drugs, about 3 or 4 months ago I understand that the \$40,000 has been spent and there is request now for some \$22,000 again, making a total of \$62,000 this year.

However, with the attachment there of a Hospital Manager to advise on the lay side of the Hospital he has taken up the matter of drugs there and discovered recently that there was a stock of over \$30,000 in drugs at the hospital, so in fact there seems to be a need for some regulation for the protection of drugs and again, I am not too certain what the position is to go ahead increasing and increasing the provision for drugs and not really going into the control of drugs, this seems to me not quite in order.

I have just approved virement of funds within the head to take care of an additional \$10,000 for drugs which will be reflected in the final figures which has been spent. The extra amount that is requested and to make up the \$22,000 will be carried over into 1972, to be a part of the allocation of the \$40,000. This is what has been done and during 1972 we will really have to good look at the drugs at the hospital, as to what control is being instituted and this stage it is difficult to provide funds and not knowing what sort of control is going to be instituted there. But we hope that by early next year this will be done, and so I propose to allow the figures to remain as presented here.

MISS ANNIE H. BODDEN: Mr. Chairman, I may be out of order, but it appears to me that drugs are being recklessly imported hand over fists by all concerned. I might be out of order, but I feel that Government should take some steps to see that this drug situation at the Hospital is corrected, because apart from that, there must be something seriously wrong somewhere.

MR. IRA WALTON: Mr. Chairman, not only must there be more proper control over the purchase of drugs but there seems to be no control over the illegal use of them also. I hope that now we have gotten clear of one of the people who was involved in this thing it can be cut down a little, but I have every reason to believe that it is still going on, the illegal use of drugs in the hospital.

QUESTION PUT: AGREED: ITEM 13 MEDICAL HEALTH DEPARTMENT \$323,795 approved.

ITEM 14 - MOSQUITO RESEARCH AND CONTROL DEPARTMENT \$181,712

MR. A.B. BUSH: I would like to know, Sir, how long is it anticipated that this plane will be spraying - is it a continuous thing or is it experimental, and I wonder if anyone could say just how long it is expected to last. As I understand it this was in the final stage of the research and a comprehensive plan was to have been made.

MR. V.G. JOHNSON: The whole operation of the M.R.C.U., Mr. Chairman, is experimental and at the same time endeavours have been made to control mosquitoes with the eventual aim of eradicating mosquitoes completely from the Cayman Islands. I imagine it will take a very long time, nevertheless, aerial spraying is also an experimental arrangement - I don't know what will happen when this phase is over.

MR. IRA WALTON: The Director of the M.R.C.U. told me some time ago that he never hopes to eradicate mosquitoes out of the Cayman Islands, he said he is hoping to control them to a point, but never to eradicate them. And I am saying, Sir, that the only means of eradicating mosquitoes is the reclamation of land and I think that is pretty expensive - now this thing has been going on for about 6 years and we will have the mosquitoes with us and I think we are going to have them a long time yet. As I said, it is a pretty expensive exercise and with no thought of eradication in view, because a couple of thousand of mosquitoes can give just as much trouble as a couple million. I am wondering Sir, if any effort is being made to have some young Cayman pilot trained to take over that mosquito plane, if there is going to be such an expensive period of time, I feel that somebody should be trained to take over that spray plan in the very near future.

MISS ANNIE H. BODDEN: Mr. Chairman, those of us who are old enough to know must admit that this mosquito control unit has done wonders, they have done wonders. Up to 1946 man or beast couldn't survive now mosquitoes are really at a minimum. And while it is rather an expensive job I couldn't agree to cut one penny off it.

About a Caymanian being trained as a pilot, well, I personally wouldn't like to fly with either one that is not right up to scratch, I am afraid of planes, period, much less.

HON. W.W. CONOLLY: Mr. Chairman, in reference to the pilot; this has been explained to us before it is a very skilled job, spray pilots for agricultural purposes are very skilled persons, so much so that I think there is some reluctance on the part of commercial airlines to employ a pilot who has been used in this field, and I think that was demonstrated a few days ago at the airport when people saw the plane in action, so I think it is the intention, whether we get to that or not, of filling all these posts with Caymanians, but the training of a pilot, I don't know to what extent we could start training a pilot for this, it has to be a person who has a lot of experience with a commercial airline and from there you go on then to this specialized field.

I take it that the plane is owned by us and it has only been in action for the last year, I would take it that we have a few years yet in which to see exactly what performance and what effect it has played on the control of mosquitoes. I would think that we will have this in action for some years, that is, the plane and I am sure that it has to form part of the whole research programme, because there are a lot of places in this island where we cannot get mobile machinery into, it will have to be done by aerial spraying.

MR. IRA WALTON: Mr. Chairman, I agree with the Honourable Member from East End when he said that the demonstration some days ago was something to look at, it was quite an interesting exercise and I must congratulate the Frenchman for handling that plane, to make it appear like a mosquito on the second take-off, but I don't think that has anything to do with not training a local person, because he is only a man and he was trained for this, and I see no reason why a local person couldn't be trained to handle the plane.

MISS ANNIE H. BODDEN: We have a trained pilot now, and may be he will be considered to be trained as a mosquito plane-spraying expert.

MR. IRA WALTON: It takes special skill to do low-level flying, I agree with that but nevertheless, what man has done man may do.

HON. W.W. CONOLLY: Mr. Chairman, what I meant to say was this that I think as far as the training is concerned, you have to have the hours in the air, as experience, you just can't send somebody in there to train as a pilot for agricultural spraying - he would have to have the commercial flying time in, and then you branch out into this specialised service.

MR. IRA WALTON: I quite agree with that, Sir, for any type of flying you must have certain hours, it doesn't only apply to low-level flying it applies to any type of flying.

QUESTION PUT: AGREED: HEAD 14. MOSQUITO RESEARCH & CONTROL DEPARTMENT. \$181,712 APPROVED

HEAD 15. EDUCATION DEPARTMENT \$370,900.

MISS ANNIE H. BODDEN: Mr. Chairman, with your permission, I would like to enquire from the Financial Secretary this item Transportation - page 109 which is an increase of \$10,970 - would that only cover local transportation or that has something to do with sending these students abroad?

