



**PARLIAMENT OF
THE CAYMAN ISLANDS**

OFFICIAL HANSARD REPORT

Third Meeting of the 2021/2022 Session
First Sitting

Wednesday
8 June, 2022
(Pages 1-24)

Hon. W. McKeeva Bush, JP, MP,
Speaker

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PRESENT WERE:

MINISTERS OF THE CABINET

Hon. G. Wayne Panton, JP, MP	<i>Premier</i> , Minister for Sustainability and Climate Resiliency — “MSCR”
Hon. Christopher S. Saunders, MP	<i>Deputy Premier</i> , Minister for Finance and Economic Development <i>and</i> Border Control and Labour — “FEDBCL”
Hon. Juliana Y. O’Connor-Connolly, JP, MP	Minister for Education <i>and</i> District Administration and Lands — “EDAL”
Hon. Bernie A. Bush, MP	Minister for Youth, Sports, Culture and Heritage — “YSCH”
Hon. André M. Ebanks, MP	Minister for Financial Services and Commerce — “FSC” <i>and</i> Investment, Innovation and Social Development — “IISD”
Hon. Sabrina T. Turner, MP	Minister for Health and Wellness <i>and</i> Home Affairs — “HW” and “HA”
Hon. Johany S. “Jay” Ebanks, MP	Minister for Planning, Agriculture, Housing, and Infrastructure — “PAHI”

EX OFFICIO MEMBERS OF THE CABINET

Hon. Franz I. Manderson, MBE, Cert Hon, JP	<i>Deputy Governor</i> , ex officio Member responsible for the Portfolio of the Civil Service
Hon. Samuel W. Bulgin, QC, JP	<i>Attorney General</i> , ex officio Member responsible for the Portfolio of Legal Affairs

ELECTED MEMBERS GOVERNMENT BACKBENCHERS

Hon. Katherine A. Ebanks-Wilks, MP	<i>Deputy Speaker</i> , Parliamentary Secretary to FSC and EDAL
Ms. Heather D. Bodden, JP, MP	Parliamentary Secretary to T&T and IISD, Elected Member for Savannah
Mr. Isaac D. Rankine, MP	Parliamentary Secretary to HAYSCH and PAHI, Elected Member for East End
Mr. Dwayne S. Seymour, JP, MP	Parliamentary Secretary to Housing, Labour, and T&T, Elected Member for Bodden Town East

OPPOSITION MEMBERS

Hon. Roy M. McTaggart, JP, MP	<i>Leader of the Opposition</i> , Elected Member for George Town East
Hon. Sir Alden McLaughlin, KCMG, MBE, JP, MP	Elected Member for Red Bay
Mr. Moses I. Kirkconnell, JP, MP	Elected Member for Cayman Brac West and Little Cayman
Ms. Barbara E. Conolly, JP, MP	Elected Member for George Town South
Mr. David C. Wight, JP, MP	Elected Member for George Town West

APOLOGIES

Hon. Kenneth V. Bryan, MP	Minister for Tourism and Transport — “T and T”
Mr. Joseph X. Hew, MP	<i>Deputy Leader of the Opposition</i> , Elected Member for George Town North

OFFICIAL HANSARD REPORT
THIRD MEETING OF THE 2021/22 SESSION
WEDNESDAY
8 JUNE, 2022
10:30AM
First Sitting

[Hon. W. McKeeva Bush, Speaker, presiding]

The Speaker: I call on the honourable Parliamentary Secretary, the Member for East End to say prayers.

PRAYERS

Mr. Isaac D. Rankine, Parliamentary Secretary to HAYSCH and PAHI, Elected Member for East End: Let us pray:

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

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

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

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

Amen.

The Speaker: Please be seated.

Proceedings are resumed.

I do have apologies from the Honourable Kenneth Bryan, Minister of Tourism and Transport, who will be absent for the first few days as he is overseas on business; and from Mr. Joseph Hew, the Deputy

Leader of the Opposition who will be absent from this meeting of the Parliament.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: None.

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

The Speaker: Thank you, Clerk.

Honourable colleagues, since the Parliament last met, we have lost outstanding citizens for which we extend our sincerest sympathies to all family members.

**On the passing of the
Hon. Sybil Ione McLaughlin, MBE**

We in this Parliament have lost former Members and we have lost our Honourable National Hero, the Honourable Sybil Ione McLaughlin, Member the British Empire and Justice of the Peace, who gave us valuable service as our Distinguished Clerk for many, many years; and as our very first Speaker of this honourable House.

**On the passing of
Mr. Benson O. Ebanks, OBE**

Also, we take note of the passing of the late Mr. Benson Obediah Ebanks, Jr., Officer of the Most Excellent Order of the British Empire and a Justice of the Peace, who was elected to the Legislative Assembly first in 1965 and served until 1976. He was re-elected in November, 1980, and served until 1992. We take notice of his passing and his many contributions to the development of the country.

I remember, specifically, the challenges he had with the development of the Community College, moving it from the old High School building—which I attended in '71—and to construct a new building. As we all know, the public came across with many, many kinds of objections, or why are we doing this now.

As all of us who have served in Executive Office understand, and all of us who have served as Members of this honourable Parliament well know the kind of objections we can get from people who oppose us

for the sake of politics; but I remember him pushing through with that, and we offer our thanks for his many, many, accomplishments to the development our country.

**On the passing of
Vestryman Arley James Miller**

Then we lost Mr. Arley James Miller, who served the country. He was first elected in 1958, under the old Constitution and, on the cusp of the new Constitution of 1959. He was re-elected under the new Constitution of 1959 but he did not take up his seat, nonetheless, Mr. Miller was a formidable political force throughout the country.

Many of us younger ones sought his advice; sometimes he gave it, and sometimes he told you plainly, "Boy, I cannot support you all now, you know.". He was quite outspoken and had a way of letting you know where he stood and I found him to be a man of his word; kept to his word, what he believed he was going to do, he did it. What he said he was going to do, he did it.

**On the passing of
Honourable Kenneth Bryan's Sister**

The Honourable Kenneth Bryan lost his sister and we extend our condolences to him, his mother and other family members. That funeral service will take place on Sunday, I am not sure at which church.

[Inaudible interjection]

The Speaker: The Calvary Baptist at 2PM, I think it is, so please bear that in mind.

**Condolences to the Deputy Governor
on the passing of his Sister-in-Law**

Then the Honourable Deputy Governor has sadly and suddenly lost his sister-in-law, Mary-Sue. Mary-Sue had a jovial personality, a friend to me all our years that we have known each other, but yes, a friend to all. We extend our condolences to our Deputy Governor, his dear wife and her family. That funeral service will take place at the Agape Church on Saturday the 18th at 2PM or somewhere around there but, of course, pay attention to the news media and you will hear more on exact times for that funeral.

We have lost these outstanding citizens. Our members, we remember their work; our former members, we remember their work; and we ask ourselves, *what now of us* and I say, but

*To act justly, to love mercy,
and to walk humbly with almighty God.*

One piece of housekeeping information: Members would know by now that some staff members have

moved to rental offices in Bermuda House. The old Hansard office is available with computers and office amenities for Members and their staff, to do any administrative work that may become necessary while here. That office is now available.

Thank you.

**PRESENTATION OF
PETITIONS**

The Speaker: None.

**PRESENTATION OF PAPERS
AND OF REPORTS**

**Cayman Islands Development Bank
Annual Report for the Year ended
December 31, 2020**

The Speaker: The Honourable Deputy Premier and Minister of Finance and Economic Development.

Hon. Christopher S. Saunders, Deputy Premier, Minister for Finance & Economic Development and Border Control & Labour, Elected Member for Bodden Town West: Thank you, Mr. Speaker.

Mr. Speaker, I beg to lay on the Table of Parliament the Annual Report of the Cayman Islands Development Bank, which is commonly referred to as CIDB, for the year ended 31st December, 2020.

The Speaker: So ordered.

Does the Minister wish to speak thereto?

Hon. Christopher S. Saunders, Deputy Premier: Very briefly, Mr. Speaker.

Mr. Speaker, the Office of the Auditor General issued an unqualified opinion with an emphasis of matter on financial statements of the CIDB for the 2020 year. The emphasis of matter, which does not change the unqualified opinion is due to:

- a. The CIDB being significantly reliant on continued government support in the form of capital injections as equity investments, and services provided by CIDB to government, in order to meet the bank's obligations and sustain its operational expenditures; and
- b. 36 per cent or \$7.4 million of the overall loan portfolio of the CIDB being impaired.

Mr. Speaker, the CIDB approved 46 loans during 2020, with a total value of \$3.2 million. At the end of 2020, prior to a loan loss provisions of \$1.5 million, the CIDB's loan portfolio totalled \$20.9 million. At 31st December, 2020, CIDB's total debt stood at \$11.7 million—a material decline from the \$15.7 million at the 31st December, 2019. The decrease in debt was mainly

due to the semi-annual principal payments on the loan facility with First Caribbean International Bank. CIDB's total liabilities totalled \$14.4 million at the end of 2020 financial year.

Mr. Speaker, CIDB earned a net surplus of \$200,000 loss for 2020, as a result of earning \$2.1 million in net income from operations and incurring \$1.9 million in administrative expenses. CIDB ended the 2020 financial year with \$9.2 million in cash, which comprised of cash held in:

- a. Current and savings accounts;
- b. In fixed deposits; and
- c. On behalf of the Education Council Scholarship fund.

Mr. Speaker, with respect to the Education Council Scholarship Fund, CIDB acts as an agent for the Government and held \$2.3 million in cash received from the government, for scholarships services as outlined in the 2020 purchase agreement between CIDB and the government. CIDB had no known contingent liabilities as at 31st December, 2020.

Mr. Speaker, the government wishes to express its gratitude to the CIDB and its Board of Directors, for their assistance and support during the period under review.

Thank you, Mr. Speaker.

2020 Annual Report National Drug Council Cayman Islands

The Speaker: The Honourable Minister of Health, Wellness and Home Affairs.

Hon. Sabrina T. Turner, Minister for Health & Wellness and Home Affairs, Elected Member for Prospect: Good morning, Mr. Speaker and thank you.

In accordance with section 24 of the National Drug Council Act (2010 Revision), Reports of Council, I am pleased to place before this honourable House, the Annual Report and Audited Financial Statement for the National Drug Council for the Fiscal Year 2020.

The Speaker: So ordered. Does the Minister wish to speak there to?

Hon. Sabrina T. Turner: No, sir, but I would like to say thank you to the management and staff of that Department. This Government is definitely looking forward to working with them and getting that Department and stakeholders' buy in, as we move forward in trying to control substance abuse, especially in our adolescents and teens.

Thank you.

Annual Report 2020 - Responding to the call - Health Services Authority

The Speaker: The Honourable Minister of Health, Wellness and Home Affairs.

Hon Sabrina T. Turner: Yes, Mr. Speaker, thank you again.

Under section 52(8) of the Public Management and Finance Act (2020 Revision), as Minister of Health & Wellness, and Home Affairs, I am required to present to this honourable House, the Annual Report and Audited Financial Statements of the Cayman Islands Health Services Authority for the 12 months ending 31st December, 2020.

I would also like to thank the people of Prospect for entrusting me.

The Government Minute — The Government's Updated Responses as at September 2021 to The Report of the Standing Public Accounts Committee on the Report of the Auditor General: Efficiency of Summary Courts (November 2019)

Government Minute – Follow-up on Past PAC Recommendations 2021 – Report 1 – August 2021

Government Minute – Improving Financial Ac- countability and Transparency: Financial Management and Reporting – May 2021

The Speaker: The Honourable Deputy Governor for these three reports.

The Deputy Governor, Hon. Franz I. Manderson: Thank you, Mr. Speaker.

Mr. Speaker, I beg to lay on the Table of this honourable House, the Government Minutes on the following reports of the Standing Public Accounts Committee and the Office of the Auditor General:

1. Follow up on past PAC recommendations 2021 - Report 1 – August, 2021. The Government Minute constitutes the Government's response to the report of the Standing Public Accounts Committee Tabled on the 8th December, 2021;
2. Improving Financial Accountability and Transparency: Financial Management and Reporting - May 2021. The Government Minute constitutes the Government's response to the report of the Standing Public Accounts Committee Tabled on the 8th December, 2021; and
3. Efficiency of the Summary Courts (November 2019). The Government Minute constitutes the Government's response to the report of the Standing Public Accounts Committee Tabled on the 1st July, 2020.

The Speaker: So ordered. Is the Member speaking thereto?

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, just briefly.

The Government Minute contains the responses and views of the Government along with progress updates on the recommendations contained in the report of the Public Accounts Committee.

Mr. Speaker, the Chair of the Public Accounts Committee raised concerns in relation to the timeliness of getting these reports to Parliament, so we are catching up. We have a few more that we would like to bring to the House as soon as possible, so we give an undertaking that we will have all of the Minutes brought up to date very shortly.

Thank you.

**Office of the Auditor General Cayman Islands –
HSA Outpatient Pharmacy Services
(November 2021)**

**Report of the Standing Public Accounts
Committee on the Report of the Office of the
Auditor General on HSA Outpatient Pharmacy
Services (November 2021)**

The Speaker: The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition, Elected Member for George Town East: Thank you, Mr. Speaker and good morning.

Mr. Speaker, I beg to lay on the Table of this honourable Parliament the report of the Office of the Auditor General entitled: Health Services Authority (HSA) Outpatient Pharmacy Services (November 2021).

The Speaker: So ordered. Is the Member speaking thereto?

Hon. Roy M. McTaggart, Leader of the Opposition: No, no sir; not with regard to the substantive report. Thank you.

**Cayman Maritime – Annual Report 2020 –
Maritime Authority of the Cayman Islands
(MACI)**

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks, Minister of Financial Services and Commerce and Investment, Innovation and Social Development, Elected Member for West Bay South: Good morning, Mr. Speaker.

I beg to lay on the Table of this honourable House the Annual Report and Audited Financial Statements of the Maritime Authority of the Cayman Islands for the period beginning 1st January, 2020, and ending on 31st December, 2020.

The Speaker: So ordered. Is the Honourable Minister speaking thereto?

Hon. André M. Ebanks: Yes, Mr. Speaker.

Mr. Speaker, I am pleased to present this Annual Report of the Maritime Authority. I would like to outline a few of the components of the Financial Statements and a few of the Maritime Authority's achievements.

Mr. Speaker, the Statement of Financial Performance will show that the total revenue earned by the Maritime Authority during 2020 was \$9.6 million and total expenses were \$9.1 million, leaving a net operating profit of just half a million. The Maritime Authority ended the 2020 fiscal year with \$10 million in total assets, \$10.7 in total liabilities, and a negative net worth of \$.6 [million], but its overall cash position increased from \$7.1 million from 31st December, 2019, to \$8.5 million, with a total of \$1.4 million over the period.

Very briefly, Mr. Speaker, its achievements are a testament to the quality of the Cayman flag, Mr. Speaker. Cayman's performance continues to earn the top whitelist, low-risk status in their rankings around all the major Memoranda of Understanding (MOUs) for port state control, including the US Coast Guard Qualship 21. This prestigious distinction reflects the high quality of vessels flying the Cayman flag, and is only assigned to the top-performing flag administrations that have vessels visiting US waters.

In addition, Cayman was ranked as the top performing flag under the International Chamber of Shipping and maintained a top-of-the-class clean ranking in all positive performance indicators for the 9th consecutive year.

Extensive support in technical advice was provided to all Cayman Islands Government (CIG) departments and entities, to assist with the preparation of the United Kingdom Maritime and Coast Guard Agency III Code audit. Specialist teams assisted in mock audits, which was very, very, important to the United Kingdom. In that effort, which was across government, I would like to highlight the sterling efforts chaired by Cabinet Secretary Samuel Rose and the Maritime Authority's lead agency point person, Tanya Mortimer, who had a great deal of coordination among all stakeholders for this important achievement.

They also had very robust COVID-19 response plans [that] ensured business continuity and employee safety.

The Auditor General's opinion for the year 2020 is unqualified; in short, Mr. Speaker, the Maritime Authority continues to punch above its weight. Its exemplary board is expertly chaired by Sherice Arman and its staff is exemplary under the sound stewardship of Mr. Joel Walton.

I would like to express my thanks for their hard work during this period and beyond.

**Civil Aviation Authority of the Cayman Islands -
Annual Report 2020**

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, I rise to lay on the Table of this honourable House the Annual Report and Audited Financial Statements of the Civil Aviation Authority for the 12-month period beginning on the 1st January, 2020, and ending on 31st December, 2020.

The Speaker: So ordered. Is the Minister speaking?

Hon. André M. Ebanks: Yes, Mr. Speaker.

Mr. Speaker, just to highlight a couple of the financial aspects and a few noteworthy achievements.

From a financial perspective, over the 12-month period this entity has a net cash by operating activity totalling \$3.7 million, cash equivalents of \$3.5 million and a net income over the period of \$2.4 million.

On its operations and achievements, Mr. Speaker, I would like to point out that this Authority helps to fly the Cayman flag from an aerial perspective in a fine and distinguished way. It attends international conferences, it attracts business from all over the world, and keeps high Anti-Money Laundering (AML) standards. Its robust activity has been financially independent and it has maintained its position as a significant contributor to revenue for the past decade. In response to identify client needs, the Authority began providing a transitional point for leased aircraft in 2019; the revenue from its Lease Transition Project Fees Programme was just over half a million. That effort coupled with others, allowed it to pay a dividend to CIG of just over \$900,000.

Mr. Speaker, [upon] the commencement of the closing of the borders in relation to COVID-19, the Civil Aviation Authority was instrumental in providing approvals for charter, medevac, air ambulance, special private and cargo flights, with the exception of those operated by Cayman Airways and British Airways. It liaises on a regular basis not only with our ground handlers and airports authority here, but also with international aviation operators.

I would like to point out that during COVID-19 and lockdown, the Authority was instrumental in the creation of TravelCayman, to ensure our students and parents from overseas could return home.

In conclusion, Mr. Speaker, having seen the Authority in operation overseas in prior roles, and in my capacity as Minister very recently, I have to say that the leadership and professionalism exuded by its Director General, Mr. Richard Smith, certainly travels through all of the organisation, and they should hold themselves high for the way that they represent us, and the revenue that they generate.

Thank you, Mr. Speaker.

**Ministry of Financial Services and Home Affairs
- 2020 Annual Report -
1 January 2020 - 31 December 2020**

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, I beg to lay on the Table of this honourable House the Annual Report and Audited Financial Statements of the Ministry of Financial Services and Home Affairs, for the period of 1 January 2020 - 31 December 2020.

The Speaker: So ordered. Is the Minister speaking?

Hon. André M. Ebanks: Very briefly, Mr. Speaker.

I think we can see, through that period and beyond, the importance of financial services to this country's economy—to its social-economic values. I would like to say thank you very much, to the staff in the Ministry of Financial Services, led by Dr. Dax Basdeo, for all the challenges that they would have had to endure from a regulatory tax perspective; and on top of that, having the challenges of COVID-19. They performed in a stellar capacity, and I thank them, sir.

**Select Committee to Oversee Performance
of the Office of the Ombudsman –
3rd Quarter Report 2021****Select Committee to Oversee Performance
of the Office of the Ombudsman –
4th Quarter Report 2021****Select Committee to Oversee Performance
of the Office of the Ombudsman –
1st Quarter Report 2022**

The Speaker: The Honourable Minister of Youth, Sports, Culture, and Heritage.

Hon. Bernie A. Bush, Minister for Youth, Sports, Culture and Heritage, Elected Member for West Bay North: Mr. Speaker, I ask to lay on the Table of this honourable House, the Report from the Select Committee to oversee the Performance of the Office of the Ombudsman, 3rd Quarter Report, 2021.