MR. V.G. JOHNSON: Mr. Chairman, that item is solely for transportation of school children within the Cayman Islands, from their districts to their school.

MISS ANNIE H. BODDEN: Mr. Chairman, I must disagree with that. I feel that Government is providing very adequately, up to a point, for education and is as little as the parents can do to try and contribute something to the transportation of their children, and while I am very, very sympathetic with education, I feel that, after all, we just can't afford to go on dishing money out, hand over fist, and most of these people who attend the school, their parents have motor cars and they could get bicycles and ride but this \$10,970, in my opinion, we could very well cut that out.

When I went to school, if I had a slate, sometimes I would have to break piece off the corner and write with that and I don't think that really we can afford to give everything that everybody wants, and while I am very sympathetic with education and would love to see Caymanians take this pre-eminence this permanency in their island, I doubt it very much, because when they are educated, they might serve that little one year or three years and they are gone to greener fields I do not agree with this \$10,970 additional money for transportation.

MR. IRA WALTON: I am sorry Mr. Chairman, I have to disagree with the Member for George Town but I think that our Government has spent money lavishly on things less important and I can't see of any way it can be better spent than on education and as for the parents having cars, there are some students that cannot find the second mouthful to eat. I would support it 100 per cent.

MR. V.G. JOHNSON: Mr. Chairman, transportation for school children is an item that has caused a good deal of debate, not only today but for many years and of course, I share partly the views of the Members from George Town, the first member for George Town that probably the Cayman Islands is the only country today where the Government offers complete secondary education to the public without any charge. I know that in other countries Government helps secondary education to some extent but not all the way and it seems to me as if the Government has been putting a lot into education over the past few years and it may be coming to the point where we should ask the public to make sort of contribution, even towards secondary education. Primary education, I would say no, this is a Government commitment and the Government should honour this obligation. But certainly where secondary education is concerned the parents should be asked to contribute something to this.

I agree with the other Member who said that there are some people poor enough that they can hardly find the next meal, well, in every case there is an exception, if there are people who can ill afford to pay transportation for their children to school, we wouldn't like to see those children stay away from school because of that and certainly the Government would be glad and prepared to assist here, I think. But what about the parents who can afford to pay the transportation of those children? I think they should be asked to contribute something and I don't know what Government policy will be in the future but I would think that this is something that could be examined.

MR. IRA WALTON: To find out who can pay and who cannot pay would be a very difficult exercise and I feel that if the Government is going to provide a service, it should provide the service for rich or poor, black or white, whoever the person is.

MR. V.G. JOHNSON: I should mention, Mr. Chairman that another way in which this problem could be dealt with, is to introduce an education tax, where everybody would contribute to education.

MR. CRADDOCK EBANKS: Mr. Chairman, if I may say that as regards the Financial Secretary's remarks as to what he feels. As one of the operators this proposal has been put to Government and it appears that Government does not take any interest in seeing that it goes into existence. We felt that parents should contribute something along this line, whether it was 50¢ a week or 10¢ a week, however, nothing has been done about it.

Being one of the first to start transporting children in this island, a number of years back, in fact when I was first approached I brought in about 5 children from North Side and when the Education Department asked me the rate I tried to tell them 4/- per child, started out on that and in a matter of a few weeks they called me back and said they couldn't afford to pay that. What else could I do about it? I reduced it to 3/- and there were days after days that I would come into town in my truck with three, four and five children at 3/- a child. Nevertheless, we got out of that after a period of time and got to where more transportation was needed. Then when Government finally thought it was time for them to go into it, they made a lot of proposals and we accepted in the majority, but little or none of them have been finalised. When they talked about it on a contract basis we accepted that and something, I don't know whether it could be called a contract, nevertheless, for the past 5 or 7 years we have been going on on something similar to a contract, an annual agreement in writing and sort of renewed, and putting out to tenders, whatever was tendered, or whatever might have been accepted, nevertheless it went on. As one of the operators, it has been brought out in the last notice from tenders that there seemed to be some discrepancy someplace.

In all there are six operators - five in the Grand Cayman and one in Cayman Brac. The total amount estimated for the year \$39,970 - one of the operators is giving 3 trips but his mileage may be one to three miles more than what myself and the Eastern operator had given. The time is very little different, it may be half an hour in the time basis - there is very little difference in mileage and time. And on the school day and the year and the rate that operator is getting at the end of the school term he will be paid \$12,960 for the school year against then \$27,000 left to be divided between five other operators. To me there is some discrepancy someplace that is being over-looked. It needs some investigation, Sir, I can't smother my conscience because I am an operator.

I don't know what steps Government might take to adjust anything, but I really think that parents could denote something, a 5 or ten cents or something. Further it was recommended there might be on a mileage basis arrangement, whether it is 5¢, 10¢, 15¢, or \$1.00 a mile, then it would be something substantial to build a foundation to work on but nobody knew what the other tendered for, I tendered for what my conscience might have felt was right, and the other operators probably did the same, how it was dealt with by the Committee, I don't know, but it was brought to light within the last couple of months what one operator was getting over the others, there seemed to be something wrong someplace, and that is probably why this has gone up to this \$10,970.

MR. V.G. JOHNSON: I would recommend, Mr. Chairman, that we accept this figure that is put forward here and that a request be made that the Education Department investigate this matter carefully in the coming year.

MR. T.W. FARRINGTON: This item that we are now discussing has been one that has been discussed for years and years. I have been a member of the Education Council for a number of years and this item has come up over and over again, and we have tried everywhere we could to get it broken down to where it would be workable. It is a very sticky one, and one which it will be hard to adjust - for instance, Sir, it was suggested that Government buy its own vehicles for transportation, but after an examination it was decided that it would be much better to pay someone on the outside than to have Government buying these vehicles because the up-keep and what-not would be more than what Government might pay an outsider. It is true that Government is spending a lot of money here but this is one Department which I think we should feel proud of that we have been able to do this much over the years.

In education we have been working towards a goal, and I think we have been doing a very good job and I feel this that if we start saying that one must pay 2/- and another must pay 1/- then we shall really be running into trouble. I don't know whether we will find any other formula now but we have tried to reach some formula in the past and we haven't been able to do any better than what we have come up with here.