The Speaker: So ordered. Is the Minister speaking individually to each one?

Hon. Bernie A. Bush: No, [sir]; just at the end.

Mr. Speaker, I ask to lay on the Table of this honourable House the 4th Quarter Report 2021 from the Select Committee to Oversee the Performance of the Office of the Ombudsman.

The Speaker: So ordered.

Hon. Bernie A. Bush, Minister for Youth, Sports, Culture and Heritage: Mr. Speaker, I also ask to lay on the Table of this Honourable House, the 1st Quarter Report 2022 of the Select Committee to Oversee the Performance of the Office of the Ombudsman.

The Speaker: So ordered. Is the Member speaking?

Hon. Bernie A. Bush, Minister for Youth, Sports, Culture and Heritage: Yes; something very small, Mr. Speaker.

Mr. Speaker, I would like to say a very big thank you to the Office of the Ombudsman. It is a very important thing for democracy and transparency in this country. Having visited the office as the Chairman, they are very short-staffed and they are working under many constraints, so the Committee is looking forward to asking the Parliament to give them the full support they need, to function at their top ability.

Thank you, Mr. Speaker.

2020 Annual Report – University College Cayman Islands

The Speaker: The Honourable Minister of Education.

Hon. Juliana Y. O'Connor-Connolly, Minister of Education and District Administration and Lands, Elected Member for Cayman Brac East: Thank you, Mr. Speaker, and good morning.

Mr. Speaker, it is my privilege to beg to lay on the Table of this honourable House, the Annual Report for 2020 for the University College of the Cayman Islands.

The Speaker: So ordered. Is the Honourable Minister speaking thereto?

Hon. Juliana Y. O'Connor-Connolly: No, thank you, Mr. Speaker. The report is self-explanatory.

The Cayman Islands Law Reform Commission –
Annual Report No. 17 –
1st April 2021 - 31st March 2022

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you and good morning, Mr. Speaker.

Mr. Speaker, I seek the leave of this honourable Parliament to lay on the Table - the Cayman Islands Law Reform Commission Report covering the period 1st April 2021 to 31st March 2022.

The Speaker: So ordered. Is the Attorney General speaking to the report?

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, with your leave, yes.

Mr. Speaker, the Commission's mandate, as set out under the Law Reform Commission Act, is to study and review all the Acts of the Cayman Islands with a view to informing their systematic development and reform. To achieve this, Mr. Speaker, the work of the Commission has to be continuous in nature, and marked by comprehensive research, deep analysis and thoroughly considered recommendations.

These recommendations, Mr. Speaker, seek to inform Government by presenting issues in a clear and impartial manner. For the record, Mr. Speaker, the membership of the Commission comprises of six commissioners who perform their role on a part time basis—and purely voluntary, of course—and four full-time members of staff. At the moment, the Commissioners are:

- Mr. Hector Robinson, Queen's Counsel (QC) — The Chairman;
- The Honourable Justice Alexander Henderson QC; retired judge of the Grand Court;
- Mr. Vaughan Carter, Attorney-at-Law;
- Mr. Abraham Thoppil, Attorney-at-Law;
- Ms. Reshma Sharma, QC, Solicitor General; and
- Mr. Simon Davis, Director of Public Prosecutions.

Mr. Speaker, the legal and administrative staff of the Commission are:

- Mr. José Griffith - Director;
- Ms. Catriona Steel - Senior Legislative Counsel;
- Mrs. Felicia Connor -Paralegal; and
- Miss Melissa Bodden - Administrative Secretary.

Mr. Speaker, I would like to use this opportunity to thank former Commissioner and Acting Director of Public Prosecution. Mrs. Candia James-Malcolm for her service to the Commission. Mrs. James-Malcolm's expertise in criminal law, among other areas, undoubtedly informed the Commission's work [both] during the reporting period, and the period that she acted as Director of Public Prosecutions.

Mr. Speaker, I equally welcome to the Commission the Director of Public Prosecution, Mr. Simon Davis, who has taken over. He is a new member and was appointed to the position of Director of Public Prosecutions in March of this year. I would like to use this opportunity, Mr. Speaker, to again publicly congratulate and welcome Mr. Davis on his appointment to the Cayman Islands.

Mr. Speaker, I have no doubt that both the Commission and the prosecutorial arm of the justice system will benefit from Mr. Davis' firm understanding of criminal law, and his grasp of the issues that touch and concern the administration of justice and the Law Reform Commission.

Mr. Speaker, while I am on congratulatory mode, could I also use this opportunity to recognise Commissioner and Solicitor General Ms. Reshma Sharma, who was elevated to the rank of Queen's Counsel in 2021. Ms. Sharma has made an invaluable contribution to the work of the Commission, and the Cayman Islands legal profession as a whole, and her elevation to this rank, Mr. Speaker, reflects the professional excellence and integrity demonstrated throughout her legal career thus far.

Mr. Speaker, during the 2021/22 reporting period the Commission continued its work on a range of subject areas. Of note, is that the Commission submitted for the AG's consideration its final report titled, "*The Enforcement of Mortgage-type security Over Real Estate— Is Reform of the Law Necessary*". The final report contains recommendations which seek to respond to issues that relate to the enforcement of mortgages over residential properties, and is supported by a proposed Registered Land (Amendment) Bill.

Mr. Speaker, the other projects that the Commission are working on, all of which are at different stages of the law reform process, include:

- The Penal Code reform;
- Consolidation of appeals tribunals;
- Issue of adverse possession;
- Reform of the Defamation Law;
- Severance of joint tenancies;
- Reform of the Succession and Wills Act;
- Issue of cremation;
- The issue of due trial;
- Common law forfeiture rule; and
- Hate crimes, among others.

Mr. Speaker, in closing, the approach of the Commission in the next year will be to continue its mission of systematic development and reform of our legislation, as it seeks to stimulate reflection on the laws in our society, and make sound recommendations which inform the required legislative reforms; and with this in mind, Mr. Speaker, reform must continue to be at the high standard in order for our legal system to properly and effectively respond to the current conditions and needs of our community.

Mr. Speaker, permit me to publicly thank all our Commissioners and the Director and staff of the Commission for the outstanding work in ensuring that our laws continue to be modernised and in doing so, ensuring a very wide public participation in the process.

Mr. Speaker, I commend to this honourable Parliament, for consideration, the 17th Annual Report of the Law Reform Commission.

I thank you.

**Anti-Corruption Commission -
Annual Report – 1 July 2020 - 30 June 2021**

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: I thank you, Mr. Speaker.

Mr. Speaker, I seek the leave of this Parliament to lay on the Table, the Anti-Corruption Commission Annual Report for the period 1st July 2022 to 30th June 2021.

The Speaker: So ordered. Is the Attorney General speaking?

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, no, save and except to publicly thank the Commission and the staff, led by Ms. Sophia Harris, for their continued excellent work on, among other things, the various investigations that the Commission undertakes.

Thank you, sir.

**Financial Reporting Authority
Cayman Islands Government -
Portfolio of Legal Affairs -
Annual Report – 1 January – 31 December 2021**

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I seek your leave to lay on the Table of Parliament the Annual Report of the Financial Reporting Authority, which covers the period 1st January to 31st December 2021.

The Speaker: So ordered. Is the Attorney General speaking?

The Attorney General, Hon. Samuel W. Bulgin: Mr. Speaker, yes, briefly.

Mr. Speaker, as an Administrative Financial Intelligence Unit, the Financial Reporting Authority (FRA) is responsible for requesting, receiving, analysing and disseminating financial information disclosures concerning proceeds of criminal conduct, or suspected proceeds of criminal conduct.

Mr. Speaker, domestically, the investigations of financial crime and associated offences fall under the ambit of the local law enforcement agencies. The FRA received during the reporting period some 1,025 cases, comprising 851 suspicious activity reports from 317 reporting entities. Mr. Speaker, there were also 99 requests for information and 29 voluntary disclosures from 46 overseas financial Intelligence units, as well as 48 requests for information from a local law enforcement agency and a competent authority.

Overall, Mr. Speaker, there was a negligible increase in the number of cases received during the reporting period compared to the same period in 2020.

Mr. Speaker, the main sources of Suspicious Activity Reports (SARs) are as follows:

- banks continue to be the largest source of cases – 241 cases or 24 per cent;
- Overseas Financial Intelligence Units: 128 cases or 12 per cent;
- Company managers and corporate service providers – 100 cases or some 10 per cent;
- Mutual fund administrators – 79 cases or 8 per cent;
- Mutual funds – 76 cases, which comprises 7 per cent;
- Securities business – 51 cases or 5 per cent; and
- Insurance companies – 45 cases or some 4 per cent.

Of note, sir, there was a significant increase in the number SARS filed by virtual assets service providers: 33 verses zero in 2020; and SARS from other sources involved in virtual assets: 19 during the reporting period as compared to three in 2020.

Mr. Speaker, during the period, the FRA closed 957 cases, resulting in 234 disclosures to local law enforcement agencies or competent authorities and 241 disclosures to other overseas financial and reporting authorities. On one occasion during the reporting period, the FRA exercised powers under section 4(2)(b) of the Proceeds of Criminal Conduct Act to obtain an Order from the Court to order an entity to refrain from dealing with a person's account for 21 days. The assets held by the account in question at the time totalled approximately US \$4.5 million and CAD \$7.7 million.

Mr. Speaker, during the reporting period, the staff of the FRA spent a significant amount of time working on the 2021 National Risk Assessment, a major multi agency project that was undertaken to ensure that jurisdiction has a comprehensive and detailed understanding of the money laundering, terrorist financing and proliferation financing risks the jurisdiction faces.

Also, during the 2020 period, the FRA made significant upgrades to its information technology systems by implementing a new e-reporting portal, internal databases, application and analytical tools, culminating, in November, 2020, when the AM live reporting portal, a web facing solution for the filing of SARS electronically, went live.