I remember the member for George Town speaking about what he did years ago, I remember what I did when I was a school boy I walked from West Bay to George Town to go to school and walked back but we are not going to get that sort of stuff today, that is something of the past we have to have that bus coming to the door and I would think a second time before I would say cut anything off this education vote.

MR. CRADDOCK EBANKS: I wasn't suggesting that anything be cut off, I was merely saying that it needed some investigation.

HON. W.W. CONOLLY: I would just say this, I think it is time that we investigate the whole policy relating to this because if our educational system proves a success and we continue on the programme that is planned we will have double the amount of children coming to that school, so in a short time, in a couple of years' time, we are going to have double this amount or more so I think it really does need bit of investigating the whole thing, or we may find ourselves spending more on transportation than on books.

MR. JOHN JEFFERSON: Mr. Chairman, I accept this figure here, \$39,970 - transportation, with reservation as I too feel that the time has come when there should be a definite look taken at the whole situation.

MR. V.G. JOHNSON: Mr. Chairman, there seems to be a discrepancy with the staffing under the Education Department. During this year recommendation was made for an increase to take care of the second phase of development of the comprehensive school, with an increase of 10 bodies but apparently during the course of the year it was found that 10 bodies could not adequately take care of this and provision was made under New Services - Education Department - for One Education Officer, two Graduate Teachers, five trained teachers, with a total cost of \$23,616 and a request is being made by the Education Department that these provision be embodied in the 1972 Estimates so that they can be effective on the 1st of January. When the application was made under New Services and these provisions submitted, it was thought then that this was going to be a part of the third phase in comprehensive education programme, but apparently the additional bodies are required just not. So I would ask that the sum of \$23,616 be added to the education vote.

MR. JOHN JEFFERSON: Mr. Chairman, one tends to ramble when it comes to departments where a tremendous amount of money is being spent, and not a cent more than I believe really needs to be spent, because we realise that education must have its first place in our country. But there is one thing I believe I would like to call your attention to, Sir, and would ask that you would make note of it, and that is the principal of the John Cumber Primary School, West Bay says, and I quote "that with the number of children that are missing such a high percentage of the school year that it is time that we do something to try to remedy this situation". I remember years ago we had probably just ten or twelve policeman, we had people who were able to go around and find out kids that weren't coming to school and the reason why and it is to our advantage in a society like this to make sure that every child in this community is forced to attend, at least elementary school. In issuing a word of warning, she said that something must be done now.

MR. IRA WALTON: With reference to the Honourable Member from West Bay's remarks, it appears to me that there are a lot of children running around and something should be done since there is compulsory education, something should be done on the part of Government to see that those children go to school. Sometime not long ago, at least some 20 children were turned out of school immediately on reaching the age of 15, even in contravention of the law, therefore it is evident that somebody is quite anxious to get them out of school, on reaching the age of 15, yet nobody is interested in seeing that those who should go to school go to school.

MR. CRADDOCK EBANKS: Item (1) Janitors - how many are employed?

MR. V.G. JOHNSON: I don't know - there is probably a janitor for most of the big schools, but I am not too certain what the number is.

MR. IRA WALTON: There is no janitor for the Secondary Modern School.

MR. V.G. JOHNSON: Well, there is an increase in the provision over that of last year.

MR. IRA WALTON: I would hope, of course, that since you have the word "janitors" in there it would mean that they are thinking in terms of putting one at the Secondary Modern School because they do need one there.

QUESTION PUT: HEAD 15 EDUCATION DEPARTMENT, AMENDED WITH THE ADDITION OF
\$23,616 - TOTAL \$394,516 ACCEPTED.

HEAD 16. PUBLIC WORKS DEPARTMENT

MISS ANNIE H. BODDEN: Mr. Chairman, as I see it, this is something like \$15,000 additional expenditure in this Department. I don't know how many extra staff, if any, has been added, but I would enquire of you, Sir, that something be done to see that the money in this Department is spent to ensure that we in George Town, (I am being very parochial, I think the word is, now) get something done to our roads. I know that anything in the world that is worth anything there is a price attached to it, and you only get into life as much as you put in yourself - you don't get one thing for nothing, but I am very unhappy about this Department, when it comes to roads. In front of my old shack, about two months ago, not many more, the road was supposed to be repaired. Before that repair began, there were three or four pot-holes in one section, now all over the place there is a continuity of those holes. While I know we need money to do work, and I feel that we should put all we can get into roads, nevertheless, I feel that some work should be issued to whoever is in charge to see that when men are put out to repairs the roads, that there is some proper supervision. You see a truck with six or seven men, two may be standing beside the road, one with a broom one with a flag, one with a shovel, and there is no supervision, absolutely doing just as they please. And I feel now that if we voting this amount of money I don't know who is responsible, but at least something should be done to let whoever is in charge of roads know that when they send school-boys out to repair roads, that some civil engineer or somebody who knows how to do the job, is sent along to over-see it.

MR. IRA WALTON: I would like to know how the Heads of Departments arrive at these odd figures, like say for instance one Department is telling you they want \$10,506 - I am wondering if this is just an estimate to say \$10,000 because during the course of the year they are apt to come back and ask the Finance Committee for supplementary expenditure and submit figures which might amount to over 25% of this amount? I don't see where that figure could be realistic, if they have to come back so often and for so much more - they couldn't work it down to \$6 or \$7.

What I would like to say Sir, (I am about to leave now,) I am not going to support these estimates because, first, I am not agreeing with the Government budgeting for a deficit and I think, Sir, we are plunging this country too far and it appears that this development is being forced on us, because I cannot recall anywhere in the British Commonwealth or otherwise in such a small country, with such limited resources, we have four major projects going at the same time. We got the Court Office, we got the Parliament Building, we got the Public Works, we got, I think, the Police Building supposed to go up pretty soon and we could have done without most of them for quite awhile and concentrate our efforts on education and hospitals, which are the two most essential in any country. And, I am not going to be a participant to plunge this country into grant-in-aid, which is evident, if we must vote for such a large sum to run this country for 1972, Sir.