During this period, the FRA spent significant time and effort registering users from reporting entities and familiarising them with using the AML Live reporting portal in order to electronically submit their SARS reports.

At the end of the reporting period there were 259 registered users from 144 reporting entities; 556 SARS or 65 per cent or file using the AML Live during the year 2021.

Mr. Speaker, finally, during the reporting period, the majority of the work undertaken by the sanctions coordinator was to ensure the continuation of actions taken to address the recommended actions in the Caribbean Financial Action Task Force (CFATF) fourth

round mutual evaluation report directly related to targeted financial sanctions for terrorist financing and proliferation financing, including ensuring the timely communication of targeted financial sanctions, building on the existing industry guidance for same, and for improving awareness of targeted financial sanctions obligations. And, of course, improving the coordination and cooperation among domestic agencies, regarding proliferation financing.

Mr. Speaker, I would like to finally take this opportunity to thank the director, Mr. Berry and his staff for their continuing outstanding work at the Financial Reporting Authority.

I thank you, sir.

The Speaker: I omitted—and I apologise for it—to recognise the passing of the late father of the Honourable Leader of the Opposition, Mr. William (Uncle Bill) McTaggart, who passed away some weeks ago.

A competent businessman, a very good community-minded person who served the country in many different ways, including as Rotarian, Juvenile Court, and I remember him being the Santa Claus for Christmas for the entire Island at times. And so, I apologise for omitting and [lack of] recognition of his passing a while ago and pass on the condolences to the Honourable Leader of the Opposition, Uncle Bill's good wife, Debbie, who is known to many of us, and of course the Leader of the Opposition's entire family.

Clerk.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF CABINET

The Speaker: None.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: I have the brief statement by the Honourable Minister of Planning, Agriculture, Housing and Infrastructure.

[Inaudible interjection]

The Speaker: Not today? Okay, I was given the wrong information then.

No statements.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: Already taken.

RAISING OF MATTERS OF PRIVILEGES

The Speaker: None.

GOVERNMENT BUSINESS

BILLS

FIRST READINGS

PROCUREMENT (AMENDMENT) BILL, 2021

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

COURT OF APPEAL (AMENDMENT) BILL, 2021

The Speaker: The Bill has been read a first time and is set down for the second reading.

SUMMARY JURISDICTION (AMENDMENT) BILL, 2021

The Speaker: The Bill has been read a first time and is set down for the second reading.

PUBLIC RECORDER (AMENDMENT) BILL, 2022

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

INSURANCE (AMENDMENT) BILL, 2022

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

PARLIAMENT (MANAGEMENT) (AMENDMENT) BILL, 2022

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

SECOND READINGS

PROCUREMENT (AMENDMENT) BILL, 2021

The Speaker: The Honourable Deputy Premier, Minister of Finance.

Hon. Christopher S. Saunders: Good morning, Mr. Speaker.

Mr. Speaker, I beg to move the second reading of a Bill entitled, the Procurement (Amendment) Bill, 2021.

The Speaker: The Bill has been duly moved. Is the Honourable Deputy Premier speaking thereto?

Hon. Christopher S. Saunders: Yes, Mr. Speaker.

Mr. Speaker, I rise to present the Procurement (Amendment) Bill, 2021 on behalf of the Government, which I shall hereafter referred to as “the Bill”.

Mr. Speaker, the Bill seeks to amend the Procurement Act, 2016, in order to address a number of duplications, inconsistencies and gaps between the Procurement Act, 2016, the Financial Regulations (2018 Revision) and the Procurement Regulations (2018 Revision) and for incidental and connected purposes.

Mr. Speaker, let me present details with respect the clauses of the Bill that is now before the Parliament.

The first proposed amendment in the Bill— the Procurement Act, which I will also refer to as “The Act” is clause 1, which allows for the Act to be cited as Procurement (Amendment) Act, 2021.

The second proposed amendment to the Act is clause 2 of the Bill, which updates the definition of a “**business case**” to “**a document that provides a justification for undertaking a project or programme, to support decision making for an investment.**”

The third proposed amendment to the Act is clause 3 of the Bill, which clarifies the requirement for business cases for projects as specified thresholds to be reviewed by the entity procurement committees.

The fourth proposed amendment to the Act is clause 4 the Bill, which ensures that the minutes of the meetings of the Public Procurement Committee are published within 30 days of the approval.

Mr. Speaker, the fifth and last proposal amendment to the Act, is clause 5 of the Bill, which clarifies that the role and function of the entity procurement committees includes ensuring that competition documents are reviewed prior to them being issued, in order to ensure that they are consistent with the relevant business case; and ensuring that the evaluation process is conducted in accordance with the terms and requirements of the competition documents.

Mr. Speaker, I commend the Procurement (Amendment) Bill, 2021 to this honourable House for passage.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Opposition to express our support for the Bill. We recognise that this (Amendment) Bill is really a clean-up exercise, and we have no issues whatsoever with it. No further debate from the Opposition side.

Thank you, sir.

The Speaker: Does any other Member wish to speak? If not, is the Honourable Deputy Premier exercising his right of reply?

Hon. Christopher S. Saunders: Thank you, Mr. Speaker.

I also want to thank the Honourable Leader of the Opposition, Mr. Speaker. In fairness to him, this exercise started on his watch. Much of the clean-up was actually done on his watch, these are just a few final [points] to be cleaned up, so I want to thank him and his team, for actually starting back then.

As I said before Mr. Speaker, we build on foundations we did not lay; thank you, Mr. Speaker.

The Speaker: The question is that a Bill shortly entitled the Procurement (Amendment) Bill, 2021 be given a second reading.

All those in favour, please say Aye, those Against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Procurement (Amendment) Bill, was given a second reading.

COURT OF APPEAL (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move the second reading of a Bill titled The Court of Appeal (Amendment) Bill, 2021.

The Speaker: The Bill has been duly moved. Is the Attorney General speaking to the Bill?

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, this is a very, very short Bill and, with leave, I would seek to simply refer to its objects and reasons, because the Bill seeks to amend the Court of Appeal Act, (2021 [sic] Revision) in order to, among other things, allow cases to progress to judgment in circumstances where they have been heard by a panel of three judges, but judgment has been reserved and for some unavoidable reasons one of the justices of the appeal on the panel of three becomes unable to render a determination (judgment).

Mr. Speaker, something happened in real life not too long ago, where one of the judges of the Court of Appeal was very ill and the matter had to be delayed for a while before judgment could be rendered; although the appeal itself was heard, they could not progress the judgment, so this is a real issue that has been recognised. The idea here is to make sure that there is some sort of legislative underpinning to provide for such occurrence.

The Bill also amends the Court of Appeal Act to provide that the default provisions for reference, where the rules of the court are lacking, are to the law and practice of England and Wales *only*.

As it is now, Mr. Speaker, whenever there is an issue before the court and there are some rules that need to be resorted to, and our rules are silent, then resort has had to be had to the rules of the Court of Appeal in Jamaica; but when you go to the Court of Appeals in Jamaica it makes it all so clear, that in the event that there is a default there, then you must go to the rules in England and Wales, so what we are trying to do here is to avoid that sort of a circuitous kind of route. Where there is a gap in our rules and we need to know what the practice should be, then we look directly to the position in the UK instead of going to the UK via Jamaica.

The Bill seeks to make that quite clear, Mr. Speaker.

Clause 1 provides a short title and contains the commencement provision.

“Clause 2 repeals and replaces section 3 of the principal Act to provide, inter alia, that in civil proceedings, where a Judge of a Court which has partly heard proceedings is unable to continue—

- (a) the parties to the case shall be consulted and their agreement sought as to whether the case can proceed to judgment with two Justices of Appeal; or**
- (b) if the agreement of the parties cannot be reached or the matter cannot otherwise proceed with two Judges, because the President does not think the case suitable, then the case shall be re-heard by a differently constituted panel of three Judges.”**

“Clause 2 also inserts in the new section 3 a provision which stipulates that where—

- (a) an appeal has been heard by a Court consisting of two Judges; and
- (b) The Judges of the Court are equally divided, the case shall, on the application of any party to the appeal, be re-argued before and determined by three Judges, before any appeal to Her Majesty in Council or before an application for leave to appeal to Her Majesty in Council can be made.”

“Clause 3 repeals and replaces section 36 of the principal Act, to provide that, where in any case there is no special provision contained in the principal Act or any other Act, or in rules of court, which relate to that case, any jurisdiction in relation to appeals in criminal and civil matters shall be exercised by the Court as nearly as may be in conformity with the law and practice for the time being observed by the Court of Appeal which has equivalent jurisdiction in England and Wales.”

Mr. Speaker, that sums up the proposed amendment in this Bill, and I commend it to honourable Members of this Parliament.

I thank you.

The Speaker: Does any other Member wish to speak? The Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, on behalf of the Opposition, I rise to express our support for this amending legislation. Having read through it closely we, too, believe that the amendments are perfectly reasonable and therefore have no concerns with them whatsoever.

Thank you very much sir.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? If not, does the Honourable Attorney General wish to reply?

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, understandably, I wish to thank Honourable Members and, in particular, the Honourable Leader of the Opposition, for their support of the Bill.

Thank you.

The Speaker: The question is that the Bill shortly entitled Court of Appeal (Amendment) Bill, 2021 be given a second reading.

All those in favour, please say Aye. Those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Court of Appeal (Amendment) Bill, 2021 was given a second reading.

SUMMARY JURISDICTION (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move the second reading of a Bill entitled: the Summary Jurisdiction (Amendment) Bill, 2021.

The Speaker: The Bill has been duly moved. Is the Honourable Attorney General speaking to the Bill?

The Attorney General, Hon. Samuel W. Bulgin: Yes, Mr. Speaker.

Mr. Speaker, this is an extremely short Bill again. It seeks to amend the Summary Jurisdiction Act for two things:

To empower the Chief Justice to prescribe the seal of the courts, which is an administrative act currently being done by the Governor, Mr. Speaker; so the seal that needs to be used is, from way back—time immemorial—designated by the Governor. We can understand why that is really not something that a Governor needs bother him/herself with; so the law now seeks to devolve that act to the Chief Justice.

Mr. Speaker, it also seeks to provide for the formal designation of a Chief Magistrate. As it is now, Mr. Speaker, Magistrates are appointed by the Governor acting on the advice of the Judicial and Legal Services Commission, and one of those Magistrates would then assume some administrative responsibilities on how the Summary Court is managed, [such as] helping to assign cases day-to-day.

We have had a Chief Magistrate for many, many years now, Mr. Speaker, but the post itself was not formally recognised in the Summary Jurisdiction Act or the Constitution. It is simply referenced in the Judges' and Magistrates' Emoluments and Allowances Act and the Order.

What this is seeking to do, Mr. Speaker, is to formalise that arrangement by including that title in the Summary Jurisdiction Act, and allow for that person to be formally recognised in the Summary Jurisdiction Act as the person who has day-to-day management of the activities in the Summary Court and, more importantly, for the Governor to formally designate—not appoint, but designate—such a person as the Chief Magistrate; the person who is chief amongst the Magistrates and responsible, along with the Clerk of the Courts and in consultation with the Chief justice, for the day-to-day oversight and the allocation of work in the Magistrates Court.

We recall that in January, 2021, Mr. Valdis Foldats was appointed as Chief Magistrate following the retirement of then Chief Magistrate, Ms. Nova Hall—this provision is here for that.

For those who might ask, “*Well how come you have a Chief Magistrate if you don’t have a formal position in the law?*”, well, the Constitution provides that the Governor creates Offices, and Mr. Speaker that has been the practice as it relates to the post of Chief Magistrate—a person been designated to Chief Magistrate—but the person is properly appointed as a Magistrate pursuant to section 106 of the Constitution.

Mr. Speaker, clause 1 provides for a short title.

Clause 2 amends section 2 of the principal Act by inserting a definition of “Chief Magistrate”.

Clause 3 amends section 5 of the Summary Jurisdiction Act to empower the Chief Justice, as I have said, to prescribe the seal of the courts instead of the Governor.

Clause 4 inserts a new section 6A in the Summary Jurisdiction Act. The new section provides for the designation of the Chief Magistrate by the Governor, acting on the advice of the Chief Justice. This section provides for the responsibilities of the Chief Magistrate, and further provides for the temporary designation, by the Governor, of a magistrate as Chief Magistrate during the period where the Chief Magistrate is absent or the office of the Chief Magistrate is temporarily vacant.

Mr. Speaker that explains what we are attempting to do by the Summary Jurisdiction (Amendment) Bill. I again commend the Bill to Honourable Members of this Parliament and seek its safe passage.

Thank you sir.

The Speaker: Does any other Member wish to speak? The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you. Mr. Speaker.

Mr. Speaker, once again I rise on behalf of the Opposition to express our support for this amending legislation recognising that it seeks to address certain deficiencies—if I might use that word—in the existing legislation and seeks to cure that. The Opposition has no issue whatsoever with it.

Thank you sir.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak, if not I will call on the Honourable Attorney General for his right of reply.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, again, I wish to thank the Honourable Leader of the Opposition for the support on behalf of the Opposition [as well as] all honourable Members of the Parliament for their support.

Thank you.

The Speaker: The question is that a Bill shortly entitled the Summary Jurisdiction (Amendment) Bill, 2021 be given a second reading.

All those in favour, please say Aye, those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Summary Jurisdiction (Amendment) Bill, 2021 was given a second reading.

**PUBLIC RECORDER
(AMENDMENT) BILL, 2022**

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, good morning again. I beg to move the second reading of a Bill entitled the Public Recorder (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Honourable Minister speaking to the Bill?

Hon. André M. Ebanks: Yes, Mr. Speaker.

Mr. Speaker, I rise to present the Bill on behalf of the Government. It is a Bill for an Act to amend the Public Recorder Act (2010 Revision), which I will refer to as “the Act”, to provide for a 50 per cent reduction in fees payable by older persons for the recording of a deed poll by the public recorder, and for incidental and connected purposes.

The reasons for the Bill, Mr. Speaker, is this amendment to the Public Recorder Act (2010 Revision)—the Act—seeks to reduce the financial burdens of older persons pursuant to a wider initiative by our learned and honourable colleague, the Deputy Governor, in line with the existing Older Persons Policy of the Cayman Islands in advancing the well-being and the quality of life of older persons in our country.

Under the current law, the fee for the recording of a deed poll by the public recorder is \$100. The Bill seeks to reduce the normal fees by 50 per cent for older persons and although that may seem like a small amount to some, Mr. Speaker, for many in our community that is a very handsome reduction, particularly, in these times.

A summary of the Bill is a new subsection that will be inserted in section 4 that allows for the 50 per cent reduction in fees where a person who is 65 years of age, or older, submits a deed poll to the public recorder to be recorded.

Very briefly, Mr. Speaker, the clauses are arranged [as follows]: Clause 1 of the Bill provides for the short title legislation. Clause 2 amends section 4 of the Act to provide for the 50 per cent reduction I referred to earlier.

Mr. Speaker that concludes my presentation of this Bill. It highlights, I think, how all of our legislation is connected, because I can look at this Bill in my capacity

as the Minister for Social Development, and see how everything is connected and we can do all we can from each of our seats for the older persons in our community.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Opposition to express our support for this amending Bill [which] seeks to address, and further implement, the concessions policy undertaken and adopted by the previous Government—of which I was a part—with regard to granting concessions to older persons, in terms of the fees that they pay for government services.

I want to commend the Minister for bringing this to the Parliament and I commend the Bill as well, sir.

Thank you.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? Honourable Minister, for my edification—did you say 60 or 65? I am not feeling any older, at least not this morning, but did you say 60 or 65?

Hon. André M. Ebanks: 65, Mr. Speaker.

The Speaker: Sixty-five.

Hon. André M. Ebanks: Per the Older Persons Act.

The Speaker: Is the Minister having his right of reply?

Hon. André M. Ebanks: Very briefly, Mr. Speaker.

In closing, I would like to thank the Ministry staff and, of course, Legislative Drafting, for their efforts in the preparation of this Bill. I therefore commend it Bill to the honourable House.

The Speaker: The question is that a Bill shortly entitled the Public Recorder (Amendment) Bill, 2022 to be given a second reading.

All those in favour, please say Aye, those against No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Public Recorder (Amendment) Bill, 2022 was given a second reading.

INSURANCE (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Mr. Speaker, I beg to move the second reading of a Bill entitled, The Insurance (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Minister speaking thereto?

Hon. André M. Ebanks: If you wish to move at that pace, Mr. Speaker, I am happy to oblige but I would like to speak.

Mr. Speaker, I rise to present the Bill on behalf of the Government. The Bill seeks to amend the Insurance Act, 2010, in order to provide for the introduction of capital redemption contracts, also known as funding agreements. The Bill also provides for necessary consequential amendments required to ensure the smooth transition and implementation of this new insurance product.

A bit of background, Mr. Speaker: Following consultation with the insurance and reinsurance subcommittee of the Financial Services Legislative Committee, the Ministry considered and accepted the proposal to amend the Insurance Act to introduce capital redemption contracts as part of the long-term business of insurers and reinsurers in the Cayman Islands.

Mr. Speaker, I wish to provide to this esteemed House and the wider public, a bit of background on the Financial Services Legislative Committee, which was established in 2011. It is a public/private body, comprising of representatives from the Ministry of Financial Services, and the industry, that proposes commercial enhancements to the financial services sector for the Government's consideration and potential action.

That committee also participates in the development of draft amendments to applicable legislation where necessary. I use this opportunity to thank the current Chair, Mr. Charles Jennings and the members of his committee, and express confidence in our continued partnership with the Ministry.

It is a body that moves swiftly; it is a body that identifies opportunities for the Cayman Islands and brings them forward so that we can keep our products in the financial services arena as fresh as possible, specifically, on capital redemption contracts. They are an alternative funding mechanism for large insurance and re-insurance carriers, which diversify their funding sources and reduce the overall cost of funds. They are, effectively, contracts issued by insurance companies with fixed maturities and fixed insurance rates, but no contingency based on the mortality or death of a particular person, which then enables flexibility.

Capital redemption contracts is a term more commonly used in the UK, while funding agreement is used in the US. In the region, Bermuda introduced capital redemption contracts in 2015. The introduction of this product in the Cayman Islands will be aimed to not

only diversify our insurance product for insurance and reinsurance, but also to attract further business.

Mr. Speaker, the capital redemption contracts differ from life contracts because, as I mentioned, there is not a contingency upon death of an individual or risk of an individual being insured. They may be considered a variation of insurance policies that are sold with an investment component. In the event of bankruptcy or insolvency of the insurance company, holders of capital redemption contracts have the same protection, as do insurance policy-holders, to be protected from any claim against the company.

Mr. Speaker, the introduction of capital redemption contracts and ensuring their protection within the legal framework of this country, is indicative of the ongoing growth and increasing sophistication of the Cayman Islands insurance and reinsurance industry.

There were consultations outside of the Financial Services Legislative Committee. We consulted with the Monetary Authority, other insurance and reinsurance practitioners, and [the] wider financial services. The Ministry received no objections to the proposed amendments whatsoever.

The Monetary Authority has the responsibility of regulating the insurance industry and will continue to do their oversight including this new offering.

This Government supports improving the industry [by] exploring potential options and opportunities for our licensees' to enhance their reputation and attractiveness in the insurance and reinsurance domicile. It is a growing area for us and I continue to see where we can continuously make strides in this area, and this product is one of the ways in which we seek to do so.

Mr. Speaker, the Bill is arranged in three clauses:

Clause 1 of the Bill provides a short title.

Clause 2 amends section 2 of the principal Act, which provides definitions for terms used throughout the Act. The following specific amendments are being made:

The insertion of a definition of the term "capital redemption contract". It is defined as a contract under which an insurer may receive and accumulate sums of money and pay a sum or sums of money or render money's worth, on dates and in amounts that are not contingent on human life or against risk of the person insured.