MR. V.G. JOHNSON: Mr. Chairman, maybe we could remind the member that project for Public Works yard, and the Police Headquarters and Station, are being financed by the British Government. Parliament and Court Buildings are

Mr. V.G. Johnson Contd.

local projects, financed by this Government, at the same time the British Government is also financing other big projects, the completion of the Eastern Road programme, estimated to cost \$280,000, is being financed by the British Government, the re-construction of the Road West Bay to North West Point, is also being financed by the British Government, at a cost of around \$80,000. So the efforts being undertaken by this Government are small to what the British Government is doing here in capital development.

MR. IRA WALTON: That may be so, Sir, but that just what concerns me a little too. In the past we have paid our way quite happy about it and to continue with such major developments, we must of necessity introduce taxation to borrow the money or accept gifts, which I am not too happy about in any case. I feel that if we want to develop the country to provide labour for our people and once the development reaches beyond that point, the whole position becomes stagnant. I feel, Sir, that this development is being forced on us and we are stretching our necks a little too far. Thank you Sir, I won't bother you any more.

MR. V.G. JOHNSON: Mr. Chairman, again in reply to this I would say that once the Cayman Islands accepts development there is very little we can do about it, other than institute all the control that is possible, and this is what the Government is doing today. As to the rate of growth that we see here, as I have said, there is very little we can do about it. So whatever has been brought about is something that we ourselves advocated here, so we must be prepared to live with it.

HON. E.E. KIRKCONNELL: Mr. Chairman, I would like to point out that the Courts Building and the Parliament Building were agreed to by Members of this Assembly, and therefore that money being spent one would only expect it would reflect in the Estimates here.

HON. W.W. CONOLLY: I have a different view from the member who has said that he is not happy about receiving gifts - I think the grants that we get and have gotten in the past have been a political decision of members of the British Government and I think that there are a lot of countries who probably got more than we did and I mightn't be too anxious to beg, but on the other hand, I think that we appreciate what has been given us and if it is continued, we will still go on appreciating it, Sir. I wouldn't like to see it cut off at this stage, because there are a lot of big project which we will never be able to do without the assistance of monies of this sort. I am not suggesting or thinking about going grant-in-aid, yet on the other hand, going grant-in-aid, as far as we are concerned, I don't think we will ever think about it, I don't think we will ever get to the stage of getting grant-in-aid at this time of the day. Yet on the other hand, it might have been good for us, 15, 20, 30, 40 years ago if we were grant-in-aid, because a lot of these things which we are struggling over now, might have been provided, nevertheless, that is water under the bridge.

I feel that this estimate or this budget is in any way plunging us into grant-in-aid or into a disastrous situation. If you look at the financial statement, the financial position of the island as a whole, even though this year there might be a shortage of cash-flow, which comes in any business venture, yet we have the assets, we have had the surplus capital and I think there is no better time to use it, to use money, as when you need it: we need schools, we need docks, we need an airport, we need the Parliament Building, we need the Court's building, and I feel this is a very good time of spending your money when you need something. This is an investment, it is not dead money, like the airport and the dock, these are going to generate money, going to bring in more, so I feel today that we shouldn't look at the budget as a real dead-end of these Islands' finances. I feel that more money is going to come next year, and next year we are going to have a beautiful budget.

MR. T.W. FARRINGTON: Hear! Hear!

MR. IRA WALTON: To answer the Honourable Elected Member, I would like to say this, Sir, not all members when the matter of the construction of the Parliament Building was presented to the Legislative Assembly, while of course members were happy because I am sure for over ten years this was in the making, but never did we think it would cost what it is expected to cost now. Because I understand that it is going to cost just a little over 30% more than it was estimated to begin with.

HON. CAPT. E.E. KIRKCONNELL: Mr. Chairman, I would say this, in reply to that, if we had left it another year we would pay another 30% on that again.

MR. V.G. JOHNSON: I would add to that, Sir, that we are lucky it only rose by 30%.

MISS ANNIE H. BODDEN: Mr. Chairman, as one who had advocated that Government provide its own buildings, I was very unhappy in the last Budget session when I knew that Government had to spend some fabulous amount in rent for the Treasury to be transferred to a private building. I know that to get anything there must be sacrifice and I feel that if we have to sacrifice we are doing a good job to get a proper Parliament building and a proper Court room. Now, I would never like to have it said, during my life-time, that we were grant-aided. I remember years ago, from the time I was first in the Assembly, about 9 years ago, whenever we asked the Honourable, First Official Member anything about roads, he reminded us "Do you want to get grant-aided?" Well, we said "NO", and I am still of that opinion. While I appreciate gifts from Her Majesty's Government I want it to be said that we are of such an independent character that while we appreciate and accept gifts, we will never lower our standards to the place where we are trying to get things just to get them for nothing.

HON. BENSON O. EBANKS: Mr. Chairman, I am not sure Sir, why this term "grant-in-aid" is being drawn across the trail, but I think Members should understand that development grants are not grant-in-aid: when you become grant-aided is when you can't meet your current expenditure

MR. IRA WALTON: That won't be long

HON. BENSON O. EBANKS (CONTINUING) and we are putting \$759,000 local revenue into development projects - that is fixed development. I don't see where the position is unhealthy at all. But if you draw your bank account to buy a car, you have the car, and you don't have your bank account. You are getting a Court's Building, you are getting a Legislative Assembly building, buildings that are needed - not only to provide seats for members of the Assembly or for the Judges, but it is necessary to bring some dignity to the Government of the country - give the country a soul! And I think that we had a long debate on this before, it was accepted, and I don't think we are really achieving that much to hash that over now. And, as I said, let's not get worried about this picture - if our revenue is on the increase, the barometer looks good for 1972 and I think we are going to be all smiles by the end of 1972 about the position of our Revenue. There is no reason to expect anything different.

As far as the development grants which we have been receiving from the British Government, Sir, I hope to see them continue, I hope to see them increase until we have all of the necessary services that we need as a country; we cannot continue to have Government's services and Government's accommodation second rate in the country-

Hon. B.O. Ebanks Contd.

Government must be looked up to and respected and we cannot achieve this if we are to give people sub-standard accommodation to work in and all that goes with it. I don't see any cause for alarm.