The amendment of the terms "contract of insurance" and "contract of reinsurance", so that it will be understood that a reference to any of those terms also includes a capital redemption contract.

Finally, the amendment of the definition of the term long-term business to expand its application to include capital redemption contracts.

Clause 3 is consequential amendments to section 17 of the Insurance Act to make further provisions for long-term business accounts. A word that Legal Drafting uses, which I love—the chapeau of section 17—is being amended to include a reference to capital

redemption contracts. Section 17(b) is amended to include the reference of "sums of money received". Both amendments ensure that the section also applies to capital redemption contracts as drafted, and is currently applied to contracts of insurance on human life.

Mr. Speaker, overall and around, the proposal of putting forward this amendment is this Administration's earnest aim to ensure that we have a balance in putting forward financial services legislation. There will also be, of course, amendments in the future to juggle international standards from a tax and regulatory perspective; but we also need to give our industries products that they can get excited about, and attract further business that is fully compliant with international standards.

Mr. Speaker, this concludes my presentation of the Bill. I would like to thank the team in the Ministry of Financial Services; again, the Financial Services Legislative Committee for their work and their creativeness; and the team in the Legal Drafting Department whose assistance, as usual, is invaluable.

Thank you, Mr. Speaker.

The Speaker: Before I invite other Members to speak, just so that I am clear: this Bill is about life insurance, not property insurance?

Hon. André M. Ebanks: That is correct, Mr. Speaker; long term.

The Speaker: Thank you. That's all; that is all I need. Thank you very much.

The Speaker: Does any other Member wish to speak?

The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Opposition, again, to express our support for this amending Bill, with regard to the Insurance Act. We understand what the Act is trying to achieve—to allow insurance and reinsurance companies to enter into capital redemption contracts; and we believe that it is a product that will only seek to enhance Cayman's reputation and ability to compete in the marketplace, and so this has our support as well, sir.

I thank you.

The Speaker: Does any other Member wish to speak. Does any other Member wish to speak? I call on the mover, the Honourable Minister of Financial Services, for his right of reply.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

I would like to thank the Leader of the Opposition for that contribution. As has been the trend today, this is one of those examples—where Bills are obvious

and help our people, there should be no acrimony and we should be able to conduct business swiftly.

As I mentioned, I look forward to the Financial Services Legislative Committee for the other innovative ideas that we will seek to bring forward later this year, so I thank them once again.

Thank you, Mr. Speaker.

The Speaker: The question is that a Bill entitled Insurance (Amendment) Bill, 2022 be given a second reading.

All those in favour, please say Aye, those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Insurance (Amendment) Bill, 2022 was given a second reading.

PARLIAMENT (MANAGEMENT) (AMENDMENT) BILL, 2022

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Mr. Speaker, I beg to move the second reading of a Bill shortly entitled Parliament Management (Amendment) Bill, 2022.

The Speaker: The Bill has been duly moved. Is the Honourable Premier speaking to this Bill?

The Premier, Hon. G. Wayne Panton: Mr. Speaker, thank you.

I rise to present the Parliament (Management) (Amendment) Bill, 2022, on behalf of the Government.

Mr. Speaker, as Members will be aware, the Parliament (Management) Act, 2020, was adopted and implemented to facilitate the establishment of this honourable House as an independent Parliament and the various arrangements, concurrent with the operations of the former Legislative Assembly were amended by the principal legislation, and that was intended to include the appointment of all staff members so the Parliamentary Management Commission created by The Parliament (Management) Act, 2020, would have the power to hire and to appoint the various staff members relevant to the activities of Parliament.

Of course, in terms of the constituent assistants who have historically provided assistance to Members in performing their duties within their constituencies, the principal Act was intended to cover that as well. Unfortunately, Mr. Speaker, there seems to have been a slight deficiency in language.

This Bill is therefore being brought before this honourable House today seeking to amend the principal Act to give the Commission the power to appoint constituency assistants who are assigned to the

elected Members of Parliament and to also create additional efficiencies around their appointment and the management of Parliament through the principal Act.

Mr. Speaker, as noted, the Bill will regularise the appointment of constituency assistants and create a level playing field in relation to their contractual arrangements.

Mr. Speaker, I think I can speak for every Member of this honourable House when I say that constituency assistants play an integral and extremely important role in their representation of their constituents and the ability for them to carry out their role as a representative of those constituents most effectively. So, Mr. Speaker, for the benefit of Members and those listening, I will elaborate on the clauses contained in the Bill before us today.

Clause 2 of the Bill defines a constituency assistant as a person appointed under Part 1 of the amended Schedule 2 of the Act.

Part 1 of Schedule 2 provides that each Member of Parliament who is a Minister shall have two full-time constituency assistants and one part-time constituency assistant. In the case of other elected Members of Parliament, Mr. Speaker, they will be entitled to one full time constituency assistant and one and part-time assistant.

Now, Mr. Speaker, as I said earlier, the need for the constituency assistants is undoubted and, in relation to Ministers, given the role they play in the executive, it is understandable why there is a proposed additional level of support for their constituency office. And, in relation to both Members who are Ministers, as well as those who are Parliamentary Secretaries and other Members, having one full time Member to be able to staff the office and one part-time Member to be out for assisting with meeting with constituents, interactions with government agencies that they may need to meet with to carry out the needs of their constituents. It is clear that both of these scenarios enable a more efficient delivery of service to the constituents and enables Members to more efficiently conduct their executive role in the case where they have that as well as their role as representatives for their constituents in their individual constituency.

Mr. Speaker, for the purposes of this Schedule—which is Part 1 of Schedule 2—a full time constituency assistant is a person who is contracted to work between 37 and a half and 40 hours per week; and a part-time constituency assistant is a person who is contracted to work for a proportion of the normal hours the full time constituency assistant performs—as agreed.

Clause 3 of the Bill amends section 4 of the principal Act to provide that one of the functions of the Commission is to provide constituency assistance to elected Members of Parliament and that, in particular, addresses the deficiency that I noted in my introductory comments, which was obviously an oversight. The amendment is necessary in order to effectively give the Commission and the Parliament the power to hire these

constituency assistants. This role had previously been performed through the Cabinet Office, Mr. Speaker.

Mr. Speaker, to further achieve this, clause 4 inserts a new section 12A, which provides for the appointment of constituency assistants for an electoral district by the Chief-Officer or the Clerk, acting on the advice of the relevant Member of Parliament who is making the request for an appointment.

Clause 5 amends section 13 of the principal Act to provide that the Commission may, by Order, amend Schedule 2 as amended by this legislation.

Clause 6 of the Bill amends section 23 of the principal Act to provide that Regulations under this Bill will no longer have to be subject to the affirmative resolution procedure, Mr. Speaker; and this is in line with the framework followed for other pieces of legislation, where Cabinet issues regulations to carry out the purposes and provisions of the principal Act.

Clause 7 of the Bill repeals and substitutes Schedule 2 of the principal Act and as mentioned, Part 1 of Schedule 2 contained in this Bill sets out the details of the appointment of constituency assistants.

Mr. Speaker, the principal Act we are seeking to amend here is legislation which was put in place in 2020 and commenced at the beginning of 2021, in order to more effectively deliver an independent Parliament operating in conjunction with the Members to deliver services to the country and to the constituents represented by each Member of this honourable House.

Mr. Speaker, we have certainly made great strides and there is more work to be done in relation to fully implementing the principal Act, but this is a very important aspect of the role of the Parliamentary Management Commission and this Bill seeks to address this to facilitate and enable the better service of the people of this country and the constituents which we all represent.

Mr. Speaker, I commend this Bill to Parliament for consideration and trust that it will have the support of colleagues.

I would like to thank the Members of the Parliamentary Management Commission and the staff of the Legal Drafting Department for their excellent service in respect of the amendments being sought by this Bill, Mr. Speaker.

Thank you.

The Speaker: Does any other Member wish to speak? The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Thank you, Mr. Speaker.

Mr. Speaker, I rise on behalf of the Opposition to express our full support for the amending legislation. The Member for Red Bay and I are both members of the [Council of the] Parliament Management Commission and we are aware of the reasons for this amending legislation. I commend the Premier for the swiftness

with which he has been able to bring it to Parliament for consideration.

With that, sir, we express our support.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? I call on the Premier to the reply if he chooses to.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

I want to thank the Honourable Leader of the Opposition for his representation of support on this matter on his behalf and his colleagues', as well as all other Members for their tacit support. It is obviously a need shared by all of us, and as I said earlier, the benefits flow to the people of our constituencies.

Thank you.

The Speaker: The question is that a Bill shortly entitled The Parliament (Management) (Amendment) Bill, 2022 be given a second reading and passed.

All those in favour please say Aye, those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Parliament (Management) Bill, 2022 was given a second reading.

MOTIONS

**Government Motion Number No. 5/2021-2022
Public Management and Finance Act.
(2020 Revision) -
Issuance of a Deed of Indemnity to the
Members of the Planning Appeal Tribunal**

The Speaker: Before the Minister moves this Motion, we have done so well and moved so far on our Order Paper today, that after the Motion I propose to take the lunch break, do an addendum and do the Committee Stages, the reports and the third reading of the Bills to complete the business on today's Order Paper if that is okay with the House.

[Pause]

The Speaker: Good.

So, after this Motion we will adjourn for the lunch break and then we will have an amended Order Paper.

The Honourable Minister of Planning.

Hon. Johany S. Ebanks, Minister of Planning Agriculture, Housing, and Infrastructure, Elected Member for North Side: Thank you, Mr. Speaker.

I rise to move Government Motion No. 5/ 2021-2022—Public Management and Finance Act (2020 Revision) - Issuance of a Deed of Indemnity for the Members of the Planning Appeals Tribunal.

[Pause]

The Speaker: Honourable Minister, you need to read the Motion; it has not been read.