MR. IRA WALTON: I agree, Sir, that we are getting two beautiful buildings, two prestige buildings, but we are getting them at the expense of Caymanians through lack of medical facilities. As I said before, we should have concentrated our efforts on education and health: today we don't even have running hot water in the maternity room or the operating room at that hospital - something that is most needed

HON. BENSON O. EBANKS: Mr. Chairman, through you, Sir, I would like to ask the member if he is suggesting that why we don't have that facility is because we are building a Parliament Building? Surely, Sir, that would be a simple matter to put into a Hospital, I explained this the other afternoon, I don't know whether you were here or not, I have looked at the hospital myself - to put a hot water system throughout the hospital is a major job, because of its construction, but it doesn't take much imagination to provide hot water in the two areas where it is needed to give proper medical attention. As far as I am concerned, there was an over-sight why it has not been done.

MR. IRA WALTON: A very serious one, I daresay, because it may seem a simple matter but it is highly essential that hot-water should be in both those places, and really an over-sight on somebody's part, and I hope that every effort will be made to put it there.

MR. V.G. JOHNSON: Mr. Chairman, I think we are dealing with Head 16 - Public Works Department - we are not dealing with Parliament and Courts Building

MR. CHAIRMAN: I was about to say, Third Official Member, that we have let this debate range pretty widely and I am very interested to hear what members feel. Can we now please come back to the Public Works Department and either approve or not approve of the amount allocated to it.

MR. CRADDOCK EBANKS: Mr. Chairman, if I may ask the Financial Secretary (k) (l) (m) (not that airline) building supervisor, works supervisor, road supervisor, who are all these individuals?

MR. V.G. JOHNSON: They are part of the staff of the Public Works Department that was approved from the Budget Session last year, and form a part of the estimates this year and the same number of bodies will be provided next year. There are no new recommendations under Public Works.

MR. CRADDOCK EBANKS: Then the senior Road Foreman, further down - now as has just been said, and in fact it has been expressed in here, what causes the most of our troubles is lacking what behind these scenes - supervision, because whoever may be the road supervisor, I don't see anybody on the roads supervising them when it comes particularly to maintaining and to me it is just about where the maintenance just as well be discontinued, because after it is with the standard that it is being done under, it is but a very little bit better than when they had the holes, you only move from a hole to a hump, so though you have these potholes here, paying for them, we are still not getting what we ought to get.

MR. V.G. JOHNSON: I am sure, Mr. Chairman, that there is a great improvement over the last couple of weeks in the roads from the conditions they were left in as a result of the heavy rains here and what they are now.

MR. CRADDOCK EBANKS: A little bit, but you want to tell me when you have a hole three inches deep and you fill it and you have two inches above the surface, there is much difference in that? There isn't much difference.

MR. V.G. JOHNSON: Well, you have to work that down. (MEMBERS - LAUGHTER)

MR. CRADDOCK EBANKS: Yes in the garage - when I go in there with a broken spring, like yourself, with a broken shock, and a broken radiator and a leaking battery, and all the rest of it - that's where we work it down.

MR. JOHN JEFFERSON: Mr. Chairman, I see item 21 - Cemeteries: Maintenance of Cemeteries and planting of grass at Prospect, George Town and West Bay Cemeteries. There is one point I would like to raise, while we are on Cemeteries is that there has been an extension on the West Bay Cemetery, it has been surveyed and blocks laid out, it hasn't been fenced, but Mr. Chairman, the money that is asked for these individual lots I must make the point that it is far out of proportion, out of reach of any Caymanian, particularly I think in West Bay right now there are now, I know personally of two widows in the District of West Bay who have their husbands buried there: I think the amount of money asked for a lot is something like \$285 a lot and it is one thing for us to have an extension and it is a necessary thing but there is one thing we will have to stop and take into consideration - are you going to have two properties - one for the people, probably the most wealthy and one for those of average income. Because I can say that regards to the size plot, the price is very outrageous, I would say, in the least and I think we are going to have to take a look at that because right now it is being borne upon people - just a few days ago the Collector of Customs brought the attention to myself and the two widows who have made representation regarding this - and I would ask if you would take note of this.

HON. BENSON O. EBANKS: Did you say, the Collector of Customs?

MR. V.G. JOHNSON: It is always usual to make a nominal charge for a plot of ground in the graveyard but this is never fixed beyond the reach of the individual - I don't know what has happened in this case - this is being dealt with by a Department and it is likely that it will have to be looked at.

MR. T.W. FARRINGTON: Mr. Chairman, may I ask who is really and truly in charge of the Cemetery in West Bay? We, in the past, have prided ourselves in having a beautiful cemetery well kept, well, of course I think it has been deteriorating. I notice for instance, that the fence around the cemetery has dropped down and I have been trying to find out who is really responsible for the up-keep of these cemeteries. That is something that we pride very much and I would like to know that these are cleared up and I am glad to see that the cemetery in George Town is being cleared and I think that was largely the effort of the lady member for George Town in seeing that this is done. I would like to know that all the cemeteries in the Island are kept - of course, we might have to spend a little money on them but I think that is money well spent, and I think it is something which will add to the dignity of any community to have their cemeteries well kept.

MR. CHAIRMAN: In all my experience in three weeks here, Mr. Farrington, I would like to echo everything you have said.

MR. CRADDOCK EBANKS: Mr. Chairman, I myself was going to ask a question on cemeteries - planting grass, what type of grass and what is the reason for planting this grass? This must be a Santa Claus joke.

MISS ANNIE H. BODDEN: Mr. Chairman, the trouble in the George Town cemetery is that I have been fighting very hard to try and get the grass and bush out of that, plus the beer bottles and the beer cans and while we are on this matter of cemeteries, I talk so much about it that I am sick and tired of speaking any more, but I feel that really, it is not a joke any more, that our George Town, (we have a fence around it) and I notice that up to Saturday afternoon it has been destroyed. I feel, (I don't know where the money is coming from) that that fence should be replaced and about the grass being planted, I feel that that should be eradicated, if possible.

Another thing is this, we have a Commissioner buried there, which I have tried to maintain his grave as long as I could, sometimes I fall down on the job, but I feel that when the cemetery is being looked into that that grave should be taken care of - all the fencing around it is broken down and I feel that if the Public Works (I mean, this might be a little beside the point) is to take care of it, they should be instructed to clear up that grave and repair the wall around it, to a degree where how it should be kept, in the proper condition.