Hon. Johany S. Ebanks, Minister of Planning Agriculture, Housing, and infrastructure:

“WHEREAS the Government of the Cayman Islands (the "Government") is desirous of issuing a Deed of Indemnity to the Members of the Public Appeals Tribunal (as per the attached Deed of Indemnity);

“AND WHEREAS Section 8 of the Public Management and Finance Act (2020 Revision) provides that, as a general rule, no guarantee may be given by or on behalf of the Government unless it has been authorised by a resolution of the Parliament;

“BE IT NOW THEREFORE RESOLVED that the Parliament hereby authorises the issuance, to Members of the Planning Appeals Tribunal, of a Deed of Indemnity guarding against the potential liability of Members of the Planning Appeals Tribunal.”

The Speaker: The question is, be it now therefore resolved that the Parliament hereby authorises the issuance, to members of the Planning Appeals Tribunal, of a Deed of Indemnity guarding against the potential liability of members of the Planning Appeals Tribunal.

Does the Honourable Minister wish to speak to the Motion?

Hon. Johany S. Ebanks: Yes, Mr. Speaker.

Mr. Speaker, I stand before this honourable House as the Minister for Planning, Agriculture, Housing and Infrastructure (PAHI) to present to the House, a Government Motion that seeks to issue a Deed of Indemnity to the Members of the Planning Appeals Tribunal.

Mr. Speaker, the Ministry has found that competent and experienced persons are reluctant to serve as directors or cooperate with the board members unless they are protected by the comprehensive liability insurance of this indemnification, due to the increased exposure to litigation costs, and risks resulting from reasonable expectations on their roles and responsibilities.

The Ministry of PAHI, therefore desires to issue a Deed of Indemnity to the members of the Planning Appeals Tribunal. As required by section 8 of the Public [Management and] Finance Act (2020 Revision), a resolution must be obtained from the Legislative Assembly to grant approval for the Deed of Indemnity.

The Deed of Indemnity and the Government Motion were drafted by the Ministry in consultation with the Legal Department, which approved the document. As shown in Appendix A, Mr. Speaker, the Deed of Indemnity has been extended to civil servants and precedent was set by a previous indemnity which was extended to other civil servants.

Mr. Speaker, in closing, I ask for the support of the honourable House to approve the issuance to the Members of the Planning Appeals Tribunal of an indemnity guarding against potential liability of members of the Board of Planning Appeals Tribunal.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? The Honourable Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Mr. Speaker, thank you very much for the opportunity to speak briefly to the Motion.

Mr. Speaker, the construct and text of this Motion is a reflection of changing times that we live in and the Planning Appeals Tribunal is probably one of several tribunals, and even other Statutory Authorities and Government Owned Companies (SAGCs), where members of boards and tribunals are seeking assurances of protection from potential litigation, as a result of their willingness to serve on boards and tribunals in their own capacities.

We support what this indemnity is trying to achieve, but I am aware that there are several others as well where indemnities have already been given, and so I just want to raise it within this Parliament, that from my knowledge and understanding so far, I would encourage that we make sure that this form and content of indemnities that are being granted are as similar, in terms of their content, so that we make sure that we level the playing field amongst all of the entities that we are seeking to try to give these types of indemnities and assurances—protections—to people who serve.

As I said before, we live in a far more litigious world and Cayman is not exempt from that and there are times when we can see persons who are aggrieved by decisions or actions taken by people who serve in these capacities, might seek to institute legal proceedings against them.

I am happy for us to give those indemnities but encourage, particularly the Attorney General and others who are involved in their preparation, to scrutinise them and ensure that, as far as possible, they are as consistent and achieve the same objectives as everyone else's—put everyone on the same level playing field. With that, sir, we express our support.

Thank you.

The Speaker: Does any other Member wish to speak, does any other Member wish to speak?

The Premier, Hon. G. Wayne Panton: Mr. Speaker.

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

I want to take the opportunity to speak in support of the Motion. I note the Honourable Leader of the Opposition's comments which I agree with; these Deeds of Indemnity certainly should be kept as consistent as possible, because I think at the end of the day, the objective is to ensure that all the people who are appointed and performing their duties on these various boards where there is a risk of being subjected to litigation, get the same benefits.

To the extent that there is any difference, I suspect that would be reflected in specific legislation. I think there are instances where it may be contemplated in legislation, but I think more and more we do run into scenarios, as has been alluded to, that people feel because of this type of world that we live in, that these issues can arise and for people who want to serve the public interest, but who are not in a position to face these sorts of financial risk and potential harassment themselves, this is a fair way to deal with it.

An important aspect of this, Mr. Speaker, and I think it is implicit, is that anyone who acts in bad faith, is not going to get the benefit of these indemnities. These are designed to [protect] people who are performing their jobs and their roles and delivering services to the public in good faith and—

[Inaudible interjection]

The Premier, Hon. G. Wayne Panton: —who are volunteering their time and doing so out of a desire to contribute to society. Once they are doing it in good faith they are protected, but for anyone who does not act in good faith, they cannot rely on the benefit of this indemnity, sir.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? If not I will call on the Honourable Minister for his right of reply.

Hon. Johany S. Ebanks: Mr. Speaker, thank you.

I want to thank the Leader of the Opposition for his remarks—we definitely will be taking on everything that he said. I want to also echo what the Honourable Premier Mr. Wayne Panton said, and thank everybody else for their full support of this Motion.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED THAT the Parliament hereby authorises the issuance, to members of the Planning Appeals Tribunal, of a Deed of Indemnity guarding against the potential liability of Members of the Planning Appeals Tribunal.

All those in favour please say, Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Government Motion No.5/2021-2022 –Public Management and Finance Act (2020 Revision) - Issuance of a Deed of Indemnity for the Members of the Planning Appeals Tribunal passed.

The Speaker: We will now take our lunch break and resume at 2pm giving the staff time to prepare an amended Order Paper.

Proceedings suspended at 12:30pm

Proceedings resumed at 2:39pm

**Moment of Silence
on the passing of Mr. Austin Ebanks**

The Speaker: Please be seated.

Honourable Members, in doing the obituaries this morning I neglected two persons. One of them I was able to cover, but I neglected to include the father of the honourable Parliamentary Secretary Hon. Katherine A. Ebanks-Wilks, the Member for West Bay Central.

Her father, Mr. Austin Ebanks, passed away recently. He was a good father, a good Caymanian seaman who was proficient, especially, in the cat boat/sailboat arena. A man of good disposition, and we want to express our condolences to the honourable Member. We ask that the usual letter of condolences be sent to his beloved and faithful wife.

I ask you all to stand in a minute's silence of respect for all those who were mentioned today.

[Minute of silence]

The Speaker: Thank you. Please be seated. All members should have the addendum we spoke about before taking the lunch break.

We will now go into Committee to consider the Bills.

House in Committee at 2:42pm

COMMITTEE ON BILLS

The Chairman: Please be seated.

We are now in Committee, and as usual, we will assume that we should authorise the Attorney General to correct minor errors in these Bills, if any.

**PROCUREMENT
(AMENDMENT) BILL, 2021**

The Clerk:

Clause 1 Short title

- Clause 2 Amendment of section 2 of the Procurement Act, 2016 - interpretation
- Clause 3 Amendment of Schedule 4 - the responsibilities of the Public Procurement Committee
- Clause 4 Amendment of Schedule 5 - meetings of the Public Procurement Committee
- Clause 5 Amendment to Schedule 6 - roles and functions

The Chairman: The question is that clauses 1 to 5 stand part of the Bill. If there are no questions, all those in favour please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 5 passed.

The Clerk: A Bill for an Act to amend the Procurement Act, 2016, in order to address duplication, inconsistencies and gaps between the Procurement Act, 2016 and other legislation; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill.

All those in favour please say, Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: The title passed.

THE COURT OF APPEAL (AMENDMENT) BILL, 2021

The Clerk:

- Clause 1 Short title and commencement Clause
- 2 Repeal of section 3 of the Court of Appeal (2011 Revision) and substitution - Judges of the Court
- Clause 3 Repeal of section 36 of the Court of Appeal (2011 Revision) and substitution — English rules to apply where no other provision made

The Chairman: The question is that clauses 1 to 3 stand part of the Bill.

Are there any questions or otherwise on these clauses? If not, the question is that clauses 1 to 3 stand part of the Bill.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk: A Bill for an Act to amend the Court of Appeal Act (2011 Revision) to allow cases to progress to judgment in circumstances where the cases have been heard but judgment has been reserved and one of the Justices of Peace of the panel of three becomes unable to render a determination; to provide that where the rules of the court are lacking, there shall be reference to the law and practice of England only; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill.

All in favour, please say, Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

SUMMARY JURISDICTION (AMENDMENT) BILL, 2021

The Clerk:

- Clause 1 Short title
- Clause 2 Amendment of section 2 of the Summary Jurisdiction Act (2019 Revision) - definitions
- Clause 3 Amendment of section 5 - seal of the Courts
- Clause 4 Insertion of section 6A - designation of Chief Magistrate

The Chairman: The question is that clauses 1 to 4 stand part of the Bill. Are there any questions or otherwise? If not, the question is that clauses 1 to 4 do stand part of the Bill.

All in favour, please say Aye; those Against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 4 passed.

The Clerk: A Bill for an act to amend the Summary Jurisdiction Act (2019 Revision) to empower the Chief Justice to prescribe the seal of the Courts; to provide for the designation of the Chief Magistrate by the Governor; to prescribe the responsibilities of the Chief Magistrate; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill?

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

**PUBLIC RECORDER
(AMENDMENT) BILL, 2022**

The Clerk:

Clause 1	Short title
Clause 2	Amendment of section 4 of the Public Recorder Act (2010 Revision) – documents for recording

The Chairman: The question is that clauses 1 and 2 do stand part of the Bill. Any questions? If not, the question is that clauses 1 and 2 do stand part of the Bill.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 and 2 passed.