I saw in the newspaper a few weeks ago that one of the sailors of one of Her Majesty's ships was buried there, and that cemetery was in such a dilapidated condition, it couldn't be found. I heard a West Bay lady say that she had told the officer that was trying to get the man's death certificate that had he been buried in West Bay the grave would have been kept, but not in George Town, and I quite agree with her, although I am very sorry to have to say so but it is the truth.

HON. BENSON O. EBANKS: Mr. Chairman, for the records, I would just like to say that this question needs to be looked at - not the maintenance so much, but to see that if Government is going to operate the cemeteries, they have a law under which they operate them so that they can find out who is responsible, which department.

MR. A.B. BUSH: Mr. Chairman, to get off of Cemeteries - (I would rather go to Street Lighting) I see in the Explanatory notes here - Contract with C.U.C \$12,000. \$3,000 to provide new Street Lights. May I ask how many more street lights Government expects for this year.

MR. V.G. JOHNSON: The explanatory notes for that item should read "Contract with CUC \$12,000 - \$3,000 to provide new lights". This will provide the same number of lights that we have been buying over the years: I understand that there are a good many lights now to be installed too.

MR. A.B. BUSH: Are lights being installed now? As I understand they didn't have any more to install because as far as I can find out in George Town we only have four lights installed in George Town all this year. I took this matter up with the Chief Engineer, Public Works Department and he even got a copy of the lights that were installed from Caribbean Utilities - with all that I can't find them and I have asked him to look into it and so far I haven't had any reply from them yet. I think this was taken up in the Road Board meeting, the very last meeting in regards to taking an account of all the lights that we had and to make sure that we were getting value for what we were paying for, but somehow or other we feel that we are being charged with lights: as I said they put up lights and we can't find them - we don't know where they are and we would like to have a count taken of all the lights to make sure that we are getting all the lights we are paying for. Something is out of line, somehow or other. It needs looking into.

MR. V.G. JOHNSON: I think a programme should be prepared - for street lighting - to say what has been installed, roads that should be lighted, and what will be done each year - I am afraid that this has not been done and we should not go on purchasing lights in an ad hoc manner without having a programme to go by.

MR. A.B. BUSH: May I say further, Mr. Chairman, that I have been asked, I think it was from last year, to try to see whether these lights could be located where they were needed most, and I and the other member from George Town Mr. Walton went around with Public Works and we marked these poles and up to now lights have never been installed in them and yet on the very list that was submitted by the Caribbean Utilities to the Chief Engineer he said he had installed lights on these poles and I can take anyone today and show them that there is no lights on these poles, so no doubt Government is being charged for this light when there's really not a light there, and this is something that I would bring to your attention, and as I have said we have asked the Chief Engineer already to look into this and make sure that we get it right, but up to date I haven't heard anything more.

MR. CRADDOCK EBANKS: Mr. Chairman, my colleague on the left here tells me he is kind of happy because he had scorched out East End and North Side, but I would like to inform him that it is not alarming that North Side is scorched out but we haven't got one light as yet, so I don't know where they have gone to, if they are all put up, if they are used, if I was told right, they were supposed about 10 lights in the hands of Public Works for North Side, or 20 lights rather but we haven't got either one yet. I marked the poles in the first district in Old May Bay area, three weeks ago, but no light has been installed into the North Side area - the poles haven't even been marked there yet, in fact, they haven't been able to get around to these, I presume, but nevertheless, out of the 20 that were supposed to be there for North Side, we haven't either one yet.

MR. V.G. JOHNSON: I think they are still in reserve in Public Works Department.

MR. CRADDOCK EBANKS: I hope so.

MR. A.B. BUSH: Mr. Chairman, may I explain to the Member from North Side when I said that I saw that North Side and East End had been scorched out, I really meant that I thought the lights had been installed in East End and North Side and not that they were left without any.

MISS ANNIE H. BODDEN: Mr. Chairman, I would just like to say this, Sir, from the time I have been in the Assembly about 9 years ago, the Hon. Nominated Member asked that the Harbour Lights next door to the Old Fort that the pole be extended higher, coming back to Item 13 - from 9 years ago and it was brought to the attention of the Public Works Department that this was a request from the Assembly and that the pole should be extended higher so that it would be above Water Building, I think it was, and as of now it is still there, I don't think it has ever correct and I would ask, if I am not out of order, that this business be straightened up, that this pole be made higher because it was explained (I am not a master mariner nor don't even know navigation, I want to learn it if I don't die too quickly) but it was a necessity. I feel that this should be attended to.

MR. V.G. JOHNSON: The matter has been with the Public Works for the last two or three years and they are still looking at it.

HON. CAPT. E.E. KIRKCONNELL: Mr. Chairman, I would just like to say this, when the Naval ship was in here last, the Captain said that he was going to use the Beacon on top of the Cable & Wireless antenna as their future land mark, and if that is properly done, I think it would help take care of the case because where it is right now you can't find it.

QUESTION PUT: PUBLIC WORKS DEPARTMENTS: \$357,371. APPROVED.

ITEM 17. CIVIL AVIATION DEPARTMENT: \$118,936.

MISS ANNIE H. BODDEN: Mr. Chairman, Item 4. Maintenance Airfield and Buildings - \$19,000, is that to maintain the present building or actually what is that for?

MR. V.G. JOHNSON: This is supposed to cover light, maintenance of the building and also the field, cleaning, and doing a bit of fencing etc.

MISS ANNIE H. BODDEN: Mr. Chairman, with your permission, I would like to enquire from the Financial Secretary the erection of a new Airport Terminal is that anticipated to take place during this coming year?

MR. V.G. JOHNSON: Well, this is an item under the Loan Section of the Head Development Expenditure which we will come to in a short while.

MISS ANNIE H. BODDEN: In the meantime if we are going to renew this building, why maintain this present one?

MR. V.G. JOHNSON: I don't think it is a good policy to spend too much on the present old building, if you have a new building in mind, but nevertheless, you can't avoid spending something to maintain this in the interim that the new building is provided.

MISS ANNIE H. BODDEN: That is the whole point, Mr. Chairman, if this thing is so far gone, I hear some people say this which I do not agree with, I would rather say that the airport needs some extension and the building remain as it is, but of course I am only a casual observer but \$19,000 is quite an amount of money to spend if we are going to build a new one.

MR. V.G. JOHNSON: This amount is to maintain what we have now.

MR. CHAIRMAN: I think the short point really is that you can't spend really very much less on maintaining what you have now, and at the same time set out to try and get something better.

QUESTION PUT: CIVIL AVIATION DEPARTMENT: \$118,936 APPROVED
ITEM 21; DEVELOPMENT: LOCAL; DEVELOPMENT AID, LOANS

A. LOCAL: \$758,940

MISS ANNIE H. BODDEN: Mr. Chairman, with your permission, I would like to enquire from the Financial Secretary item 14 - House for Government Staff- \$28,000 - is that the amount I understood from him not too long ago that Government was in process of purchasing some houses for I think, he said \$60,000 to be paid over a period of three or four years - is that a part of that project or is this in addition?

MR. V.G. JOHNSON: Yes, the explanatory note on the other side says that payments November, 1971 to December, 1972 on property purchased from Tim Thompson for \$80,000 payable over 5 years amortized.

MISS ANNIE H. BODDEN: On this point, Mr. Chairman, I don't go very much by rumour, but it was brought to my attention that those houses had to be completely re-piped, or whatever you might call it, that all the plumbing was completely destroyed, that's the reason why the owner was selling. I wonder if that is a fact or not, Sir.

MR. V.G. JOHNSON: The Public Works Department was asked to examine this and there were a few defects, here and there, which the owner undertook to rectify himself but to the contrary, I think it was a very, very good buy by Government, and in fact before the deal was completed there were other people vying to purchase this property. So I think it was a very good buy.

MISS ANNIE H. BODDEN: And Mr. Chairman, I just would like to ask one other question, does that, for the time being, take care of housing for Government staff or do we still have to get additional rented quarters?

MR. V.G. JOHNSON: That helps a little bit, but Government is now renting about 30 houses and I am afraid that this will increase from time to time, especially when we look at the education and development programme, where you have to be bringing in more and more teachers.

MR. JOHN JEFFERSON: Mr. Chairman, I note also Item 5- School Playing Fields in 1971 Revised Estimate \$9,000, Approved Estimate was \$5,000- I see that in 1972 they have allocated \$600.

MR. V.G. JOHNSON: The provision under Capital Expenditure, Mr. Chairman was limited to a very few things because of the fact that there were certain specific commitments by Government, (1) the completion of the Legislative and Court Buildings, \$650,000, secondly, a provision of \$60,000 for continuing the re-surfacing of the West Bay/George Town /Bodden Town Road, which commitment we made with the British Government and thirdly commitment \$28,000 as first payment on the Tim Thompson's houses: the balance of the funds that were available for capital expenditure had to be divided among other small things and the school playing fields, of course, had to be limited as well. This is all the explanation I can give for the reduction there.

MISS ANNIE H. BODDEN: Mr. Chairman, on page 129, I see here in 1971 there was \$10,000 spent under Item 35 - Public Lavatories and this 1972 it is only, must be, a token figure of \$20- well, I think that we should put in some more money - even here in this present building we would need such a thing. I am wondering if \$20 here is an appropriate figure.

MR. V.G. JOHNSON: The provision for Public Lavatories in the sum of \$10,000 was made this year, but there were varied opinions of this: I know in discussion on this subject at the last Budget Session, there were members who felt that if Government was not in a position to maintain properly public lavatories that they should not be built, they would probably be a menace to the town. Through the course of the year, of course nothing was done about this and I don't know whether the matter has been gone into properly to determine whether there should be public lavatories or not, and this is the reason why token provision has been put there, so that should in case Government decide to go ahead with it then you will have the item here at least.

MISS ANNIE H. BODDEN: Mr. Chairman, at least that may not be the correct term "public lavatories", but I wouldn't want to call it "private", but at least this Town Hall should have some kind of sanitary convenience, and our Town Hall in George Town, the antiquated outfit we have there, certainly could stand renovation.

MR. JOHN JEFFERSON: With reference to these lavatories- I don't believe we have any other alternative, having reached the stage in our development that we have, but to provide public lavatories. Saying that we are not able to properly service them or supervise the sanitation, I see where we have \$7,776 for Wardens in the new services, I think the time is quite here when the prisoners in this country should be made to provide some of this service - there is no reason why the prisoners shouldn't be able to take care of this. As far as I am concerned it is weak argument when we stop to think about the sanitation of the country and in Town, members look in the Town Hall at George Town where the members of the Legislature have had to use in the past years, I believe you could walk in there and you could come out with a different kind of feeling. Here in West Bay, look at the facilities that are put at the disposal of the members of this House. I think we have quite reached the time when we can spend the quantity of money we spend and I would use the word "wasting" on the maintenance of roads, I think that this is a service that we need, and which should be provided for the people of this country.

MR. V.G. JOHNSON: Much has been said about using prisoners in many of these public services, but when a person is sentenced to prison for a term of six months or more, he is automatically sent off to prison in Jamaica - this is by authority of the law, and unless you are able to keep long-term prisoners, then we couldn't rely on this service at all, because people go to gaol for sometimes a short period, and sometimes they are not committed to hard labour and it would probably be difficult to work them under these circumstances. If the service is needed you would probably have to provide warden service or services as in other areas.

MR. JOHN JEFFERSON: Then, Mr. Chairman, \$10,000 was provided for a Sports Centre in 1971 - I see \$20 allocation for expenditure in 1972 - I, for one member here, am quite or I should say, most happy to see the trend that the country has taken in the way of sports, to see healthy rivalry for a change, between teams and young people becoming interested in games and so-forth and with the movement of dope in this country, which I consider, it is most dangerous and will create for this Government a tremendous problem in the future, I think that we should provide this service for the people - I wholeheartedly support it. We voted on it this year and I can't see any reason to by-pass such a vital service.