The Clerk: A Bill for an Act to amend the Public Recorder Act (2010 Revision) to provide for a fifty per cent reduction in fees payable by older persons for the recording of a Deed Poll by the public recorder; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

INSURANCE (AMENDMENT) BILL, 2022

The Clerk:

Clause 1	Short title
Clause 2	Amendment of section two of the Insurance Act, 2010 – interpretation
Clause 3	Amendment of section 17 of the Insurance Act, 2010 – for the provisions relating to long-term business accounts

The Chairman: The question is that clauses 1, 2 and 3 do stand part of the Bill. The clauses are open, if there are any questions or otherwise; if not, the question is that clauses 1, 2 and 3 do stand part of the Bill.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 to 3 passed.

The Clerk: A Bill for an Act to amend the Insurance Act, 2010 to provide for capital redemption contracts; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill.

All those in favour please say, Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

**PARLIAMENT (MANAGEMENT)
(AMENDMENT) BILL, 2022**

The Clerk:

Clause 1	Short title and commencement
2	Amendment of section 2 of the Parliament (Management) Act, 2020 - interpretation
Clause 3	Amendment of section 4 - general functions of the Commission
Clause 4	Insertion of section 12A – constituency assistants
Clause 5	Amendment of section 13 - structure of the Commission
Clause 6	Amendment of section 23 - Regulations by Cabinet
Clause 7	Repeal and substitution of Schedule 2 - MLA constituency allowance; allowances for the offices of the Leader of the Opposition and for elected members of Cayman Brac and Little Cayman

The Chairman: The question is that Clauses 1 through 7 do stand part of the Bill. Are there any questions or otherwise?

If not, the question is that Clauses 1 through 7 do stand part of the Bill.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Clauses 1 through 7 passed.

The Clerk: A Bill for an Act to amend the Parliament (Management) Act, 2020 in order to provide for the appointment of Constituency Assistants; and for incidental and connected purposes.

The Chairman: The question is that the title do stand part of the Bill.

All those in favour please say Aye, those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Title passed.

The Chairman: The question is that these Bills now be reported to the House.

All those in favour, please say Aye; those against, No.

AYES.

The Chairman: The Ayes have it.

Agreed: Bills to be reported to the House.

House resumed at 2:58pm

The Speaker: Please be seated. The Parliament resumes its business.

REPORT ON BILLS

PROCUREMENT (AMENDMENT) BILL, 2021

The Speaker: The Honourable Deputy Premier—Procurement (Amendment) Bill.

Hon. Christopher S. Saunders, Deputy Premier: Mr. Speaker, I wish to report that a Bill entitled the Procurement (Amendment) Bill, 2021 was considered and passed without amendments. I beg that it be set down for a third reading and passed.

The Speaker: The Bill has been duly reported and is now set down for the third reading.

COURT OF APPEAL (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to report that a Bill entitled Court of Appeal (Amendment) Bill, 2021 has been considered by a Committee of the whole House and passed without amendment.

The Speaker: The Bill has been duly reported and is set down for the third reading.

SUMMARY JURISDICTION (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to report that a Bill entitled the Summary Jurisdiction (Amendment) Bill, 2021 has been considered by a Committee of the whole Parliament and passed without amendments.

The Speaker: The Bill has been duly reported and is set down for the third reading.

PUBLIC RECORDER (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

I beg to report that a Bill entitled The Public Recorder (Amendment) Bill, 2022 has been considered by a Committee of the whole House and I beg that it be set down for a third reading.

The Speaker: The Bill has been duly reported and is set down for the third reading.

INSURANCE (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial services and Commerce.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

I beg to report that a Bill entitled the Insurance (Amendment) Bill, 2022 has been considered by a Committee of the whole House, and I beg that it be set down for its third reading.

The Speaker: The Bill has been duly reported and is now set down for the third reading.

PARLIAMENT (MANAGEMENT) (AMENDMENT) BILL, 2022

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

I wish to report that a Bill shortly entitled the Parliament (Management) (Amendment) Bill, 2022 was considered by a Committee of the whole House and passed without amendment.

The Speaker: The Bill has been duly reported and is set down for the third reading.

I think we need the suspension of Standing Orders for the third reading. The Honourable Premier.

Suspension of Standing Order 47
(Bills to be read three times)

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, in accordance with Standing Order 86, I move the suspension of Standing Order 47 to enable Bills to be given their third readings all on the same day.

The Speaker: The question is that Standing Order 47 be suspended to allow for the third readings today.

All those in favour, please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 47 suspended.

THIRD READINGS

PROCUREMENT (AMENDMENT) BILL, 2021

The Speaker: The Honourable Deputy Premier, Minister of Finance.

Hon. Christopher S. Saunders: Thank you, Mr. Speaker.

I beg to move that the Procurement (Amendment) Bill, 2021 be given a third reading and passed.

The Speaker: The question is, that a Bill shortly entitled the Procurement (Amendment) Bill, 2021 be given a third reading and passed.

All those in favour, please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Procurement (Amendment) Bill, 2021 has been given a third reading and passed.

COURT OF APPEAL (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill entitled the Court of Appeal (Amendment) Bill, 2021 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Court of Appeal (Amendment) Bill, 2021 be given a third reading and passed.

All those in favour, please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Court of Appeal (Amendment) Bill, 2021 has been given a third reading and passed.

SUMMARY JURISDICTION (AMENDMENT) BILL, 2021

The Speaker: The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill entitled the Summary Jurisdiction (Amendment) Bill, 2021 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Summary Jurisdiction (Amendment) Bill, 2021 be given a third reading and passed.

All those in favour, please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Summary Jurisdiction (Amendment) Bill, 2021 has been given a third reading and passed.

PUBLIC RECORDER (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you, Mr. Speaker.

I beg to move that a Bill entitled the Public Recorder (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled the Public Recorder (Amendment) Bill, 2022 be given a third reading and passed.

All those in favour please say Aye; those against No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Public Recorder (Amendment) Bill, 2022 has been given a third reading and passed.

INSURANCE (AMENDMENT) BILL, 2022

The Speaker: The Honourable Minister of Financial Services and Commerce.

Hon. André M. Ebanks: Thank you again, Mr. Speaker. I beg to move that a Bill entitled the Insurance (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that a Bill shortly entitled The Insurance (Amendment) Bill, 2022 be given a third reading and passed.

All those in favour, please say Aye; those against No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Insurance (Amendment) Bill, 2022 has been given a third reading and passed.

PARLIAMENT (MANAGEMENT) (AMENDMENT) BILL, 2022

The Speaker: The Honourable Premier.

The Premier, Hon. G. Wayne Panton: Thank you, Mr. Speaker.

Mr. Speaker, I beg to move that a Bill shortly entitled the Parliament (Management) (Amendment) Bill, 2022 be given a third reading and passed.

The Speaker: The question is that the Parliament (Management) (Amendment) Bill, 2022 be given a third reading and passed.

All those in favour, please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

Agreed: The Parliament (Management) (Amendment) Bill, 2022 has been given a third reading and passed.

The Speaker: Honourable Members, I think we have come to the end of our Order Paper.

We were given notice of wanting to stay until 8 o'clock. This is a good feeling, but I must say that we still have two Private Members' Motions. I know that that would be expected tomorrow, but would Members tolerate taking the two Private Members' Motions at this time?

[Inaudible interjections]

The Speaker: Yeah, you were not here but we have done good business.

[Inaudible interjections]

The Speaker: We had good business; we progressed well. If members feel that they cannot move forward, then we will certainly take the adjournment.

[Inaudible interjections]

The Speaker: I do not see any Parliamentary Questions on the Order Paper. The Member for Red Bay well knows that if they are not on the Order Paper, they cannot be answered.

If Members feel like stopping at this very early in the day, when there is so much daylight—so much time—then someone can move the adjournment of the House.

[Inaudible interjections]

The Speaker: Sorry?

[Inaudible interjections]

The Speaker: No; and we are quite ready because it is just 3:00 and we have another five hours that we agreed so why not?

I am sure that the Honourable Member for Red Bay can easily dispense of his Motion, particularly when he might find a willing ear—you do not know; maybe this is a good time, but anyway...

[Inaudible interjections]

The Speaker: There are none that are known to us, none ready, and the Member knows when they are not ready and they are not ready for answer in the House, he shall have a written answer.

[Inaudible interjections]

The Speaker: I do not have any on my desk.

If the Government bench has answers to some questions, then perhaps we should not waste the five hours and give the Opposition their say; but I ask: If you are going into questions, then we add the motions to

the Order Paper as well. So, do we take a break and do another addendum or we can continue?

[Inaudible interjections]

The Speaker: Yeah, the Leader of the Opposition.

Hon. Roy M. McTaggart, Leader of the Opposition: Mr. Speaker, I do have indication from my Members that are not ready to debate the Private Members' Motions until tomorrow.

The Speaker: Thank you very much, Mr. Leader of The Opposition.

Honourable Premier; the adjournment.

[Laughter]

ADJOURNMENT

The Premier, Hon. G. Wayne Panton: Mr. Speaker, I do not think you can be criticised at all for your efforts to try to engage us in some further work. Unfortunately, we have gotten through the matters today with unusual speed and absolutely, we have to recognise with the cooperation of the Members of the Opposition as well. Tomorrow we will no doubt be dealing with questions and the two Opposition Members' Motions, so I think it is fair to allow them time to prepare and be able to debate those Motions properly, sir.

With that I will move the adjournment of this honourable House until 10 am, tomorrow morning.

The Speaker: So that they understand, I was not doing anything more—I certainly wasn't trying to curtail their nocturnal activities.

[Laughter]

The Speaker: So... we will take the adjournment.

[Laughter]

The Speaker: The question is that this honourable House stands adjourned until 10am tomorrow.

All those in favour please say Aye; those against, No.

AYES.

The Speaker: The Ayes have it.

The House stands adjourned until tomorrow, Thursday, at 10am.

At 3:13pm the House stood adjourned until 10am, Thursday, 9 June, 2022.