MR. CHAIRMAN: I agree, Mr. Jefferson, I am sorry to use the chair as a seat from which to moralise, but the fact is if you look through every item under head of things on which no more than token provision has been made in the estimates for 1972, there isn't one thing there that you wouldn't give maximum priority to, is there? You've got to make a choice, the one that I would make a fuss about if I were in a position to make is "Litter Bins" - if that's not important, what is? But, well, you only have so much money to spend.

MR. A.B. BUSH: Mr. Chairman, I would like to go back to Item 16 - Explanatory Notes - what is the arrangement with the British Government?

MR. V.G. JOHNSON: Earlier this year when people from Development Division came here to arrange for development aid projects over the next year, all the proposals were looked at and when it came to the matter of roads we had an application before them for the completion of the Eastern Road programme which had come to an abrupt stop because of the shortage of funds, and then there were other proposals for reconstruction of roads elsewhere.

The British Government officials had a very good look at the road situation here and then they came forward and put a proposal to Government and the proposal was this.....

that the British Government would undertake to complete the Eastern Road programme which was estimated at a cost of \$280,000; the British Government would finance the re-construction of the West Bay/North West Point Road at a cost of approximately \$80,000, in return for this, this Government had to give the assurance that it would increase maintenance costs of existing roads from \$70,000 to \$90,000 under Recurrent Expenditure, and that this Government should undertake the reconstruction and re-aligning of the roads from West Bay through George Town to Badden Town. This latter job was seen to take about 3 years to complete and it was then estimated that it would cost approximately \$60,000 per year or \$180,000 for the complete job. This \$180,000 together with the increase costs of road maintenance \$20,000 a total of \$20,000 was against the British Government's assistance of something like nearly like \$380,000.

This was put forward and accepted. I think the matter of the re-construction of the West Bay/George Town/Badden Town road was put to Finance Committee already earlier this year when supplementary application was put forward for the first \$60,000. Of course \$60,000 would not be spent this year because we have just started to work on the roads, but next year certainly the Government hopes to spend \$60,000.

MR. A.B. BUSH: Mr. Chairman may I just say that last year I think we appropriated money for the re-surfacing of this road and the year went out, the money was used to patch the pot holes; I am hoping that we will really get a reconstruction job on this this year and I am hoping that it will start very early in the new year and that the money will be used to just patch the pot-holes as has been done in the past.

Another item here, Sir, item 15, Sea Walls- can anyone say where these are to go?

MR. V.G. JOHNSON: There is a proposal under Development Aid project- under item 72 - on page 133. This is a proposal being put to the British Government to finance the fixing of the sea wall in front of Cardinal Avenue, right across the airline office in George Town, Church Street, I think the shore-line is eroding.

MR. A.B. BUSH: I must say that this is needed, but I never heard anything about it before and this is very interesting to me and I am very happy about this, because I have always looked at this particular site and thought it could make a wonderful place, with a little money. But I never knew that anyone had it in mind. So I am very happy about this that something is going to be done about it.

MR. V.G. JOHNSON. We are hoping that the British Government will accept the proposal.

MR. A.B. BUSH: Because as most of you will know who has ever looked around that coast the sea-side will notice that the shore is eating away very fast and pretty soon you might lose that road, if something isn't done to it. I think this was spoken of years ago, in one particular part of it especially, and also with the Sea Wall over towards the Old Court House. As I have said, I have always looked at that as a place where something beautiful could be made.

QUESTION PUT: 21. DEVELOPMENT \$3,435,166,00 ACCEPTED.

MR. V.G. JOHNSON: Mr. Chairman before we put the question on clause 2 I move the motion that total of the Schedule be amended to read, instead of \$6,545,100 to read \$6,568,716 and that the body of clause 2 be amended to also read that the Financial Secretary of these Islands shall pay a sum not exceeding in the aggregate \$6,568,716,00.

QUESTION PUT: CLAUSE 2 AND SCHEDULE AS AMENDED PASSED.

CLERK: PREAMBLE:

QUESTION PUT: PREAMBLE AMENDED AS SUM TOTAL OF SCHEDULE PASSED
HOUSE RESUMED
REPORT THEREON

BY MR. V. G. JOHNSON

THIRD READING

MOVED BY MR. V.G. JOHNSON

SECONDED BY: HON. D.V. WATLER

QUESTION PUT: AGREED: BILL READ A THIRD TIME AND PASSED

CLERK: THE APPROPRIATION LAW, 1972.

GOVERNMENT MOTION NO. 8
CINEMATOGRAPHIC AUTHORITY

MOVED BY HON. D.V. WATLER

SECONDED BY: MR. A.B. BUSH

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 8. PASSED
GOVERNMENT MOTION NO. 9.
HOTELS AID LICENSING BOARD

MOVED BY: HON. D.V. WATLER

SECONDED BY: HON. G.E. WADDINGTON

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 9 PASSED
GOVERNMENT MOTION NO. 10

MOVED BY MR. V.G. JOHNSON: This motion is seeking a general warrant from the Legislative Assembly in order that expenditure for the various services of this Government may be continued on the 1st of January in the new year. The reason for this special general warrant is because it is not usual for the Appropriation Law to become effective on the 1st day of January in order to continue the various services of Government, there must be authority for expenditure and so this is a usual motion to this Legislative Assembly seeking the authority of the House to incur expenditure during the new year, in the interim that the Appropriation Law is approved. Expenditure will be restricted to salaries of officers as approved - there will be no increase in the establishment paid for during this time neither will there be any commitments for any new service in the new year's estimates. Mr. President, the motion is set out in detail and I would move at this time that the motion be formally accepted as it is put forward.

SECONDED BY HON. D.V. WATLER

QUESTION PUT: AGREED: GOVERNMENT MOTION NO. 10 PASSED.

HON. D.V. WATLER: Mr. President, before moving the adjournment of this House, I would like, on behalf of the members of the House, to extend to you and your good wife very best wishes for a very happy Christmas, it will be your first Christmas here with us and we trust that it will be a very happy and enjoyable one.

MEMBERS: HEAR! HEAR!

ADJOURNMENT:

MOVED BY: HON. D.V. WATLER

SECONDED BY: HON. G.E. WADDINGTON

QUESTION PUT: AGREED: HOUSE ADJOURNED, SINE DIE.